

**CITY OF OWOSSO
REGULAR MEETING OF CITY COUNCIL
MINUTES OF JULY 6, 2015
7:30 P.M.**

PRESIDING OFFICER: MAYOR BENJAMIN R. FREDERICK

OPENING PRAYER: DAVID WOODBY
REDEEMER LUTHERAN CHURCH

PLEDGE OF ALLEGIANCE: JOHN HORVATH, SHIAWASSEE COUNTY COMMISSIONER

PRESENT: Mayor Benjamin R. Frederick, Mayor Pro-Tem Christopher T. Eveleth, Councilpersons Loreen F. Bailey, 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 change:

Consent # 5A to be moved to Item of Business # 2.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF JUNE 15, 2015

Motion by Councilperson Fox to approve the Minutes of the Regular Meeting of June 15, 2015 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Ed Urban, 601 Glenwood Avenue, commented that a Saginaw County Park, located off Bay Road near Harbor Freight will give veterans a free pass.

Mike Tillotson, 1299 South Shiawassee, shared that he had lost a bet with the public safety director on the number of moons on Saturday. He also thanked the city for tending to the Hopkins Lake Trail by cutting the weeds and fixing the approaches to again allow for wheelchair access.

Mayor Frederick complimented the City of Corunna on the great Fourth of July Festival they hosted.

Councilperson Baily showed a flyer for Community Cats. She also said on Saturday, July 11th volunteers will be canvassing neighborhoods passing out flyers and asking residents about cat colonies. She invited everyone to come and help on Saturday.

CITY MANAGER REPORT

City Manager Crawford handed out his Project Status report dated July 6, 2015. It covered several items which he explained (a copy of this document is in the clerk's office for review or available for purchase).

He also shared that 1822 surveys had been mailed out and so far the city has 365 returned. These surveys will determine income levels in certain parts of the city and allow for various grant funding.

At this time Councilperson Teich inquired about the Osburn Lakes property and wondered why the city would have to buy back a piece of property from a buyer that had purchased the land.

City attorney Brown explained that it was in the Master Deed. The Master Deed was written at an earlier time to encourage development of the Osburn Lake properties. If someone did not develop the property within 18 months the city would buy back the property to avoid developers from speculating. There was council consensus this is the downside of the city being the developer.

CONSENT AGENDA

Motion by Pro-Tem Eveleth to approve the consent agenda as follows:

Boards and Commissions Appointments. Approve the following mayoral boards and commissions appointments:

Name	Board/Commission	Term Expires
Kristen Woodbury*	Parks & Recreation Commission	06-30-2017
Dan Jozwiak*	Zoning Board of Appeals	06-30-2018
Matthew Grubb*	Zoning Board of Appeals – Alternate	06-30-2018
Linda Morovitz*	SATA Board of Directors	10-01-2018

* Indicates reappointment

Ada Street Block Party Permission. Approve application of Athena Kurtz, on behalf of the Ada Street Block Party Planning Committee, to close Ada Street between King Street and Lee Street on Friday, July 31, 2015 from 4:00 p.m. until 10:00 p.m. for a block party for neighborhood residents, waive the insurance requirement, and authorize Traffic Control Order No. 1332 formalizing the action.

Professional Services Agreement—Oliver Street Resurfacing Project Surveying Services. Approve professional services agreement with Landmark Surveying, P.C. for surveying services related to the Oliver Street Resurfacing Project in the amount of \$10,300.00 and authorize payment up to that amount as terms of the contract are fulfilled as follows:

RESOLUTION NO. 61-2015

**AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT
WITH LANDMARK SURVEYING, P.C.
FOR LAND SURVEY OF OLIVER STREET**

WHEREAS, the city has been awarded a 2017 Small Urban Projects Program grant to resurface Oliver Street from Washington Street to Gould Street; and

WHEREAS, the city is responsible for the design engineering portion of the project; and

WHEREAS, a survey of the land is required before beginning the design process; and

WHEREAS, the city requested a quote from only local firm providing surveying services; and

WHEREAS, City staff received a quote from Landmark Surveying, P.C., 204 N. Shiawassee Street, Owosso, Michigan to perform the services in accordance with the 'Request for Quote', dated June 4, 2015.

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 Landmark Surveying, P.C. to provide land surveying services for the Oliver Street Resurfacing Project in the amount of \$10,300.00.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit A, Professional Services Agreement for Oliver Street Survey between the City of Owosso, Michigan and Landmark Surveying, P.C.*

THIRD: The accounts payable department is authorized to pay Landmark Surveying, P.C. up to the contract amount upon successful completion of stated work.

FOURTH: The above expense shall be paid for from the 2010 General Obligation Unlimited Tax Bond Program.

Bid Award – Legal Notices Printing Services. Authorize low bid of The Argus Press Company for legal notice and minutes synopsis printing services in the amount of \$2.50 per column inch for fiscal years 2015-16 and 2016-17 as follows:

RESOLUTION NO. 62-2015

**AUTHORIZING THE EXECUTION OF A CONTRACT
FOR LEGAL ADVERTISING
WITH THE ARGUS-PRESS COMPANY
FOR THE 2015-16 AND 2016-17 FISCAL YEARS**

WHEREAS, various laws and ordinances applying to the city of Owosso, Shiawassee County, Michigan, require publication of legal notices such as public hearing notices, meeting notices, and the minutes of meetings in a newspaper of general circulation; and

WHEREAS, the city of Owosso sought bids for the publication of required items; a bid was received from The Argus-Press Company; and it is hereby determined that The Argus-Press Company is qualified to provide such services and that it has submitted the only 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 The Argus-Press Company for legal advertising for the fiscal years 2015-16 and 2016-17.
- 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 The Argus-Press Company, with a unit price of \$2.50 per column inch and \$5.00 per affidavit of publication.*
- THIRD: Authorization is given for the above expenses to be paid from the General Fund according to unit prices.

Warrant No. 505. Authorize Warrant No. 505 as follows:

Vendor	Description	Fund	Amount
Shiawassee Area Transportation Agency	Annual Local Funding Commitment- FY 15/16	Genera	\$72,202.09
Michigan Municipal League Workers' Compensation Fund	Worker's Compensation Insurance	Various	\$19,823.00
Owosso Charter Township	Owosso charter township 2011 water agreement payment- April – June 2015	Water	\$ 9,151.91
Caledonia Charter Township	Caledonia utility fund payment- April – June 2015	Water	\$18,308.09

Motion supported by Councilperson Greenway.

Roll Call Vote:

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

NAYS: None

ITEMS OF BUSINESS

Council Candidate Interviews & Appointment to Fill Council Vacancy

Council candidate Michael Cline was in attendance but due to a scheduling conflict candidate Michael O'Leary could not attend the meeting.

Council candidate Michael Cline wanted to speak at this meeting. He stated he had lived in Owosso all his life, graduated from Owosso High School, lives in the city and is a property owner in the city.

Councilperson Bailey asked candidate Cline what he felt the most burning issue for the city is right now. He responded that he felt bringing manufacturing back to the city was important and complimented the current council for working on that.

Councilperson Greenway stated that she and her husband had had dealings with Mr. Cline and knows he sticks to his word. Candidate Cline then thanked her for the compliment.

Mayor Frederick called for a special meeting to be set for Tuesday, July 07, 2015 at 7 p.m. This meeting will allow both candidates the opportunity to deliver up to a 5-minute statement and for council to conduct a question and answer period between them and the candidates.

There was a motion by Councilperson Fox to recess this portion of the meeting until Tuesday, July 7, 2015 at 7 p.m.

Motion supported by Councilperson Greenway.

Roll Call Vote:

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

NAYS: None

Bid Award – 2015 Sidewalk Replacement Program

Councilperson Fox asked this item be pulled from the consent agenda. He said he was concerned about the large amount of difference in the bid between the low bidder and the high bidder. He wanted to make sure the work and materials are of quality. After questioning City Manager Crawford on the way the City would check on the process by the contractor and a discussion among Council, a motion was made.

Councilperson Fox made a motion to approve the low bid of Bibi, Inc. aka Black Jack Asphalt for the 2015 Sidewalk Replacement Program as proposed.

RESOLUTION NO. 63-2015

**AUTHORIZING THE EXECUTION OF A CONTRACT FOR
THE 2015 SIDEWALK REPLACEMENT PROGRAM
WITH BIBI, INC. AKA BLACK JACK ASPHALT**

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 2015 Sidewalk Replacement Program; a bid was received from Bibi, Inc. aka Black Jack Asphalt; and is hereby determined that Bibi, Inc. aka Black Jack Asphalt 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 Bibi, Inc. aka Black Jack Asphalt for replacement of sections of damaged or misaligned sidewalk as part of the 2015 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 Bibi, Inc. aka Black Jack Asphalt, in the amount of \$61,125.00.*

THIRD: The accounts payable department is authorized to pay Bibi, Inc. aka Black Jack Asphalt up to the contract amount upon satisfactory completion of work.

FOURTH: The above expenses shall be paid from the Major and Local Street Maintenance Funds, accounts 203-463-728-000 and 202-463-728-000.

Motion supported by Pro-Tem Eveleth.

Roll Call Vote:

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

NAYS: None

COMMUNICATIONS

- S. Grey, SATA Board of Directors. Letter of resignation.
- Charles P. Rau, Building Official. May 2015 Building Department Report.
- Charles P. Rau, Building Official. May 2015 Code Violations Report.
- Downtown Historic District Commission. Minutes of May 20, 2015.
- Downtown Historic District Commission. Minutes of June 17, 2015.
- Downtown Development Authority/Main Street. Minutes of June 3, 2015.

Parks & Recreation Commission. Minutes of June 22, 2015.
Planning Commission. Minutes of June 22, 2015.
Historical Commission. Minutes of June 22, 2015.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 118 South Washington Street, commented that he knew some Council members had in the past made disparaging remarks about candidate Michael Cline. He also commented that he felt they were trying to thwart the process by not appointing candidate Cline because he was at the meeting.

Councilperson Teich stated he had nothing against Mr. Cline he just wanted the opportunity to hear from the other candidate. He also stated that he understands about work scheduling conflicts and this would be one of the questions he would ask candidate Michael O'Leary.

Councilperson Fox stated even though he didn't ask Mr. Cline any questions tonight he may at the special meeting and he may ask Mr. O'Leary questions also.

NEXT MEETING

Monday, July 20, 2015

BOARDS AND COMMISSIONS OPENINGS

Historical Commission, expires December 31, 2017
Planning Commission, expires June 30, 2016

ADJOURNMENT

Motion by Councilperson Bailey for adjournment at 8:15 p.m.

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

Benjamin R. Frederick, Mayor

Roxane K. Cramer, Acting Deputy Clerk

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