

OWOSSO CITY COUNCIL

APRIL 21, 2014

7:30 P.M.

- PRESIDING OFFICER:** MAYOR BENJAMIN R. FREDERICK
- OPENING PRAYER:** MAYOR BENJAMIN R. FREDERICK
- PLEDGE OF ALLEGIANCE:** DESTINATION IMAGINATION DELEGATION
- PRESENT:** Mayor Benjamin R. Frederick, Mayor Pro-Tem Christopher T. Eveleth, Councilpersons Loreen F. Bailey, David B. Bandkau, Burton D. Fox, Elaine M. Greenway, and Robert J. Teich, Jr.
- ABSENT:** None.

APPROVE AGENDA

Motion by Mayor Pro-Tem Eveleth to approve the agenda with the following changes:

- Move Consent 2. Property Sale – Vandekarr Road – Twenty One Day Posting to Item of Business 1.
- Move Consent 3. Property Lease – Tillable Acreage – Twenty One Day Posting to Item of Business 2.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF APRIL 7, 2014

Motion by Councilperson Fox to approve the Minutes of the Regular Meeting of April 7, 2014 as presented.

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

STUDENT REPRESENTATIVE REPORT

The Destination Imagination Delegation comprised of four students from Owosso Middle School: Frankie Riley, Morgan Louch, Emily Rau, and Lucy Popovitch, gave a brief presentation outlining their upcoming participation in the Destination Imagination Global Finals in Tennessee saying they were thrilled to be going back for a second time. They also announced several fund raisers and asked for financial support from the public to help them cover the cost of the trip.

PROCLAMATIONS / SPECIAL PRESENTATIONS

PLUNGE FOR PARKS PRESENTATION

The Parks & Recreation Commission presented the City with the proceeds of the 3rd Annual Plunge for Parks, in the amount of \$4,452.46, to be used for the purchase of an ice rink kit for Bentley Park. Also on hand for the presentation was Plunge for Parks event sponsor, Lansing Area Federal Credit Union, with their donation of \$2,000.00 for the purchase.

ARBOR DAY PROCLAMATION

Mayor Frederick read aloud the following proclamation of the Mayor's Office declaring April 25, 2014 as Arbor Day in the City of Owosso and announced the date for Green Up/Clean Up and a tree planting event on May 10th.

**A PROCLAMATION
OF THE MAYOR'S OFFICE OF THE CITY OF OWOSSO, MICHIGAN
DESIGNATING APRIL 25, 2014 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 again this year in a partnership with the Owosso Public Schools promoting urban forestry. This volunteer effort and partnership will culminate in the planting of more 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 25th, 2014 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 21st day of April, 2014.

PUBLIC HEARINGS

NEW PERSONAL PROPERTY TAX ABATEMENT – ALLIANCE HNI

A Public Hearing was conducted to receive citizen comment regarding the application of Alliance HNI, LLC, 525 South Gould Street, for a New Personal Property Tax Exemption.

The following people commented regarding the proposed tax exemption:

Justin Horvath, CEO of the SEDP, commented on the large impact Alliance HNI has on the area and encouraged Council to continue their support of the company.

Greg Hedegore, Alliance HNI President, briefly detailed the company's objective to provide mobile imaging services to local health systems. He noted that anything they could do to control their costs could be passed on to hospitals and patients.

Councilperson Fox indicated he was struggling with this decision in light of the fact the proposed budget is so tight. He further indicated he felt it was not fair the hospital pays no taxes yet the City provides them with emergency services.

Mayor Frederick expressed his feeling that companies should not be penalized for improving the quality of their equipment and that it was naïve to think that personal property tax revenues would continue to support the City.

Motion by Mayor Pro-Tem Eveleth to authorize the following resolution approving a New Personal Property Tax Exemption for Alliance HNI, LLC:

RESOLUTION NO. 40-2014

TO APPROVE A NEW PERSONAL PROPERTY EXEMPTION APPLICATION P.A. 328 OF 1998, AS AMENDED ALLIANCE HNI LEASING COMPANY, LLC 525 S. GOULD STREET

WHEREAS, pursuant to P.A. 328 of 1998, as amended, after a duly noticed public hearing held on April 21, 1997, the City Council of the City of Owosso, an eligible distressed area as defined in Section 11 of the State Housing Development Authority Act of P.A. 346 of 1966, by Resolution, established a Brownfield Redevelopment Zone, as provided for in PA 381 of 1996; and

WHEREAS, the applicant Alliance HNI Leasing Company, LLC was approved for a New Personal Property Exemption 038-2001 by the State Tax Commission on December 28, 2001 for a period of twelve (12) years and said New Personal Property Exemption 038-2001 scheduled to expire December 30, 2013 was extended per PA 399 of 2012; and

WHEREAS, the applicant Alliance HNI Leasing Company, LLC, an eligible business, has filed an application for Exemption of New Personal Property due to the possible repeal of PA 397 thru PA 401; and

WHEREAS, before acting on said application, the City Council of the City of Owosso, held a public hearing held on April 21, 2014 at City Hall, 301 W. Main Street, Owosso, MI, 48867 at 7:30 p.m., at which the Applicant, the City Assessor, and a representative of the effected taxing units were given written notice and were afforded an opportunity to be heard on said Application; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Owosso finds and determines that the granting of the Exemption of New Personal Property currently in force under P.A. 328 of 1998, as amended, shall not have the effect of substantially impeding the operation, or impairing the financial soundness of the taxing unit which levies ad valorem property taxes in the City of Owosso; and

BE IT RESOLVED the New Personal Property Exemption when issued shall be, and remain in force and effective for a period of twelve years, beginning April 21, 2014, and ending December 30, 2025; and

BE IT RESOLVED that for the exemption to maintain its eligibility each year, the company shall submit two personal property statements annually to the City Assessor, one for the exempted new personal property and another for all other personal property, and payment for real and personal property taxes must be current; and

BE IT RESOLVED the Application submitted by Alliance HNI Leasing Company, LLC is approved for an Exemption of New Personal Property that will be located at the property described as:

PART OF BLOCK 21, BLOCK A, VACATED PARKDALE AVENUE, VACATED OAKDALE AVENUE OF THE RESUBDIVISION OF BLOCK 19, 20 & 21 OF GEORGE T ABREY'S WOODLAWN PARK ADDITION, ALSO PART OF BLOCKS 22 & 23 OF GEORGE TO ABREY'S WOODLAWN PARK ADDITION, ALSO PART OF SE 1/4 SECTION 19, T7N-R3E, DESCRIBED AS BEGINNING AT A POINT THAT IS, S71°00'00"E ON SOUTHERLY LINE OF CORUNNA AVENUE (M-71), 323.83 FEET & S17°28'30"W 39.65 FEET FROM NORTHEAST CORNER OF BLOCK 20 - ALONG WESTERLY R/W OF AARR SOUTHEASTERLY 812.66 FEET, N62°20'33"W ON NORTHERLY R/W LINE OF RAILROAD, 569.15 FEET, NORTHEASTERLY ON EASTERLY R/W LINE OF GOULD STREET TO POB. (1.93 ACRES M/L)

Motion supported by Councilperson Teich.

Roll Call Vote.

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

NAYS: Councilperson Fox.

HOUSING GRANT APPLICATION

Housing Program Manager Sarah Warren-Riley introduced the topic by providing an update on previous projects completed with funding from MSHDA's Housing Resource Fund. A 2009 Targeted Homeowner Rehabilitation grant in the amount of \$183,000 was used to assist 7 homeowners with needed home repairs. And a 2010 Downtown Rental Rehabilitation grant in the amount of \$175,000 was to assist property owners with the creation of 5 new quality affordable housing units in the upper stories of the downtown. The application proposed will assist in the creation of 8 new rental units in the downtown as well as the rehabilitation of 4 existing downtown units.

A Public Hearing was conducted to receive citizen comment regarding the grant application to the MSHDA Housing Resource Fund for funds to assist in the creation and/or rehabilitation of downtown rental housing units.

There were no citizen comments.

Mayor Frederick applauded the continued efforts to rehabilitate buildings downtown and thanked the property owners for their investments.

Motion by Mayor Pro-Tem Eveleth to approve the following resolution authorizing an application to the MSHDA Housing Resource Fund for funds to assist in the creation and/or rehabilitation of downtown rental housing units.

RESOLUTION NO. 41-2014

**TO APPROVE
MICHIGAN STATE HOUSING AUTHORITY (MSHDA)
HOUSING RESOURCE FUND
DOWNTOWN RENTAL REHABILITATION GRANT APPLICATION**

WHEREAS, the City of Owosso is interested in the continuing effort to support investment in downtown buildings while at the same time providing affordable housing opportunities for its moderate, low and very low income residents; and

WHEREAS, City Councilmembers accept the recommendation of the City of Owosso Housing & Neighborhood Development Division to apply for \$420,000 through the Michigan State Housing

Development Authority Resource Fund for a Targeted Homeowner Rehabilitation and a Downtown Rental Rehabilitation Grant; and

WHEREAS, the Michigan State Housing Development Authority requires a resolution authorizing submission of the aforementioned grant application; and

WHEREAS, the City Councilmembers authorize the Mayor to sign the grant application form and related documents such as Environmental Review and Collaboration/Leverage Agreements as required and allow the City Manager to sign related grant documents when allowed by MSHDA as required;

WHEREAS, the City Councilmembers held a public hearing on April 21st, 2014 regarding the proposed Downtown Rental Rehabilitation Grant;

THEREFORE, BE IT RESOLVED that the City of Owosso authorizes the City of Owosso Housing & Neighborhood Development Division to submit an application for funding through the Michigan State Housing Authority's Housing Resource Fund for a Downtown Rental Rehabilitation Grant, authorizes the Mayor and City Manager to sign grant related documents on behalf of the City of Owosso.

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

CITIZEN COMMENTS AND QUESTIONS

County Commission Chairman Jeff Bartz was on hand to update the Council on County issues, saying Mary Norbeck had been appointed to the empty District 1 Commission seat and modems would be installed in City police vehicles as a part of an overall 911 system update. He went on to say that the County had negotiated a deal with the Humane Society to house stray dogs from the City and they had made strides to allow City officers 24/7 access to the County animal database bringing resolution to a long-standing issue regarding the control of stray animals.

Shelva Cebulski, 1243 Marion Street, said she has long supported City Council but has been unable to attend meetings for the last 18 months due to serious health issues. She said her health issues are only exacerbated when her neighbors burn. She asked for strict enforcement of the burning ordinance and further asked that Public Safety officers take the initiative to investigate a fire when they see smoke instead of waiting for a call. She pleaded with people not to burn.

George Stevenson, 7195 Hidden Lake Road, Perry, announced he is a candidate for the 35th Judicial Circuit Court seat that will be vacated with the retirement of current Judge Gerald Lostracco. He spoke of his experience in the Attorney General's Office as well as his experience prosecuting criminal and civil cases. He asked for the support of local voters in November.

John Hankard, DDA Member, spoke about the success of the recent downtown clean-up & pizza tasting event saying over 60 people volunteered. He also reminded folks the Farmers Market block party is this weekend, tickets are \$20.

Tom Manke, business owner at 118 South Washington Street, said he felt bad for people with breathing issues, noting that he himself has a problem but he didn't think his neighbors should have to restrict their burning because of him. He said it was his medical problem and no one else was obligated to deal with it.

Thomas Moorehad, member of the Landlord's Association, said he would like to see a moratorium on rental inspections as a means of providing a cost savings to the City in tough budget times. He also distributed copies of a Request for Restitution form used in other jurisdictions to seek reimbursement for the costs of enforcement and prosecution of DUI's, suggesting the City consider something similar.

Shelah Hockman, 705 Campbell Drive, said she has witnessed people seriously suffering when neighbors burn. She said she recognized open burning will not go away entirely but strictly enforcing the current ordinance would have a positive effect. She said open burning was a privilege, not a right.

Mike Cline, 621 Wright Avenue, inquired whether the Vandekarr Road property proposed for sale was the entire parcel or just the house. He also expressed his feeling that Council should not put the street bond back on the ballot because voters had already turned it down in November.

Bill Young, organizer of the Friday Night Car Cruise, thanked everyone for their help in navigating the waters of the street closure process. That being said, he asked Council to re-examine the

street closure process because it is not working well. He said that he is trying to bring business downtown but the current process continually thwarts his efforts and gives too much power to individual downtown business owners to dictate the events downtown.

Roger Snyder, 211 North Washington Street, said Council should thank local landlords for improving the housing stock of the City and Council's policies are unnecessarily harming them. He also said he felt that requesting those convicted of DUI to reimburse the City for the cost of prosecuting them was too onerous.

William C. Brown, City Attorney, indicated he had investigated the recovery of costs a number of years ago but both local judges indicated they would not be receptive to the idea. He went on to say that he would be happy to approach them about the subject again.

Mayor Frederick noted the street closure process still has problems, but it is a work in progress. He said he would like to see some long-standing events given perpetual status so they can avoid the application process each year. He also noted he agreed that enforcement of the burning ordinance was the key to making it work.

There was discussion regarding the number of calls Public Safety received regarding fires in the last week, asking Public Safety officers to take the initiative when they see smoke, enforcing the ordinance to the letter of the law, and being good neighbors.

Councilperson Bailey listed a number of issues that concerned her including: water service that was shut off after the water bill had been paid, how the City was working with the SRI on the Train Festival, her suspicion that the burning of garbage happens more frequently at rental properties, and the use of the new Durapatcher and street sweeper.

Councilperson Greenway suggested landlords incorporate garbage service into their rent to reduce the burning of noxious materials.

Councilperson Fox noted that the street sweeper is following the brush pick up crew, burning isn't limited to rental properties, the health of Owosso citizens should be of interest to everyone, people need to show compassion to those that are not in good health and should do what they can to help one another, and increased enforcement of the burning ordinance would be a good start.

Josh Adams, Main Street Manager, detailed the DDA's efforts to encourage visitors to the Train Festival to come downtown. He said organizers have been meeting monthly to develop plans and coordinate efforts.

CITY MANAGER REPORT

City Manager Crawford distributed a large spreadsheet containing budget information from the past nine years to help with the budgeting process. He noted that he would look into the matter involving water shut off after a bill was paid. Lastly he noted that the Durapatcher is being used almost every day but was not useful for larger potholes which would need to be patched with cold patch.

The Council recessed briefly from 9:02 p.m. to 9:08 p.m.

CONSENT AGENDA

Motion by Mayor Pro-Tem Eveleth to approve the Consent Agenda as follows:

Set Public Hearing - 2014-2015 City Budget. Set required Public Hearing pursuant to Chapter 8 of the City Charter for May 5, 2014 to receive citizen comment regarding proposed 2014- 2015 City Budget.

Property Sale – Vandekar Road - Twenty One Day Posting. (This item was moved to Item of Business 1.)

Property Lease – Tillable Acreage - Twenty One Posting. (This item was moved to Item of Business 2.)

Rescind Resolution No. 18-2014. Rescind Resolution No. 18-2014 to reflect the fact that the City will not be reconstructing Howard Street this year.

Boards & Commissions Appointment. Confirm the Mayoral appointment of Elaine Greenway to the City of Owosso Employees' Retirement System Board of Trustees for a term expiring November 9, 2015.

Steps for Courage 5K Run and Competitive Walk Permission. Consider application of the Memorial Healthcare Auxiliary for use of portions of West King Street, Seventh Street, Oliver Street, Chipman Street, Center Street, Alturas Drive and Alta Vista Drive from 9:00am to 11:00am on Saturday, April 26, 2014 for the 7th Annual Steps for Courage Run and Competitive Walk and authorize Traffic Control Order No. 1309 formalizing the request.

Friday Night Car Cruise Permission. Consider waiving the insurance requirement, approving the application of Owosso Main Street for use of South Washington Street from Jerome Avenue to Comstock Street and East Comstock Street from Washington Street to Park Street between 5:00 pm and 9:00 pm on the second Friday of each month from May to September 2014 for a cruise-in, and authorizing Traffic Control Order No. 1310 formalizing the request.

Cruise to the Castle Car Show Permission. Consider waiving the insurance requirement, approving the application of Owosso Main Street for use of downtown streets and parking lots on Sunday, July 27, 2014 from 6:00 am to 4:00 pm for the Cruise to the Castle Car Show, and authorizing Traffic Control Order No. 1311 formalizing the request.

Professional Services Agreement – DIG Grant Parts 1 & 3. Approve professional services agreement with Fleis & Vandenbrink Engineering Inc. for engineering services for Parts 1 & 3 of the DIG Grant in the amount of \$57,693.00 as follows:

RESOLUTION NO. 42-2014

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT
FOR PROFESSIONAL ENGINEERING SERVICES WITH
FLEIS & VANDENBRINK ENGINEERING, INC.
FOR THE 2014 DOWNTOWN INFRASTRUCTURE GRANT PROJECT,
PARTS 1 & 3**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, is undertaking a major infrastructure project as a part of the DIG Grant awarded in March 2014; and

WHEREAS, this project requires the services of a professional engineering firm; and

WHEREAS, Fleis & Vandenbrink Engineering, Inc. has been prequalified to perform such work and offers to perform work as described in the city's Request For Proposal for the 2014 Downtown Infrastructure Grant Project, Parts 1 & 3; and

WHEREAS, Fleis & Vandenbrink, Engineering, Inc. offers to complete said services in return for compensation in an amount not to exceed \$57,693.00; and

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 employ the firm of Fleis & Vandenbrink Engineering, Inc. to provide professional engineering services for the 2014 Downtown Infrastructure Grant Project, Parts 1 & 3.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Addendum to an Agreement for Professional Engineering Services between the City of Owosso, Michigan and Fleis & Vandenbrink Engineering, Inc.*
- THIRD: The Accounts Payable department is authorized to make payment up to the amount of \$57,693.00 to Fleis & Vandenbrink Engineering, Inc. upon successful completion of stated work.
- FOURTH: The above expenses shall be paid from the proceeds of the 2010 General Obligation Unlimited Tax Bonds fund.

*Full text of the professional services agreement and addendum are on file in the Clerk's Office.

Professional Services Agreement – DIG Grant Part 2. Approve professional services agreement with Fishbeck Thompson Carr & Huber, Inc. for engineering services for Part 2 of the DIG Grant in the amount of \$59,900.00 as follows:

RESOLUTION NO. 43-2014

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT
FOR PROFESSIONAL ENGINEERING SERVICES WITH
FISHBECK, THOMPSON, CARR & HUBER, INC.
FOR 2014 DOWNTOWN INFRASTRUCTURE GRANT PROJECT, PART 2**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, is undertaking a major infrastructure project as a part of the DIG Grant awarded in March 2014; and

WHEREAS, this project requires the services of a professional engineering firm; and

WHEREAS, Fishbeck, Thompson, Carr & Huber, Inc. has been prequalified to perform such work and offers to perform work as described in the city's Request For Proposal for the 2014 Downtown Infrastructure Grant Project, Part 2; and

WHEREAS, Fleis & Vandenbrink, Engineering, Inc. offers to complete said services in return for compensation in an amount not to exceed \$59,900.00; and

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 employ the firm of Fishbeck, Thompson, Carr & Huber, Inc. to provide professional engineering services for the 2014 Downtown Infrastructure Grant Project, Part 2.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Addendum to an Agreement for Professional Engineering Services between the City of Owosso, Michigan and Fishbeck, Thompson, Carr & Huber, Inc.*

THIRD: The Accounts Payable department is authorized to make payment up to the amount of \$59,900.00 to Fishbeck, Thompson, Carr & Huber, Inc. upon successful completion of stated work.

FOURTH: The above expenses shall be paid from the proceeds of the 2010 General Obligation Unlimited Tax Bonds fund.

*Full text of the professional services agreement and addendum are on file in the Clerk's Office.

Bid Award – 2014 Tall Grass Mowing Program. (Due to an error this item was approved prior to a necessary correction. Approval of this item was rescinded later in the meeting and separate action was taken to approve it with the correction.)

Warrant No. 480. Authorize Warrant No. 480 as follows:

Vendor	Description	Fund	Amount
Logicalis, Inc	Network engineering support – March 2014	General	\$ 7,616.00
Brown & Stewart PC	Professional services December 10, 2013 – January 13, 2014	General	\$ 9,997.52
Owosso Charter Township	Owosso Charter Township water sales payment – January 1, 2014 – March 31, 2014	Water	\$ 3,724.47
Caledonia Charter Township	Caledonia Utility fund payment – January 1, 2014 – March 31, 2014	Water	\$17,132.03
State of Michigan- Department of Transportation	Traffic Signal Maintenance- March 26, 2012 – April 29, 2013	Major Streets	\$ 9,683.42

*Check Register–March 2014. Affirm check disbursements totaling \$726,460.99 for the month of March 2014.

*Full text of the Check Register is on file in the Clerk's Office.

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

PROPERTY SALE – VANDEKAR ROAD - TWENTY ONE DAY POSTING

Councilperson Bandkau indicated he had asked for this item to be pulled to receive further explanation on the purpose of the 21-day posting period. It was noted the period was a Charter requirement for the sale of real property and provided the public an opportunity to closely examine the proposal as well as an opportunity to submit a better offer.

Motion by Councilperson Bandkau to authorize the twenty-one (21) day posting period for sale of city owned property located at 1155 Vandekarr Road to Kenneth and Jodie Croskey in the amount of \$58,000.00 as follows:

RESOLUTION NO. 44-2014

**AUTHORIZING 21-DAY POSTING OF
PURCHASE AGREEMENT FOR THE SALE OF
CITY-OWNED PROPERTY AT 1155 VANDEKARR ROAD**

WHEREAS, the city owns a 36 acre parcel of property in Caledonia Township commonly known as 1155 Vandekarr Road and described as follows;

A PARCEL OF LAND IN SECTION 30, TOWNSHIP 7 NORTH, RANGE 3 EAST, DESCRIBED AS COMMENCING 29 RODS 1 FOOT 1 INCH SOUTH OF NORTHWEST CORNER, EAST 150 RODS, SOUTH 48 RODS 1 INCH, WEST 150 RODS NORTH TO BEGINNING, EXCEPT NORTH 10 FEET AND EXCEPT COMMENCING 77 RODS 1 FOOT 2 INCHES SOUTH OF NORTHWEST CORNER OF SECTION, EAST TO CENTER OF ANG RD, NORTHWESTERLY TO WEST SECTION LINE SOUTH TO BEGINNING AND EXCEPT COMMENCING 489.58 FEET SOUTH OF NORTHWEST CORNER OF SECTION, SOUTH 94.20 FEET, SOUTH 36 DEGREES 55 MINUTES EAST, 339.8 FEET, NORTH 53 DEGREES 5 MINUTES EAST, 625.8 FEET; SOUTH 89 DEGREES 10 MINUTES WEST, 705.4 FEET TO BEGINNING.

and

WHEREAS, the home located on the parcel is of no use to the City and the City desires its sale; and

WHEREAS, the land containing the homestead has been surveyed and a 1.3 acre parcel has been split from the original 36 acre parcel in preparation for sale; and

WHEREAS, Kenneth and Jodie Croskey approached the City offering to purchase the homestead, described as follows, for a reasonable price;

PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 30, T7N-R3E, CALEDONIA TOWNSHIP, SHIAWASSEE COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT A POINT THAT IS S00°28'45"W ON THE WEST LINE OF SAID SECTION 30 A DISTANCE OF 583.78 FEET AND S36°26'15"E ON THE CENTERLINE OF VANDEKARR ROAD A DISTANCE OF 421.61 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 30; THENCE S89°33'20"E 361.98 FEET; THENCE S01°58'12"E 200.00 FEET; THENCE N89°33'20"W 220.47 FEET TO THE CENTERLINE OF VANDEKARR ROAD; THENCE N36°26'15"W ON SAID CENTERLINE A DISTANCE OF 249.82 FEET TO THE POINT OF BEGINNING, CONTAINING 1.336 ACRES, MORE OR LESS. SUBJECT TO THE USE OF THE WESTERLY 33.00 FEET THEREOF PARALLEL WITH THE CENTERLINE OF VANDEKARR ROAD, AS VANDEKARR ROAD. ALSO SUBJECT TO ALL OTHER EASEMENTS AND RESTRICTIONS OF RECORD.

and

WHEREAS, the value of the land in question has been determined according to the city's Property Sale Policy; and

WHEREAS, the City Charter requires a 21-day posting period prior to the sale of any City-owned property to allow for public comment and potential offers.

NOW THEREFORE BE IT RESOLVED by the city council of the city of Owosso, Michigan that:

1. The purchase agreement* for the property described above be posted for a 21-day period to allow for citizen comment.
2. The agreement be returned to council at the meeting of May 19, 2014 for potential final disposition.

Motion supported by Councilperson Fox.

Roll Call Vote.

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

NAYS: None.

*Full text of the purchase agreement is on file in the Clerk's Office.

PROPERTY LEASE – TILLABLE ACREAGE - TWENTY ONE POSTING

Councilperson Bandkau inquired why the term for the proposed lease was for 5 years instead of just an annual term. He also wondered if there was a possibility that access to the property could be granted in the form of an easement to make the property to be more marketable. It was noted

the previous agreement for the parcel was for a 5-year period and the proposed lease could be terminated at any point. It was also pointed out the acreage in question had an odd shape and would be unsuitable for today's large farm implements if it were to be farmed without access to adjacent land.

Motion by Mayor Pro-Tem Eveleth to authorize the twenty-one (21) day posting period for the lease of approximately 10 acres of city owned tillable land near Hopkins Lake to Shawnee Creek Farms for \$500.00 per year for a period of five years as follows:

RESOLUTION NO. 45-2014

**AUTHORIZING 21-DAY POSTING FOR
A CROP FARMING CASH RENT AGREEMENT
WITH MATT DUTCHER AND KEVIN DUTCHER D/B/A SHAWNEE CREEK FARMS**

WHEREAS, the city of Owosso, Michigan ("City") is a municipal corporation organized under the provisions of the Home Rule City Act, Public Act 279 of 1909, as amended, and is governed by the provisions of the Owosso City Charter adopted April 6, 1964, as amended ("Charter"); and

WHEREAS, the city owns certain tillable acreage near Hopkins Lake that would be suitable for farming; and

WHEREAS, the city is not currently utilizing the land and desires to lease the land for farming purposes; and

WHEREAS, Matt and Kevin Dutcher, doing-business-as Shawnee Creek Farms, have expressed an interest in leasing the land for a 5-year period; and

WHEREAS, Charter Section 14.3 (b)(2) provides for a twenty one day posting period to allow public inspection of the proposed lease.

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 as owner of property that is suitable for farming that a cash rent agreement* has been proposed for such land be leased to Matt Dutcher and Kevin Dutcher d/b/a Shawnee Creek Farms which farms adjacent land.

SECOND: the city council approves the posting of said agreement for a period of at least 21-days to allow for public inspection.

Motion supported by Councilperson Teich.

Roll Call Vote.

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

NAYS: None.

*Full text of the proposed cash rent agreement is on file in the Clerk's Office.

BUDGET WORK SESSION DATES

Council set the dates for desired budget work sessions as follows:

Wednesday, April 30, 2014 at 6:00 p.m.
Thursday, May 1, 2014 at 7:00 p.m.
Tuesday, May 6, 2014 at 6:00 p.m.
Wednesday, May 14, 2014 at 6:00 p.m.

All meetings will be held in the City Hall Conference Room and will be for a duration of up to two hours each.

SMALL URBAN PROGRAM FUND APPLICATION – SOUTH CEDAR STREET

City Manager Crawford explained the following four items were applications for funding only and there was no guarantee funding would be approved. He noted that when and if MDOT agrees the projects should occur and when they have the funding they would move forward, potentially some time in the next 3-4 years. He went on to say that it would be difficult for the City to come up with the matching funds without the assistance of bond funding. He also indicated some portion of the cost may need to be specially assessed to benefitted property owners.

Motion by Councilperson Fox to approve grant application to the Michigan Department of Transportation Small Urban Program for Surface Transportation Program funds to assist in the resurfacing of South Cedar Street from Stewart Street to Main Street, authorize participation in the Small Urban Program, and further authorize commitment of City funds equal to a 20% match plus the cost of project design and engineering as follows:

RESOLUTION NO. 46-2014

**AUTHORIZING APPLICATION FOR SMALL URBAN PROGRAM FUNDS
FOR SOUTH CEDAR STREET IMPROVEMENTS**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Public Service Department recommends the resurfacing of South Cedar Street from Stewart Street to Main Street; and

WHEREAS, the Michigan Department of Transportation offers a portion of its federal funds known as Surface Transportation Program funds for this work through its Small Urban Program; and

WHEREAS, the roadway proposed for improvement must be within federal-aid small urbanized areas, such as Owosso; and

WHEREAS, the roadway proposed for improvements must be on the federal-aid route system, which includes South Cedar Street; and

WHEREAS, the City of Owosso proposes to procure Small Urban Program funds for the purpose of providing a maximum of 80 percent (80%) federal match to the City's 2010 Unlimited Tax General Obligation Bond Proceeds as outlined in its application.

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 proceed with the resurfacing of South Cedar Street from Stewart Street to Main Street.

SECOND: That the City of Owosso is actively seeking Small Urban Program funds to partially fund the proposed roadway improvements and is willing to participate in the Small Urban Program.

THIRD: That appropriate city officials are authorized to sign the application documents and are further authorized to obligate City funds as its match of the project cost.

FOURTH: The City's portion of costs shall be paid from the City's 2010 Unlimited Tax Obligation Bond proceeds.

Motion supported by Councilperson Teich.

Roll Call Vote.

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

NAYS: None.

SMALL URBAN PROGRAM FUND APPLICATION – SOUTH CHESTNUT STREET

Motion by Mayor Pro-Tem Eveleth to approve grant application to the Michigan Department of Transportation Small Urban Program for Surface Transportation Program funds to assist in the resurfacing of South Chestnut Street from South Street to Stewart Street, authorize participation in the Small Urban Program, and further authorize commitment of City funds equal to a 20% match plus the cost of project design and engineering as follows:

RESOLUTION NO. 47-2014

**AUTHORIZING APPLICATION FOR SMALL URBAN PROGRAM FUNDS
FOR SOUTH CHESTNUT STREET IMPROVEMENTS**

WHEREAS, The City of Owosso, Shiawassee County, Michigan, Public Service Department recommends the resurfacing of South Chestnut Street from South Street to Stewart Street; and

WHEREAS, the Michigan Department of Transportation offers a portion of its federal funds known as Surface Transportation Program funds for this work through its Small Urban Program; and

WHEREAS, the roadway proposed for improvement must be within federal-aid small urbanized areas, such as Owosso; and

WHEREAS, the roadway proposed for improvements must be on the federal-aid route system, which includes South Chestnut Street; and

WHEREAS, the City of Owosso proposes to procure Small Urban Program funds for the purpose of providing a maximum of 80 percent (80%) federal match to the City's 2010 Unlimited Tax General Obligation Bond Proceeds as outlined in its application.

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 proceed with the resurfacing of South Chestnut Street from South Street to Stewart Street.

SECOND: That the City of Owosso is actively seeking Small Urban Program funds to partially fund the proposed roadway improvements and is willing to participate in the Small Urban Program.

THIRD: That appropriate city officials are authorized to sign the application documents and are further authorized to obligate City funds as its match of the project cost.

FOURTH: The City's portion of costs shall be paid from the City's 2010 Unlimited Tax Obligation Bond proceeds.

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

SMALL URBAN PROGRAM FUND APPLICATION – EAST OLIVER STREET

Motion by Mayor Pro-Tem Eveleth to approve grant application to the Michigan Department of Transportation Small Urban Program for Surface Transportation Program funds to assist in the resurfacing of East Oliver Street from Washington Street to Gould Street, authorize participation in the Small Urban Program, and further authorize commitment of City funds equal to a 20% match plus the cost of project design and engineering as follows:

RESOLUTION NO. 48-2014

AUTHORIZING APPLICATION FOR SMALL URBAN PROGRAM FUNDS FOR OLIVER STREET FROM WASHINGTON STREET TO GOULD STREET

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Public Service Department recommends the reconstruction of East Oliver Street from Washington Street to Gould Street; and

WHEREAS, the Michigan Department of Transportation offers a portion of its federal funds known as Surface Transportation Program funds for this work through its Small Urban Program; and

WHEREAS, roadway improvements that are eligible for these funds must be located on the federal-aid highway system and within the federal urban area boundary, such as Oliver Street in the City of Owosso; and

WHEREAS, the City of Owosso proposes to procure Small Urban Program funds for the purpose of providing a maximum of 80 percent (80%) federal match to the City's Unlimited Tax Obligation Bond Proceeds as outlined in its application.

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 proceed with the reconstruction of Oliver Street from Washington Street to Gould Street.

SECOND: That the City of Owosso is actively seeking Small Urban Program funds to partially fund the proposed roadway improvements and is willing to participate in the Small Urban Program.

THIRD: That appropriate city officials are authorized to sign the application documents and are further authorized to obligate City funds as its match of the project cost.

FOURTH: The City's portion of costs shall be paid from the City's 2010 Unlimited Tax Obligation Bond proceeds.

Motion supported by Councilperson Greenway.

Roll Call Vote.

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

NAYS: None.

SMALL URBAN PROGRAM FUND APPLICATION – SOUTH WASHINGTON STREET

Motion by Councilperson Bailey to approve grant application to the Michigan Department of Transportation Small Urban Program for Surface Transportation Program funds to assist in the resurfacing of South Washington Street from Stewart Street to Corunna Avenue, authorize participation in the Small Urban Program, and further authorize commitment of City funds equal to a 20% match plus the cost of project design and engineering as follows:

RESOLUTION NO. 49-2014

**AUTHORIZING APPLICATION FOR SMALL URBAN FUNDS
FOR SOUTH WASHINGTON STREET IMPROVEMENTS**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Public Service Department recommends the reconstruction of South Washington Street from Stewart Street to Corunna Avenue; and

WHEREAS, the Michigan Department of Transportation offers a portion of its federal funds known as Surface Transportation Program funds for this work through its Small Urban Program; and

WHEREAS, roadway improvements that are eligible for these funds must be located on the federal-aid highway system and within the federal urban area boundary, such as Washington Street in the City of Owosso; and

WHEREAS, the City of Owosso proposes to procure Small Urban Program funds for the purpose of providing a maximum of 80 percent (80%) federal match to the City's Unlimited Tax Obligation Bond Proceeds as outlined in its application.

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 proceed with the resurfacing of South Washington Street from Stewart Street to Corunna Avenue.

SECOND: That the City of Owosso is actively seeking Small Urban Program funds to partially fund the proposed roadway improvements and is willing to participate in the Small Urban Program.

THIRD: That appropriate city officials are authorized to sign the application documents and are further authorized to obligate City funds as its match of the project cost.

FOURTH: The City's portion of costs shall be paid from the City's 2010 Unlimited Tax Obligation Bond proceeds.

Motion supported by Councilperson Fox.

Roll Call Vote.

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

NAYS: None.

STREET BOND PROPOSAL

City Manager Crawford introduced the topic saying the sale of bonds would be essential to providing any sort of robust street improvement program over the next couple of years. He noted that while cities aren't allowed to have sinking funds he suggested Council approach the bond proposal similar to the way the Schools handle their sinking fund requests coming back to the voters every 3 to 4 years for the renewal of a manageable request. He went on to say that no decision would be required this evening, but encouraged Council to take the time to study the language.

There was discussion regarding the idea of attaching measurable results to the proposal, listing the streets that would be reconstructed with the funds, publicizing that list so voters know where the money will be spent, reducing the maturation of the bond to 15 years rather than the proposed 25, and whether the request should be on the August ballot or the November ballot.

Mayor Frederick asked that a list of streets that would be reconstructed with the bond proceeds be developed for presentation at the next meeting.

GARDEN CLUB BLUE STAR MEMORIAL MONUMENT

There was Council discussion regarding where the monument will be located within the park.

Motion by Councilperson Fox to approve the installation of a Blue Star Memorial marker in Fayette Square Park by the Owosso Garden Club as follows:

RESOLUTION NO. 50-2014

**GRANTING THE OWOSSO GARDEN CLUB PERMISSION TO INSTALL
A BLUE STAR MEMORIAL MARKER IN FAYETTE SQUARE**

WHEREAS, the city of Owosso has Fayette Square Park in the 500 block of North Washington Street within which monuments have been placed recognizing military veterans; and

WHEREAS, the Owosso Garden Club has raised funds for the purchase and installation of a Blue Star Memorial marker and has approached the city of Owosso about placing such a monument within Fayette Square Park.

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

FIRST: the Owosso Garden Club is granted permission to install and maintain a Blue Star Memorial marker within Fayette Square Park.

SECOND: this permission is granted with the understanding that this permission may be withdrawn at any time and for no reason and the monument may be relocated or removed by the city.

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

FEE SCHEDULE AMENDMENT – RENTAL REGISTRATION

Mayor Frederick noted that this item was multifaceted in that Council would need to consider the rental registration period, the rental registration fee, and the inspection period as well.

There was discussion regarding the current rate of inspections, allowing up to 10 years between inspections, allowing 5 years between inspections, and requiring an inspection when a property changes ownership.

A motion was made by Councilperson Bailey to set the rental inspection period at 5 years based on current capacity.

Councilperson Bandkau sought clarification whether the change would be embodied as an ordinance amendment. City Attorney William C. Brown indicated the change would be a policy amendment, not an ordinance amendment.

Motion by Councilperson Bailey to set the rental inspection period at 5 years based on current staff capacity.

Motion supported by Councilperson Greenway.

Roll Call Vote.

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

NAYS: Councilpersons Teich, Fox, and Bandkau.

Attention was then turned to the proposed Fee Schedule amendment.

There was discussion regarding where the money raised by the proposed registration fee would be spent, using the funds to educate landlords and tenants, maintaining the current fee and lengthening the registration period, concern with how the program is administered by staff, attempting to overcome the limitations of current staffing levels and software integration so prevent rental properties from falling through the cracks, instituting on-line registrations, determining triggers within various departments of City Hall that should cause actions to be taken, and maintaining the current registration period until administration issues are clarified.

Motion by Councilperson Fox to approve amending the Fee Schedule to reflect a rental registration period of 5 years and a fee of \$25.00 per unit as follows:

RESOLUTION NO. 51-2014

MODIFYING FEE SCHEDULE ESTABLISHING RENTAL HOUSING REGISTRATION FEES

WHEREAS, the city of Owosso requires the registration of all rental housing units with a renewal during the month of October on odd numbered calendar years with a two year registration charge of \$25.00 per unit; and

WHEREAS, the city of Owosso currently has no inspection fee; and

WHEREAS, the city of Owosso due to the number of units and the limited inspection personnel has not completed the rental inspections in the first two years.

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

- FIRST: rental housing registrations be required for all occupied rental dwellings or dwellings advertised for rent.
- SECOND: the registration period be for a period of five years with registration fee of \$25.00 per unit.
- THIRD: all currently registered units will be considered registered until October 1, 2018.
- FOURTH: there shall be no inspection fee charged.

Motion supported by Councilperson Teich.

Roll Call Vote.

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

NAYS: Councilperson Bandkau.

COMMUNICATIONS

Susan K. Montenegro, Assistant City Manager. Bentley Park Bike Rack.
Charles P. Rau, Building Official. March 2014 Building Department Report.
Charles P. Rau, Building Official. March 2014 Code Violations Report.
Kevin D. Lenkart, Public Safety Director. March 2014 Police Report.
Kevin D. Lenkart, Public Safety Director. March 2014 Fire Report.

CITIZEN COMMENTS AND QUESTIONS

None.

BID AWARD – 2014 TALL GRASS MOWING PROGRAM – REVISITED

City Clerk Amy K. Kirkland noted that due to an error a correction to the Bid Award for the 2014 Tall Grass Mowing Program was not pointed out to Council prior to its authorization of the award. She indicated that after further examination the Finance Department had determined the City would be better served if two firms performed the work in question rather than a single vendor. Council was in receipt of two resolutions awarding portions of the bid to separate vendors and she asked that they consider rescinding the prior approval of the bid award in favor of the two resolutions now noted.

Motion by Mayor Pro-Tem Eveleth to reconsider the vote originally approving the bid award for the 2014 Tall Grass Mowing Program.

Motion supported by Councilperson Fox.

Roll Call Vote.

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

NAYS: None.

Councilperson Greenway inquired why the Gould House was charged separately from other City owned lots. It was noted that historically it had been handled separately from a cost accounting standpoint and staff continued to do so for the sake of consistency.

Motion by Mayor Pro-Tem Eveleth to authorize bid award to Robert L. Didur d/b/a Michigan Outdoor Services for mowing of certain city-owned properties for the 2014 mowing season in the following amounts: \$420.50 each mow for all 29 Osburn Lakes lots, and \$22.50 for the Gould House lot, and further authorize payment in an amount up to \$6,000 as follows:

RESOLUTION NO. 52-2014

**AUTHORIZING THE EXECUTION OF A CONTRACT
WITH MICHIGAN OUTDOOR SERVICES FOR THE MOWING OF
CERTAIN CITY-OWNED PROPERTIES**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, owns various real properties that require periodic mowing; and

WHEREAS, efficiencies can be gained from contracting out for service to mow such properties; and

WHEREAS, the City of Owosso sought bids for the mowing of certain city-owned properties; and a bid was received from Robert L. Didur d/b/a Michigan Outdoor Services; and it is hereby determined that Robert L. Didur d/b/a Michigan Outdoor Services is qualified to provide such services and that it has submitted the lowest responsible and responsive bid;

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 L. Didur d/b/a Michigan Outdoor Services for the service of mowing certain city-owned properties upon the city's request, upon receipt of acceptable insurance coverage as dictated in the bid documents.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit A, Contract for Services between the City of Owosso, Michigan and Robert L. Didur d/b/a Michigan Outdoor Services for mowing and trimming services at the following rates:

City-owned properties:		
Osburn Lakes Subdivision lots (29)	=	\$420.50 per mow
Gould House Lot	=	\$22.50 each

THIRD: The above expenses shall be paid from the Department of Public Service Contractual Services fund - #101-441-818000.

FOURTH: The Accounts Payable department is authorized to pay Robert L. Didur d/b/a Michigan Outdoor Services for satisfactory service completed in an amount not to exceed \$6,000.00.

Motion supported by Councilperson Fox.

Roll Call Vote.

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

NAYS: Councilperson Greenway.

Motion by Councilperson Fox to authorize bid award to Kendra Nichols d/b/a Millennium Lawn and Snow Service for mowing of private properties in violation of the weed ordinance and for certain city-owned properties for the 2014 mowing season in the following amounts: \$15 for a single lot, \$20 for a double lot, and \$25 for lots larger than a double lot, and further authorize payment in an amount up to \$6,000 as follows:

RESOLUTION NO. 53-2014

**AUTHORIZING THE EXECUTION OF A CONTRACT
WITH MILLENNIUM LAWN AND SNOW SERVICE
FOR THE MOWING OF PRIVATE PROPERTIES
IN VIOLATION OF THE CITY WEED ORDINANCE**

This resolution was
later rescinded
05-19-2014

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has an ordinance requiring property owners to mow their lots to control the growth of tall grass and noxious weeds; and

WHEREAS, the City of Owosso will mow private properties that are in violation of the ordinance if the owners refuse to mitigate the situation; and

WHEREAS, efficiencies can be gained from contracting out for service to mow such properties; and

WHEREAS, the City of Owosso sought bids for the mowing of weed ordinance violation properties; and a bid was received from Kendra Nichols d/b/a Millennium Lawn and Snow Service; and it is hereby determined that Kendra Nichols d/b/a Millennium Lawn and Snow Service is qualified to provide such services and that it has submitted the lowest responsible and responsive bid;

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 Kendra Nichols d/b/a Millennium Lawn and Snow Service for the service of mowing private properties in violation of the weed ordinance.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit A, Contract for Services between the City of Owosso, Michigan and Kendra Nichols d/b/a Millennium Lawn and Snow Service for mowing and trimming services at the following rates:

Private properties:		
Normal city size lot or smaller	=	\$15.00 each
Normal to double city size lot	=	\$20.00 each
Larger than double size	=	\$25.00 each

THIRD: The above expenses shall be paid from the Department of Public Service Contractual Services fund - #101-441-818000.

FOURTH: The Accounts Payable department is authorized to pay Kendra Nichols d/b/a Millennium Lawn and Snow Service for satisfactory service completed in an amount not to exceed \$6,000.00.

Motion supported by Mayor Pro-Tem Eveleth.

Roll Call Vote.

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

NAYS: None.

NEXT MEETING

Wednesday, April 30, 2014 at 6:00 p.m. – Budget Worksession

Thursday, May 1, 2014 at 7:00 p.m. – Budget Worksession

Monday, May 05, 2014 at 7:30 p.m. – Regular Meeting

Tuesday, May 6, 2014 at 6:00 p.m. – Budget Worksession

Wednesday, May 14, 2014 at 6:00 p.m. – Budget Worksession

BOARDS AND COMMISSIONS OPENINGS

Historical Commission, term expiring December 31, 2014

ADJOURNMENT

Motion by Mayor Pro-Tem Eveleth for adjournment at 10:23 p.m.

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

Benjamin R. Frederick, Mayor

Amy K. Kirkland, City Clerk