

**OWOSSO CITY COUNCIL**

**SEPTEMBER 2, 2014**

**7:30 P.M.**

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

**OPENING PRAYER:** PASTOR MARLENE WEBSTER  
OWOSSO CITY CHURCH

**PLEDGE OF ALLEGIANCE:** KASIE ROBBINS  
CITY OF OWOSSO FIRE FIGHTER

**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:

- Add Consent Item 10. Art Walk Permission.
- Add Item of Business 3. Lansing Street Parking Lot Update.
- Add Item of Business 4. Third Party Administrator Contract.

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

**APPROVAL OF THE MINUTES OF SPECIAL MEETING OF AUGUST 12, 2014**

Motion by Mayor Pro-Tem Eveleth to approve the Minutes of the Special Meeting of August 12, 2014 as presented.

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

**APPROVAL OF THE MINUTES OF REGULAR MEETING OF AUGUST 18, 2014**

Motion by Councilperson Fox to approve the Minutes of the Special Meeting of August 12, 2014 as presented.

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

**STUDENT REPRESENTATIVE REPORT**

None.

**PROCLAMATIONS / SPECIAL PRESENTATIONS**

**SWEARING IN CEREMONY - FIRE DEPARTMENT EMPLOYEE**

Mayor Frederick and Public Safety Director Kevin D. Lenkart presided over a ceremony to swear in the City's newest firefighter Kasie Robbins.

**PUBLIC HEARINGS**

None.

**CITIZEN COMMENTS AND QUESTIONS**

Shelah Hockman, 705 Campbell Drive, said she felt the burning ordinance was not being enforced correctly, more tickets should be issued, and officers should be allowed less discretion when inspecting for violations. She said she would like to see the open burning report incorporate the actual officer report for each investigation rather than just a list of investigations.

Lisa Stechschulte, 725 River Street, wondered why no burning tickets were issued in the month of July, especially in light of the idea that she reported a fire on July 4<sup>th</sup> that caused heavy smoke in the area of her home. She said Owosso's open burning law was the most lax burning law in the state and the right to breathe should trump the right to burn. She asked City Council to do a service to the residents of the City and prohibit burning.

Tom Manke, business owner at 118 South Washington Street, asked that the recreation service agreement with the Y be pulled from the Consent Agenda for discussion. He said he felt that, as written, the contract would allow the Y to charge people to use the Bentley Park tennis courts, he felt the contract was being hidden in the Consent Agenda, and people should not have to pay to use the park.

Marlene Webster, 407 Woodhall Court, refreshed the Council on the mission of the HOPE Project as a means to help people make permanent steps out of poverty. She indicated the project is still underway, funds are being raised, and the organization will be hosting on navigator/mentor training in September and an Opportunity Conference in October. All interested parties are encouraged to contact her.

Councilperson Bailey said she was very interested in the HOPE Project and was glad to have it working in the community. She went on to address Mr. Manke's concerns with the tennis court agreement saying an agreement to allow people to take tennis lessons and utilize the new courts shouldn't be presented in such a negative context.

Councilperson Bailey went on to give a brief update on the stray cat issue saying she had met with numerous organizational representatives and residents to discuss the issue. Efforts are underway to gather information about available resources to determine the best course of action. She further noted that she would like to see the information she has already gathered placed on the City's website so residents may take advantage of the resources that are out there.

Mayor Frederick noted the City has a similar agreement with the Y for the use of the soccer fields and it was worked to the benefit of both parties. He said the agreement would not grant the Y exclusive rights to the courts.

Councilperson Fox noted the tennis court agreement is similar to that for use of the ball fields in that the City owns the fields but another organization runs the recreation programs on those fields.

Councilperson Greenway inquired whether signs will be posted at the courts to alert the public to the times when the Y will be using the courts. It was noted the agreement addressing scheduling of the courts.

Councilperson Bailey inquired whether it was time for the Council to take up the burning issue again with the recent spate of concerns relayed by citizens. Mayor Frederick responded saying he believed that with proper enforcement the current ordinance would work. He said fires held outside the hours noted in the ordinance should be ticketed and the ordinance needs to be followed to the letter.

Councilperson Fox said the City needed to work to make sure that 100% of the leaves are picked up to avoid the need to burn. It was noted that numerous volunteer organizations were available to help those that are unable to rake their leaves for pick up.

Councilperson Bailey noted the Home Tour is coming up soon and with all the visitors expected everyone should work to put the city's best foot forward, sweeping streets, weeding flower beds, and making the town look nice. Mayor Frederick noted that volunteers are needed to spray weeds.

Councilperson Greenway inquired why there was a "No Dumping" sign at the Aiken Street drop off site, asking if the site was closed for some reason. It was noted the sign was targeting those that dump trash and construction waste at the site, not those dropping off leaves and brush.

#### **CITY MANAGER REPORT**

City Manager Crawford detailed the latest Project Status Report, saying leaf collection would start September 29<sup>th</sup> and the City had recently received notice that MSHDA was barring the City from future rounds of grants because, according to the 2010 Census, residents now make too much money to qualify. Mayor Frederick inquired what could be done to have the City's eligibility reinstated. He also wanted to know what other communities in the same position were considering. City Manager Crawford noted the City could recalculate the census tracks or hold its own census and he would find out what other cities are doing.

Councilperson Fox inquired about the status of the repairs to the decking of the John F. Archer Oakwood Street bridge. It was noted planks have been ordered, but due to their custom nature it would be some time before they arrive and are installed.

#### **CONSENT AGENDA**

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

Special Assessment District No. 2014-04. Consider authorizing Resolution No. 4 setting a public hearing for Monday, September 15, 2014 to receive citizen comment regarding Special Assessment District No. 2014-04 for the alley bounded by King Street, Clark Avenue, Oliver Street, and First Street for alley resurfacing as follows:

#### **RESOLUTION NO. 128-2014**

#### **SETTING A PUBLIC HEARING TO HEAR COMMENT REGARDING SPECIAL ASSESSMENT DISTRICT NO. 2014-04 ALLEY BOUNDED BY KING STREET, CLARK AVENUE, OLIVER STREET, AND FIRST STREET**

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements more particularly hereinafter described to the properties specially benefited by said public improvement, and the same has been presented to the Council by the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll is hereby accepted and shall be filed in the office of the City Clerk for public examination.
2. The Council shall meet at the Owosso City Hall, Owosso, Michigan at 7:30 o'clock p.m., on Monday, September 15, 2014 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same.
3. The City Clerk is directed to publish the notice of said hearings once in the *Argus Press*, the official newspaper of the City of Owosso, not less than ten (10) days prior to said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of the property subject to assessment, as indicated by the records in the City Assessor's office as shown on the general tax rolls of the City, at least ten (10) days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.
4. The notice of said hearing to be published and mailed shall be in substantially the following form:

**NOTICE OF HEARING  
TO REVIEW SPECIAL ASSESSMENT ROLL  
CITY OF OWOSSO, COUNTY OF SHIAWASSEE, MICHIGAN**

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

Alley bounded by King Street, Clark Avenue, Oliver Street, and First Street

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described improvements:

Alley resurfacing

The said Special Assessment roll is on file for public examination with the City Clerk and any objections to said Special Assessment roll must be filed in writing with the City Clerk prior to the close of the hearing to review said Special Assessment roll.

TAKE FURTHER NOTICE that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter and his or her personal appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessments may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall, Owosso, Michigan at 7:30 p.m. on Monday, September 15, 2014 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

Special Assessment District No. 2014-05. Consider authorizing Resolution No. 4 setting a public hearing for Monday, September 15, 2014 to receive citizen comment regarding Special Assessment District No. 2014-05 for the alley bounded by Williams, Ball, Mason, and Water Streets for alley resurfacing as follows:

**RESOLUTION NO. 129-2014**

**SETTING A PUBLIC HEARING  
TO HEAR COMMENT REGARDING  
SPECIAL ASSESSMENT DISTRICT NO. 2014-05  
ALLEY BOUNDED BY WILLIAMS, BALL, MASON, & WATER STREETS**

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements more particularly hereinafter described to the properties specially benefited by said public improvement, and the same has been presented to the Council by the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll is hereby accepted and shall be filed in the office of the City Clerk for public examination.
2. The Council shall meet at the Owosso City Hall, Owosso, Michigan at 7:30 o'clock p.m., on Monday, September 15, 2014 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same.
3. The City Clerk is directed to publish the notice of said hearings once in the *Argus Press*, the official newspaper of the City of Owosso, not less than ten (10) days prior to said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of the property subject to assessment, as indicated by the records in the City Assessor's office as shown on the general tax rolls of the City, at least ten (10) days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.
4. The notice of said hearing to be published and mailed shall be in substantially the following form:

**NOTICE OF HEARING  
TO REVIEW SPECIAL ASSESSMENT ROLL  
CITY OF OWOSSO, COUNTY OF SHIAWASSEE, MICHIGAN**

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

Alley bounded by Williams, Ball, Mason, and Water Streets

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described improvements:

Alley resurfacing

The said Special Assessment roll is on file for public examination with the City Clerk and any objections to said Special Assessment roll must be filed in writing with the City Clerk prior to the close of the hearing to review said Special Assessment roll.

TAKE FURTHER NOTICE that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter and his or her personal appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessments may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall, Owosso, Michigan at 7:30 p.m. on Monday, September 15, 2014 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

Special Assessment District No. 2014-06. Consider authorizing Resolution No. 4 setting a public hearing for Monday, September 15, 2014 to receive citizen comment regarding Special Assessment District No. 2014-06 for the alley bounded by Oliver, Ball, Williams, and Water Streets for alley resurfacing as follows:

**RESOLUTION NO. 130-2014**

**SETTING A PUBLIC HEARING  
TO HEAR COMMENT REGARDING  
SPECIAL ASSESSMENT DISTRICT NO. 2014-06  
ALLEY BOUNDED BY OLIVER, BALL, WILLIAMS, AND WATER STREETS**

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements more particularly hereinafter described to the properties specially benefited by said public improvement, and the same has been presented to the Council by the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll is hereby accepted and shall be filed in the office of the City Clerk for public examination.
2. The Council shall meet at the Owosso City Hall, Owosso, Michigan at 7:30 o'clock p.m., on Monday, September 15, 2014 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same.

3. The City Clerk is directed to publish the notice of said hearings once in the *Argus Press*, the official newspaper of the City of Owosso, not less than ten (10) days prior to said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of the property subject to assessment, as indicated by the records in the City Assessor's office as shown on the general tax rolls of the City, at least ten (10) days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.
4. The notice of said hearing to be published and mailed shall be in substantially the following form:

**NOTICE OF HEARING  
TO REVIEW SPECIAL ASSESSMENT ROLL  
CITY OF OWOSSO, COUNTY OF SHIAWASSEE, MICHIGAN**

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

Alley bounded by Oliver, Ball, Williams, and Water Streets

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described improvements:

Alley resurfacing

The said Special Assessment roll is on file for public examination with the City Clerk and any objections to said Special Assessment roll must be filed in writing with the City Clerk prior to the close of the hearing to review said Special Assessment roll.

TAKE FURTHER NOTICE that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter and his or her personal appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessments may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall, Owosso, Michigan at 7:30 p.m. on Monday, September 15, 2014 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

Special Assessment District No. 2014-07. Consider authorizing Resolution No. 4 setting a public hearing for Monday, September 15, 2014 to receive citizen comment regarding Special Assessment District No. 2014-07 for the alley bounded by Oliver, Ball, Williams, and Washington Streets for alley resurfacing as follows:

**RESOLUTION NO. 131-2014**

**SETTING A PUBLIC HEARING  
TO HEAR COMMENT REGARDING  
SPECIAL ASSESSMENT DISTRICT NO. 2014-07  
ALLEY BOUNDED BY OLIVER, BALL, WILLIAMS, AND WASHINGTON STREETS**

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements more particularly hereinafter described to the properties specially benefited by said public improvement, and the same has been presented to the Council by the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll is hereby accepted and shall be filed in the office of the City Clerk for public examination.
2. The Council shall meet at the Owosso City Hall, Owosso, Michigan at 7:30 o'clock p.m., on Monday, September 15, 2014 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same.
3. The City Clerk is directed to publish the notice of said hearings once in the *Argus Press*, the official newspaper of the City of Owosso, not less than ten (10) days prior to said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of the property subject to assessment, as indicated by the records in the City Assessor's office as shown on the general tax rolls of the City, at least ten (10) days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.

4. The notice of said hearing to be published and mailed shall be in substantially the following form:

**NOTICE OF HEARING  
TO REVIEW SPECIAL ASSESSMENT ROLL  
CITY OF OWOSSO, COUNTY OF SHIAWASSEE, MICHIGAN**

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

Alley bounded by Oliver, Ball, Williams, and Washington Streets

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described improvements:

Alley resurfacing

The said Special Assessment roll is on file for public examination with the City Clerk and any objections to said Special Assessment roll must be filed in writing with the City Clerk prior to the close of the hearing to review said Special Assessment roll.

TAKE FURTHER NOTICE that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter and his or her personal appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessments may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall, Owosso, Michigan at 7:30 p.m. on Monday, September 15, 2014 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

Boards and Commissions Appointment. Confirm the Mayoral appointment of Heather Deason to the Historical Commission to fill the unexpired term of Joni Forster ending December 31, 2014.

Recreation Service Agreement – Tennis. Approve the proposed recreation service agreement with the Shiawassee Family YMCA for the use of the Bentley Park tennis courts for youth tennis for a period expiring December 31, 2019 as follows:

**RESOLUTION NO. 132-2014**

**AUTHORIZING EXECUTION OF A CONTRACT FOR RECREATION SERVICES  
BETWEEN THE CITY OF OWOSSO, MICHIGAN AND SHIAWASSEE FAMILY YMCA  
FOR THE USE OF THE BENTLEY PARK TENNIS COURTS AND  
THE INSTRUCTION OF TENNIS**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that recreation opportunities for area youth and adults are important to the community as a whole; and

WHEREAS, the Shiawassee Family YMCA has dedicated itself to providing exercise and recreation opportunities for all community members and sponsors tennis lessons each year; and

WHEREAS, the city wishes to contribute to recreation opportunities for area youth and adults by allowing the use of the Bentley Park tennis courts for the instruction of tennis; and

WHEREAS, the YMCA has agreed to provide tennis instruction and coordinate all use of the courts.

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 the Shiawassee Family YMCA to provide recreation services in the form of tennis instruction.

SECOND: The mayor and the city clerk of the city of Owosso are instructed and authorized to sign the document substantially in the form attached memorializing use of the Bentley Park tennis courts and the responsibilities of the city and the YMCA.\*

Emergency Purchase Authorization – Manhole Repair. Authorize emergency repair to the manhole at the intersection of Bradley and Shiawassee Streets and further authorize payment in the amount of \$28,176.35 to E.T. Mackenzie Company for said repairs upon satisfactory completion of the work as follows:

**RESOLUTION NO. 133-2014**

**AUTHORIZING THE EXECUTION OF A CONTRACT  
WITH E.T. MACKENZIE COMPANY  
FOR EMERGENCY STRUCTURAL REPAIRS TO MANHOLE  
OVER THE COMSTOCK DRAIN**

WHEREAS, as a part of the project to reconstruct north Shiawassee Street the manhole at Bradley and Shiawassee Streets was discovered to need major structural repairs; and

WHEREAS, the city of Owosso sought quotes for emergency repair to the manhole structure in question; a quote was received from E.T. MacKenzie Company; and it is hereby determined that E.T. MacKenzie Company is qualified to provide such services and that it has submitted the only quote; and

WHEREAS, due to the emergent nature of the repairs it is in the public interest to waive the competitive bidding process in this case.

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 waive the competitive bidding process and employ E.T. MacKenzie Company for emergency structural repairs to the manhole at the intersection of Bradley and Shiawassee Streets.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit A, Emergency Manhole Repair – Bradley & Shiawassee Streets\*; between the city of Owosso, Michigan and E.T. MacKenzie Company in the amount of \$28,176.35.
- THIRD: The above expenses shall be paid from the Local Street Contractual Services Fund, account number 203-473-818.000.

Bid Award & Grant Acceptance – Avery Drain Maintenance. Accept grant from the Shiawassee Conservation District for maintenance of the Avery Drain, authorize a contract with Pennington Farm Drainage, LLC for said work in the amount of \$17,475.00, and further authorize payment upon satisfactory completion of the project (to be reimbursed with grant funds) as follows:

**RESOLUTION NO. 134-2014**

**AUTHORIZING THE EXECUTION OF A CONTRACT FOR  
THE 2014 AVERY DRAIN MAINTENANCE PROJECT  
WITH PENNINGTON FARM DRAINAGE, LLC**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has received a grant from the Shiawassee Conservation District for maintenance of the Avery Drain located on Farr Street, and this grant will cover 100% of the cost of drain cleaning and clearing; and

WHEREAS, the engineering firm Fishbeck, Thompson, Carr & Huber, Inc. has administered the bid process of behalf of the City; a bid was received from Pennington Farm Drainage, LLC; and it is hereby determined that Pennington Farm Drainage, 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 Pennington Farm Drainage, LLC for maintenance work done as part of the 2014 Avery Drain Maintenance Project.
- 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 Pennington Farm Drainage, LLC\* in the amount of \$17,475.00.
- THIRD: The accounts payable department is authorized to pay Pennington Farm Drainage, LLC for work satisfactorily completed on the project up to the bid amount.
- FOURTH: The above expenses shall be paid back to the City from the Shiawassee Conservation District in the amount of \$17,475.00.

Warrant No. 487. Approve Warrant No. 487 as follows:

Vendor	Description	Fund	Amount
Michigan Municipal League Workers' Compensation Fund	Workers' compensation insurance 2nd installment for FY 14/15	Various	\$25,749.00

Art Walk Permission. (This item was added to the agenda.) Approve the request of the DDA/Main StreetBoard for use of the Main Street Plaza on September 12, 2014 from 9:00am until 10:00pm for the Art Walk, waive the insurance requirement, and authorize Traffic Control Order No. 1318 formalizing the request.

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

\*Full text of these documents are on file in the Clerk's Office.

**ITEMS OF BUSINESS**

**TRUCK TRAFFIC PETITION**

The City is in receipt of a petition signed by 13 residents residing or owning property in the vicinity of the 400 block of South Michigan Avenue requesting the prohibition of truck traffic on the block in question.\*

City Manager Crawford noted that when Michigan Avenue was reconstructed the stretch from Main Street to Cass Street was deemed off limits to trucks. Within the last year a new tenant has occupied the building at the south end of Michigan Avenue increasing the truck traffic on the block south of Cass Street. He said that if the City prohibited truck traffic on that stretch it would cut off business to that building and they have the right to access their property. He further noted the street was constructed as a major street so it should hold up to the truck traffic. Council held a brief discussion regarding the current condition of the street, whether the truck traffic would increase, and not denying the right to access the property. It was noted a weight limit could potentially be instituted if it is discovered truck traffic is damaging the roadway.

Motion by Mayor Pro-Tem Eveleth to receive the petition and reject the request to ban truck traffic on the 400 block of South Michigan Avenue.

Motion supported by Councilperson Bandkau.

Roll Call Vote.

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

NAYS: None.

\*Full text copies of the petition are on file in the Clerk's Office.

**DIG PROJECT BID AWARDS**

After a less than robust response to the first round of bid requests for the three parts of the DIG Project Council had rejected the single bid submitted and directed all three parts of the project be rebid. Opening of the second set of bids was scheduled for earlier today, September 2<sup>nd</sup> at 3:00 p.m.

City Manager Crawford noted the 2<sup>nd</sup> bids for the DIG Project had come in and again were significantly over budget. He indicated staff would be meeting with state representatives tomorrow to discuss options. He went on to say that a number of DIG recipients were in the same position and he expected the State to deal with the issue collectively. The Council took no action.

**LANSING STREET PARKING LOT UPDATE** (This item was added to the agenda.)

Councilperson Teich distributed a conceptual drawing of the lot showing perpendicular parking and a turn-around at the rear of the lot. He indicated he would like to see some adjustments to allow angle parking and to use the adjacent alley as a potential exit point, eliminating the need for a turn-around. Public Services Director Sedlak noted he was looking to find property nearby as a potential relocation site for the house that is currently on the lot.



**THIRD PARTY ADMINISTRATOR CONTRACT** (This item was added to the agenda.)

City Manager Crawford indicated his concern with the contract saying the State is requiring the use of a third party administrator for the City's Downtown Rental Rehabilitation Program. He expressed his sincere distaste for the contract saying he felt grant funds were being wasted because the administrator is demanding 18% of the \$400,000+ contract for two years of service. He went on to say that if the City wanted to proceed with any further projects they would have to approve the contract as the deadline for submission of funding requests is September 15<sup>th</sup>. He said the City did manage to slightly reduce the rate of pay for the administrator through negotiations.

Motion by Mayor Pro-Tem Eveleth to approve the following resolution:

**RESOLUTION NO. 135-2014**

**RESOLUTION AUTHORIZING A CONTRACT WITH REVITALIZATION, LLC  
FOR ADMINISTRATIVE SERVICES RELATED TO  
THE DOWNTOWN RENTAL REHABILITATION PROGRAM**

WHEREAS, the city of Owosso has expressed interest in acquiring grant funds for continued operation of a Downtown Rental Rehabilitation Program; and

WHEREAS, the Michigan State Housing Development Authority is requiring a Third Party Administrator to assist in overseeing the Downtown Rental Rehabilitation Program; and

WHEREAS, the city of Owosso has received a qualified bid from Revitalization, LLC to perform the administrative functions required by MSHDA.

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 Revitalization, LLC for administrative services related to the Downtown Rental Rehabilitation Program.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit 1, contract for services between the city of Owosso, Michigan and Revitalization, LLC for administration of the Downtown Rental Rehabilitation Program.\*

THIRD: The contractual expenses shall be paid from funds distributed to the city from the grant.

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

\*Full text of the contract is on file in the Clerk's Office.

**COMMUNICATIONS**

Planning Commission. Minutes of August 11, 2014.

**CITIZEN COMMENTS AND QUESTIONS**

Tom Manke, business owner at 118 South Washington Street, said it was great to have the Y involved in the community but he disagreed with them charging kids to use the tennis courts. There was significant discussion among Council members as to the details of the tennis court contract, who would be charged for use of the courts, the amount of the charges, teaming with the Y to provide recreation opportunities for residents, and how many people currently use the courts. It was noted the intent of the contract was not to take away from residents general use of the courts but to provide the opportunity for lessons and the Y would be paying the City \$1-\$2 per tennis participant per year.

**NEXT MEETING**

Monday, September 15, 2014

**BOARDS AND COMMISSIONS OPENINGS**

None.

**ADJOURNMENT**

Motion by Mayor Pro-Tem Eveleth for adjournment at 8:53 p.m.

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

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Benjamin R. Frederick, Mayor

---

Amy K. Kirkland, City Clerk