

**OWOSSO CITY COUNCIL**

**AUGUST 29, 2012**

**6:00 P.M.**

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

**PLEDGE OF ALLEGIANCE:** MAYOR BENJAMIN R. FREDERICK

**PRESENT:** Mayor Benjamin R. Frederick, Councilpersons Loreen F. Bailey, Michael J. Erfourth, Christopher T. Eveleth and Burton D. Fox.

**ABSENT:** Mayor Pro-Tem Cindy S. Popovitch and Councilperson Thomas B. Cook.

Mayor Frederick noted the purpose of this special meeting was to consider approval of the installation of a splash pad in Bentley Park. The immediacy of the situation was due to the fact the contractors involved had time available to start the project prior to the Labor Day holiday.

**CITIZEN COMMENTS AND QUESTIONS**

Daniel Vargas, Mr. Owosso contestant that raised the funds for the splash pad, indicated he would love to continue his fund raising efforts to provide on-going maintenance for the splash pad.

Sandra Van Kuren, 1206 West Stewart Street, indicated she was under the impression construction was supposed to begin August 8<sup>th</sup> and wanted to know what was causing the delay. The Mayor noted that City Council had not received detailed information on the project until the previous day and was holding tonight's special meeting to help move the process forward as quickly as possible. Ms. Van Kuren also inquired about the maintenance costs asking where the estimates came from. It was noted the information came from Dave Acton, a local engineer that was volunteering his time on the project.

As a way of introducing the topic Assistant City Manager Adam Zettel indicated Council had received copies of all the information he had available and he would be happy to answer any questions they had. He further noted Dave Acton was available to answer any questions as well (Mr. Acton was joining the group via telephone as traffic had prevented him from being in attendance).

**ITEM OF BUSINESS**

**BENTLEY PARK SPLASH PAD**

Mayor Frederick asked if there were any questions from Council members.

Councilperson Fox inquired if it would be possible for water from the splash pad to reach the pavilion on a windy day and if so precautions should be taken to prevent people in the pavilion from getting wet.

Councilperson Bailey thanked Mr. Vargas for all of his efforts in raising funds for the splash pad. She went on to say she wanted him to know that while his offer to raise funds for maintenance was very generous the costs were not prohibitive and the future of the project did not hinge on whether he could cover on-going maintenance costs.

Councilperson Erfourth noted that his mother and step-father headed Mr. Vargas's fund raising campaign and while he fully supported the project he felt it would be appropriate for him to recuse himself from the vote. City Attorney William C. Brown noted that Mr. Erfourth would receive no financial benefit from the project and would be asked to participate in the vote unless his fellow Council members excused him from doing so.

Motion by Councilperson Bailey to allow Councilperson Erfourth to abstain from the vote.

Motion supported by Councilperson Fox.

Roll Call Vote.

**AYES:** Councilpersons Fox, Eveleth, Bailey, and Mayor Frederick.

**NAYS:** None.

**ABSENT:** Mayor Pro-Tem Popovitch and Councilperson Cook.

Motion by Councilperson Fox to approve the following resolution authorizing the installation of a splash pad in Bentley Park, with contingencies.

**RESOLUTION NO. 99-2012**

**BENTLEY PARK SPLASH PAD DONATION**

WHEREAS, the City of Owosso Parks and Recreation Commission has been approached by a group of citizens, working under the Shiawassee Regional Educational Service District, that desire to place a splash pad water feature in Bentley Park; and

WHEREAS, the parks and recreation commission has reviewed this request, investigated alternatives, and analyzed best practice; and

WHEREAS, the parks and recreation commission has recommended approval of a splash pad, believing that such a use would be a valuable asset to the park, the neighborhood, and the community; and

WHEREAS, Daniel Vargas, via the SRES, and other citizens have raised over \$16,000 in funds to purchase and install the splash pad; and

WHEREAS, a location has been selected in Bentley Park, west of the pavilion; and

WHEREAS, such a feature would become property of the city to own, operate, and maintain after installed; and

WHEREAS, time is of the essence to install such a feature in time for use this season.

BE IT RESOLVED THAT City of Owosso City Council hereby accepts the splash pad donation for Bentley Park as proposed by the petitioners.

BE IT FURTHER RESOLVED THAT the city council approves the installation with the following conditions:

1. Donations shall cover all external labor, material, permitting and other costs associated with the initial installation.
2. The splash pad feature cannot be used till it has been inspected and approved by the Michigan Department of Environmental Quality and has a received a permit or other suitable instrument to that end.
3. The improvements shall be reviewed by city staff before installation to ensure proper safety measures, water supply, location, and proposed maintenance needs.

Motion supported by Councilperson Eveleth.

Roll Call Vote.

AYES: Councilpersons Bailey, Eveleth, Fox, and Mayor Frederick.

NAYS: None.

ABSTAIN: Councilperson Erfourth.

ABSENT: Mayor Pro-Tem Popovitch and Councilperson Cook.

Councilperson Bailey inquired what the work schedule for the project would be. Mr. Acton noted that he would be meeting with the DEQ on Thursday afternoon and pending their approval work could commence immediately.

**ADJOURNMENT**

Motion by Councilperson Eveleth for adjournment at 6:15 p.m.

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

---

Benjamin R. Frederick, Mayor

---

Amy K. Kirkland, City Clerk