

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF SEPTEMBER 5, 2017
7:30 P.M.**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: PAULA TEMPLE

PLEDGE OF ALLEGIANCE: JOSH ADAMS, MAIN STREET MANAGER

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

ABSENT: None.

APPROVE AGENDA

Motion by Councilmember Fox to approve the agenda with the following changes:
Move Consent agenda item No. 2 to Item of Business No. 3.

Motion supported by Councilmember Greenway and concurred in by unanimous vote.

APPROVAL OF THE MINUTES OF REGULAR MEETING OF AUGUST 21, 2017

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of August 21, 2017 as presented.

Motion supported by Councilmember Fox and concurred in by unanimous vote.

APPROVAL OF THE MINUTES OF REGULAR MEETING OF AUGUST 26, 2017

Motion by Councilmember Fox to approve the Minutes of the Regular Meeting of August 21, 2017 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

Ordinance Amendment – Downtown/Westown Parking

A public hearing was held to receive citizen comment regarding the proposal to amend Chapter 38, Zoning, Article XVII, General Provisions, Section 38-380, Off-street parking requirements, Subsections (2) & (11) to allow downtown and Westown residents to park in any public parking lot with a parking tag.

There were no citizens comments made prior to or during the meeting.

Councilmember Fox asked for clarification if it included both Westown and downtown. Ms. Montenegro responded that it did include both.

Whereas, the Council, after due and legal notice, has met and there being no citizens to be heard, motion by Councilmember Fox that the following ordinance be adopted:

ORDINANCE NO. 787

**AN ORDINANCE AMENDING SECTIONS 38-380 (2) & (11) – OFF-STREET PARKING,
OF THE OWOSSO CITY ZONING CODE**

WHEREAS, the City of Owosso Zoning Code Section 38-380, Off-street parking, outlines off-street parking requirements; and

WHEREAS, the city of Owosso, Shiawassee County, Michigan, Planning Commission believe Section 38-380 of the Zoning Code, also known as off-street parking, does not address current parking needs for downtown residents in the city of Owosso; and

WHEREAS, the city of Owosso seeks to provide parking areas in the downtown in any of the city owned parking lots for downtown residents as stated in the new language in section 38-380(2); and

WHEREAS, a map that delineates the areas where downtown residential parking shall be allowed is shown in section 38-380(11).

NOW THEREFORE BE IT RESOLVED:

SECTION 1. AMENDMENT #1. That existing Section 38-380 (2), Off-street parking requirements, of Chapter 38, Zoning, Article XVII, General Provisions, of the Owosso City Code be amended to read:

Sec. 38-380. - Off-street parking requirements.

(2) Off-street parking for other than residential use shall be either on the same lot or within three hundred (300) feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking lot. Ownership shall be shown of all lots or parcels intended for use as parking by the applicant. However, in the DDA and Westtown Districts, as shown in the map in Figure 1, residential parking for downtown residents shall be allowed in any public parking lot with a residential parking permit, according to the terms of the lease agreement.

SECTION 2. MAP. That existing Section 38-380 (11), Off-street parking requirements, of Chapter 38, Zoning, Article XVII, General Provisions, of the Owosso City Code be amended to show a map of the affected areas:

Sec. 38-380. - Off-street parking requirements.

(11)The requirements of subsection (12) shall not apply to the erection, alteration or extension of any building or structure, with the exception of those to be used for residential purposes, including transients, within the developed portion of the central business district (except as required by the subsection (5) within the following boundary):



SECTION 3. SEVERABILITY. The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of this Ordinance as a whole or any section or provision of this Ordinance other than the section or provision so declared to be unconstitutional or invalid.

SECTION 4. INCONSISTENT ORDINANCES. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are repealed.

SECTION 5. EFFECTIVE DATE. This amendment shall become effective September 26, 2017.

SECTION 6. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

Motion supported by Councilmember Law.

Roll Call Vote.

AYES: Councilmember Law, Mayor Pro-Tem Osika, Councilmembers Teich, Greenway, Fox, Bailey and Mayor Eveleth.

NAYS: None.

CITIZEN COMMENTS AND QUESTIONS

Paula Temple, 566 Ament Street, explained due to health concerns she can no longer go forward with her circulating of petitions. She also presented the Mayor with a towel as an indication of her throwing in the towel.

Ed Urban, 601 Glenwood Avenue, commented he had a tough time making it to the meeting.

Mike Walz, 624 N. Ball Street, complained about the fact he has a neighbor 2 doors down, Ms. Goodin that has over 20 cats. He said they have become a nuisance and would like the city to do something. Ms. Goodin has told him she has permission from the city to have the cats.

Randy Walter, Dewitt, MI., explained that someone from the city said that his girlfriend (526 Mason Street) had to get rid of her 2 ducks because they are not allowed in the city. He explained the ducks have helped his girlfriend deal with the death of another animal. He asked the council to consider creating an ordinance for therapy animals.

Mayor Eveleth stated the Labor Day Bridge Walk went great and thanked Donna Kerridge for coordinating the event.

Councilmember Bailey responded to Mr. Walz complaint. She stated that they were working on containment for the cats on Ball Street. She also explained there are other cats roaming that neighborhood and explained a neighbor had moved away and left 5 cats. The cats all are not permanent and they come and go.

Councilmember Bailey also explained that she attended a meeting earlier in the day regarding the bond for the Owosso Public Schools District Meeting and has some bond fact sheets if anyone is interested. She expressed that it is very inexpensive and the kids need this. She also stated the schools reflect the city; people want good schools to move to the community.

Councilmember Greenway shared that she was pleased that the bond issue had been pared down and felt it should pass.

Councilmember Teich questioned if there is an ordinance exception to therapy animals in the city.

Mayor Pro-Tem Osika asked if Ms. Goodin is allowed to keep 20 cats.

Mayor Eveleth explained the ordinance had been amended to allow for cat rescue.

Councilmember Bailey responded that they are not permanent and they are in the process of adopting the cats out.

Councilmember Fox also questioned the amount of cats at the Goodin house.

Councilmember Bailey responded to him by explaining that she has been called upon to help out with other cats. She shared that there are 4 or 5 places that will take the cats in until they are well or have been socialized so they will be ready for adoption.

Councilmember Fox stated he felt that the cats should be crated to keep them out of other people yards.

Councilmember Bailey agreed and stated that the cats are now in containment so they shouldn't be a problem any longer.

Councilmember Teich questioned if there are guidelines for people that take the cats and asked if they are all City of Owosso cats.

Councilmember Bailey responded that the goal is to have the cats inside. She also stated that if someone calls about cats in the county needing rescue she will respond but City of Owosso residents always gets the preference. Councilmember Bailey also shared she has had very few complaints over the 3 years and over 2,000 cats have been spayed or neutered.

Councilmember Teich questioned if there is exception for therapy animals to the ordinance.

City Manager responded that it seems to be becoming more popular today. The city would have to rewrite the city ordinance.

Councilmember Fox made a motion for the city attorney to draw up a Pet Therapy Ordinance.

Motion supported by Councilmember Teich.

Roll Call Vote.

AYES: Councilmembers Teich, Bailey, Fox, Greenway, Law and Mayor Eveleth.

NAYS: Mayor Pro-Tem Osika

CITY MANAGER REPORT

City Manager Donald D. Crawford detailed the latest Project Status Report.

CONSENT AGENDA

Motion by Councilmember Bailey to approve the Consent Agenda as follows:

Special Assessment District No. 2017-02. Authorize Resolution No. 2 setting a public hearing for Monday, September 18, 2017 for proposed Special Assessment District No. 2017-02 for Oliver Street from Oak Street to Gould Street (Phase 2) for street reconstruction, and further authorize amending the district's number designation to District No. 2018-01.

RESOLUTION NO. 130-2017

SETTING A PUBLIC HEARING TO RECEIVE COMMENT REGARDING SPECIAL ASSESSMENT, DISTRICT NO. 2018-01 OLIVER STREET, PUBLIC STREET, FROM OAK STREET TO GOULD STREET, STREET RECONSTRUCTION

WHEREAS, the City Council has ordered the City Manager to prepare a report for public improvement, more particularly hereinafter described; and

Oliver Street, Public Street, from Oak Street to Gould Street, Street Reconstruction

WHEREAS, the City Manager prepared said report and the same has been filed with the City Council as required by the Special Assessment Ordinance of the City of Owosso and the Council has reviewed said report.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The plans and estimate of cost and the report of the City Manager for said public improvement shall be filed in the office of the City Clerk and shall be available for public examination.
2. The City Council hereby determines that the Public Improvement hereinafter set forth may be necessary.
3. The City Council hereby approves the estimate of cost of said public improvement to be \$1,214,868.85 and determines that \$109,530.31 thereof shall be paid by special assessment imposed on the lots and parcels of land more particularly hereinafter set forth, which lots and parcels of land are hereby designated to be all of the lots and parcels of land to be benefited by said improvements and determines that \$219,152.09 of the cost thereof shall be paid by the City at large because of benefit to the City at large.
4. The City Council hereby determines that the portion of the cost of said public improvement to be specially assessed shall be assessed in accordance with the benefits to be received.
5. The City Council shall meet at the Owosso City Hall Council Chambers on Monday, September 18, 2017 for the purpose of hearing all persons to be affected by the proposed public improvement.
6. The City Clerk is hereby directed to cause notice of the time and place of the hearing to be published once in The Argus Press, the official newspaper of the City of Owosso, not less than seven (7) days prior to the date of said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of property subject to assessment, as indicated by the records in the City Assessor's Office as shown on the

general tax roll of the City, at least (10) full days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.

7. The notice of said hearing to be published and mailed shall be in substantially the following form:

NOTICE OF SPECIAL ASSESSMENT HEARING
CITY OF OWOSSO, MICHIGAN

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

Oliver Street, Public Street, from Oak Street to Gould Street

TAKE NOTICE that the City Council intends to acquire and construct the following described public improvement: **Street Reconstruction.**

The City Council intends to defray apart or all of the cost of the above-described public improvement by special assessment against the above described property.

TAKE FURTHER NOTICE that City Council has caused plans and an estimate of the cost and report for the above described public improvement to be prepared and made by the City Manager and the same is on file with the City Clerk and available for public examination.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall Council Chambers, Owosso, Michigan at 7:30 o'clock p.m. on Monday, September 18, 2017 for the purpose of hearing any person to be affected by the proposed public improvement.

Art Walk Permission. Approved the application of Owosso Main Street/DDA for use of Main Street Plaza September 9, 2017 from 8:00am to 5:00pm for the Art Walk event, waive the insurance requirement, and authorize Traffic Control Order No. 1379 formalizing the requested closure.

Open Streets Owosso Bicycle Route Permission. Approved request from Owosso Main Street for the closure of several streets in the downtown for the Open Street Owosso Bicycle Route event on Sunday, September 10, 2017 from 11:00 a.m. to 5:00 p.m., waive the insurance requirement, and authorize Traffic Control Order No. 1380 formalizing the action.

Change Order Nos. 1 & 2 – WWTP Screen Containment Room & Equipment Installation Contract. Approved Change Order Nos. 1 & 2 to the WWTP Screen Containment Room & Equipment Installation Contract with RCL Construction Co., Inc. finalizing all quantities and adding \$8,381.00, bringing the total contract to \$239,276.00 as follows:

RESOLUTION NO. 131-2017

**AUTHORIZING CHANGE ORDERS NO.1 AND NO.2 TO CONTRACT
AGREEMENT BETWEEN RCL CONSTRUCTION COMPANY OF SANFORD,
MICHIGAN AND THE CITY OF OWOSSO, MICHIGAN FOR DEMOLITION
SERVICES AND CONSTRUCTION OF TWO COMPACTOR CONTAINMENT
ROOMS AT THE WASTEWATER PLANT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has budgeted from the Wastewater Plant Replacement Fund for the demolition of three lime towers and the construction of two Washer-Compactor Containment Rooms, and

WHEREAS, During the project, replacement handrails and concrete repairs were determined necessary to complete the project properly and safely, and some electrical work previously bid in the scope of services was no longer required, and

WHEREAS, the Director of Public Services & Utilities has reviewed the Change Orders No.1 and No.2 and verified the necessity for the addition and elimination of work totaling \$8,381.00, and increasing the total construction contract price to \$239,276.00, and recommends approval of the Change Orders to complete the project and under budget.

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 approve the addition and elimination of work for the construction of Washer-Compactor Containment Rooms as submitted in the Change Orders No.1 and No.2 to the construction agreement between RCL Construction Company and the City of Owosso.

SECOND: The accounts payable department is authorized to submit payment to RCL Construction Company in the amount of \$239,276.00, with completion of contracted services by August 31, 2017.

THIRD: The above expenses shall be paid from the Wastewater Plant Fund 599-901-977.100.

Warrant No. 549. Authorized Warrant No. 549 as follows:

Vendor	Description	Fund	Amount
Michigan Municipal League Workers' Compensation Fund Inc	Worker's Compensation Insurance- 2 of 4 for FY 17/18	Various	\$19,162.00

Motion supported by Councilmember Teich.

Roll Call Vote.

AYES: Councilmembers Law, Teich, Fox, Greenway, Mayor Pro-Tem Osika, Councilmember Bailey and Mayor Eveleth.

NAYS: None.

ITEMS OF BUSINESS

SEDP Pledge

City Manager Crawford explained this formalizing a pledge council had made previously.

Motion by Councilmember Teich authorizing a five-year pledge to the Shiawassee Economic Development Partnership in the amount of \$40,000.00 annually.

Councilmember Bailey asked for clarification she thought the pledge was up to \$40,000.00. City Manager explained that it was a \$40,000.00 pledge for 5 years.

Mayor Pro-Tem Osika requested to abstain due to relating to her employment. City Attorney William Brown agreed.

RESOLUTION NO. 132-2017

RESOLUTION PLEDGING AND AUTHORIZING THE ANNUAL SUPPORT PAYMENT TO THE SHIAWASSEE ECONOMIC DEVELOPMENT PARTNERSHIP FOR THE FISCAL YEARS OF 2018, 2019, 2020, 2021 AND 2022

WHEREAS, the Shiawassee County Economic Development Partnership (SEDP) has been established to provide economic development services for member governmental units throughout Shiawassee County; and

WHEREAS, the city of Owosso, Michigan, has determined that it is advisable, necessary and in the public interest for the Shiawassee Economic Development Partnership to be the full service economic development organization serving the city of Owosso; and

WHEREAS, the city of Owosso, Michigan has determined that it is desirable to continue this relationship as a member through 2022;

NOW THEREFORE BE IT RESOLVED by the city of Owosso, county of Shiawassee, state of Michigan:

FIRST: that the city of Owosso has heretofore determined that it is advisable, necessary and in the public interest to contribute toward the funding of the Shiawassee County Economic Development Partnership by making an annual payment of \$40,000.00 each city fiscal year beginning July 1, 2018 and ending June 30, 2022 with payment to be made on or about December 1 of each year.

SECOND: that the city manager of the city of Owosso is hereby instructed and authorized to sign the documents making this pledge and that the annual payment be included in each annual budget

THIRD: that the payment for the services shall come from the General Fund, unless otherwise determined.

Motion supported by Councilmember Greenway.

Roll Call Vote.

AYES: Councilmembers Greenway, Teich, Fox, Bailey, Law and Mayor Eveleth.

NAYS: None.

ABSTAIN: Mayor Pro-Tem Osika

Professional Services Agreement - Robert V. Doran-Brockway

City Manager Crawford explained that Robert V. Doran-Brockway has been a part time employee of the city. The Historic Commission wanted to increase his wage. He explained there were technical problems if the city would increase his hours. So discussion ensued to set it up as an independent contractor agreement where funds would come from two sources. The city portion would pay \$ 23,400.00 and the Historic Commission would pay \$ 16,602.00 from funds the Historical Commission would generate. This contract is general and just states the city would make monthly payments for the specified work.

Mayor Eveleth stated this is not an increase on the city it would be a contribution from the Historical Commission if they have funds which they have raised they would be allowed to pay this.

City Manager responded that this is the way it is set up and if the funds are not raised then payment will not be made.

Councilmember Greenway explained that she is the liaison from the Historical Commission to City Council. She feels that the city shouldn't pay anymore but that the Commission should raise the money and pay the extra.

The mayor also stated this is the next step to moving them into a 501c3

Councilmember Fox questioned Section 5 of the contract which states that:

5. Expenses, Materials, Services and Benefits. *The City will provide Doran-Brockway with work space in the Gould House and Curwood, office supplies, use of city vehicles, and such other services that the City determines are necessary for Doran-Brockway to perform the services required hereunder. The City also will provide Doran-Brockway with coverage for Doran-Brockway under the City's workers' disability compensation and general liability insurance policies, as they may exist from time to time.*

Other than the foregoing, Doran-Brockway shall be responsible for all other expenses relating to providing the services required under this Agreement and shall furnish all materials, equipment and supplies used to provide such services, including compensation paid and benefits provided to Doran-Brockway's employees, license fees, memberships and dues, uniforms and meals.

Doran-Brockway will not be entitled to reimbursement of out-of-pocket expenses relating to materials and services required under this Agreement unless reimbursement is approved in writing by the City in advance.

Councilmember Fox questioned when you are a contracted employee wouldn't they be responsible for his own workman's compensation.

City Manager responded that this is quite common with independent contractors.

Councilmember Fox stated that it didn't make sense why the city would pay his workman's compensation and he could not support it.

Councilmember Law questioned Section 4. He said the contract does not say that specifically the amounts from the city and the historical commission and he was concerned the city would be responsible for the total amount of \$3,333.50.

4. Payment. *In consideration for all of the services to be performed by Doran-Brockway beginning September 1, 2017, the City agrees to pay Doran-Brockway the total sum of \$ 3,333.50 (per month).*

Councilmember Greenway stated that it was her understanding that the city would still pay the same amount and if the Historical Commission didn't pay Mr. Doran-Brockway then he would not receive the extra money.

Councilmember Fox felt that should be stated in the contract.

Mayor Eveleth asked city attorney, William Brown, about the contract. Mr. Brown stated he did not have anything to do with the contract. He also stated that the objections seemed reasonable.

Ms. Montenegro, Community Development Director/Assistant City Manager, stated the amounts for Mr. Doran-Brockway are the city portion \$1,950.00 and the Historical Commission amount is up to \$1,383.50.

Councilmember Teich questioned if you need to have 2 contracts.

City Manager explained the Commission does not have the authority to make a contract.

Councilmember Teich stated if he is Mr. Doran-Brockway is expecting a contract for \$40,000.00 and he will get a contract for \$23,000.00. He also stated that would be a problem for Mr. Doran-Brockway.

Mayor Eveleth suggested amending the contract to say \$1,950.00 guaranteed to come from the city and up to \$1,383.50 available funds to come from Owosso Historical Commission. Councilmembers seemed to agree it should be amended.

Councilmember Bailey stated citizens question what value is the Historical Commission. She suggested that the Historical Commission to report on all the things the Commission does, for example how many people they bring to town as an organizational evaluation. She felt it would be of value for citizens.

Councilmember Greenway asked if they would like her to take specific questions back to the commission or if the city manager would handle it.

City Manager Crawford responded that he would take care of it.

Motion by Councilmember Fox to approve the contract as amended.

RESOLUTION NO. 133-2017

RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT FOR SERVICES BETWEEN THE CITY OF OWOSSO, MICHIGAN AND ROBERT DORAN-BROCKWAY FOR ADMINISTERING THE CITY'S HISTORICAL PROGRAM

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that an individual is necessary for the proper functioning of the city's historical program;

WHEREAS, Robert Doran-Brockway provides services that are covered in the attached agreement;

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 Robert Doran-Brockway for administering the city's historical program.
- SECOND: The mayor and the city clerk of the city of Owosso are instructed and authorized to sign the document substantially in the form attached.
- THIRD: The City of Owosso will guarantee \$1,950.00 per month and up to \$ 1,383.50 coming from funds from the Owosso Historical Commission.

Motion supported by Councilmember Greenway.

Roll Call Vote.

AYES: Councilmembers Bailey, Mayor Pro-Tem Osika, Councilmembers Fox, Law, Greenway, Teich and Mayor Eveleth.

NAYS: None.

First Reading and Set Public Hearing – Rezoning 621 W. Oliver Street

Councilmember Fox stated he pulled this item from the consent agenda because he has received many contacts over the issue. He said that people were saying they were not notified. He also stated that the law requires that homes within 300 feet are required to be notified but 300 feet does not go very far on Oliver Street. He stated he wanted to approve the public hearing but wants to include more homes. He wants notifications to be sent to include from Shiawassee Street, west on Oliver to Curwood Drive and north to King Street.

Councilmember Greenway asked why it is now zoned residential now.

Mayor Eveleth responded that it was a very good question one he plans on asking at the public hearing.

Councilmember Fox stated during his time on the Planning Commission they wanted to eliminate spot zoning and he feels this would be spot zoning. He just wants to make sure all the neighbors know about it.

Motion by Councilmember Fox to set the public hearing for October 2, 2017 with notification extended to include from Shiawassee Street, west on Oliver to Curwood Drive and north to King Street as detailed below:

RESOLUTION NO. 134-2017

**SETTING A PUBLIC HEARING TO
AMEND CHAPTER 38 ZONING OF THE CODE OF ORDINANCES
TO REZONE A PARCEL OF REAL PROPERTY
AT 621 W. OLIVER STREET
AND AMEND THE ZONING MAP**

Whereas, the city of Owosso received a petition from a land owner of real property identified as 621 W. Oliver Street, parcel 050-660-004-006-00, LOT 1 BLK 4 (EX N 266') ALSO E 171' 2 1/2" OF LOT 2 BLK 4 A L & B O WILLIAMS ADD to rezone the parcel from R-1 Single Family Residential District to OS-1 Office Service District; and

Whereas, the planning commission published the request, held a public hearing on the request, and deliberated on the request; and

Whereas, the city staff and planning commission recommend, without reservations or conditions, the rezoning of parcel 050-660-004-006-00, 621 W. Oliver Street from R-1 Single Family Residential District to OS-1 Office Service District; and

Whereas, the item must now be considered by City Council and a public hearing by the Council is required before any such ordinance amendment can be acted upon.

Now Therefore, Be It Resolved, that Chapter 38, Zoning, of the Code of the City of Owosso be amended as follows:

SECTION 1. That Chapter 38, Zoning Code of the City of Owosso Sec. 38-27, *Zoning Districts and Map*, reflect the following change to be noted on the official map and filed with the city clerk:

Indicate a zoning classification of OS-1 Office Service District for 621 W. Oliver Street, parcel 050-660-004-006-00.

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, October 2, 2017 at or about 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendment.

SECTION 3. NOTICE. Council hereby directs staff to supply a public notice concerning the rezoning to a newspaper of general circulation within the city.

SECTION 4. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

SECTION 5. EFFECTIVE DATE. This amendment shall become effective twenty days after passage.

Motion supported by Councilmember Greenway

Roll Call Vote.

AYES: Councilmembers Fox, Bailey, Law, Greenway, Teich, and Mayor Eveleth.

NAYS: Mayor Pro-Tem Osika.

COMMUNICATIONS

None.

CITIZEN COMMENTS AND QUESTIONS

Michael Cross, 2005 East M-21, owner of Say Computer now Retriever Software Inc. he explained that he would like the opportunity to grow his business at 621 West Oliver Street. He stated his business will not contribute to congestion on Oliver Street. He stated they are more of an office facility than retail. They would be good neighbors.

Justin Horvath thanked council for approving the pledge. He also stated that he would be back on the October 2nd and reminded council that it has been that type usage for a long time. He feels it will be much less traffic then when Baker was there. He also pointed out on perhaps a compromise and keeping all traffic on M-52. Most of the hours of operation would be during the day.

Paula Temple asked about a gentleman that wanted to buy an extra lot at Osburn Lake to make his lot larger for his children. She wondered if that was ever resolved.

Ed Urban commented about animal control and some people got together and got certified. It was called MADCA (Michigan Animal Damage Control Association). He expressed his feelings that Councilmember Bailey was doing a good job.

Mike Walz, 624 N. Ball Street, stated he felt that there should be a limit on cats is kept. He believes that this causes a strain on the neighborhood. He also commented that the ice skate park had been locked most of the time last winter and would like it opened up more.

Randy Walter, Dewitt, MI, commented that the ducks at 526 East Mason Street are kept in a small pen and the duck are fenced in they can't fly. He wanted council to know the ducks are taken care of.

Councilmember Teich asked Justin Horvath about the East Side drive at 621 West Oliver. He wondered if they could eliminate the drive on Oliver Street. Make Cross responded that they have looked at making the handicapped entrance in the back depending on the costs.

Councilmember Fox suggested looking at making the drive on Oliver making it a one way drive.

Councilmember Bailey explained while she was principal at Central School informing parents that they can't use that driveway.

Mike Cross stated there are options available they are looking at.

Mayor Pro-Tem Osika explained she lived in the area and it is congested and parents use the drive to drop to off students all the time. She also stated she knows Mr. Cross and he is a man of his word. She also commented on the employees will be spending money in the city.

Pro-Tem Osika asked the city manager to respond about the ice skating rink.

City Manager Crawford responded that it is a guessing game when it can be open.

NEXT MEETING

Monday, September 18, 2017

BOARDS AND COMMISSIONS OPENINGS

Board of Review – term expires December 31, 2019
Brownfield Redevelopment Authority/LDFA – term expires June 30, 2018
Brownfield Redevelopment Authority/LDFA – term expires June 30, 2020
Building Board of Appeals - term expires June 30, 2019
Building Board of Appeals – Alternate - term expires June 30, 2018
Historical Commission – term expires December 31, 2019

ADJOURNMENT

Motion by Councilmember Teich for adjournment at 9:09 p.m.

Motion supported by Councilmember Greenway and concurred in by unanimous vote.

Christopher T. Eveleth, Mayor

Roxane K. Cramer, Deputy City Clerk