

**OWOSSO CITY COUNCIL**

**JULY 21, 2014**

**7:30 P.M.**

**PRESIDING OFFICER:** MAYOR BENJAMIN R. FREDERICK

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

**PLEDGE OF ALLEGIANCE:** JOSH ADAMS  
OWOSSO MAIN STREET/DDA DIRECTOR

**PRESENT:** Mayor Benjamin R. Frederick, Councilpersons Loreen F. Bailey,  
David B. Bandkau, Burton D. Fox, Elaine M. Greenway, and  
Robert J. Teich, Jr.

**ABSENT:** Mayor Pro-Tem Christopher T. Eveleth.

**APPROVE AGENDA**

Motion by Councilperson Bandkau to approve the agenda with the following addition:

Executive Session to discuss a legal opinion of the City Attorney (to be held prior to consideration of the Consent Agenda.)

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

**APPROVAL OF THE MINUTES OF SPECIAL MEETING OF JUNE 30, 2014**

Motion by Councilperson Bailey to approve the Minutes of the Special Meeting of June 30, 2014 as presented.

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

**APPROVAL OF THE MINUTES OF REGULAR MEETING OF JULY 7, 2014**

Motion by Councilperson Fox to approve the Minutes of the Special Meeting of June 30, 2014 as presented.

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

**PROCLAMATIONS / SPECIAL PRESENTATIONS**

**CURWOOD FESTIVAL DONATION**

Curwood Festival Treasurer Kristen Van Strate presented the City with a donation of \$1,000 from the Curwood Festival for maintenance of Curwood Castle.

**ELEVATE PROGRAM**

Local pastor Kevin Maginity introduced the Council to the ELEVATE Program. He described the program as the result of numerous group discussions held in the past months to discuss ways to improve the City by improving its self-image. He said the intent of the program is to foster a positive community atmosphere that will in turn foster community growth. This goal will be accomplished by "elevating" all members of the community, from one's co-workers, to the business people one interacts with, to classmates and congregation members. Each person in the community would be held accountable for their actions with the mention of one word: elevate. Stickers will be distributed to those that wish to participate and make it known that they support the community.

**SAFE ROUTES TO SCHOOL**

Owosso Fellow Mary Shi delivered a presentation regarding the Safe Routes to School program. The program is a federal grant funding opportunity designed to encourage children to ride their bikes to school and to provide the necessary infrastructure improvements to provide safe bike routes for area children. She indicated there are 6 school locations within the City that would be eligible for grant funding of up to \$1.2 million in total. Each location would independently determine its needs and the City would provide administrative services for any grant funding received.

**ACTIVE OWOSSO**

Live Healthy Shiawassee representatives and Owosso Fellows Courtney Crawford, Chloe Larkin, and Mary Shi gave a brief presentation to City Council regarding the Active Owosso initiative. As a part of the work performed by the participants of the Owosso Fellows program a website was

developed to function as a “one-stop shop” for those looking for healthy living opportunities, as well as connecting with other active minded community members in the Shiawassee County area. The site can be accessed at [www.ActiveShiawassee.com](http://www.ActiveShiawassee.com) or via Facebook. The Fellows also announced the hosting of a photo contest on Facebook looking for the best picture of people participating in healthy living events around the County.

## **PUBLIC HEARINGS**

### **SPECIAL ASSESSMENT DISTRICT NO. 2014-04**

### **ALLEY BOUNDED BY KING STREET, CLARK AVENUE, OLIVER STREET, AND FIRST STREET**

A public hearing was conducted to receive citizen comment regarding Resolution No. 3 for Special Assessment District No. 2014-04 for the proposed improvements to the alley bounded by King Street, Clark Avenue, Oliver Street, and First Street.

The following people commented regarding the proposed project:

John Garrison, 802 West Oliver Street, indicated his alley is in really rough shape and he was looking forward to having the work done though he was concerned with the assessments proposed for property owners.

Dr. Robert Patterson, 515 Clark Street, written communication, requested the project not move forward due to cost concerns.

Motion by Councilperson Fox to adopt the following resolution:

#### **RESOLUTION NO. 107-2014**

#### **ALLEY BOUNDED BY KING STREET, CLARK AVENUE, OLIVER STREET, AND FIRST STREET FINDING OF NECESSITY**

WHEREAS, the City Council, after due and legal notice, has met and heard all persons to be affected by the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited: Block 2 of H N and S A Williams Addition, public alley bounded by King Street, Clark Avenue, Oliver Street, and First Street.
2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be «ESTIMATED\_COST»14,043.46 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.
3. The City Council determines that of said total estimated cost, the sum of «AMOUNT\_ASSESSED»14,043.46 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied: Block 2 of H N and S A Williams Addition, public alley bounded by King Street, Clark Avenue, Oliver Street, and First Street for alley resurfacing.
5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.

When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

Motion supported by Councilperson Greenway.

Roll Call Vote.

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

NAYS: None.

ABSENT: Mayor Pro-Tem Eveleth.

**SPECIAL ASSESSMENT DISTRICT NO. 2014-05**

**ALLEY BOUNDED BY WILLIAMS, BALL, MASON, AND WATER STREETS**

A public hearing was conducted to receive citizen comment regarding Resolution No. 3 for Special Assessment District No. 2014-05 for the proposed improvements to the alley bounded by Williams, Ball, Mason, and Water Streets.

There were no citizen comments received.

Motion by Councilperson Bailey to authorize the following resolution:

**RESOLUTION NO. 108-2014**

**ALLEY BOUNDED BY WILLIAMS, BALL, MASON, AND WATER STREETS  
FINDING OF NECESSITY**

WHEREAS, the City Council, after due and legal notice, has met and there being no one to be heard regarding the proposed public improvement, more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited: Block 13 of Original Plat, public alley bounded by Williams Street, Ball Street, Mason Street and Water Street.
2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be «ESTIMATED\_COST»19,133.27 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.
3. The City Council determines that of said total estimated cost, the sum of «AMOUNT\_ASSESSED»19,133.27 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied: Block 13 of Original Plat, public alley bounded by Williams Street, Ball Street, Mason Street and Water Street for alley resurfacing.
5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.

When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

Motion supported by Councilperson Fox.

Roll Call Vote.

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

NAYS: None.

ABSENT: Mayor Pro-Tem Eveleth.

**SPECIAL ASSESSMENT DISTRICT NO. 2014-06**

**ALLEY BOUNDED BY OLIVER, BALL, WILLIAMS, AND WATER STREETS**

A public hearing was conducted to receive citizen comment regarding Resolution No. 3 for Special Assessment District No. 2014-06 for the proposed improvements to the alley bounded by Oliver, Ball, Williams, and Water Streets.

The following people commented regarding the proposed project:

Stanley Beltowski, 402 North Water Street, phone message indicating he is opposed to the project because he does not use the alley and feels it should be closed.

Motion by Councilperson Bailey to authorize the following resolution:

**RESOLUTION NO. 109-2014**

**ALLEY BOUNDED BY OLIVER STREET, BALL STREET, WILLIAMS STREET  
AND WATER STREET  
FINDING OF NECESSITY**

WHEREAS, the City Council, after due and legal notice, has met and heard all persons to be affected by the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited: Block 4 of Original Plat, public alley bounded by Oliver Street, Ball Street, Williams Street and Water Street.
2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be «ESTIMATED\_COST»12,447.60 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.
3. The City Council determines that of said total estimated cost, the sum of «AMOUNT\_ASSESSED»12,447.60 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied: Block 4 of Original Plat, public alley bounded by Oliver Street, Ball Street, Williams Street and Water Street for alley resurfacing.
5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.

When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

Motion supported by Councilperson Teich.

Roll Call Vote.

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

NAYS: None.

ABSENT: Mayor Pro-Tem Eveleth.

**SPECIAL ASSESSMENT DISTRICT NO. 2014-07**

**ALLEY BOUNDED BY OLIVER, BALL,  
WILLIAMS, AND WASHINGTON  
STREETS**

A public hearing was conducted to receive citizen comment regarding Resolution No. 3 for Special Assessment District No. 2014-07 for the proposed improvements to the alley bounded by Oliver, Ball, Williams, and Washington Streets.

There were no citizen comments received.

Motion by Councilperson Fox to authorize the following resolution:

**RESOLUTION NO. 110-2014**

**ALLEY BOUNDED BY OLIVER STREET, BALL STREET, WILLIAMS STREET  
AND WASHINGTON STREET  
FINDING OF NECESSITY**

WHEREAS, the City Council, after due and legal notice, has met and there being no one to be heard regarding the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited: Block 5 of Original Plat, public alley bounded by Oliver Street, Ball Street, Williams Street and Washington Street.
2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be «ESTIMATED\_COST»17,965.20 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.
3. The City Council determines that of said total estimated cost, the sum of «AMOUNT\_ASSESSED»17,965.20 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied: Block 5 of Original Plat, public alley bounded by Oliver Street, Ball Street, Williams Street and Washington Street for alley resurfacing.
5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.

When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

Motion supported by Councilperson Greenway.

Roll Call Vote.

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

NAYS: None.

ABSENT: Mayor Pro-Tem Eveleth.

**CITIZEN COMMENTS AND QUESTIONS**

Tom Manke, business owner at 118 South Washington Street, thanked the Council for adding a handicap accessible portable toilet in Bentley Park. He said it was a shame the new bathrooms could not be unlocked more often saying he felt a large restroom needs to be available to the public whenever the park is open.

Marsha Ladd, 735 Lingle Avenue, thanked Council for their time and effort in doing their job. She thanked the Mayor for hosting a meeting of concerned residents to attempt to put a plan in place to monitor the new bathrooms at Bentley Park. She said she also appreciated Councilperson Bandkau's correspondence regarding his proposal for a millage dedicated to street repair. She said she thought it was a well thought out and responsible proposal. She encouraged Council members to drive each of the streets and be cognizant of the location of the streets that will be proposed for reconstruction prior to deciding on the final list.

Kevin M. Brown, 205 East Oliver Street, said he would like someone to inform Central Dispatch of the law regarding firecrackers. He said he called about the use of firecrackers in his neighborhood several times but was told the law allows them at any time.

There was general Council discussion regarding how the list of streets proposed for reconstruction will be developed.

Councilperson Fox echoed Mr. Brown's statements regarding firecrackers.

Councilperson Bailey suggested the City put up signs that say "If you see something, say something" to encourage people to report those that are vandalizing City property. She asked that any signs include a phone number for reporting purposes.

Mayor Frederick and Councilperson Fox both noted recent spates of vandalism saying it has been a particularly tough year with the County losing their porta john bid due to overwhelming vandalism.

### **CITY MANAGER REPORT**

The City Manager had nothing to report at the current time.

Motion by Councilperson Fox to adjourn to Executive Session at 8:31 p.m.

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

ABSENT: Mayor Pro-Tem Eveleth.

**THE COUNCIL ENTERED EXECUTIVE SESSION AT 8:31 P.M.**

**THE COUNCIL RETURNED FROM EXECUTIVE SESSION AT 8:49 P.M.**

### **CONSENT AGENDA**

Motion by Councilperson Fox to approve the Consent Agenda as follows:

First Reading and Set Public Hearing – Ordinance Amendment. Conduct first reading and set a public hearing for Monday, August 4, 2014 to hear citizen comment regarding the proposed amendment to Chapter 8, Buildings and Building Regulations, Article VII, Rental Dwelling Registration, Section 8-154(a), Registration, to change the rental registration period to 5 years, reflecting the changes made to the Fee Schedule in April 2014 as follows:

#### **RESOLUTION NO. 111-2014**

#### **SETTING A PUBLIC HEARING FOR AN ORDINANCE AMENDING SECTION 8-154(a) OF THE OWOSSO CITY CODE REGARDING RENTAL REGISTRATION**

WHEREAS, the city of Owosso has an ordinance on its books requiring the registration of rental dwelling units every two years with a fee of \$25.00; and

WHEREAS, the City Council has passed a resolution to modify the fee schedule to every five years and the ordinance needs to be amended to reflect that change; and

NOW THEREFORE BE IT RESOLVED THAT THE CITY OF OWOSSO ORDAINS that Chapter 8, Buildings and Building Regulations, Article VII, Rental Dwelling Registration, Section 8-154(a), Registration, be amended as follows:

SECTION 1. Section 8-154 (a) of the Owosso City Code is hereby amended to read:

#### **Sec. 8-154(a). Registration.**

(a) *Compliance required.* All rental dwelling unit owners are required to ~~bi-annually~~ register their rental dwelling units **every five years** pursuant to this article and shall comply with the following:

- (1) All existing rental dwelling units property shall be registered within 180 days of the effective date of the ordinance.
- (2) All newly constructed rental dwelling units shall be registered prior to any use or occupancy as a rental dwelling unit and every ~~year~~ **five years** thereafter.
- (3) A new owner shall register a rental dwelling unit, which is sold, transferred or conveyed, within 30 days of the date of the closing of such sale. Any existing registration shall be transferred to the new owner and shall be valid until its expiration or revocation for noncompliance with city codes and ordinances.

- (4) All existing nonrental dwelling units, which are converted to rental dwelling units, shall be registered prior to the date on which the property is first occupied for rental purposes and ~~bi-annually~~ **every five years** thereafter. Failure to comply will result in penalties as described in this ordinance or by resolution.

SECTION 2. EFFECTIVE DATE. This amendment shall become effective twenty days after passage.

SECTION 3. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

SECTION 4. PUBLIC HEARING. A public hearing is set for Monday, August 4, 2014 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendment.

Antique Bike Show Permission. Approve application of House of Wheels/Westtown Corridor Improvement Authority for use of the parking lot in the 800 block of West Main Street (Lot #11) from 3:00am to 6:00pm on Sunday, August 10, 2014 for an antique bike festival, waive the insurance requirement, and authorize Traffic Control Order No. 1316 formalizing the request.

Bid Award – 2014 Double Chip Seal Program. Approve the low bid of Highway Maintenance and Construction Company for the 2014 Double Chip Seal Program in the amount of \$123,113.20 and authorize payment up to the contract amount upon satisfactory completion of the work or portion thereof as follows:

**RESOLUTION NO. 112-2014**

**AUTHORIZING THE EXECUTION OF A CONTRACT FOR  
THE 2014 DOUBLE CHIP SEAL PROGRAM  
WITH HIGHWAY MAINTENANCE AND CONSTRUCTION COMPANY**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that improvement to the surface quality of various streets is advisable, necessary and in the public interest; and

WHEREAS, the city of Owosso sought bids to improve the surface of various streets as part of the 2014 Double Chip Seal Program; a bid was received from Highway Maintenance and Construction Company; and it is hereby determined that Highway Maintenance and Construction Company is qualified to provide such services and that it has submitted the lowest responsible and responsive bid;

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

- FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to employ Highway Maintenance and Construction Company for the surface improvement of various streets as part of the 2014 Double Chip Seal Program.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit A, Contract for Services Between the city of Owosso, Michigan and Highway Maintenance and Construction Company in the amount of \$123,113.20.
- THIRD: The above expenses shall be paid from the Major and Local Street Maintenance Fund.

Bid Award – 2014 Sidewalk Replacement Program. Approve the low bid of Seifert Construction LLC for the 2014 Sidewalk Replacement Program in the amount of \$50,125.00 and authorize payment up to the contract amount upon satisfactory completion of the work or a portion thereof as follows:

**RESOLUTION NO. 113-2014**

**AUTHORIZING THE EXECUTION OF A CONTRACT FOR  
THE 2014 SIDEWALK REPLACEMENT PROGRAM  
WITH SEIFERT CONSTRUCTION LLC**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined sections of the sidewalk on various streets in the City have become misaligned, deteriorated, or damaged and that replacement is advisable, necessary and in the public interest, and

WHEREAS, the city of Owosso sought bids for the replacement of these sections of sidewalk as part of the 2014 Sidewalk Replacement Program; a bid was received from Seifert Construction LLC; and is hereby determined that Seifert Construction LLC is qualified to provide such services and that it has submitted the lowest responsible and responsive bid;

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

- FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to employ Seifert Construction LLC for replacement of sections of damaged or misaligned sidewalk as part of the 2014 Sidewalk Replacement Program.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit A, Contract for Services Between the City of Owosso, Michigan and Seifert Construction LLC, in the amount of \$50,125.00.
- THIRD: The above expenses shall be paid from the Major and Local Street Maintenance Funds, accounts 203-463-728-000 and 202-463-728-000.

Warrant No. 485. Authorize Warrant No. 485 as follows:

Vendor	Description	Fund	Amount
Brown & Stewart, PC	Professional services – June 10, 2014 – July 14, 2014	General	\$10,757.48
Logicalis, Inc	Network engineering support- June 2104	General	\$ 7,140.00
Johnson Controls Inc	Planned service agreement - August 1, 2014 – July 31, 2015	General-Historical	\$24,700.00
Owosso Charter Township	Owosso Charter Township water sales payment – April 1, 2014 – June 30, 2014	Water	\$ 8,676.33
Caledonia Charter Township	Caledonia Utility fund payment- April 1, 2014 – June 30, 2014	Water	\$17,857.98

\*Check Register–June 2014. Affirm check disbursements totaling \$2,270,655.02 for the month of June 2014.

Motion supported by Councilperson Bandkau.

Roll Call Vote.

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

NAYS: None.

ABSENT: Mayor Pro-Tem Eveleth.

\*Due to its length, full text of the Check Register is not included in the minutes. Copies of this document can be found on file in the Clerk’s Office.

**ITEMS OF BUSINESS**

**PROPERTY SALE – 1120-1170 JUNIPER STREET**

The Council thoughtfully considered the potential sale of city owned property located at 1120-1170 Juniper Street, with many of them expressing the idea that the decision they were facing was tough in that the property in question is the City’s to sell but commitments had been made to the owners of property in the adjacent Phase 1. It was noted the decision boiled down to whether or not the sale of the property would benefit the public in general or simply a single private party.

Councilperson Teich indicated his frustration with the current situation saying it resulted from the lack of a plan.

Motion by Councilperson Fox to not sell the property at 1120-1170 Juniper Street.

Motion supported by Councilperson Bailey.

The Mayor reminded Council members that a Yes vote on the motion would prohibit the sale of the property and a No vote would potentially allow the sale.

Roll Call Vote.

AYES: Councilpersons Fox, Greenway, Bandkau, Bailey, and Mayor Frederick.

NAYS: Teich

ABSENT: Mayor Pro-Tem Eveleth.



A number of Council members expressed their sympathies to the Birchmeiers, saying the decision was not personal in nature but more aimed at finding an overall plan for the larger property before selling off a portion of it.

There was further discussion regarding where to go from here, not letting the overall issue of what to do with the Phase 2 property die with this action, and encouraging continued interaction between all the parties involved. Councilperson Fox encouraged Council to provide direction for staff to form a plan for the area. Mayor Frederick also mentioned the need to expedite the sale of vacant lots in Phase 1 to spur development and the potential formation of an ad-hoc committee to discuss the future of Phase 1.

### **STREET MILLAGE PROPOSAL DISCUSSION**

Councilperson Bandkau started off the discussion saying he was trying to determine the feasibility of different funding methods for street reconstruction. Knowing the City had recently lost a bond issue he wanted to be more conservative yet still move the city forward. His recommendation is to ask for a 1.963 mills millage and maintain the current special assessment structure in an effort to leverage the revenues generated by the millage. He further noted that he recognizes that he does not have all the information or knowledge to make a solid list of street priorities and that development of that list would come in the near future. Mayor Frederick noted that time was running out to include this item on the November ballot, reminding Council the deadline for submission is August 12<sup>th</sup>. He indicated he would like to have proposed wording for the question on the August 4<sup>th</sup> agenda as well as a preliminary list of streets.

### **COMMUNICATIONS**

Mark Sedlak, Director of Public Services. Temporary closure of Gould Street bridge.  
Kevin D. Lenkart, Public Safety Director. June 2014 Police Report.

### **CITIZEN COMMENTS AND QUESTIONS**

Laura Birchmeier, 1140 Jackson Drive, said she was very disappointed with Council's decision not to sell the property on Juniper Street. She said she has been trying to purchase property in that area for 4 years. She went on to indicate that she hoped the Council would consider one of the initial offers she made to the City to purchase the entire 70 acre undeveloped portion known as Phase 2.

Fred Finnen, 1180 Juniper Street, said he is a current board member for the Osburn Lakes HOA and would be happy to serve as the liaison between the board and the City for any future discussions regarding Phase 1.

Mayor Frederick indicated that he was aware that the Birchmeiers had made several different offers for the property but only the agreed upon proposal had made its way to Council for consideration. Councilperson Bailey asked if the alternative proposal could be considered.

### **NEXT MEETING**

Monday, August 04, 2014

### **BOARDS AND COMMISSIONS OPENINGS**

None.

### **ADJOURNMENT**

Motion by Councilperson Bandkau for adjournment at 9:23 p.m.

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

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Benjamin R. Frederick, Mayor

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Amy K. Kirkland, City Clerk