

OWOSSO CITY COUNCIL

NOVEMBER 17, 2014

7:35 P.M.

PRESIDING OFFICER: MAYOR BENJAMIN R. FREDERICK

OPENING PRAYER: PASTOR ERIC STANTON
CARLAND ZION BRETHREN IN CHRIST CHURCH

PLEDGE OF ALLEGIANCE: DELLA SCOTT

PRESENT: Mayor Benjamin R. Frederick, Mayor Pro-Tem Christopher T. Eveleth, Councilpersons David B. Bandkau, Burton D. Fox, Elaine M. Greenway, and Robert J. Teich, Jr.

ABSENT: Councilperson Loreen F. Bailey.

APPROVE AGENDA

Motion by Mayor Pro-Tem Eveleth to approve the agenda with the following correction to Consent Agenda Item # 2, Boards and Commissions Appointment, the name should be Dennis Mahoney not Brian Mahoney.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF NOVEMBER 3, 2013

Motion by Mayor Pro-Tem Eveleth to approve the Minutes of the Regular Meeting November 3, 2014 with the following changes:

Under City Manager Report "Motion by Councilperson Bandkau, to send out current Request for Proposals to move the house to a different location with a deadline of 30 days." Strike out the following: ~~If the house is not moved within 30 days then the house will be demolished.~~ And replace it with the following: "Then there will be a 30- day request for proposal from charitable groups. After that time has expired there will be a request for bids for demolition, allowing a time frame to coordinate with construction in the spring for the parking lot."

Under citizen comments Mark Beatty should be spelled Mark Beattie.

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

STUDENT REPRESENTATIVE REPORT

Jerry Burford from Lincoln High School introduced himself saying he was at the meeting to observe.

PROCLAMATIONS / SPECIAL PRESENTATIONS

A proclamation by Mayor Frederick was presented to Della Scott proclaiming November 2014 as Pancreatic Cancer Awareness Month in the City of Owosso.

**A PROCLAMATION
OF THE MAYOR'S OFFICE OF THE CITY OF OWOSSO, MICHIGAN
PROCLAIMING NOVEMBER 2014 AS
PANCREATIC CANCER AWARENESS MONTH IN THE CITY OF OWOSSO**

WHEREAS in 2014, an estimated 46,420 people will be diagnosed with pancreatic cancer in the United States and 39,590 will die from the disease; and

WHEREAS pancreatic cancer is one of the deadliest cancers, currently the fourth leading cause of cancer death in the United States, and is the only major cancer with a five-year relative survival rate in the single digits at just six percent; and

WHEREAS when symptoms of pancreatic cancer present themselves, it is typically late stage with 73 percent of pancreatic cancer patients dying within one year of their diagnosis; and

WHEREAS overall cancer incidence and death rates are declining, the incidence and death rates for pancreatic cancer are increasing and pancreatic cancer is anticipated to move from the fourth to the second leading cause of cancer death in the U.S. by 2020; and

WHEREAS while Congress enacted the *Recalcitrant Cancer Research Act* requiring the National Cancer Institute to develop a scientific framework for combatting pancreatic cancer and other recalcitrant cancers, it is vitally important that Congress also authorize sufficient funding to allow the NCI to perform the research necessary to fight back against this disease; and

WHEREAS the Pancreatic Cancer Action Network is the national organization serving the pancreatic cancer community in the city of Owosso and nationwide through a comprehensive approach that includes public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer; and

WHEREAS the Network feels continued effort in Congress is essential to boosting research efforts and potentially finding a cure.

NOW, THEREFORE, I, Benjamin R. Frederick, Mayor of the City of Owosso, Michigan, do hereby proclaim the month of November 2014 as Pancreatic Cancer Awareness Month in the City of Owosso, Michigan and do hereby encourage all citizens of this community to acknowledge and support the Pancreatic Cancer Action Network and their activities to inform and serve the citizens of our community because their services make a difference.

Proclaimed this 17th day of November, 2014.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Greg Remington, Lytle Road, asked about who is involved with the Brew Pub project. He also shared that he sits on the Genesee/Lapeer/ Shiawassee Board of Building Trades. He said they are looking for some good qualified applicants for apprenticeship. He also shared there is a shortage of skilled trades people.

Tom Manke, business owner at 118 South Washington Street, thanked the council for doing things for the community with a special thanks for councilperson Bailey for her program for the cats. He also challenged council to step up for the community living in poverty. He thinks they can come together. He believes the reason the road millage failed is because people can't afford it. He also thanked council for the change in the overnight parking.

Ed Urban, 601 Glenwood, commented on the public access channel. He would like it to remain the way it is.

Nicholas Pidek , 624 North Saginaw Street, introduced himself as a candidate for the Owosso Historical Commission. He said he is excited to get involved with the Commission.

Mayor Frederick congratulated the new council members on their first year and thanked them for all the different areas they have taken on. He also thanked council for allowing him to lead the council for the last 5 years.

Councilperson Fox was encouraged to see the Veteran's Monument at Fayette Square completed. He believes the flag pole should be raised because when the American Flag is half-staff most of it is behind the monument. He believes the community supports veterans because of the number people that came out for the Veteran's Day Parade.

Councilperson Greenway reminded everyone about the "Healing Nest" in Corunna. The Nest is dedicated to women and allows a spa day for those suffering with cancer and/or other medical treatment to help lift their spirits.

Councilperson Bandkau thanked Mr. Pidek for stepping up to serve and for encouraging his peers to do the same.

Mayor Frederick complemented the community for the way veterans were honored, listing all of the local events held in their honor. The mayor also remembered veterans who were there at the beginning of the Fayette Square Monument but are no longer with us: Clay Reeves who was the first speaker rededicating the Fayette Square site initially, Leonard Walter, who came to the council chamber 6 years ago asked for a flag at the monument and launched the project, and Father John Downing who said the first prayer 6 years ago.

CITY MANAGER REPORT

City Manager Crawford reported on the leaf pickup. He said the DPW has picked up about 90% of the leaves and would be starting the second and final pickup in a couple of days.

He also reported on appearing in front of a State Legislature Committee on Financial Liability Reform. The bill he spoke to would affect about 40 communities throughout the state. There was a bill that passed which would allow for communities with AA rating to bond for retirement contributions. Owosso does not have a AA rating and probably never will because of a couple of reasons, value of the community per capita and wealth of a median family income. If the bill does pass, it will save about \$400,000 per year for the City. It will be a long process if the bill does get passed.

CONSENT AGENDA

Overnight Parking Permission. Approve request from Owosso Main Street to designate the first three parking spots on the west side of South Washington Street, immediately north of Comstock Street, for the patronage of businesses open 24-hours in the downtown, waive the insurance requirement, and authorize Traffic Control Order No. 1325 formalizing the request. (This Order will also amend Traffic Control Order Nos. 319, 459, and 645.)

Boards and Commissions Appointments. Approve the following Mayoral appointments:

Name	Board/Commission	Term Expires
Nicholas Pidek	Historical Commission	12-31-2017
Dennis Mahoney ¹	Historical Commission	12-31-2017
Erin Powell ¹	Historical Commission	12-31-2017
Michael Espich ²	Parks & Recreation Commission	06-30-2016
Jeff Selbig ²	Parks & Recreation Commission	06-30-2016

¹ Indicates reappointment

² Indicates the correction of a clerical error in original appointment

Final Change Order & Final Payment– 2014 Alley Resurfacing Program. Authorize Change Order No. 1-Final to the contract with Mike & Son Asphalt, Inc. for the 2014 Alley Resurfacing Program including an additional \$3,442.28 for the repair of Oliver Street in front of Emerson School and further authorize payment of said amount from the Major Street Fund as follows:

RESOLUTION NO. 161-2014

**AUTHORIZING PAYMENT TO MIKE & SON ASPHALT, INC.
FOR WORK COMPLETED ON THE
2014 ALLEY RESURFACING PROGRAM
AS AMENDED BY CHANGE ORDER #1-FINAL**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has approved a contract with Mike & Son Asphalt, Inc. for the 2014 Alley Resurfacing program and found it necessary and beneficial to amend the original contract as detailed in Change Order #1-Final; and

WHEREAS, the work is now complete and eligible for payment; and

WHEREAS, the city project manager recommends Pay Estimate #1-Final in the amount of \$56,022.28 for final payment as agreed to by Mike & Son Asphalt, Inc.

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

FIRST: The City of Owosso has thereto determined that it is advisable, necessary and in the public interest to pay Mike & Son Asphalt, Inc. for work completed on the 2014 Alley Resurfacing project, as amended by Change Order #1-Final.

SECOND: The accounts payable department is authorized to pay Mike & Son Asphalt, Inc. up to the amount of \$56,022.28 as detailed in Cost Estimate #1-Final.

THIRD: The original amount of \$52,580.00 shall be paid from the Special Assessment Account number 203-463-818.000. The additional amount of \$3,442.28 shall be paid from the Major Street fund.

Final Change Order & Progress Payment– 2014 Sidewalk Replacement Program. Authorize Change Order No. 1-Final to the contract with Seifert Construction, LLC for the 2014 Sidewalk Replacement Program, including an additional \$14,709.79 for the replacement of driveway approaches on recently paved alleys, minor curb work, and additional sidewalk replacement, and further authorize Progress Payment No. 4 of \$15,844.22, with the remaining \$1,000 to be held as retainage as follows:

RESOLUTION NO. 162-2014

**AUTHORIZING PAYMENT TO SEIFERT CONSTRUCTION, LLC
FOR WORK COMPLETED ON THE
2014 SIDEWALK REPLACEMENT PROGRAM
AS AMENDED BY CHANGE ORDER #1**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has approved a contract with Seifert Construction, LLC for the 2014 Sidewalk Replacement Program and found it necessary and beneficial to amend the original contract as detailed in Change Order #1; and

WHEREAS, the work is now complete and eligible for payment; and

WHEREAS, the city project manager recommends Pay Estimate #4 in the amount of \$15,844.22 for work completed through October 31, 2014, as agreed to by Seifert Construction, LLC.

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

- FIRST: The City of Owosso has thereto determined that it is advisable, necessary and in the public interest to pay Seifert Construction, LLC for work completed on the 2014 Sidewalk Replacement Program as amended by Change Order #1.
- SECOND: The accounts payable department is authorized to submit payment to Seifert Construction, LLC up to the amount of \$15,844.22 as detailed in Cost Estimate #4.
- THIRD: The above expenses shall be paid from the Major and Local Street Maintenance Fund.

Purchase Authorization – WWTP Screw Pump Gear Reducer. Authorize purchase of one Sumitomo Gear Reducer from Motion Industries, Inc. for an influent screw pump at the WWTP in the amount of \$7,763.58 as follows:

RESOLUTION NO. 163-2014

**AUTHORIZING PURCHASE AND PAYMENT TO
MOTION INDUSTRIES
FOR A GEAR REDUCER FOR AN INFLUENT SCREW PUMP
AT THE WASTEWATER TREATMENT PLANT**

WHEREAS, the City has determined it necessary and prudent to replace a gear reducer for an influent screw pump at the city of Owosso Wastewater Treatment Plant, Shiawassee County, Michigan, and

WHEREAS, the Plant Replacement Fund can readily finance this necessary replacement cost, and

WHEREAS, Motion Industries is the low bidder in the amount of \$7,763.58 for the Sumitomo Model 407S-25 gear reducer with backstop, bushing and seals.

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 purchase the gear reducer from Motion Industries for the amount of \$7,763.58
- SECOND: The purchase contract shall be in the form of a city purchase order and the accounts payable department is authorized to submit payment to Motion Industries in the amount of \$7,763.58 upon satisfactory City receipt of the assembly.
- THIRD: The above expenses shall be paid from the Wastewater Plant Replacement Fund.

Purchase Authorization – HVAC Unit. Authorize purchase and installation of one roof top HVAC unit at the Public Safety Headquarters from Maurer Heating and Cooling Co. in the amount of \$9,679.00, and further authorize payment up to that amount upon satisfactory installation of the unit as follows:

RESOLUTION NO. 164-2014

**RESOLUTION AUTHORIZING THE PURCHASE OF A ROOFTOP HVAC UNIT
FOR PUBLIC SAFETY HEADQUARTERS**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Public Safety Department has a HVAC unit that is over thirty years old and requires extensive renovation; and

WHEREAS, the City of Owosso desires to purchase one new HVAC unit for Public Safety Headquarters, bids were requested from businesses in the City of Owosso as well as Shiawassee County and Genesee County; and

WHEREAS, Maurer Heating and Cooling Co. from Owosso Michigan submitted the lowest bid meeting the requirements.

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 one Bryant efficiency rooftop unit (8 ½ ton), for a cost to the City of Owosso of \$9,679.00

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Contract for Services between the City of Owosso, Michigan and Maurer Heating and Cooling Co. for the purchase and installation of said unit.

THIRD: Payment to Maurer Heating and Cooling Co. is hereby authorized in the amount of \$9,679.00 upon delivery and installation of the unit.

FOURTH: The above expenses shall be paid from the Police Division Capital Outlay fund 101-300-978.000.

Warrant No. 492. Authorize Warrant No. 492 as follows:

Vendor	Description	Fund	Amount
Logicalis, Inc	Network engineering-October 2014	General	\$ 8,568.00
State of Michigan	Annual MDEQ fee for public water supplies	Water	\$ 5,372.01
Brown & Stewart, PC	Professional services- Oct 14, 2014 – Nov 10, 2014	General	\$ 9,361.56

Motion supported by Mayor Pro-Tem Eveleth

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Bailey.

ITEMS OF BUSINESS

FUTURE OF PUBLIC ACCESS CHANNELS

There was a discussion by council on the Public Access Channels. Councilperson Fox shared that he thought he could get some volunteers to operate the channel and felt it could be successful.

Motion by Councilperson Fox to table the item for further study and discussion.

Motion supported by Councilperson Bandkau.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Bailey

COMMUNICATIONS

Charles P. Rau, Building Official. October 2014 Building Department Report.

Charles P. Rau, Building Official. October 2014 Code Violations Report.

Kevin D. Lenkart, Public Safety Director. October 2014 Police Report.

Kevin D. Lenkart, Public Safety Director. October 2014 Fire Report.

Zoning Board of Appeals. Minutes of October 21, 2014.

Historical Commission. Minutes of October 30, 2014.

Historical Commission. Minutes of November 5, 2014.

CITIZENS COMMENTS AND QUESTIONS

Tom Manke business owner at 118 South Washington Street, shared that in 1983-84 he went to the cable authority and was given a channel. At first there were 3 churches, of different denominations involved. He suggested the city give the channel back to the people.

Greg Remington, said Senate Bill 358, sponsored by the manufacturing association and the mining companies, would do away with electrical licensing in manufacturing facilities and mines. He doesn't feel it is a good bill for the state and encouraged everyone to talk to your state representative.

Ed Urban, 601 Glenwood, shared he was on the cable commission and shared some of the rules of the commission. He also spoke about Jim Hardwick and his involvement with public access channel.

Councilperson Bandkau said he would like to discuss ideas as far as budget accountability to make sure that it is transparent according chapter 8 of the charter. Make sure the reporting is in a method that is transparent to the citizens .He also spoke about losing the road millage and because of that council will have to do more with less and have to pass on some projects. Mayor Frederick suggested at the next meeting that budget reporting- transparency be an item of business for discussion.

Councilperson Fox said he was disappointed that the road mileage didn't pass. Although he believes we may have lost the battle but not the war. Doesn't believe this council will just let our streets fall apart. This council will discuss some thoughts on ways to rescue are streets. He believes this council is up for the task.

NEXT MEETING

Shiawassee Council on Aging – term expiring June 30, 2017

BOARDS AND COMMISSIONS OPENINGS

None.

ADJOURNMENT

Motion by Mayor Pro-Tem Eveleth for adjournment at 8:45 p.m.

Motion supported by Councilperson Greenwayand concurred in by unanimous vote.

Benjamin R. Frederick, Mayor

Roxane Cramer, Clerk's Assistant