

OWOSSO CITY COUNCIL

APRIL 15, 2013

7:30 P.M.

- PRESIDING OFFICER:** MAYOR BENJAMIN R. FREDERICK
- OPENING PRAYER:** LIEUTENANT CASSY GREY
SALVATION ARMY
- PLEDGE OF ALLEGIANCE:** LYDIA HAWTHORNE
AMERICORPS COMMUNITY RESOURCE NAVIGATOR
- PRESENT:** Mayor Benjamin R. Frederick, Mayor Pro-Tem Cindy S. Popovitch, Councilpersons Loreen F. Bailey, Thomas B. Cook, Christopher T. Eveleth and Burton D. Fox.
- ABSENT:** Councilperson Michael J. Erfourth

APPROVE AGENDA

Motion by Councilperson Eveleth to approve the agenda with the following change:

Consent items 2-9 regarding Special Assessments will move to Item of Business 5 to allow for technical corrections.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF APRIL 1, 2013

Motion by Councilperson Cook to approve the Minutes of the Regular Meeting of April 1, 2013 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

AMERICORPS SERVICE MEMBER INTRODUCTION

A presentation was given introducing Lydia Hawthorne as the area's Americorps Community Resource Navigator. She will be responsible for helping area residents access, and transition to, the new online benefit system for the Department of Human Services. Those desiring her assistance can contact her at Capital Area Community Services.

ARBOR DAY PROCLAMATION

Mayor Frederick read aloud the following proclamation of the Mayor's Office declaring April 27, 2013 as Arbor Day in the City of Owosso:

**A PROCLAMATION
OF THE MAYOR'S OFFICE OF THE CITY OF OWOSSO, MICHIGAN
DESIGNATING APRIL 27, 2013 AS
ARBOR DAY IN THE CITY OF OWOSSO**

Whereas, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees. This holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, decades before this in the 1830's, Owosso was making the transition from settlement to city thanks to the amazing vision of Alfred and Benjamin Williams. The Williams brothers joined with early settlers Dr. and Mrs. John Barnes in designing a city layout that would preserve a natural character and aesthetic appeal. This led them to plant many of the trees that have made our city streets so beautiful for over 175 years, leading to the lovely arbors of trees that frame so many of our boulevards and the many mature trees that stand in our yards, and

Whereas, these trees have reduced the erosion of our precious topsoil by wind and water, cut our heating and cooling costs by shading our homes, cleansed the air, produced life-giving oxygen, and provided habitat for wildlife, at the same time increasing property values, enhancing the economic vitality of business areas, and generally adding beauty to our neighborhoods and parks, and

Whereas, it falls to each generation to continue the stewardship that was launched by our founding families through the planting of new trees throughout our city to replace those that are lost, and

Whereas, Owosso is proud to hold the Tree City USA designation and to be engaged this year in a first-ever partnership with the Owosso Public Schools promoting urban forestry. This volunteer effort and partnership will culminate in the planting of more than forty trees within the historic Emerson Oak Grove and the Emerson Elementary School grounds while educating youngsters and adults about the importance of our trees and tree planting.

Now, Therefore, I, Benjamin R. Frederick, Mayor of the City of Owosso, do hereby proclaim April 27th, 2013 as Arbor Day in the City of Owosso, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge our citizens to plant trees to promote the well-being of this generation and our posterity.

Proclaimed this 15th day of April, 2013.

The Mayor extended an open invitation to participate in the Arbor Day

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Marsha Ladd, 735 Lingle Avenue, said she was very pleased by the City's new website. She went on to comment about the Bentley Park improvement project bid and the proposed budget. She said it was vitally important to provide good restroom facilities in a park with so many attractions for young children. In regard to the budget she indicated there were a number of things she like in the budget but she was very much opposed to any increase in taxes saying the City needed to attract new residents and higher taxes would do the opposite. She said she also objected to the proposal for the hire of a part time employee to oversee the Curwood Castle and the Gould House operations. Lastly, she indicated she didn't feel a \$10,000 sign proposed for Fayette Square was a prudent expense. The Mayor thanked her for her thoughtful input on the budget.

Gary Sensibaugh, 729 Genesee Street, suggested that in light of the Newtown school shooting that police make their presence known around area school buildings by parking near them to complete their reports.

Eddie Urban, 601 Glenwood Avenue, said he was opposed to allowing drinking in McCurdy Park and was heading to the Corunna City Council meeting to express his objection.

Mayor Frederick inquired whether the Public Safety Department had considered Mr. Sensibaugh's suggestion. It was noted the idea had been relayed to officers.

Mayor Pro-Tem Popovitch commented on a couple of newspaper articles she had seen recently documenting local recycling programs in other communities. She asked that services like this be considered as the Council examines the budget for the coming year.

Councilperson Fox indicated the sign designating the future location of the Firemen's Memorial was put up recently officially kicking off fund raising events for the project. He thanked local architect Jeff Peltier for his work designing the structure to house the memorial as well as a local contractor that had pledged to donate all of the cement needed for the project.

Councilperson Eveleth announced the Farmers Market block party to be held April 27th on Exchange Street. The event will be the kick off for the Downtown Farmers Market and will feature food and beer tasting. He also noted that he attended the Living Green Symposium over the weekend and had the honor of presenting Jeff Peltier with a certificate of appreciation for his extensive work around the community. Mr. Peltier was in the audience and received a round of applause.

Mayor Pro-Tem Popovitch inquired about how long the Arbor Day event will be going on as she is involved in the annual Hospital Auxiliary 5k run that day and was curious if she could attend both events. She also wished the Owosso Middle School Destination Imagination teams good luck as they head to the State competition this weekend.

CITY MANAGER REPORT

City Manager Crawford indicated he had no comments but did seek clarification on the application from the Farmers Market for use of Exchange Street, inquiring whether they had insurance or were seeking a waiver. It was noted the application was incorrect and no waiver was being requested, the City should be in receipt of proof of insurance for the event.

CONSENT AGENDA

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

Set Public Hearing - 2013-2014 City Budget. Set required Public Hearing pursuant to Chapter 8 of the City Charter for May 6, 2013 to receive citizen comment regarding proposed 2013-2014 City Budget.

Friday Night Car Cruise Permission. Consider waiving the insurance requirement, approving the application of Owosso Main Street for use of Exchange Street from Washington Street to Water Street between 6:00 pm and 9:00 pm on the second Friday of each month from May to October 2013 for a cruise-in, and authorizing Traffic Control Order No. 1287 formalizing the request.

Farmers Market Block Party Permission. Consider approving the application of the Downtown Owosso Farmers Market for use of Exchange Street between Ball Street and Washington Street from 3:00 pm to 9:00 pm on Saturday, April 27, 2013 for the Downtown Owosso Farmers Market block party and authorize Traffic Control Order No. 1288 formalizing the request.

Farmers Market Permission. Consider approving the application of the Downtown Owosso Farmers Market for use of Exchange Street between Water Street and Park Street from 6:00 am to 2:00 pm on consecutive Saturdays from May 4, 2013 through October 26, 2013 (using Exchange Street from Ball Street to Park Street on June 8, 2013 to accommodate the Curwood Festival) for the 2013 farmer’s Market and authorize Traffic Control Order No. 1289 formalizing the request.

Flexible Spending Account Terms Adoption. Authorize acceptance of the terms governing the Flexible Spending Accounts available to City employees, with a retroactive effective date of January 1, 2013 as follows:

RESOLUTION NO. 26-2013

ADOPTING THE CITY OF OWOSSO FLEXIBLE SPENDING PLAN

WHEREAS, the city of Owosso, a Michigan municipal corporation, provides a cafeteria plan for its employees;

WHEREAS, under the tax laws of the United States of America the city council must adopt a resolution for the calendar year effective January 1, 2013 and subsequent years;

NOW THEREFORE, the city council of the city of Owosso, Michigan (the employer) resolves:

- FIRST: that the form of Cafeteria Plan including a Dependent Care Flexible Spending Account and Health Flexible Spending Account effective January 1, 2013 presented and attached is approved and adopted and that the duly authorized agents of the city are hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.
- SECOND: that the Administrator is instructed to take such actions that they deem necessary and proper to implement the Plan, and to set up adequate accounting and administrative procedures to provide benefits under the Plan.
- THIRD: that the duly authorized agent of the employer (the human resources director) shall act as soon as possible to notify city employees of the Cafeteria Plan’s adoption by delivering to each employee a copy of the attached *Summary Plan Description*, which is hereby approved.
- FOURTH: the undersigned certifies that attached as Exhibits A and B, respectively, are true copies of the *City of Owosso Flexible Spending Plan* and the *Summary Plan Description* approved and adopted in this resolution.
- FIFTH: that all prior resolutions and documents for the *City of Owosso Flexible Spending Plan* are rescinded as of January 1, 2013.

Bid Award Extension – Dry Cleaning. Waive bidding irregularities and authorize a one-year extension to the contract with Rubob’s Inc./Ruthy’s Laundry Center for dry cleaning services for the Public Safety Department in an amount not to exceed \$6,500.00 as follows:

RESOLUTION NO. 27-2013

**AUTHORIZING A CHANGE ORDER
TO THE PURCHASE ORDER FOR
DRY CLEANING SERVICES
WITH RUBOB’S, INC./RUTHY’S LAUNDRY CENTER**

WHEREAS, the City Council approved a purchase agreement with Rubob's, Inc./Ruthy's Laundry Center for dry cleaning services on August 1, 2012; and

WHEREAS, as there are no longer any other dry cleaners operating in the City it is prudent to extend the purchase order with Rubob's, Inc./Ruthy's Laundry Center; and

WHEREAS, Rubob's, Inc./Ruthy's Laundry Service has agreed to continue to provide the requested dry cleaning services for the 2013-14 fiscal year at 2012-13 prices, creating the need to amend the original purchase order.

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

FIRST: The City of Owosso agrees to extend the purchase order with Rubob's, Inc./Ruthy's Laundry Center for dry cleaning services to cover the 2013-14 fiscal year.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit A, Amendment to the Contract for Services Between the City of Owosso, Rubob's, Inc./Ruthy's Laundry Center, increasing the total by an amount not to exceed \$6,500.00.

THIRD: The above expenses shall be paid from Police Division line item 101-300-741000 and Fire Division line item 101-335-741000.

Warrant No. 462. Accept Warrant No. 462 as follows:

Vendor	Description	Fund	Amount
CalFirst Leasing Corporation	Annual Payment for HME Tower/Ladder Fire Truck	General	\$121,717.50
Logicalis, Inc	Network Engineering Support February 2013	General	\$ 6,902.00
Brown & Stewart, PC	Professional Services-March 12, 2013 – April 8, 2013	General	\$ 8,273.20
Caledonia Charter Township	Caledonia Utility Fund payment covering the quarter ending March 31, 2013	Water	\$ 16,461.39
Owosso Charter Township	Owosso Charter Township water sales payment covering the quarter ending March 31, 2013	Water	\$ 7,580.10

*Check Register – March 2013. Affirm check disbursements totaling \$756,583.50 for the month of March 2013.

Motion supported by Councilperson Cook.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Erfourth.

*Due to its length full text of this item is not included in the minutes. A full copy of this document is on file in the Clerk's Office.

ITEMS OF BUSINESS

FINAL GRANT APPLICATION – CDBG DOWNTOWN FAÇADE GRANT

City Manager Crawford indicated staff had been working on this project for a number of months and was very happy that it looked like their efforts would be paid off in the award of a grant. He went on to say that the action tonight would not mark the final action needed for the project but final authorization from the State was expected soon.

There was question as to the level of funding for which the City would be responsible. It was noted the grant would cover 75% of the costs, 24% would be covered by property owners, and the remaining 1% would be covered by the City (approximately \$6,400).

There was also question regarding whether the Quaker Oats sign on the side of the Nail Boutique building would be restored as a part of the project. It was noted it would remain as it is.

Council expressed its excitement about the numerous construction projects that would be possible with the grant funding.

Motion by Councilperson Eveleth to authorize final application for the CDBG grant in the amount of \$270,750.00 to assist in the rehabilitation of 6 downtown facades and further authorize appropriate staff members to execute necessary documents as follows:

RESOLUTION NO. 28-2013

A RESOLUTION TO APPROVE THE FINAL APPLICATION AND PROGRAM FOR THE 2013 OWOSSO FAÇADE PROJECT

WHEREAS, the City of Owosso recognizes the importance of its downtown as it relates to the economic and cultural development of the community, as well as the overall quality of life; and

WHEREAS, the Owosso Master Plan indicates that investment in the downtown structures so that they can sustain modern economic and residential functions in the new economy is essential to the community's future; and

WHEREAS, the Owosso Downtown Development Authority/Main Street Board has been working with city staff to secure façade designs and a Community Development Block Grant towards assisting building owners in the downtown towards such ends; and

WHEREAS, six properties have been selected by state and local processes for inclusion in an application to receive façade grant support from the Michigan Economic Development Corporation, with such properties listed as follows:

110 E. Exchange St.
111 E. Main St.
112 S. Washington St.
112 W. Exchange St.
117-119 N. Washington St.
207 N. Washington St.

WHEREAS, the beneficiaries of this project would include all residents in the community, and the city has been identified as being greater than 51% low and moderate income persons; and

WHEREAS, the total project cost of the project is \$360,500, with \$270,375 requested from the MEDC, \$83,853 expected to be supported by the said property owners, and \$6,397 to be provided by the City of Owosso as outlined in the grant application; and

WHEREAS, this plan is consistent with the community's development plans as outlined in the grant application; and

WHEREAS, city staff is currently completing the Part 2 Application, the environmental review, and other required elements of the CDBG application process; and

WHEREAS, a public hearing was held on this project on Thursday, April 4, 2013 in which no comments were received; and

WHEREAS, no project costs (CDBG or non-CDBG) can be incurred prior to a formal grant award, completion of the environmental review procedures and formal, written authorization to incur costs has been provided by the city's CDBG Project Manager.

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

FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to authorize city staff to submit the completed Part 2 Application for façade improvements to the MEDC and further commits to funding the project in the amount of \$6,397.

SECOND: The same council hereby designates Adam Zettel, ACIP, Community Development Director, as the Project Manager and authorizes him to sign and execute the Part 2 Application and all attachments, as well as the grant agreement.

Motion supported by Councilperson Fox.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Erfourth.

BUDGET WORK SESSION DATE(S)

There was discussion regarding availability and conflicts with other meetings.

Motion by Councilperson Bailey to set budget work sessions for Wednesday, April 24, 2013 at 7:00 pm and Monday, April 29, 2013 at 7:00 pm, with the possibility of further meetings considered at the May 6th regular meeting.

Motion supported by Mayor Pro-Tem Popovitch.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Erfourth.

TREE PURCHASE – EMERSON GROVE

Mayor Frederick indicated the project was a true collaborative effort with the purchase funded entirely by grants and private donations and the work necessary for installation and maintenance donated by Nash Nurseries, the Schools, the City, and private citizens. He went on to say that he hoped this was the first of many acknowledgements of School property as public spaces to be enjoyed by all. He invited everyone to join in the Arbor Day event scheduled for April 27th at 9:30 am to help plant trees.

Councilperson Cook gave his support to the project and said he felt a sign indicating the City status as a Tree City would be appropriate for the location. Mayor Frederick noted that there was interest by the High School wood shop students to address the signage needs of the grove.

Motion by Councilperson Eveleth to authorize the purchase of trees from Nash Nursery as a part of the joint effort with the Owosso Public Schools for the refurbishment of the old growth oak grove at Emerson School in the amount of \$7,190.00 as follows:

RESOLUTION NO. 29-2013

RESOLUTION AUTHORIZING THE NO BID PURCHASE OF TREES FOR THE MICHIGAN DNR COMMUNITY FORESTRY GRANT PROGRAM EMERSON GROVE PLANTING PLAN

WHEREAS, the oak grove at Emerson School, also known as Emerson Grove, is an historic site known and cherished throughout the community as a mature and shaded cluster of oaks that brings the feel of a forest to the heart of the community; and

WHEREAS, many community members affiliated with the Owosso Public Schools, the City of Owosso, local businesses, and the general public feel that a reinvestment in this asset is necessary to preserve the area’s heritage and improve the quality of life in the community; and

WHEREAS, a project was approved that partnered the City of Owosso with the Owosso Public Schools to plant new oaks and maples on the historic property at Emerson School; and

WHEREAS, this project will not only beautify a public space but also educate and promote best practice forestry goals and operations within the school operations department and its students, and showcase urban forestry to volunteers and the community at large in an effort to build a stronger culture of urban forestry stewardship; and

WHEREAS, the City of Owosso has written and received a grant in the amount of \$3,800 to assist with this endeavor; and

WHEREAS, the community has come together to raise funds for this project, collecting \$3,390.00; and

WHEREAS, the trees to be ordered for this project exceed \$5,000 in value and as such are subject to the bid process; and

WHEREAS, city code Section 2-344 permits exceptions to the bid policy under specific circumstances for purchases that exceed \$5,000; and

WHEREAS, the city finds that the uniqueness of the tree donations in applying for and executing this grant project make said trees a commodity that is non-competitive.

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

- FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to purchase trees from Nash Nursery in the amount of \$7,190.00 as outlined in the attached schedule, such funds to be paid from general fund line item 101-000-600.648.
- SECOND: City staff is directed to execute this order and undertake all financial and project tracking and reporting as necessary to be reimbursed by the DNR for expenses up to \$3,800.
- THIRD: The Owosso City Council affirms its commitment to funding, through the in-kind services of its staff and workforce, such elements as outlined in the grant application.
- FOURTH: The City of Owosso agrees to maintain satisfactory financial accounts, documents and records and make them available to the Department of Natural Resources for auditing at reasonable times.

Motion supported by Councilperson Fox.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Erfourth.

BID AWARD – BENTLEY PARK PROJECT

Mayor Frederick indicated this project had been bid out last fall but the estimates came back significantly higher than anticipated so changes were made to the bid specs and the item was rebid in an effort to reduce the cost necessary to complete the work. Despite this effort only one bid was received and the proposed price was even higher than the first round of bidding. He said he did not see how another delay and rebid could significantly reduce the cost of the project. He went onto say he felt it was important to undertake the project as Bentley Park is a premier park for the City and it was important the park be completed.

There was discussion whether only one bathroom could be rehabbed to save money and setting a time limit to rehabilitate the second bathroom so it's not forgotten.

Councilperson Cook inquired about the funding for the project asking about the amount of grant funding and the amount that had been budgeted for the project. He further inquired what the City was obliged to complete under the terms of the grant. He said that while he would be very disappointed if the grant money had to be returned because the City contribution was too high he would be very cautious about spending money that wasn't budgeted. City Manager Crawford pointed out that a certain amount of funds had been saved in the past by not doing maintenance in the park and that Council may look at the situation as reclaiming those funds from the fund balance.

Three different Council members expressed their feeling that it was important to complete the full project, saying it was important to do what they said they would do when the project was first broached, that the completed park would be an asset to the City, and the longer the park went unrepaired the costlier the project would become.

There was further discussion regarding the option to utilize one of the three tennis courts for other purposes including a potential ice rink in the winter as mentioned in the staff memo. It was noted the tennis court area could be used for an ice rink but the cost would be prohibitive and was not within the scope of the project.

Motion by Councilperson Fox to approve bid award to Oak Construction Company for the Bentley Park Recreation Passport Grant Project in the amount of \$98,000.00, encompassing \$29,300 in grant funds and \$58,700 from the General Fund as follows:

RESOLUTION NO. 30-2013

RESOLUTION AUTHORIZING THE EXECUTION OF A BID AWARD THE MICHIGAN DNR BENTLEY PARK RECREATION PASSPORT GRANT

WHEREAS, Bentley Park is noted as being one of the oldest parks with the most public exposure in the city; and

WHEREAS, the park facilities are exceeding their useful life, and regular maintenance cannot effectively address some of the facility shortcomings; and

WHEREAS, the City of Owosso Parks and Recreation Commission, in conjunction with city staff, investigated and audited Bentley Park in the fall of 2010 for the purpose of planning an investment strategy to rehabilitate and rejuvenate the park and subsequently delivered a capital rehabilitation plan to the City Council in October of 2010; and

WHEREAS, the City of Owosso and its partners intend to rehabilitate the existing facilities, increase accessibility, enhance the natural features, and increase use with a new playscape; and

WHEREAS, the City of Owosso, the Owosso Kiwanis Club, and the Shiawassee Community Foundation are publicly and financially committed to carrying out the improvements in Bentley Park; and

WHEREAS, the State of Michigan Department of Natural Resources has awarded a Recreation Passport Grant applications in the amount of \$29,300 toward the rehabilitated facilities for the purpose of "providing public outdoor recreation opportunities or facilities and infrastructure to support public outdoor recreation activity"; and

WHEREAS, the City of Owosso has received one bid, in the amount of \$98,000, to complete certain portions of the project.

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

- FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to accept the bid in the amount of \$98,000 to complete the project as specified in the bid documents.
- SECOND: The Mayor is instructed and authorized to sign such documents as necessary between the City of Owosso and Oak Construction Company of Flushing, Michigan.
- THIRD: The Owosso City Council commits to amend the budget to enable a general fund contribution of \$58,700 for the project.
- FOURTH: The City of Owosso agrees to maintain satisfactory financial accounts, documents and records and make them available to the Department of Natural Resources for auditing at reasonable times.
- FIFTH: The City of Owosso selects the alternate bid that will result in one tennis court being left open for a multi-purpose area, finding such an adjustment would enhance the use of the park in the winter and summer months.

Motion supported by Councilperson Eveleth.

Roll Call Vote.

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

NAYS: Councilperson Cook.

ABSENT: Councilperson Erfourth.

SPECIAL ASSESSMENT RESOLUTIONS (Items 2-9 moved from the Consent Agenda)

City Manager Crawford indicated the following items had been pulled from the Consent Agenda to tend to minor corrections and wording changes. He directed that spelling and punctuation errors be addressed and that, upon the recommendation of the City Attorney, all the resolutions be adjusted to reflect the fact that they are proposed projects the necessity of which has yet to be determined.

Motion by Councilperson Eveleth to authorize Resolution Nos. 1 & 2 for Special Assessment Districts 2013-01, 2013-02, 2013-03, and 2013-04 as follows:

Special Assessment District No. 2013-01 **Brooks Street from Cleveland Street to the north end**

RESOLUTION NO. 31-2013

WHEREAS, the City Council of the City of Owosso deems it may be necessary to acquire and construct the following described improvement:

**Brooks Street from Cleveland Street to the north end
Street Reconstruction**

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The matter of making said public improvement is hereby referred to the City Manager, who shall prepare a report thereon, which shall include plans and detailed estimates of the cost thereof and a description of the special assessment district and such other pertinent information as will permit the City Council to decide the cost, extent and necessity of the public improvement and what proportion of the cost should be paid by the City at large.

The City Manager shall present said report to the City Council when same has been prepared.

Special Assessment District No. 2013-02 Chipman Street from Stewart Street to the railroad

RESOLUTION NO. 32-2013

WHEREAS, the City Council of the City of Owosso deems it may be necessary to acquire and construct the following described improvement:

**Chipman Street from Stewart Street to the railroad
Street Reconstruction**

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The matter of making said public improvement is hereby referred to the City Manager, who shall prepare a report thereon, which shall include plans and detailed estimates of the cost thereof and a description of the special assessment district and such other pertinent information as will permit the City Council to decide the cost, extent and necessity of the public improvement and what proportion of the cost should be paid by the City at large.

The City Manager shall present said report to the City Council when same has been prepared.

Special Assessment District No. 2013-03 Cleveland Street from Chestnut Street to Carmody Street

RESOLUTION NO. 33-2013

WHEREAS, the City Council of the City of Owosso deems it may be necessary to acquire and construct the following described improvement:

**Cleveland Street from Chestnut Street to Carmody Street
Street Reconstruction**

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The matter of making said public improvement is hereby referred to the City Manager, who shall prepare a report thereon, which shall include plans and detailed estimates of the cost thereof and a description of the special assessment district and such other pertinent information as will permit the City Council to decide the cost, extent and necessity of the public improvement and what proportion of the cost should be paid by the City at large.

The City Manager shall present said report to the City Council when same has been prepared.

Special Assessment District No. 2013-04 Krust Drive from Dewey Street to North Street

RESOLUTION NO. 34-2013

WHEREAS, the City Council of the City of Owosso deems it may be necessary to acquire and construct the following described improvement:

**Krust Drive from Dewey Street to North Street
Street Reconstruction**

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The matter of making said public improvement is hereby referred to the City Manager, who shall prepare a report thereon, which shall include plans and detailed estimates of the cost thereof and a description of the special assessment district and such other pertinent information as will permit the City Council to decide the cost, extent and necessity of the public improvement and what proportion of the cost should be paid by the City at large.

The City Manager shall present said report to the City Council when same has been prepared.

RESOLUTION NO. 35-2013

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

**Brooks Street from Cleveland Street to the north end
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 \$60,838.95 and determines that \$30,670.88 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 \$30,168.07 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, May 6, 2013 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:

Brooks Street from Cleveland Street to the north end

TAKE NOTICE that the City Council may 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, May 6, 2013 for the purpose of hearing any person to be affected by the proposed public improvement.

RESOLUTION NO. 36-2013

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

**Chipman Street from Stewart Street to the railroad
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 \$186,884.81 and determines that \$74,753.24 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 \$112,131.57 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, May 6, 2013 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:

Chipman Street from Stewart Street to the railroad

TAKE NOTICE that the City Council may 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, May 6, 2013 for the purpose of hearing any person to be affected by the proposed public improvement.

Special Assessment District No. 2013-03 **Cleveland Street from Chestnut Street to Carmody Street**

RESOLUTION NO. 37-2013

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

**Cleveland Street from Chestnut Street to Carmody 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 \$199,242.92 and determines that \$100,444.78 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 \$98,798.14 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, May 6, 2013 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:

Cleveland Street from Chestnut Street to Carmody Street

TAKE NOTICE that the City Council may 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, May 6, 2013 for the purpose of hearing any person to be affected by the proposed public improvement.

Special Assessment District No. 2013-04 Krust Drive from Dewey Street to North Street

RESOLUTION NO. 38-2013

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

**Krust Drive from Dewey Street to North 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 \$271,675.52 and determines that \$136,960.39 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 \$134,715.13 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, May 6, 2013 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:

Krust Drive from Dewey Street to North Street

TAKE NOTICE that the City Council may 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, May 6, 2013 for the purpose of hearing any person to be affected by the proposed public improvement.

Motion supported by Councilperson Fox.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Erfourth.

COMMUNICATIONS

Charles P. Rau, Building Official. March 2013 Building Department Report.
Charles P. Rau, Building Official. March 2013 Code Violations Report.

Kevin D. Lenkart, Public Safety Director. March 2013 Police Department Report.
Kevin D. Lenkart, Public Safety Director. March 2013 Fire Department Report.
Planning Commission. Minutes of March 25, 2013.
Parks & Recreation Commission. Minutes of March 25, 2013.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, business owner at 118 South Washington Street, thanked the Council for committing funds to the completion of the Bentley Park rehabilitation project. He said he felt readers of his Facebook page would approve. He went on to say that his readers were not happy about the City spending money to purchase new chairs for the Council Chamber and the demolition of houses. He thanked the Police Department for their work in solving a recent hit and run case. Lastly he noted that the City doesn't need to spend money to have an ice rink in the winter, simply pour water on the ground and wait for it to freeze.

James Morel, 996 Marguerite Drive, asked that the proposed budget be posted to the website in Excel so that he could analyze the data as he was unable to manipulate the data in its current pdf format.

Eddie Urban, 601 Glenwood Avenue, had returned from the Corunna City Council meeting and noted that the Corunna City Council voted against allowing the consumption of alcohol in McCurdy Park.

David Bandkau, Planning Commission member, invited everyone to the upcoming Planning Commission meeting April 22nd. He said the Commission would be examining design standards and temporary uses and would welcome any comments on the subjects.

Mayor Frederick asked that Mr. Morel's request be honored. Staff noted that it is common practice for official documents to be posted on a website using formats such as pdf to ensure the integrity of the documents. It was suggested Mr. Morel place a FOIA request for his desired format

Mayor Pro-Tem Popovitch inquired if the City had hired an employee for the proposed Gould House/Curwood Castle position. It was noted that no one had been hired and no solicitations for hire had been offered. It was simply a request from the Historical Commission that seemed appropriate to address during budget discussions.

There was discussion regarding the purchase of chairs for the Council Chamber, including the source of the funds for the purchase and whether the Council would be addressing the issue at any point in the future. City Manager Crawford noted after many years of minimal maintenance that the Building Authority had met recently to consider the purchase of chairs, exterior doors for the main floor of City Hall, and potentially carpet for the Council Chamber. He explained the Building Authority fund was the source of the money for the purchases and that the Building Authority Commission had sole discretion for the funds. It was further noted that funds from said account were restricted to capital improvement purchases for City buildings.

Mayor Frederick noted that people had been asking for new chairs for the Council Chamber for a long time and he felt the City owed it to citizens to provide reasonably comfortable chairs for meetings.

NEXT MEETING

Wednesday, April 24, 2013 – Budget Work Session, 7:00 pm
Monday, April 29, 2013 – Budget Work Session, 7:00 pm
Monday, May 06, 2013 – Regular Meeting, 7:30 pm

BOARDS AND COMMISSIONS OPENINGS

Building Board of Appeals – 2 Alternates, terms expire 06-30-2015 (candidates must possess construction knowledge)

ADJOURNMENT

Motion by Councilperson Eveleth for adjournment at 8:42 p.m.

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

Benjamin R. Frederick, Mayor

Amy K. Kirkland, City Clerk