

OWOSSO CITY COUNCIL

JUNE 30, 2014

7:13 P.M.

- PRESIDING OFFICER:** MAYOR BENJAMIN R. FREDERICK
- OPENING PRAYER:** MAYOR BENJAMIN R. FREDERICK
- PLEDGE OF ALLEGIANCE:** MAYOR BENJAMIN R. FREDERICK
- 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.

Motion by Mayor Pro-Tem Eveleth to set a time limit of 9:30 p.m. (with one hour dedicated to the street bond, half an hour dedicated to the cable issue, and half an hour dedicated to the Osburn Lakes discussion), moving Citizen Comments and Questions to the beginning of the meeting, and moving the Osburn Lakes discussion to Item of Business 1.

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

PROCLAMATIONS & SPECIAL PRESENTATIONS

PROCLAMATION – SARAH WARREN-RILEY

Mayor Frederick read aloud the following Mayoral Proclamation recognizing Housing Program Manager Sarah Warren-Riley for her years of service to the City on the occasion of her acceptance to the PhD program at Southern Illinois University.

**A PROCLAMATION
OF THE MAYOR’S OFFICE OF THE CITY OF OWOSSO, MICHIGAN
RECOGNIZING THE DISTINGUISHED PUBLIC SERVICE OF**

SARAH J. WARREN-RILEY

- WHEREAS,** Sarah Warren-Riley began her service to the City of Owosso as the Housing & Neighborhood Development Coordinator in August of 2009; and
- WHEREAS,** under her leadership the City re-established its Housing Program, resurrecting a long-dormant service in response to the continuing deterioration of housing conditions within the City; and
- WHEREAS,** throughout her service, Sarah was a believer in constant education, completing numerous training courses and obtaining relevant certifications in an effort to continually improve the services provided by her department; and
- WHEREAS,** Sarah’s skill in grant writing has helped the City garner many thousands of dollars in grant funding that have been used to improve downtown apartments and single family houses; and
- WHEREAS,** Sarah’s extensive knowledge of building specifications, community development resources, and social service resources has helped many property owners in crisis permanently improve their circumstances; and
- WHEREAS,** Sarah’s skill and knowledge have brought her recognition and additional responsibilities, having received commendation from the Michigan State Housing Development Authority for exceeding the projected outcome of a homeowner rehabilitation assistance grant, and taking on the County’s Housing Program allowing her expertise to be utilized by all county residents; and
- WHEREAS,** Sarah’s compassion for others is well known and is readily evident in her work. Her concern for those less fortunate has led her to further serve the community in leadership posts within the Shiawassee Homeless Coalition, Habitat for Humanity, and other organizations which identify and address problems within the community; and
- WHEREAS,** her five years of service to the City will be felt for years to come; and
- WHEREAS,** it is the intent of this Office that Sarah’s Honorable and Distinguished Public Service be recognized.

NOW, THEREFORE, BE IT PROCLAIMED that I, Benjamin R. Frederick, Mayor of the City of Owosso, on behalf of the citizens and staff of the City of Owosso, hereby recognize and thank Sarah Warren-Riley for her dedicated service to the city and the greater Shiawassee County community and further express our sincere best wishes to Sarah and her family upon her acceptance to the PhD program at Southern Illinois University.

Proclaimed this 7th day of July, 2014.

CONSENT AGENDA

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

Boards and Commissions Appointments. Consider the following Mayoral Boards and Commissions appointments:

NAME	BOARD/COMMISSION	TERM EXPIRES
Jennifer Mahoney	Historical Commission	12-31-2016
Randy Horton*	Zoning Board of Appeals	06-30-2017
Michael Bazelides*	Local Development Finance Authority/ Brownfield Redevelopment Authority	06-30-2018
Carl Ludington*	Building Board of Appeals	06-30-2017
Sam McLaren*	Building Board of Appeals	06-30-2017
Tom Taylor*	Planning Commission	06-30-2017
Brent Smith*	Planning Commission	06-30-2017

*Indicates reappointment

Motion supported by Councilperson Fox.

Roll Call Vote.

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

NAYS: None.

CITIZEN COMMENTS AND QUESTIONS

Numerous residents of the Osburn Lakes single family home development were on hand for the meeting. Significant time was dedicated to listening to their comments, both for and against, the Home Owners Association for the development.

The following is a list of the residents that commented in regard to the Home Owners Association: Travis Yaklin, Les Tipton, Douglas Wittum, Faye Riley, Laura Birchmeier, Carol Theile, Sarah Mikesell, Richard Theile, Craig Weaver, Janae Fear, and Bryan Smith.

Tom Manke, business owner at 118 South Washington Street, indicated that his business is now closed at night because the City will not allow customers to park in the street between 3:00 am and 6:00 am. He said he felt this was a violation of the Americans with Disabilities Act and the City could be sued for millions of dollars for violating Federal law. Mr. Manke was asked if patrons were allowed to park in the lot behind his business, he indicated they could but he felt it was too far away from the door.

DISCUSSION

OSBURN LAKES DEVELOPMENT

Mayor Frederick outlined the evening’s discussion saying the question before them was two-fold: whether the City wanted to sell property in the undeveloped portion of the development and whether the property should be part of a homeowners association.

There was discussion regarding using a developer to construct Phase 2 of the development, altering the Master Deed to allow the combining of lots in Phase 1, not looking at the Phase 2 property as a part of the existing development but rather an entirely new development with different rules and covenants, and how the remaining lots in Phase 1 should be marketed.

In light of the overall discussion and the comments made by residents of Phase 1 City Attorney William C. Brown highlighted a couple of issues. He said that despite the clear conflict between the residents of Osburn Lakes that are in favor of the HOA and those that are not, the responsibility for resolving the situation was not up to Council as it was likely any decision by Council regarding the existing HOA would not be binding. He encouraged the residents of the development to work it out among themselves.

There was further discussion regarding Phase 2, the potential of amending the master deed, and whether there should be an HOA for Phase 2. City Attorney Brown noted the current HOA had

retained an attorney and the City would be allowed 9 land splits of the Phase 2 property if they choose to move forward without developing a master deed for the property. Mayor Frederick temporarily waived the rules of procedure to allow one last comment from Osburn Lakes resident Doug Rowden.

BROADCASTING PUBLIC MEETINGS

City Clerk Amy K. Kirkland gave a brief overview of the current situation regarding the cable access stations. She indicated the video channel appears to have very low viewership, and coupled with the cost of creating and maintaining a new return path and the cost of staff time the whole venture may not be worth it. There was discussion regarding starting a You Tube channel, posting the meetings on the City's website, how many people actually watch the stations, putting chapter markers in the video to allow citizens to easily navigate within the videos, whether to provide a community content channel on You Tube, losing a method of communication by ceasing cable broadcasting, and putting audio recordings of meetings on the web instead of video to avoid the cost of purchasing video recording equipment.

STREET BOND PROPOSAL

Councilperson Bandkau indicated he had examined the street funding issue closely and had put together an analysis of a millage proposal. He suggested requesting a Headlee Override on the November 2014 ballot for 1.936 mills that would be dedicated directly to funding street improvements. By his estimates, if citizens approve, his plan would improve the streets by 2023 without going into debt. He said he tried to construct his analysis as conservatively as possible and if the plan didn't work in two years' time he would be the first to ask for the issuance of bonds to fund street improvements.

There was significant discussion of Councilperson Bandkau's proposal, including: question about whether it would be aggressive enough to prevent further overall deterioration of City streets, advertising the plans for the program, celebrating successes when we have them, fixing streets in all areas of the City, coordinating the reconstruction of streets with the replacement of water/sewer lines, and what the interest rate would be if the City chooses to bond for the citizen portion of street improvement projects.

After the discussion was over Assistant City Manager Susan Montenegro gave an update on the DIG grant saying staff was concerned that the DDA had committed \$245,000 to the project and if the Armory project doesn't move forward the City will be left to pay

NEXT MEETING

Monday, July 07, 2014

BOARDS AND COMMISSIONS OPENINGS

Historical Commission, term expires 12-31-2016

ADJOURNMENT

Motion by Mayor Pro-Tem Eveleth for adjournment at 9:35 p.m.

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

Benjamin R. Frederick, Mayor

Amy K. Kirkland, City Clerk