

OWOSSO CITY COUNCIL

AUGUST 6, 2012

7:30 P.M.

PRESIDING OFFICER: MAYOR BENJAMIN R. FREDERICK

OPENING PRAYER: PASTOR DEB GRAZIER
FIRST CONGREGATIONAL CHURCH

PLEDGE OF ALLEGIANCE: DAVID ACTON
DDA/MAIN STREET MEMBER

PRESENT: Mayor Benjamin R. Frederick, Mayor Pro-Tem Cindy S. Popovitch, Councilpersons Loreen F. Bailey, Thomas B. Cook, Michael J. Erfourth, Christopher T. Eveleth and Burton D. Fox.

ABSENT: None.

APPROVE AGENDA

Motion by Councilperson Eveleth to approve the agenda, moving items 8 & 9 from the consent agenda to business items 3 & 4 respectively.

Motion supported by Mayor Pro-Tem Popovitch and concurred in by unanimous vote.

APPROVAL OF THE MINUTES OF REGULAR MEETING OF JULY 16, 2012

Motion by Councilperson Fox to approve the Minutes of the Regular Meeting of July 16, 2012 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Dave Acton, 317 S. Elm Street Suite 309, spoke on wayfinding signs and sought additional comment from the council. The committee is prepared to make purchases, but they are seeking MDOT and final approval before hand.

Les Sepkoski, 3972 N. M-52, thanked the council for allowing the Friday night cruises. He believes these will improve.

Gary Ballenger, 806 South Saginaw Street, stated that there used to be a sign that prohibited traffic on Stewart Street. He feels the city residents that do not make money should have their water/sewer bills subsidized by those that make more money. He also noted that drivers were still running the stop sign in his neighborhood. Three pot holes are on E. Stewart.

Eddie Urban, 601 Glenwood Avenue, stated that the exhibit barn on the north side of the fair will be in full force for needy families.

Councilperson Fox said he was contacted by three individuals that feel the utility bills that are due on the 1st of the month create a conflict for those that get social security checks on the 3rd of the month. He wishes to see a policy change to alleviate late fees for such cases. City manager Crawford stated that grace periods and different due dates were equally problematic for other populations. Mr. Fox also stated that a culture change among the business community is needed to make people more positive.

Councilperson Erfourth, asked Dave Acton if there were economies of scale to wayfinding sign ordering? DA, there are production prices, but the question has not been explored thoroughly. The sign is \$1,200 each for production versions. Further discussion ensued. He stated that the car cruise was successful.

Councilperson Bailey noted that some hanging baskets are beautiful and some are dead. If they cannot be maintained, they should be removed. Mayor Frederick requested Dave Acton to investigate this. Mr. Crawford observed that mini-climates can affect these flowers beyond what regular watering can impact.

Mayor Frederick stated that the Sunday Cruise to the Castle was a huge success.

Councilperson Eveleth noted that on August 14th at 6pm the Bake Shop will host a Glow Owosso meeting.

Councilperson Cook reminded everyone to vote the following day.

CITY MANAGER REPORT

In his project status report, Mr. Crawford noted that the city is preparing for its audit of the 2012 fiscal year. He also indicated that façade grants are being pursued and that firefighting equipment was tested in July with all tests were successful or resulted in appropriate repairs. He stated that a new public safety class for 20 people is being set up with applications on the city website. He reported that water bond refunding is to result in \$423,072 in savings. Concerning the vacant and foreclosed housing ordinance, he noted that there were over 40 registrations in the system, and inspections are occurring. He stated that the amphitheater roof is due for repair in August, ADA safety treads are installed at city hall, and phone repairs should be up for deliberation on August 20th.

Cindy Popovitch requested a report from the code enforcement office. Mr. Cook agreed.

Street repairs were noted to start in September, and it was noted that the regional park entity meeting has been delayed.

CONSENT AGENDA

Motion by Councilperson Eveleth to approve the Consent Agenda as follows:

Master Plan Distribution. Authorize distribution of the proposed 2012 Master Plan to public utilities, neighboring municipalities, other planning agencies and make the plan available to the general public for a minimum 63-day comment period as follows:

RESOLUTION NO. 83-2012

MASTER PLAN DISTRIBUTION FOR REVIEW

WHEREAS, the City of Owosso Planning Commission has been engaged in the drafting of the city's first master plan since late 2010; and

WHEREAS, the planning commission has finished such a draft and has submitted the document to the city council for review and distribution in accordance to the Planning Enabling Act (PEA); and

WHEREAS, the city council must, before final adoption, distribute the plan in accordance with the PEA for a review period of no less than 63 days; and

WHEREAS, a subsequent public hearing shall be held by the planning commission at that time to deliberate on any and all comments related to the plan.

BE IT RESOLVED THAT City of Owosso City Council hereby authorize the secretary of the planning commission to distribute the City of Owosso 2012 Draft Master Plan in accordance with the Michigan Planning Enabling Act, with copies to be distributed as follows:

An electronic copy, unless requested in hardcopy, shall be sent to:

- Region V Planning Commission
- Shiawassee County Planning Commission
- Great Lakes Central Railroad Inc.
- Huron & Eastern Railway Co. Inc.
- Owosso Community Airport
- Shiawassee Area Transportation Authority
- Consumers Energy
- Frontier Communications
- Charter Communications
- DayStarr Communications
- Shiawassee County Road Commission
- Michigan Department of Transportation
- Caledonia Charter Township
- Owosso Township
- Owosso Public Schools
- Baker College
- Memorial Healthcare

Copies shall also be made available in accordance with the following:

- A hardcopy shall be kept at the city clerk's office for public review
- A hardcopy shall be kept at the Owosso branch of the district library

An electronic copy shall be maintained on the city's webpage

BE IT FURTHER RESOLVED THAT the city council hereby requests the ability to affirm any subsequent approval by the planning commission after the statutorily required review period and public hearing.

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

Name	Board/Commission	Term Expires
Ron Schlaack	Planning Commission (filling unexpired term of S. Schlaack)	06-30-2013
Shaffer Fox	Historical Commission	12-31-2013

Gilbert Street Block Party Permission. Waive the insurance requirement, approve the application of the Gilbert Street block party group for use of Gilbert Street from Oliver Street to Queen Street between 12:00 pm and 6:00 pm on August 26, 2012 for a block party, and authorize Traffic Control Order No. 1273 formalizing the request.

Making Strides Against Breast Cancer 5K Walk Permission. Approve the application of the American Cancer Society for use of a portion of the Comstock Parking Lot and a portion of the following streets: Jerome Avenue, Washington, Dewey, East Main, East King, Pine, and West Williams Streets on October 19, 2012 from 2:00 p.m. until 12:00 p.m. October 20, 2012 and authorize Traffic Control Order No. 1274 formalizing the request.

Antique Bicycle Show and Ride Permission. Waive the insurance requirement, approve the application of the Westtown Corridor Improvement Authority for use of the parking lot in the 800 block of West Main Street (Lot 11) on August 12, 2012 from 6:00 a.m. to 4:00 p.m. for an Antique Bicycle Show and Ride, and authorize Traffic Control Order No. 1276 formalizing the request.

Law Enforcement 52 Mile Relay Torch Run Permission. Waive the insurance requirement, approve the application of the Owosso Police Department and the Michigan Special Olympics for use of a portion of the Comstock Parking Lot and portions of Himgurg, Comstock, Hickory, and East Main Streets for a torch run on September 13, 2012 from 9:00 a.m. until 12:00 noon and authorize Traffic Control Order No. 1277 formalizing the request.

Update of Outdoor Weather Warning Sirens. Authorize update of the Outdoor Weather Warning Siren System by West Shore Service Inc. in the amount of \$7,850.00 as required by the new FCC Narrowbanding mandate as follows:

RESOLUTION NO. 84-2012

RESOLUTION AUTHORIZING CONTRACT AND PAYMENT TO WEST SHORE FIRE, INC. FOR NARROWBANDING OF OUTDOOR WEATHER WARNING SIRENS

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has Outdoor Weather Warning Sirens that the FCC requires to be Narrowbanded; and

WHEREAS, West Shore Fire, Inc. and the city of Owosso have a service agreement for maintenance for the Outdoor Weather Warning Siren and West Shore Fire Inc. is the sole source of the equipment in the State of Michigan for the required Narrowbanding.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Owosso, Shiawassee County, Michigan that:

FIRST: Authorize the City of Owosso to enter into a contract with West Shore Fire Inc. in the amount of \$7,850.00 for the Narrowbanding of the Outdoor Weather Warning Sirens.

SECOND: Authorize payment to West Shore Fire, Inc.

THIRD: Authorize the use of a single tone/signal (3-5 minute steady tone) to alert the public for both a Tornado and Severe Storm Warning.

Warrant No. 446. Authorize Warrant No. 446 as follows:

Vendor	Description	Fund	Amount
Shiawassee County Health Department	Annual Fee for Household Hazardous Waste Disposal program for FY 12/13	WWTP	\$ 5,000.00
Owosso Charter Township	Owosso Charter Township water sales payment covering the period from April – June 2012- Amount corrected from warrant 445.	Water	\$ 8,603.84

B S & A Software	Annual service/support fees-August 1, 2012 – August 1, 2013	General/ Water/ Sewer	\$10,990.00
		TOTAL	\$24,593.84

Motion supported by Councilperson Fox.

Roll Call Vote.

AYES: Mayor Pro-Tem Popovitch, Councilpersons Fox, Erfourth, Bailey, Eveleth, Cook, and Mayor Frederick

NAYS: None.

ITEMS OF BUSINESS

WATER STREET LAND SALE

Motion by Councilperson Eveleth to approve the proposed transfer of city-owned parcel between 522 and 600 North Water Street to adjacent property owners in the amount of \$1,372.80 per the City's Policy for the Disposition of City-Owned Real Property and authorize the Mayor and City Clerk to execute appropriate documents as follows:

RESOLUTION NO. 85-2012

**APPROVING SALE OF PROPERTY OF
CITY OWNED PROPERTY ON NORTH WATER STREET
TO ADJOINING LAND OWNERS**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, owns strip of land 13' wide and 132' long between the parcels at 522 and 600 North Water Street, described as:

A part of the West ½ of Block 34 of Plat of the Village now City of Owosso, described as beginning on the East line of Water Street at a point 264 feet North of the Southwest Corner of said Block 34, thence continuing North on said East line of Water Street, 13 feet, thence east 132 feet to the centerline of said Block 34, thence South 13 feet, thence West 132 feet to East line of Water Street and the point of beginning, according to the plat thereof recorded in Liber 8 of Plats, Page 411 of Shiawassee County Records; and

WHEREAS, the City of Owosso approached the adjoining land owners at 522 North Water Street and 601 North Ball Street per the City of Owosso Property Sale Policy; and

WHEREAS, both property owners have expressed their interest in the property in writing and have agreed to the sale price as determined by the Property Sale Policy; and

WHEREAS, on July 2, 2012 the city council approved a 21 day posting period to the receive citizen comment and competitive offers for the property; and

WHEREAS, no offers were received within given time.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OWOSSO, SHIAWASSEE COUNTY, MICHIGAN THAT:

FIRST: The property be split and sold to the aforementioned adjoining property owners as follows:

Split Parcel Number 1

Adjacent to 520-522 N. Water Street

Buyer: Kellogg, William & Shirley
720 W. Wilkinson Rd.
Owosso, MI 48867

Price: \$894.40

Description: A part of the West ½ of Block 34 of Plat of the Village now City of Owosso, described as beginning on the East line of Water Street at a point 264 feet North of the Southwest Corner of said Block 34, thence continuing North on said East line of Water Street, 13 feet, thence east 86 feet, thence South 13 feet, thence West 86 feet to East line of Water Street and the point of beginning, according to the plat thereof recorded in Liber 8 of Plats, Page 411 of Shiawassee County Records.

Also described as the West 86' of the North 13' of the South 277' of the West ½ of Block 34 of the Original Plat of the Village now City of Owosso,

according to the plat thereof recorded in Liber 8 of Plats, Page 411 of Shiawassee County Records.

Split Parcel Number 2

Adjacent to Property of 601 N. Ball Street

Buyer: Maxwell, Robert & Patricia
601 N. Ball St.
Owosso, MI 48867

Price: \$478.40

Description: A part of the West ½ of Block 34 of Plat of the Village now City of Owosso, described as beginning at a point which is 264 feet North and 86 feet East of the Southwest Corner of said Block 34; thence North parallel with East line of Water Street 13 feet, thence east 46 feet to the centerline of said Block 34, thence South along said center line and parallel with East line of Water Street 13 feet, thence West 46 feet to the point of beginning, according to the plat thereof recorded in Liber 8 of Plats, Page 411 of Shiawassee County Records.

Also described as the East 46' of the North 13' of the South 277' of the West ½ of Block 34 of the Original Plat of the Village now City of Owosso, according to the plat thereof recorded in Liber 8 of Plats, Page 411 of Shiawassee County Records.

SECOND: The mayor and city clerk are instructed and authorized to sign appropriate documents.

Motion supported by Mayor Pro-Tem Popovitch.

Roll Call Vote.

AYES: Councilpersons Erfourth, Cook, Eveleth, Bailey, Fox, Mayor Pro-Tem Popovitch, and Mayor Frederick.

NAYS: None.

POLICE COMMAND CONTRACT

Motion by Councilperson Eveleth to approve a contract with the Police Officers Labor Council – Command Unit for a three year contract beginning July 1, 2012 and ending June 30, 2015.

Motion supported by Councilperson Erfourth.

Roll Call Vote.

AYES: Councilperson Fox, Mayor Pro-Tem Popovitch, Councilpersons Eveleth, Cook, Bailey, Erfourth, and Mayor Frederick.

NAYS: None.

CHANGE ORDER - WATER MAIN INSTALLATION

Staff requested approval of Change Order No. 2012-3 adding to the water main installation contract with Glaeser Dawes Corporation for the replacement of water main on North Brooks Street from Cleveland Street to the north end and Cleveland Street from Chestnut Street to Carmody Street in the amount of \$133,872.43.

Mr. Fox stated that other bidding options should be pursued as he does not feel this is an emergency and as such the contract should not be amended. Mr. Crawford believes that, though this is not urgent, the prices and company experience are good. Bidding could be done, but it could result in either lower or higher prices. Discussion continued.

Motion by Councilperson Fox to direct staff to seek bids in accordance with the city's financial policy for the work outlined in Change Order No. 2012-03.

Motion supported by Mayor Pro-Tem Popovitch.

Roll Call Vote.

AYES: Mayor Pro-Tem Popovitch, Councilpersons Fox, Erfourth, Bailey, Eveleth, Cook, and Mayor Frederick.

NAYS: None.

PAYMENT AUTHORIZATION – MIC FEES

Staff requested payment to Shiawassee County Central Dispatch for mic fees for the Public Safety Department radios in the amount of \$9,800.00 for the 2012-13 fiscal year.

Mr. Erfourth questioned the authorization. He stated that this charge could function as double taxation. He requested to know what would occur if the city did not support this. Mr. Compeau responded that he did not know, but he does feel there is time to investigate this as the bill is not due till September 30th. Mayor Frederick recommended a formal letter to begin an inquiry with the county that would solicit a response.

Motion by Councilperson Fox that the payment be delayed and a resolution be drafted for the next council meeting, said resolution to detail a formal communication to be sent to the county requesting the balance of the central dispatch fund, the sources and expected use of program funds, what the city contributes via 911 fees, and other pertinent information as prepared by staff.

Motion supported by Councilperson Bailey.

Roll Call Vote.

AYES: Councilpersons Erfourth, Cook, Eveleth, Bailey, Fox, Mayor Pro-Tem Popovitch and Mayor Frederick.

NAYS: None.

COMMUNICATIONS

Stephen Schlaack, Planning Commission. Letter of Resignation.

Marsha Ladd, Parks & Recreation Commission. Letter of Resignation.

Jessica B. Unangst, Human Resources Director. City Manager Evaluation.

Historical Commission. Minutes of July 9, 2012.

Downtown Development Authority/Main Street. Minutes of July 11, 2012.

Zoning Board of Appeals. Minutes of July 17, 2012.

Planning Commission. Minutes of July 23, 2012.

Parks & Recreation Commission. Minutes of July 23, 2012.

CITIZEN COMMENTS AND QUESTIONS

Gary Ballenger, 806 South Saginaw Street, asked the council why the city owns only one sweeper. He stated that he intends to call the White House and Congress to report the city council.

Eddie Urban, 601 Glenwood Avenue, stated that he ordered citations for a number of local police officers and firemen via the "Military Purple Heart." He desires to issues these with a joint meeting of the DAV at the first meeting in November.

Les Sepkoski, 3972 N. M-52, noted that there were lots of compliments from the public for the car show, but many people were disappointed that the businesses were not open. There were over 150 vehicles, about the expected number of 75.

Mayor Frederick added that the next date for the cruise to the castle will be July 28, 2013.

Tom Brown, S. Park Street, said that Bill Young went door to door to encourage businesses to be open during the car show. A lack of businesses and eateries was noticed.

Mike Tillotson, 1299 S. Shiawassee Street, said that he was impressed by the car show.

Mayor Frederick spoke about how Helping Hands is a great volunteer initiative that is gaining traction working on homes in the community. Another project is being looked into for the 9-11 time frame. He also wants to have the Unity and Remembrance picnic this year as well. He thanked Gilbert's for donating materials for Helping Hands, as well as Agnew Graphics for sign support.

Councilperson Cook said he supports the mayor's project and previous comments about improving community cooperation.

Pro-Tem Popovitch noted that she did a lot of shopping around town for a new range and decided to shop local because of the give-back that many businesses do.

Councilperson Fox said that there is a party at Roma's on Saturday at 4:30 for a birthday for one of the market managers.

NEXT MEETING

Monday, August 20, 2012

BOARDS AND COMMISSIONS OPENINGS

Parks & Recreation Commission, term expiring June 30, 2013
Zoning Board of Appeals – Alternate, term expiring June 30, 2013
Shiawassee District Library Board, term expiring June 30, 2016

ADJOURNMENT

Meeting declared adjourned by Mayor Frederick at 8:53 p.m.

Benjamin R. Frederick, Mayor

Adam H. Zettel, Assistant City Manager