

**OWOSSO CITY COUNCIL  
REGULAR MEETING**

**APRIL 20, 2015**

**7:30 P.M.**

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

**OPENING PRAYER:** PASTOR MARK KINCAID  
FIRST FREE METHODIST CHURCH OF OWOSSO

**PLEDGE OF ALLEGIANCE:** JENNIFER KRAJCOVIC  
OHS SPECIAL EDUCATION TEACHER

**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:

- Consent 5. Recreation Service Agreement - Splash Pad Maintenance be moved to Item of Business 3.
- Consent 6. Bid Award – 2015 Spring Tree Purchase Program be moved to Item of Business 4.

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

**APPROVAL OF THE MINUTES OF REGULAR MEETING OF APRIL 6, 2015**

Motion by Mayor Pro-Tem Eveleth to approve the Minutes of the Regular Meeting of April 6, 2015 as presented.

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

**STUDENT REPRESENTATIVE REPORT**

The delegation from Lincoln High School was unable to attend tonight's meeting. Their report will be rescheduled for another date.

**PROCLAMATIONS / SPECIAL PRESENTATIONS**

**AUTISM AWARENESS MONTH**

Mayor Frederick delivered the following proclamation of the Mayor's Office declaring the month of April 2015 as Autism Awareness Month in the City of Owosso. Owosso High School Special Education Teacher Jennifer Krajcovic was on hand to receive the proclamation.

**A PROCLAMATION  
OF THE MAYOR'S OFFICE OF THE CITY OF OWOSSO, MICHIGAN  
DESIGNATING APRIL 2015 AS  
AUTISM AWARENESS MONTH IN THE CITY OF OWOSSO**

WHEREAS, autism is a pervasive developmental disorder affecting the social, communication and behavioral skills of those affected by it, and,

WHEREAS, as more health professionals become proficient in diagnosing autism, more children are being diagnosed on the autism spectrum, resulting in rates as high as 1 in 68 children nationally, and,

WHEREAS, while there is no cure for autism, it is well-documented that if individuals with autism receive early and intensive treatment, they lead significantly improved lives and could potentially reduce the costs of their future care by as much as 2/3, and,

WHEREAS, individuals with autism often require a lifetime of specialized and community support services to ensure their health and safety and to support families' resilience as they manage the psychological and financial burdens autism can present, and

WHEREAS, inroads in treatment and the funding of that treatment have been made, more needs to be done to help those with autism and their families.

NOW, THEREFORE BE IT RESOLVED that I, Benjamin R. Frederick, Mayor of the City of Owosso, do hereby proclaim April 2015 as AUTISM AWARENESS MONTH in the City of Owosso, and urge all residents to participate in National Autism Awareness Month activities, in order to become better educated about autism and create a better community for individuals with autism.

Proclaimed this 20<sup>th</sup> day of April, 2015.

### **ARBOR DAY PROCLAMATION**

Mayor Frederick delivered the following proclamation of the Mayor's Office declaring April 25, 2015 as Arbor Day in the City of Owosso. As principal emeritus of Central Elementary School Councilperson Bailey joined the mayor at the podium to receive the proclamation.

#### **A PROCLAMATION OF THE MAYOR'S OFFICE OF THE CITY OF OWOSSO, MICHIGAN DESIGNATING APRIL 25, 2015 AS ARBOR DAY IN THE CITY OF OWOSSO**

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees. This holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, decades before this in the 1830's, Owosso was making the transition from settlement to city thanks to the amazing vision of Alfred and Benjamin Williams. The Williams brothers joined with early settlers, Dr. and Mrs. John Barnes, in designing a city layout that would preserve a natural character and aesthetic appeal. This led them to plant many of the trees that have made our city streets so beautiful for over 175 years, leading to the lovely arbors of trees that frame so many of our boulevards and the many mature trees that stand in our yards, and

WHEREAS, these trees have reduced the erosion of our precious topsoil by wind and water, cut our heating and cooling costs by shading our homes, cleansed the air, produced life-giving oxygen, and provided habitat for wildlife, at the same time increasing property values, enhancing the economic vitality of business areas, and generally adding beauty to our neighborhoods and parks, and

WHEREAS, it falls to each generation to continue the stewardship that was launched by our founding families through the planting of new trees throughout our city to replace those that are lost, and

WHEREAS, Owosso is proud to hold the Tree City USA designation and to be engaged again this year in a partnership with the Owosso Public Schools promoting urban forestry. This volunteer effort and partnership will culminate in the planting of trees at the Central Elementary School grounds while educating youngsters and adults about the importance of our trees and tree planting.

NOW, THEREFORE, I, Benjamin R. Frederick, Mayor of the City of Owosso, do hereby proclaim April 25th, 2015 as Arbor Day in the City of Owosso, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

FURTHER, I urge our citizens to plant trees to promote the well-being of this generation and our posterity.

Proclaimed this 20<sup>th</sup> day of April, 2015.

### **2014 AMOS GOULD OUTSTANDING CITIZEN AWARD – GARY M. BURK**

Mayor Frederick presented the 2014 Amos Gould Outstanding Citizen Award to Gary M. Burk recognizing him for a lifetime of positive contributions to the Owosso community, the State of Michigan, and the country with his tireless work on water quality issues. The mayor delivered a heartfelt and humorous speech detailing Mr. Burk's contributions. Mr. Burk received a standing ovation from those present.

To commemorate the honor he was presented with a ceremonial key to the City.

The Council recessed briefly from 8:02 p.m. until 8:12 p.m.

### **PUBLIC HEARINGS**

None.

### **CITIZEN COMMENTS AND QUESTIONS**

Gordon Pennington, 417 East Oliver Street, gave a brief update on the status of the development of a wayfinding system for the City saying that sponsorship is still needed for 6 more signs. He is

also working on including civic related signage in the system as well and he indicated his desire to make the most of the new CIS Trail connection west of town to bring more folks into the City. Lastly, he generously offered to match the \$1,000 grant from the Shiawassee Foundation for the City's Arbor Day project, saying he would like to see it used to plant a massive oak tree.

Mayor Frederick thanked Mr. Pennington for his generosity. He went on to note that he had participated in the grand opening of the CIS Trail over the weekend and found it to be a great addition to the area and he really appreciated this long-standing project finally coming to fruition. He said that Mayor Pro-Tem Eveleth had expressed a desire to be the Council representative to the Friends of the CIS Trail which will be undertaking planning and construction of the next phase of the trail.

Councilperson Fox asked for an update on the Howard Street code enforcement issue discussed at the last meeting. City Manager Crawford noted that he was currently researching the issue and in the process of preparing documentation to engage the property owner in a clean-up process.

Mayor Pro-Tem Eveleth noted that the Downtown Farmers' Market Block Party would be held this coming Saturday and those interested in attending could see him for tickets.

### **CITY MANAGER REPORT**

City Manager Crawford indicated he had nothing to report at this time.

### **CONSENT AGENDA**

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

#### **First Reading and Set Public Hearing – Residential Design Standards Ordinance**

**Amendment.** Conduct first reading and set a public hearing for Monday, May 4, 2015 to receive citizen comment regarding the proposed ordinance amendment to repeal Section 38-398, *Residential dwelling design standards*, of the Code of Ordinances of the City of Owosso as follows:

#### **RESOLUTION NO. 29-2015**

#### **SETTING A PUBLIC HEARING REGARDING AN ORDINANCE TO REPEAL SECTION 38-398 OF CHAPTER 38, ZONING TO REMOVE RESIDENTIAL DWELLING DESIGN STANDARDS**

WHEREAS, the city of Owosso has a zoning ordinance governing the aesthetic standards of new homes; and

WHEREAS, this ordinance has been deemed to be too restrictive and destructive of the very housing variations that Owosso prides itself upon.

NOW THEREFORE BE IT RESOLVED THAT THE CITY OF OWOSSO ORDAINS:

SECTION 1. REPEAL. That Section 38-398, Residential dwelling design standards, be repealed in its entirety as follows:

#### **~~Sec. 38-398. – Residential dwelling design standards.~~**

~~(a) Intent. This section is intended to establish regulations for the construction of new residential dwellings zoned R-1 and R-2, including reconstructed and in-fill housing. The standards herein are intended to:~~

- ~~(1) Prevent grossly dissimilar dwellings which would adversely affect the value and character of dwellings in the surrounding area.~~
- ~~(2) Prevent adverse effects on the desirability of an area to existing or prospective homeowners.~~
- ~~(3) Ensure the stability of the environment.~~
- ~~(4) Promote the most appropriate use of real estate.~~
- ~~(5) Increase the opportunity to realize the development pattern envisioned in the Owosso Master Plan.~~

~~These regulations are based on the finding that the cohesiveness and character of the city's neighborhoods are significant factors in the city's quality of life, contribute to the distinct character in the various neighborhoods and help retain property values. These regulations further ensure new housing units are harmonious with the general character of the adjacent houses and the city overall and ensure a stable housing stock. While some level of diversity is desirable, these regulations are intended to ensure the design~~

~~variation of new homes is similar to the level of variation in existing homes in the immediate area, or surrounding neighborhoods with similar densities for new residential projects. The standards shall not be construed to prohibit innovative design concepts involving such matters as solar home.~~

~~(b) Applicability. The regulations of this section shall apply to all new single family home construction zoned R-1 and R-2. Major home expansions where the homeowner is expanding the footprint of the home by greater than either twenty-five (25) percent or five hundred (500) square feet, whichever is greater, shall comply with subsections (d)(8), (d)(9), and (d)(10), in addition to required building codes, to ensure the resulting home continues to maintain the character of the neighborhood. The standards shall not apply to minor home expansions, interior remodeling, or to residences outside of the one- and two-family zoning districts.~~

~~(c) Approval. Compliance with these regulations shall be determined by the building and zoning administrator at the time the building permit is reviewed and shall be based on the standards of subsection (d) below.~~

~~(d) Standards.~~

~~(1) Each such dwelling unit shall comply with all pertinent building and fire codes. Additionally, all dwellings shall meet or exceed all applicable roof snow load and strength requirements. Where there are conflicting applicable regulations, the more stringent shall apply.~~

~~(2) All construction required herein shall be commenced only after a building permit has been obtained in accordance with applicable building codes.~~

~~(3) Each such dwelling unit shall comply with the minimum standards listed throughout the zoning code for the zoning district in which it is located, including minimum lot area, minimum lot width, minimum floor area, required setbacks and maximum building height.~~

~~(4) Each dwelling unit shall be firmly attached to a permanent basement or crawl space foundation constructed on the site in accordance with the city's adopted building code.~~

~~Or~~

~~The dwelling shall have an attached or detached structure of equal workmanship as the dwelling unit, designed for the parking and storage of vehicles. Said structure shall be functionally and aesthetically compatible in design and appearance with other residences in the surrounding area as defined in subsection (d)(12) below. When attached to a mobile home, modular home, pre-fabricated home or pre-constructed home, said structure shall comply with all requirements of the city's building code relative to grade separation and fire restrictive requirements.~~

~~(5) Each such dwelling unit shall contain a storage area equal to or greater than ten (10) percent of the square footage of the dwelling or one hundred (100) square feet, whichever shall be less. This storage area shall consist of a basement, attic or in a separate detached accessory structure that complies with the standards of this section regarding accessory buildings and structures. The intent of these standards is to limit the extent of outdoor storage.~~

~~(6) A roof overhang of not less than six (6) inches on all sides shall be provided, or alternatively with window sills or roof drainage systems concentrating roof drainage at collection points along the sides of the dwelling.~~

~~(7) A minimum of two (2) exterior doors shall be provided with the second one (1) being in either the rear or side of the dwelling. All dwelling units shall be oriented toward the public right-of-way such that the facade that faces the street contains a door, windows, and other architectural features customary to the front facade of a residence.~~

~~(8) In-fill housing or development on vacant lots in an existing platted subdivision shall consider the gross floor area and lot coverage of surrounding homes to ensure compatibility. The gross floor area and lot coverage of the proposed dwelling shall be at least seventy-five (75) percent and no more than one hundred thirty-five (135) percent of the average square footage of constructed single family dwellings within five hundred (500) feet, up to the boundary of the existing neighborhood, of the subject dwelling unit, with measurements made from the edge of the street. The planning commission may approve any proposals that are not able to meet this standard if the commission makes findings that the apparent deviations are not contrary to [subsections] (a)(1)–(5).~~

~~(9) In-fill housing or development on vacant lots in an existing platted subdivision shall maintain a consistent front building line along the street. The front yard setback of the proposed dwelling shall be no less than seventy-five (75) percent and no more than one hundred thirty-five (135) percent of the average established front yard setback of other single family dwelling unit within five hundred (500) feet, up to the boundary of the existing neighborhood, of the subject dwelling unit, with measurements made from the edge of the street. The planning commission may approve any proposals that are not~~

~~able to meet this standard if the commission makes findings that the apparent deviations are not contrary to [subsections] (a)(1)–(5).~~

~~(10) Building appearance for all new single-family dwelling unit construction shall be aesthetically compatible in design and appearance with other residences in the surrounding area.~~

~~Definitions for what constitutes the surrounding area are as follows:~~

- ~~i. For new single-family neighborhood development (in the form of a new subdivision plat or new site condominium project), the surrounding area is defined as the nearest existing neighborhoods with similar densities.~~
- ~~ii. For in-fill housing development where there are one (1) or a few isolated sites being developed within the existing neighborhood (in the form of an existing lot of record or recent land division), surrounding area shall be defined as within five hundred (500) feet, up to the boundary of the existing neighborhood, of the subject dwelling unit; with measurements made from the edge of the lot in each direction, including the opposite side of the street.~~

~~The determination shall be made by the building official. In considering similarity and compatibility with the surrounding area the following features must be considered in order to meet this requirement:~~

- ~~a. Exterior building material used on the proposed dwelling should match or be similar to that used on a preponderance of homes in the surrounding area.~~
- ~~b. Roof style.~~
- ~~c. The design and position of windows (total area, size, number etc.).~~
- ~~d. Front entry design (presence of porches, front door location, etc.).~~
- ~~e. Garage style and design.~~

~~If the building official cannot reach a determination on architectural compatibility or the petitioner disputes the findings, the application shall be forwarded to the planning commission for review and final action.~~

~~(e) Exceptions. The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required in this ordinance [from which this section derives] and pertaining to such parks.~~

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, May 4, 2015 at 7:30p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendment.

**First Reading and Set Public Hearing – Residential Refuse Collection Ordinance Amendment.**

Conduct first reading and set a public hearing for Monday, May 4, 2015 to receive citizen comment regarding the proposed ordinance to amend Section 34-49, *Refuse collection- Residential collection*, of the Code of Ordinances of the City of Owosso to allow trash to be placed at the curb the night before scheduled trash collection as follows:

**RESOLUTION NO. 30-2015**

**FIRST READING & SET PUBLIC HEARING FOR  
AN ORDINANCE AMENDING SECTION 34-49. - REFUSE COLLECTION--RESIDENTIAL  
COLLECTION OF THE CODE OF ORDINANCES OF THE CITY OF OWOSSO, MICHIGAN  
PERTAINING TO PLACING OF REFUSE FOR COLLECTION**

WHEREAS, the Code of Ordinances of the City of Owosso, Michigan currently has rules and regulations applying to residential refuse collection requiring that refuse not be placed at curbside until the morning of collection; and

WHEREAS, the city desires to repeal that morning of collection provision to allow placing at curbside the evening before.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY OF OWOSSO ORDAINS:

SECTION 1. AMENDMENT. That Section 34-49 paragraph (2) be amended by deleting and adding as follows:

**Sec. 34-49. - Refuse collection—Residential collection.**

The following rules and regulations shall apply to residential refuse collection in the city:

- (2) If curb side pick-up is selected by the resident, refuse is to be placed inside the curb so that the same shall not in any way be in the traffic portion of the street, and shall be placed inside the curb for pick-up ~~on the morning~~ **no earlier than 4:00 p.m. the day before the day** of collection in residential areas. Any containers belonging to the resident that are left at the curb after collection of refuse are to be removed to the back or side yard on or before 12:00 midnight, of the day of collection. Materials left at the curb for pick-up must be in city-approved containers. The responsibility of compliance with the provisions of this section shall be with the property owner or person placing refuse at the curb. Any violator of the provisions of this section will be immediately ticketed by the police department.

SECTION 2: SEVERABILITY. If any section, subsection, sentence, clause or phrase of this article is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this article. The city hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 3. EFFECTIVE DATE. This amendment shall become effective twenty days after passage.

SECTION 4. 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 5. PUBLIC HEARING. A public hearing is set for Monday, May 4, 2015 at 7:30p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendment.

**Boards and Commissions Appointment.** Approve the following Mayoral Boards and Commissions appointment:

Name	Board/Commission	Term Expires
Sharol Haskins	Downtown Development Authority/ Main Street Board filling unexpired term of M. Landino	06-30-2018

**Steps for Courage 5K Run and Competitive Walk Permission.** Consider application of the Memorial Healthcare Auxiliary for use of portions of West King Street, Seventh Street, Oliver Street, Chipman Street, Center Street, Alturas Drive and Alta Vista Drive from 9:00am to 11:00am on Saturday, April 25, 2015 for the 8th Annual Steps for Courage Run and Competitive Walk and authorize Traffic Control Order No. 1330 formalizing the request.

**Recreation Service Agreement – Splash Pad Maintenance.** (This item was moved to Items of Business.)

**Bid Award - 2015 Spring Tree Purchase Program.** (This item was moved to Items of Business.)

**Warrant No. 501.** Approve Warrant No. 501 as follows:

Vendor	Description	Fund	Amount
Logicalis, Inc.	Network engineering support - March 2015	Various	\$13,328.00
William C. Brown, P.C.	Professional services - March 10, 2015 – April 13, 2015	General	\$10,520.64
Waste Management	Disposal charges - March 16, 2015 – March 31, 2015	WWTP	\$ 5,035.01

**Check Register— March 2015.** Affirm check disbursements totaling \$ 797,001.47 for the month of March 2015.\*

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

**ITEMS OF BUSINESS**

**TRAP-NEUTER-RETURN ORDINANCE DISCUSSION**

Mayor Frederick noted the updated ordinance language that was distributed to Council at the beginning of the meeting.

Council discussed the potential establishment of a Trap-Neuter-Return Ordinance to reduce the feral cat population and ensure the humane treatment of stray and feral cats. Councilperson Bailey noted that the ordinance presented to Council this evening was simply a starting point. She said her hope was that the City would adopt a similar ordinance and would serve as a model for other communities looking to tackle stray cat issues in their area. She explained that the ordinance would not be punitive in nature but would establish rules and resources for those caring for stray cat colonies.

There was discussion on specific provisions of the ordinance and whether the rules should be structured as an ordinance or an administrative order. Based on the feedback from Council and the City Attorney a decision was reached to provide a period of time to rework the proposed ordinance before presenting it for first reading.

Motion by Mayor Pro-Tem Eveleth to place the Stray Cat Ordinance on the May 18<sup>th</sup> agenda for first reading with the intention of allowing further review and refinement until that time.

Motion supported by Councilperson Teich.

Roll Call Vote.

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

NAYS: Councilperson Bandkau.

**EXECUTIVE SESSION**

Motion by Mayor Pro-Tem Eveleth to authorize holding Executive Session after the last session of Citizen Comments and Questions for the purpose of discussing collective bargaining negotiations and considering the City Manager's performance evaluation (at the request of the employee).

Motion supported by Councilperson Fox.

Roll Call Vote.

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

NAYS: None.

**RECREATION SERVICE AGREEMENT – SPLASH PAD MAINTENANCE**

Assistant City Manager Susan K. Montenegro explained that a minor change needed to be made to the contract amount to include the full amount of the wages the Y will be paying the employee providing the service, increasing the total contract amount by approximately \$200.

Motion by Mayor Pro-Tem Eveleth to approve a one-year contract with the Shiawassee Family YMCA for daily maintenance of the splash pad and bathrooms at Bentley Park in an amount not to exceed \$6,003.00 as follows:

**RESOLUTION NO. 31-2015**

**AUTHORIZING EXECUTION A RECREATION SERVICE AGREEMENT  
FOR SPLASH PAD MAINTENANCE AND BATHROOM MONITORING  
BETWEEN THE CITY OF OWOSSO, MICHIGAN AND THE SHIAWASSEE FAMILY YMCA**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, installed a splash pad at Bentley Park for public use and enjoyment; and

WHEREAS, vandalism has happened to the splash pad and bathrooms at Bentley Park; and

WHEREAS, the Shiawassee Family YMCA has asked to enter into agreement with the city of Owosso to provide basic maintenance to the splash pad and cleaning of the pavilion bathrooms twice daily.

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 enter into a contract with the Shiawassee Family YMCA to provide basic maintenance for the splash pad and bathrooms at Bentley Park.

SECOND: The mayor and the city clerk of the city of Owosso are instructed and authorized to sign the attached contract between the city of Owosso and the Shiawassee Family YMCA.\*

THIRD: The accounts payable department is authorized to pay the Shiawassee Family YMCA upon receipt of an invoice up to the contract amount of \$6,003.00.

Motion supported by Councilperson Teich.

Roll Call Vote.

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

NAYS: None.

**BID AWARD - 2015 SPRING TREE PURCHASE PROGRAM**

Councilperson Bandkau inquired whether the trees in question would be used to replace existing trees that require removal or if they would be new plantings. It was indicated the trees would be utilized for both purposes.

Motion by Mayor Pro-Tem Eveleth to authorize purchase order with Schichtel's Nursery, Inc. for the purchase of 75 trees in the amount of \$5,500.00 and further authorize payment up to the contract amount upon satisfactory receipt of product as follows:

**RESOLUTION NO. 32-2015**

**AUTHORIZING THE EXECUTION OF A PURCHASE ORDER FOR THE  
SPRING 2015 TREE PURCHASE PROGRAM  
WITH SCHICHEL'S NURSERY INC.**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, will be planting 75 trees this spring as part of the SPRING 2015 TREE PURCHASE PROGRAM; and

WHEREAS, the city sought bids for (25) Cleveland Select Pear, (25) Crimson King and (25) Bowhall Maples for said program. Four bids were received: Agroscaping for \$7,628.00, John Deere Landscaping for \$10,000.00, KLM Landscape for \$10,700.00 and Schichtel's Nursery Inc. for \$5,500.00; and

WHEREAS, it is hereby determined that Schichtel's Nursery Inc. 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 award the SPRING 2015 TREE PURCHASE bid to Schichtel's Nursery in the amount of \$5,500.00 for the purchase of 75 trees for spring planting.

SECOND: The contract between the City and Schichtel's Nursery Inc. shall be in the form of a City Purchase Order for the amount of \$5,500.00.

THIRD: The accounts payable department is authorized to pay Schichtel's Nursery Inc. up to the purchase order amount upon satisfactory delivery.

FOURTH: The above expenses shall be paid from Local and Major Street Tree Planting Fund.

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.



## **COMMUNICATIONS**

E. Powell, Historical Commission. Letter of resignation.  
Richard C. Williams, Finance Director. Revenue & Expenditure Report – March 2015.  
Charles P. Rau, Building Official. March 2015 Building Department Report.  
Charles P. Rau, Building Official. March 2015 Code Violations Report.  
Kevin D. Lenkart, Public Safety Director. March 2015 Police Report.  
Kevin D. Lenkart, Public Safety Director. March 2015 Fire Report.

Councilperson Teich inquired whether there had been any progress in the sale of Osburn Lakes lots. It was noted that signage advertising the lots is now up and no new offers had been received as of late.

Councilperson Fox asked for clarification on the police report to determine how many traffic stops resulted in tickets. He said he was concerned that people are running lights and will eventually cause an accident.

## **CITIZEN COMMENTS AND QUESTIONS**

Lorraine Austin, 906 Chipman Lane, commended Councilperson Bailey for all of her efforts with the Community Cats organization. She also encouraged people to donate to the cause as the organization is funded entirely by grants and donations.

Eddie Urban, 601 Glenwood Avenue, said he would like to see a moratorium on the 3 cats rule in the winter to allow for the feeding of stray cats during cold weather.

Tom Manke, business owner at 118 South Washington Street, said the opening of the CIS Trail is a great opportunity and he hoped the City would work with neighboring jurisdictions to bring the trail all the way in to town. He asked if the plans former Building Official John Archer had sketched together were still available.

Discussion on the next phase of the CIS Trail ensued. It was noted that several people and various local organizations had been working on plans for some time now and there were some major hurdles to overcome. The hope was to put a temporary trail in place while work continues on the long-term issues.

Councilperson Greenway also commended Councilperson Bailey for her efforts with the Community Cats organization saying she didn't think people understood the hours of planning that she puts into the endeavor.

The Council recessed briefly from 9:14 p.m. to 9:25 p.m.

**ADJOURNED TO EXECUTIVE SESSION AT 9:25 P.M.**

**RETURNED FROM EXECUTIVE SESSION AT 10:52 P.M.**

## **APPROVAL OF THE MINUTES OF EXECUTIVE SESSION OF MARCH 30, 2015**

Motion by Mayor Pro-Tem Eveleth to approve the Minutes of the Executive Session of April 6, 2015 as presented.

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

## **NEXT MEETING**

Thursday, April 30, 2015, Budget Meeting 7:00 p.m.  
Monday, May 04, 2015, Regular Meeting 7:30 p.m.

## **BOARDS AND COMMISSIONS OPENINGS**

Historical Commission, expires December 31, 2015  
Historical Commission, expires December 31, 2016  
Historical Commission, expires December 31, 2017  
Parks & Recreation Commission, expires June 30, 2017  
Planning Commission, expires June 30, 2016

## **ADJOURNMENT**

Motion by Mayor Pro-Tem Eveleth for adjournment at 10:53 p.m.

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

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Benjamin R. Frederick, Mayor

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Amy K. Kirkland, City Clerk

\*Due to their length marked items are not included in the minutes. Full text of these items is on file in the Clerk's Office.