## CITY OF OWOSSO

## REGULAR MEETING OF THE CITY COUNCIL

## MINUTES SYNOPSIS

## **Monday, April 17, 2017**

**PRESENT:** Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika, Councilmembers Burton D. Fox, Elaine M. Greenway, Daniel A. Law, and Robert J. Teich, Jr.

**ABSENT:** Loreen F. Bailey

# **PROCLAMATIONS/SPECIAL PRESENTATIONS**

Firefighter Promotion. Mayor Eveleth and Public Safety Director Lenkart led a ceremony honoring firefighter Matthew Nowiski for his promotion to Lieutenant. Lieutenant Nowiski’s family was on hand to observe the honor.

Firefighter Promotion. Mayor Eveleth and Public Safety Director Lenkart led a ceremony honoring firefighter Stephen Chapko II for his promotion to Capitan. Capitan Chapko’s family was on hand to observe the honor.

Arbor Day Proclamation. Mayor Eveleth delivered a proclamation of the Mayor’s Office declaring April 28th 2017 as Arbor Day in the City of Owosso.

# PUBLIC HEARINGS

None.

# CITIZEN COMMENTS AND QUESTIONS

Tom Manke thanked the council for keeping their eye on the bottom line and protecting taxpayers.. He also commented on MAGNET funding and shared that the county is no longer supporting MAGNET. He also stated he has learned the Sheriff’s department no longer has an officer with them and part of the problem is that MAGNET will not tell how they are spending their money. Mr. Manke related that the state receives all the forfeiture money for drug busts. He has interviewed several people and believes that MAGNET doesn’t go after the “King Pin”. He is asking the council to hold MAGNET’s feet to the fire.

Eddie Urban stated he felt that television gives away to many secrets on how offenders are arrested and how they are captured. He also commented on drones. He reported that he had asked Councilmember Fox if he could shoot down a drone.

Mayor Eveleth reported that council is right is in the midst of budget workshops and will be discussing MAGNET funding again. He also explained to the city attorney there was a constituent question regarding discharging of a fire arm in the city limits. The constituent questioned if it was a self- defense situation would the city ordinance be enforced. The mayor explained he thought that state law would supersede the city ordinance. The city attorney agreed with the mayor.

Councilmember Law asked if the city ordinance should be amended to reflect that state law would supersede the ordinance.

Councilmember Fox asked Public Safety Director Lenkart if somebody breaks into their front door that doesn’t mean they could necessarily shoot them. Director Lenkart responded that he doesn’t like to respond to a “what if” questions there are too many factors that play into it and every situation is different. Councilmember Fox went on to explain that he feels that it boils down to using common sense in these situations.

In response to Councilmember Law’s question, City Manager Crawford stated he believes that when city ordinances are codified there is a footnote stating State Law supersedes the city ordinance.

Councilmember Greenway asked for clarification of the lawa and asked if her doors were locked and somebody broke into her house will she have to wait to see if they have a gun.

Mayor Eveleth responded to her agreeing with Director Lenkart that every situation is different and he also stated he would have to go and look at the State Law an the Castle Doctrine more closely.

Councilmember Greenway expressed the fact that she didn’t think an offender would be impressed with a tennis racket.

The city attorney cautioned the council about giving legal advice under any circumstance.

Councilmember Fox reported he has had several people complain about the condition of Allendale Avenue. He drove down Allendale Avenue and said it is an alley of potholes. He asked to do some more pothole filling and maybe add it to the program as a chip and seal.

The city manager stated that they just heard about it last week and will at least fill the pot holes.

# CITY MANAGER REPORT

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

# CONSENT AGENDA

The Consent Agenda was approved as follows:

Special Assessment District No. 2017-03. Authorized Resolution No. 2 setting a public hearing for Monday, May 1, 2017 for proposed Special Assessment District No. 2017-03 for Stewart Street from Chestnut Street to Chipman Street for street resurfacing. Special Assessment District No. 2017-01. Authorized Resolution No. 4 setting a public hearing for Monday, May 1, 2017 to receive citizen comment regarding Special Assessment District No. 2017-01 for Oliver Street, from Washington Street to Oak Street for reconstruction.

Boards & Commissions Appointments. Approved the following Mayoral Boards and Commissions appointments:

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| **Name** | **Board/Commission** | **Term Expires** |
| Jim Woodworth | Downtown Development Authority/Main Street Board  filling unexpired term of S. Haskins | 06-30-2018 |
| Sara Adams | Historical Commission  filling unexpired term of J. Mahoney | 12-31-2019 |
| Elaine Greenway | Historical Commission  Filling unexpired term of S. Osika | Term of office |
| Daniel Law | Planning Commission  Council Representative | Term of office |

Free Food Distribution Permission. Approved the application from First United Methodist Care Network for use of a portion of Comstock Parking Lot on May 20, 2017 from 8:00am— 12:00pm to conduct a free food distribution, waive the insurance requirement, and authorize Traffic Control Order No. 1368 formalizing the action.

Downtown Owosso Farmers’ Market. Approved request from Tracy Peltier- Market Master of the Downtown Owosso Farmers’ Market to close Exchange Street from Water Street to Washington Street and Ball Street from Main Street to Mason Street every Saturday from May 6, 2017 to October 28, 2017 from 7:00 a.m. until 1:30 p.m., close the same streets on July 29, 2017, September 9, 2017, and September 16, 2017 from 7:00 a.m. until 4:00 p.m., and approve Traffic Control Order No. 1369 formalizing the request.

Purchase Authorization - North Chipman Water Main Materials. Waived competitive bidding requirements and authorized purchase of water main materials from ETNA, Ferguson, and East Jordan Iron Works for the replacement of water distribution system components on North Chipman Street from Stinson Street to Shady Lane Drive in an amount not to exceed $32,687.46 (including a contingency of $6,000) and further authorized payment to the vendor upon satisfactory delivery of said product.

Bid Award —Sand and Gravel. Accepted the low bid of Fuoss Gravel Company for Class II Backfill Sand in the amount of $4.99 per ton and 22A gravel in the amount of $8.90 per ton for the fiscal year ending June 30, 2018, authorized payment in accordance with unit prices up to 2,500 tons and 1,800 tons respectively, and further authorized a contingency amount of $5,000.00 for a total amount not to exceed $33,657.00.

Warrant No. 541. Authorized Warrant No. 541 as follows:

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| **Vendor** | **Description** | **Fund** | **Amount** |
| Logicalis, Inc. | Network engineering support-  March 2017 | Various | $7,056.00 |
| Owosso Charter Township | Owosso Charter Township 2011  Water Agreement payment-  1/1/17 - 3/31/17 | Water | $9,636.05 |
| Caledonia Charter Township | Caledonia Utility Fund payment-  1/1/17 – 3/31/17 | Water | $20,923.00 |
| William C Brown PC | Professional services-  3/13/17-4/10/17 | General | $7,682.48 |

Check Register – March 2017. Affirmed check disbursements totaling $1,591,558.77 for March 2017.

# iTEMS OF BUSINESS

Set Public Hearing -2017-2018 City Budget. Set required Public Hearing pursuant to Chapter 8 of the City Charter for May 1, 2017 to receive citizen comment regarding proposed 2017-2018 City Budget.

MDOT Performance Resolution. Authorized resolution outlining the City's responsibilities in relation to the granting of permits by MDOT to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and/or under a State Highway right of way.

Transportation Economic Development Funds-Category F Application – Monroe & Gould Streets. Approved resolution supporting the application to seek Transportation Economic Development Fund-Category F funds for roadway improvements to Monroe Street from the east City limits to Gould Street and Gould Street from Monroe Street to Corunna Avenue and authorized the obligation of City funds for the project per the terms of the TEDF-F Program match requirement.

# COMUNICATIONS

N. Bradley Hissong, Building Official. March 2017 Building Department Report.

N. Bradley Hissong, Building Official. March 2017 Code Violations Report.

Parks & Recreation Commission. Minutes of March 28, 2017.

***CITIZEN COMMENTS AND QUESTIONS***

There were no citizen comments.

Councilmember Fox commented on communications. He stated he noticed the Parks and

Recreation Commission had another meeting canceled because of a lack of a quorum. He feels

that council needs to find out the problem with the commission and remedy the problem.

Mayor Eveleth shared that there are some very passionate people on the committee and have

done good work and he appreciates it. He also shared that the Assistant City Manager and he

have had some discussions on making this committee more viable. The mayor also reported he

has looked for people to serve and hasn’t been able to find anyone willing to commit to serving on

the commission.

Councilmember Law questioned how someone goes about being on the Parks and Recreation

Commission. The mayor explained the process. Councilmember Law stated he may have a

couple of people interested. The mayor also explained they must be a City of Owosso resident to

serve.

Councilmember Fox asked for clarification on the budget hearing. City Manager Crawford explained it for him.

***NEXT MEETING***

Monday, May 01, 2017

***BOARDS AND COMMISSIONS OPENINGS***

Building Board of Appeals - term expires June 30, 2019

Building Board of Appeals – Alternate - term expires June 30, 2018

Historical Commission – 2 terms expiring December 31, 2019

Parks & Recreation Commission – 2 terms expiring June 30, 2017

Parks & Recreation Commission – term expires June 30, 2018

# ADJOURNMENT

The meeting was adjourned at 8:01 p.m.

Christopher T. Eveleth, Mayor

Roxane K. Cramer, Deputy City Clerk

Note: Complete printed copies of the minutes and any ordinances contained therein are available to the public at the Office of the City Clerk and the Shiawassee District Library – Owosso Branch during regular business hours or on the Internet at [www.ci.owosso.mi.us](http://www.ci.owosso.mi.us).