

OWOSSO CITY COUNCIL

JUNE 16, 2014

7:30 P.M.

PRESIDING OFFICER: MAYOR BENJAMIN R. FREDERICK

A moment of silence was held in honor of long-time Owosso businessman Clay Reeves to mark his passing.

OPENING PRAYER: REVEREND SUSAN KINGSLEY
TRINITY UNITED METHODIST CHURCH

PLEDGE OF ALLEGIANCE: ANTHONY KARHOFF
SHIAWASSEE TOWNSHIP SUPERVISOR

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 change:

Move Consent item 10. 20145-15 Water & Sewer Rates to Item of Business 5.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF JUNE 2, 2014

Motion by Councilperson Bailey to approve the Minutes of the Regular Meeting of June 2, 2014 as presented.

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

STUDENT REPRESENTATIVE REPORT

None.

PUBLIC HEARINGS

ORDINANCE AMENDMENT – CHAPTER 19, OFFENSES

The proposed amendment would adjust the age of those affected by the curfew ordinance to match State law.

A public hearing was conducted to receive citizen comment regarding the proposed amendment to Chapter 19, Offenses, Article V, *Offenses Against Public Peace*, Section 19-89, Curfews for minors.

There were no citizen comments.

Whereas, the Council, after due and legal notice, has met and there being no one to be heard, motion by Mayor Pro-Tem Eveleth that the following ordinance be adopted:

ORDINANCE NO. 751

**AN ORDINANCE AMENDING SECTION 19-89 (b)
OF THE OWOSSO CITY CODE REGARDING
CURFEWS FOR MINORS**

WHEREAS, the City of Owosso has an ordinance on its books prohibiting minors age 17 and under from loitering and congregating in public areas at unacceptable hours; and

WHEREAS, the State of Michigan defines minors as being 16 years of age and under; and

WHEREAS, this discrepancy should be remedied to avoid conflict and confusion.

NOW THEREFORE BE IT RESOLVED THAT THE CITY OF OWOSSO ORDAINS that Chapter 19, Offenses, Article V, Offenses against public peace, Section 19-89, Curfews for minors, be amended as follows:

SECTION 1. Section 19-89 (b) of the Owosso City Code is hereby amended to read:

Sec. 19-89(b). Curfews for minors.

No minor, sixteen (16) years of age or under, shall loiter, idle or congregate on any public area, street, highway, alley or park between the hours of 12:00 midnight and 6:00 a.m. immediately following, except where the minor is accompanied by a parent or guardian, or an adult delegated by the parent or guardian to accompany the minor, or where the minor is upon an errand or other legitimate business directed by his parent or guardian.

SECTION 2. EFFECTIVE DATE. This amendment shall become effective July 7, 2014.

SECTION 3. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

PROCLAMATIONS / SPECIAL PRESENTATIONS

TOPPERMOST BENEFIT

Shiawassee-Owosso Kiwanis Club member Fred Finnen announced the Toppermost benefit concert presented by the Homeless Coalition and the Shiawassee-Owosso Kiwanis Club, to be held June 21st at 7:30 p.m. at the Amphitheater.

BAKER COLLEGE ENGINE PERFORMANCE I CLASS RECOGNITION

Mayor Frederick and Councilperson Fox distributed certificates of appreciation to the students of the Baker College Engine Performance I Class that restored the engine of the City's 1921 LaFrance Pumper truck to running condition.

**A PROCLAMATION
OF THE MAYOR'S OFFICE OF THE CITY OF OWOSSO, MICHIGAN
RECOGNIZING**

**THE BAKER COLLEGE STUDENTS OF THE
AST 102 ENGINE PERFORMANCE I CLASS**

WHEREAS, the City of Owosso is still in possession of the 1921 LaFrance Pumper fire truck that marked the Owosso Fire Department's move into the automotive age; and

WHEREAS, there has long been a desire to see the pumper truck restored and plans have been made for its restoration and service as a moving memorial to those members of the Owosso Fire Department that have lost their lives in the course of their duties; and

WHEREAS, Baker College of Owosso has a state of the art auto-diesel facility in which students can obtain hands-on experience working on vehicles large and small; and

WHEREAS, the Baker College of Owosso AST 102 Engine Performance I class lent their talents to the restoration endeavor as a part of their class; researching, repairing, cleaning, and flushing the various systems and engine components; and

WHEREAS, the students took the project to heart, personally investing themselves in the effort, while gaining invaluable learning experience at the same time; and

WHEREAS, having contributed 100 hours of work to the project, the class successfully restored the truck to running condition after more than 50 years of dormancy; and

WHEREAS, the extraordinary hard work of the 18 members of the Engine Performance I class deserves to be recognized.

NOW, THEREFORE, I, Mayor Benjamin R. Frederick, Mayor of the City of Owosso, along with project organizer and Councilman Burton Fox, and the members of the City Council of the City of Owosso, do hereby acknowledge the students of the Baker College of Owosso AST 102 Engine Performance I Class for their exceptional efforts, dedication, and talent. And we celebrate their achievement as a critical step in the plan to create a memorial for Owosso's fallen Fire Fighters.

Proclaimed this 16th day of June, 2014.

CITIZEN COMMENTS AND QUESTIONS

County Commission Chairman Jeff Bartz gave an update on the stray dog issue that the County has been working on with the City. He indicated all police vehicles in the county now have the ability to look up dog licenses and soon all officers will have access to the Humane Society to drop off stray dogs for which no owner can be located. Councilperson Bailey thanked Chairman Bartz for working with the City toward a very satisfactory resolution of the issue.

Matt Stewart, 850 Stoney Point Lane, introduced himself as a candidate for circuit court judge. He detailed his credentials, said he was looking forward to the opportunity to continue serving the community, and asked for consideration on election day.

Councilperson Bailey reminded citizens of the rules regarding fireworks. She also thanked those involved in preparing the splash pad for use and said she was down-right angry that someone is making a mess of the splash pad and damaging it with mud.

CITY MANAGER REPORT

City Manager Crawford asked that Consent items 1 through 6 be removed from the agenda for reworking. He also asked that Council consider holding an executive session for the purpose of discussing real property acquisition after the conclusion of regular business.

Mayor Frederick asked the rules of procedure be temporarily suspended to accommodate the City Manager's request.

Motion by Councilperson Fox to remove Consent Items 1-6 from the agenda and add Item of Business 6. Executive Session.

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

CONSENT AGENDA

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

Special Assessment District No. 2014-04. (Resolution #1, this item was removed from the agenda.)

Special Assessment District No. 2014-05. (Resolution #1, this item was removed from the agenda.)

Special Assessment District No. 2014-06. (Resolution #1, this item was removed from the agenda.)

Special Assessment District No. 2014-04. (Resolution #2, this item was removed from the agenda.)

Special Assessment District No. 2014-05. (Resolution #2, this item was removed from the agenda.)

Special Assessment District No. 2014-06. (Resolution #2, this item was removed from the agenda.)

First Reading and Set Public Hearing – Rezoning of East Main Street. Conduct first reading and set a public hearing for Monday, July 7, 2014 to receive citizen comment regarding the proposal to rezone various parcels along East Main Street to comply with the Master Plan and ease future development of the area as follows:

RESOLUTION NO. 78-2014

**AN ORDINANCE AMENDING CHAPTER 38 ZONING
OF THE CODE OF ORDINANCES
TO REZONE VARIOUS PARCELS OF REAL PROPERTY ON EAST MAIN STREET
AND AMEND THE ZONING MAP**

WHEREAS, the City of Owosso adopted a Master Plan in 2012 which includes a future land use plan; and

WHEREAS, the Planning Commission desires to carefully implement prudent changes suggested by the Master Plan; and

WHEREAS, the area of East Main Street from Hickory Street to Gould Street contains no less than 5 separate zoning designations; and

WHEREAS, the Planning Commission recommends the rezoning of select parcels in the area to reduce spot zoning and create an area with effective zoning for potential development and economic growth while land owners to maintain the current use of their property if they so desire; and

WHEREAS, the Planning Commission published and mailed notices for the request, held a public hearing on the request, and deliberated on the request; and

WHEREAS, the Planning Commission finds that the proposed rezonings meet the intent and criteria for a zoning amendment as it relates to the master plan and the zoning ordinance; and

WHEREAS, the City staff and Planning Commission recommend, without reservations or conditions, the rezoning of the following parcels:

Parcel or Area	Current Zoning	Potential Zoning
515 East Main	R2	OS1
615 East Main	RM1	B1
617 East Main	OS1	B1
827 East Main	OS1	B4
831 East Main	OS1	B4
835 East Main	RM1	B4
508 East Main	RM1	OS1
512 East Main	RM1	OS1
830 East Main	RM1	B4
832 East Main	RM1	B4
834 East Main	RM1	B4
910 East Main	B1	B4

and

WHEREAS, the City Council finds that the zoning petition meets the intent and criteria for a zoning map amendment, specifically as it relates to the requirements of Section 38-555; and

WHEREAS, a public hearing by the City Council is required before any such ordinance amendment can be approved.

NOW THEREFORE BE IT RESOLVED THAT THE CITY OF OWOSSO ORDAINS:

SECTION 1. OFFICIAL ZONING MAP AMENDMENT. That Chapter 38, Zoning, Sec. 38-27, Zoning Districts and Map, reflect the following changes, to be noted on the official map and filed with the city clerk:

Parcel or Area	Parcel Number	Current Zoning	Potential Zoning
515 East Main	050-666-000-048-00	R2	OS1
615 East Main	050-112-000-013-00	RM1	B1
617 East Main	050-112-000-013-00	OS1	B1
827 East Main	050-112-000-030-00	OS1	B4
831 East Main	050-112-000-032-00	OS1	B4
835 East Main	050-112-000-033-00	RM1	B4
508 East Main	050-180-001-005-00	RM1	OS1
512 East Main	050-180-001-004-00	RM1	OS1
830 East Main	050-580-000-072-00	RM1	B4
832 East Main	050-580-000-073-00	RM1	B4
834 East Main	050-580-000-074-00	RM1	B4
910 East Main	050-580-000-075-00	B1	B4

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, July 7, 2014 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendment.

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

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

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

First Reading and Set Public Hearing – Ordinance Amendment. Conduct first reading and set a public hearing for Monday, July 7, 2014 to hear citizen comment regarding the proposed amendment to repeal Chapter 38, Zoning, Article II, Zoning Districts and Map, Section 38-33, Main Street office overlay district, to bring the zoning of the area into compliance with the Master Plan as follows:

RESOLUTION NO. 79-2014

SETTING A PUBLIC HEARING FOR
A PROPOSED ORDINANCE
AUTHORIZING THE REPEAL OF SECTION 38-33
OF THE OWOSSO CITY CODE REGARDING
OFFICE OVERLAY DISTRICTS

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Planning Commission believes Section 38-33 of the Zoning Code, commonly known as the Main Street office overlay district, to be prohibitive in nature to business development in the city of Owosso; and

WHEREAS, the City of Owosso seeks to continue economic growth and vitality through business development in the downtown and surrounding areas but is constrained by outdated and unnecessary restrictions put in place by the Main Street office overlay district zoning.

NOW THEREFORE BE IT RESOLVED THAT THE CITY OF OWOSSO ORDAINS that Chapter 38, Zoning, Article II, Zoning Districts and Map, Section 38-33, Main Street office overlay district, be repealed as follows:

SECTION 1. REPEAL. Section 38-33 of the Code of the City of Owosso be repealed.

Sec. 38-33. Main Street office overlay district

- ~~(a) Statement of purpose. The purpose of this chapter is to permit the creation of an office overlay zoning district along major transportation corridors of the city. The development standards set forth in this chapter are designed to:~~
- ~~(1) Improve traffic safety and appearance;~~
 - ~~(2) Guide land use so it will be compatible with existing nearby land uses;~~
 - ~~(2) Recognize the value of property for non-residential uses along the corridor due to traffic volumes and accessibility; and~~
 - ~~(4) Permit the redevelopment of existing uses in accordance with the requirements of this chapter.~~
- ~~(b) Applicability.~~
- ~~(1) The development standards contained in this chapter shall apply to the land along both sides of M-21 from the M-21 right-of-way to the rear line of those lots fronting on M-21 for the area between Hickory Street and Gould Street and to the parcel at 106 N. Dewey Street.~~
 - ~~(2) The provisions of this chapter are intended to carry out the recommendations of the 1991 M-21 corridor plan and the findings of the planning commission prior to the adoption of the ordinance amendment. The regulations set forth here are designed to be flexible in order to address the diverse nature of this area yet are based on a number of criteria to ensure appropriate, fair and consistent decision making.~~
 - ~~(3) An office overlay zoning district is applied when a development proposal is submitted for site plan approval to the planning commission, meets the development standards and other pertinent zoning standards, and is approved.~~
 - ~~(4) The overlay district shall not have the affect of rezoning any property described above in subsection (b)(1) in to another zoning district classification. No individual parcel will become nonconforming or any more nonconforming than it is under the current zoning classification.~~
- ~~(c) Review procedures. Uses within this zone shall be subject to the review procedures required for the underlying district in which the use is located and as specified in this section. In addition the site plan review shall be conducted in a public hearing format as is provided for in section 38-552.~~
- ~~(d) Permitted uses. The overlay zone shall not affect any existing conforming use as is determined by the permitted land use and related standards for the underlying zoning districts. The office overlay district shall permit the uses outlined in section 38-172, principle uses permitted, and section 38-173, principle uses permitted subject to special conditions, except that drive-in or drive-through facilities as a principle use or an accessory use shall not be permitted.~~
- ~~(e) Development standards. Whenever the provisions of this section are enacted, a permitted use shall be in accordance with the site development standards of the overlay zone. The site development standards listed herein shall apply to all uses and property in this zone unless otherwise noted.~~

- ~~(1) Required lot size: The minimum lot width shall be 114 feet except as is provided for in subsection (4)d.3.~~
- ~~(2) Setbacks for buildings and parking:~~
- ~~a. Front: There shall be a front yard setback of at least twenty-five (25) feet for buildings. This area shall not contain any parking area except for necessary access drives and vehicle maneuvering area and shall be landscaped according to the requirements of this section. Parking area shall not be located in front of the building(s) on the site.~~
 - ~~b. Rear and side: There shall be setbacks provided in accordance with the requirements of the zoning district in which the use is located.~~
- ~~(3) Lighting standards: Lighting in this district used to illuminate any off-street parking area shall be arranged to reflect the light away from adjacent property and street. Specifically, lights with no cutoff type luminaire shall be no higher than 10 feet and shall have a minimum illumination, measured at the lot line at ground level, of .20 candlepower. Lights with a cutoff type luminaire shall be no higher than twenty (20) feet with a maximum illumination, measured at the lot line ground level, of .30 candlepower. Lights with a luminaire of less than 90° cutoff shall be no higher than twenty (20) feet, with a maximum illumination, measured at the lot line at ground level, of .50 candlepower.~~
- ~~(5) Access standards: The planning commission shall review site plans according to the following standards relating to vehicle access and circulation. The purpose of specific standards is to increase traffic safety, lessen congestion, provide adequate access, promote community character, and ensure orderly development.~~
- ~~a. The planning commission shall have the authority to limit the number of driveways for a site, and to require that parking lots on contiguous parcels be connected, driveways for contiguous parcels be shared, and opposite driveways be directly aligned. In determining whether the above access control measures are necessary, the following criteria shall be considered:

 - ~~1. The type and location of uses on the site.~~
 - ~~2. The location, size and design of existing and proposed parking areas.~~
 - ~~3. The existing and projected traffic volume on adjacent roadways.~~
 - ~~4. Compatibility between adjacent land uses.~~
 - ~~5. Land ownership and location of lot lines.~~
 - ~~6. The recommendations of the M-21 corridor study.~~
 - ~~7. Topography and sight distance on-site and along adjacent roadways.~~
 - ~~8. Distance from intersections.~~
 - ~~9. Location of driveways opposite the site.~~
 - ~~10. Width of roadway and number of lanes.~~~~
 - ~~b. A parcel shall not be denied reasonable access to M-21.~~
 - ~~c. A maximum of one (1) driveway shall be provided to an individual parcel or to a contiguous parcel under the same ownership from M-21 when the property in question has no other reasonable access to another abutting street or access road.~~
- ~~d. Driveway spacing:~~
- ~~1. Driveways shall be spaced at least one hundred (100) feet apart with measurements taken from the centerline of each driveway. The planning commission shall have the authority to waive, or modify the following spacing requirements when strict adherence to them would result in unreasonable access to the site. This minimum distance may also be decreased in order to provide for a shared driveway arrangement or to provide for safer traffic or pedestrian circulation. In modifying the driveway spacing requirements the criteria of subsection (e)(4)a. shall be used.~~
 - ~~2. Corner clearance. All direct access driveways shall be constructed such that the point of tangency of the curb return radius closest to a signalized or stop-sign-controlled intersection be at least forty (40) feet from the perpendicular curb face of the intersecting street. Using a 15-foot driveway radius, the edge of the driveway throat shall be fifty (50) feet from the curb face of the perpendicular intersecting street. The driveway radius shall not compound with the intersection corner radius.~~
 - ~~3. Bonus for combining access points. When two adjacent property owners agree to combine access points, the site development will be granted an incentive bonus. The road frontage normally required will be reduced to eighty-eight (88) feet for both landowners.~~

~~d. Rear access: When a lot abuts an alley, access to the alley shall be prohibited unless the lot is located adjacent to a side street or the alley no longer serves residential properties.~~

~~(6) To maintain the original character of this residential corridor and to tie the mixed-use district together, each development shall incorporate deciduous hardwood plantings in an area from five (5) to ten (10) feet from the sidewalk in the front yard area. The existing trees and new trees in this area shall maintain a spacing standard of one (1) tree for every thirty (30) feet of frontage. During site plan review the planning commission may revise the spacing to meet sign visibility needs and driveway site clearances. Tree species shall conform to the city arborist's recommended list of street frontage trees as may be amended from time to time and shall conform to the applicable standards of section 38-384.~~

~~(7) No land assembly for the purposes of establishing an overlay district shall result in isolating one interior zoning lot that is less than eighty-eight (88) feet in width. If the development of the overlay district results in a lot less than the required width of one hundred fourteen (144) feet but not less than eighty-eight (88) feet, the planning commission shall authorize an office use if all other standards of this section and chapter are met.~~

SECTION 2. EFFECTIVE DATE. This amendment shall become effective twenty days after passage.

SECTION 3. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

SECTION 4. PUBLIC HEARING. A public hearing is set for Monday, July 7, 2014 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance repeal.

Boards and Commissions Appointments. Approve the following Mayoral Boards and Commissions appointments:

Name	Board/Commission	Term Expires
Virginia Teich*	Council on Aging	06-30-2017
Matthew VanEpps*	Downtown Historic District Commission	06-30-2017
Scott Newman*	Downtown Historic District Commission	06-30-2017

*Indicates reappointment.

2014-15 Water & Sewer Rates. (This item was moved to Item of Business 5.)

Change Order No. 1 – DIG Grant, Part 2. Authorize Change Order No. 1 to the contract with Fishbeck, Thompson, Carr & Huber, Inc. for the DIG Grant, Part 2 increasing the contract amount by \$3,900.00 for geotechnical investigation for new retaining wall construction along the James Miner River Trail as follows:

RESOLUTION NO. 80-2014

RESOLUTION AUTHORIZING CHANGE ORDER #1 TO THE CONTRACT WITH FISHBECK, THOMPSON, CARR & HUBER, INC. FOR ENGINEERING SERVICES FOR DOWNTOWN INFRASTRUCTURE GRANT PROJECT, PART 2

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved a contract with Fishbeck, Thompson, Carr & Huber, Inc. on April 21, 2014 for Engineering Services for the Downtown Infrastructure Grant Project Part 2; and

WHEREAS the city requests additional services of the consultant to analyze existing site conditions of the project site and finds it necessary to perform additional work beyond the original contractual scope of services; 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 amend the contract with Fishbeck, Thompson, Carr & Huber, Inc. for a cost to the City of Owosso of \$3,900.00.

SECOND: Said change shall be documented by the Accounts Payable Department in the form of a Change Order.

THIRD: The above expenses shall be paid from the Contractual Services Fund, Account No. 494-901-965756.

Contract Renewal – General Engineering Services. Approve the required annual renewal of the General Engineering Services contracts with Spicer Group Inc., Fishbeck, Thompson Carr & Huber, Inc., and Fleis & Vandenbrink, Inc. to provide engineering services through June 30, 2015 as follows:

RESOLUTION NO. 81-2014

**AUTHORIZING THE RENEWAL OF AGREEMENTS
FOR PROFESSIONAL ENGINEERING SERVICES WITH
SPICER GROUP, INC.
FISHBECK, THOMPSON, CARR & HUBER, INC.
FLEIS & VANDENBRINK ENGINEERING, INC.**

WHEREAS, the city of Owosso, Michigan, has determined that it is advisable, necessary and in the public interest to contract for professional engineering services for various public improvement projects of the city; and

WHEREAS, in March 2014 Council approved a series of three-year contracts with engineering firms Spicer Group, Inc., Fishbeck Thompson Carr & Huber Inc., and Fleis & Vandenbrink Engineering Inc. which require renewal on an annual basis; and

WHEREAS, Spicer Group, Inc., Fishbeck Thompson Carr & Huber Inc., and Fleis & Vandenbrink Engineering Inc., have provided the City with satisfactory services to date and renewal of their respective agreements is recommended.

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

- FIRST: that the city of Owosso has heretofore determined that it is advisable, necessary and in the public interest to renew the contracts with the firms of Spicer Group, Inc., Fishbeck Thompson Carr & Huber Inc., and Fleis & Vandenbrink Engineering Inc., to provide professional engineering services for future engineering projects.
- SECOND: that the city manager of the city of Owosso is hereby instructed and authorized to sign the document attached as; Exhibit C-SG, Renewal of Agreement for Professional Engineering Services with Spicer Group, Inc..
- THIRD that the city manager of the city of Owosso is hereby instructed and authorized to sign the document attached as; Exhibit C-FTCH, Renewal of Agreement for Professional Engineering Services with Fishbeck Thompson Carr & Huber Inc..
- FOURTH that the city manager of the city of Owosso is hereby instructed and authorized to sign the document attached as; Exhibit C-FV, Renewal of Agreement for Professional Engineering Services with Fleis & Vandenbrink Engineering, Inc..
- FIFTH that the city manager of the city of Owosso is hereby instructed to receive cost proposals from each of these three firms for future projects and make recommendation to City Council for acceptance and award in accordance with the city of Owosso Purchasing Policy for the period renewed through June 30, 2015.

Professional Services Agreement – North Street Culvert Replacement Project. Approve professional services agreement with Spicer Group, Inc. for engineering services in the form of a study and report for the North Street Culvert Replacement Project in the amount of \$11,000.00 as follows:

RESOLUTION NO. 82-2014

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT
FOR PROFESSIONAL ENGINEERING SERVICES WITH
SPICER GROUP, INC.
FOR THE NORTH STREET CULVERT REPLACEMENT PROJECT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, is considering the replacement of the North Street culvert over Corlett Creek; and

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

WHEREAS, Spicer Group, Inc. has been prequalified to perform such work and offers to perform work as described in the city's Request For Proposal for the North Street Culvert Replacement Project; and

WHEREAS, Spicer Group, Inc. offers to complete the Study and Report Phase of said project in return for compensation in an amount not to exceed \$11,000.00; 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 Spicer Group, Inc. to provide professional engineering services for the North Street Culvert Replacement Project: Study and Report Phase.
- 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 Spicer Group, Inc.
- THIRD: The Accounts Payable department is authorized to make payment up to the amount of \$11,000.00 to Spicer Group, Inc. upon successful completion of stated work.
- FOURTH: The above expenses shall be paid from the proceeds of the general fund bridge maintenance 203-473-818000.

Purchase Authorization – Laserfiche Web Portal. Waive competitive bidding requirements, authorize the purchase of Laserfiche Avante Web Portal software from General Code in the amount of \$10,055.00, and further authorize payment up to the contract amount upon satisfactory installation of the software as follows:

RESOLUTION NO. 83-2014

**RESOLUTION AUTHORIZING PURCHASE OF
LASERFICHE AVANTE WEB DISTRIBUTION PORTAL SOFTWARE
FROM GENERAL CODE**

WHEREAS, the City of Owosso, Shiawassee County, Michigan finds it necessary and advisable to purchase Laserfiche's Avante Web Distribution Portal software to provide employee access to the City's new electronic records database; and

WHEREAS, General Code is the regional provider of said software; and

WHEREAS, city ordinance section 2-345(1) provides for an exception to competitive bidding when the service, product or material contracted for is not competitive in nature; and

WHEREAS, this purchase is a budgeted item in the Clerk's Office budget, account numbers 101-215-978000 and 101-215-833000.

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 Laserfiche Avante Web Distribution Portal software from General Code at a cost not to exceed \$10,055.00.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached,
- THIRD: The above expenses are hereby authorized to be paid from the General Fund, account numbers 101-215-978000 and 101-215-833000, 50% upon purchase approval and 50% upon delivery and departmental verification of contract compliance.

Bid Award – Ferric Chloride. Accept low bid from PVS Technologies, Inc. for Ferric Chloride in the amount of \$.53 per pound of iron, with an estimated annual contract of \$38,160.00, and authorize payment based on the bid unit prices for actual quantities required for the fiscal year ending June 30, 2015 as follows:

RESOLUTION NO. 84-2014

**RESOLUTION AUTHORIZING THE EXECUTION
OF A PURCHASE ORDER FOR
FERRIC CHLORIDE FOR WATER TREATMENT FOR FY 2014/15
WITH PVS TECHNOLOGIES INC.**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, requires ferric chloride (iron) in bulk deliveries for use in treating municipal wastewater; and

WHEREAS, the City of Owosso sought bids for ferric chloride; a bid was received from PVS Technologies Inc.; and it is hereby determined that PVS Technologies Inc. is qualified to provide such product 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 purchase ferric chloride from PVS Technologies Inc. in the amount of \$0.53 per pound of iron for the city fiscal year 2014/2015 with an estimated total amount for the year of \$38,160.00.
- SECOND: The purchase agreement between the City and PVS Technologies Inc. shall be in the form of a City Purchase Order and bid documents.
- THIRD: The above expenses shall be paid from the Wastewater Fund following delivery.

Bid Award – Sodium Hypochlorite. Accept low bid from Jones Chemical, Inc. for bulk Sodium Hypochlorite in the amount of \$.69 per gallon plus \$85 per truck load for split delivery with an estimated annual contract of \$38,280.00 and authorize payment based on the bid unit prices for actual quantities required for the fiscal year ending June 30, 2015 as follows:

RESOLUTION NO. 85-2014

**RESOLUTION AUTHORIZING THE EXECUTION
OF A PURCHASE ORDER FOR
BULK CHLORINE SOLUTION FOR WATER TREATMENT
FOR FY 2014/15
WITH JONES CHEMICAL, INC.**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, requires sodium hypochlorite (chlorine solution) in bulk deliveries for use in treating municipal drinking water and wastewater; and

WHEREAS, the City of Owosso sought bids for bulk chlorine solution (sodium hypochlorite); a bid was received from Jones Chemical Inc.; and it is hereby determined that Jones Chemical Inc. is qualified to provide such product 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 purchase bulk chlorine solution from Jones Chemical Inc. in the amount of \$0.69 per gallon of solution plus \$85.00 per truckload for split delivery for the city fiscal year 2014/2015 with an estimated total amount for the year of \$38,280.00.
- SECOND: The purchase agreement between the City and Jones Chemical Inc. shall be in the form of a City Purchase Order and bid documents.
- THIRD: The above expenses shall be paid from the Water and Wastewater Funds following delivery.

Bid Award - Quicklime. Accept low bid from Graymont Western Lime Corporation for Quicklime in the amount of \$144.00 per ton, with an estimated annual contract of \$115,200.00 and authorize payment based on the bid unit prices for actual quantities required for the fiscal year ending June 30, 2015 as follows:

RESOLUTION NO. 86-2014

**RESOLUTION AUTHORIZING THE EXECUTION
OF A PURCHASE ORDER FOR
QUICKLIME FOR WATER TREATMENT
FOR FY 2014/15
WITH GRAYMONT WESTERN LIME CORPORATION**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, requires quicklime in bulk deliveries for use in treating municipal drinking water; and

WHEREAS, the City of Owosso sought bids for quicklime; a bid was received from Western Lime Corporation; and it is hereby determined that Graymont Western Lime Corporation is qualified to provide such product 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 purchase quicklime from Graymont Western Lime Corporation in the amount of \$144.00 per ton for the city fiscal year 2014/2015 with an estimated total amount for the year of \$115,200.00.

SECOND: The purchase agreement between the City and Western Lime Corporation shall be in the form of a City Purchase Order and bid documents.

THIRD: The above expenses shall be paid from the Water Fund following delivery.

Bid Award – Sale of Used Street Sweeper. Approve bid from Bell Equipment Company for the sale of one 2006 Elgin Street Sweeper in the amount of \$17,500.00 as follows:

RESOLUTION NO. 87-2014

**RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT
FOR THE SALE OF A USED 2006 ELGIN STREET SWEEPER
TO BELL EQUIPMENT COMPANY**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has established a purchasing cycle to maintain a healthy work vehicle fleet; and

WHEREAS, as part of this purchasing cycle older vehicles are retired and sold to the highest bidder; and

WHEREAS, the City of Owosso uses the MITN online auction service to sell this equipment at a processing fee of 5% of the bid; and

WHEREAS, a bid solicitation for said used equipment was advertised and a responsive bid was received from Bell Equipment Company. in the amount of \$17,500.00 for one (1) 2006 Elgin Street Sweeper.

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 sell the named equipment to the high bidder as detailed above.

SECOND: The mayor and city clerk are instructed and authorized to execute appropriate documents to complete the sale of this item.

Warrant No. 483. Authorize Warrant No. 483 as follows:

Vendor	Description	Fund	Amount
Logicalis, Inc	Network engineering support – May 2014	General	\$ 9,123.00
Mike & Son Asphalt Inc	Release of retainer from Jackson Dr sidewalk project	Streets	\$ 1,000.00
Brown & Stewart PC	Professional services – May 13, 2014 – June 9, 2014	General	\$ 8,876.95

Motion supported by Mayor Pro-Tem Eveleth.

Roll Call Vote.

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

NAYS: None.

Mayor Frederick thanked those citizens that continue to serve the City on boards and commissions.

ITEMS OF BUSINESS

2013-14 CITY BUDGET AMENDMENT

Finance Director Richard C. Williams presented the amended budget to the council.

Motion by Mayor Pro-Tem Eveleth to approve the following resolution amending the 2013-2014 budget incorporating adjustments made during the fiscal year:

RESOLUTION NO. 88-2014

RESOLUTION AMENDING 2013-14 BUDGET

WHEREAS, pursuant to Chapter 8, Section 5 of the Owosso City Charter and the Uniform Budgeting and Accounting Act, the City Council adopted on May 20, 2013 a budget for the fiscal year beginning on July 1, 2013; and

WHEREAS, the operating budget for fiscal year 2013-14 was adopted at the fund level, authorizing administrators managerial control of line item and activity level; and

WHEREAS, amendments made throughout the year by management and actions taken by City Council are hereby ratified, presented comprehensively, and incorporated with the original 2013-14 adopted budget for comparison and further presentment in the City's general purpose financial statements for which budget data is required.

NOW THEREFORE, BE IT RESOLVED, that the City Council has received the 2013-14 final amended budget documents attached hereto and made part hereof reflecting a balanced budget and authorizes the City Clerk to include in the official minutes.

Fund	Amended FY 13
General Fund	\$6,999,825
Major St. Fund	\$1,286,500
Local St. Fund	\$ 842,750
Downtown Façade Program	\$ 276,000
CDBG Revolving Fund	\$ 80,300
Housing Fund	\$ 77,750
Historical Commission	\$ 93,650
Debt Service Funds	\$ 143,625
Brownfield Redevelopment Funds	\$ 65,025
Downtown Development Authority	\$ 236,900
Capital Projects Funds	\$ 636,575

Motion supported by Councilperson Greenway.

Roll Call Vote.

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

NAYS: None.

JUNE 30TH EARLY MEETING TIME

Motion by Mayor Pro-Tem Eveleth to approve moving the start time of the June 30th meeting to 7:00 p.m. to provide adequate time for discussion of agenda items.

Motion supported by Councilperson Teich.

Roll Call Vote.

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

NAYS: None.

OSBURN LAKES DEVELOPMENT PRESENTATIONS

City Manager Crawford gave a brief history of the Osburn Lakes development noting that the City has been forced to invest more money in the development since the developer for the project ceased operating. He indicated that approximately 30 lots remain unsold in Phase I of the development and the carrying costs for those lots and the unimproved land to the south are about \$4,000 per year. He went on to say that the City tried to lower the price for the lots in an effort to move them but achieved no success. He said he had heard comments that the lots were too small and were not what homebuilders were looking for. Discussions with local realtors resulted in no offers to market the properties for commission alone.

Mr. Crawford then went on to discuss Phase II of the development saying the undeveloped land costs the City little to maintain and Council would have to determine how long it would be prudent to hold on to the property. He estimated it would cost \$1.5-\$2 million to improve Phase II to the point where homes could be built. Further he said that while the original concept was good he felt some consideration should be made for changing some of the Master Deed restrictions in both Phase I and Phase II if its developed.

Councilperson Teich asked City Manager Crawford to explain why the development was designated as a condominium development and what sort of restrictions that designation carries. Mr. Crawford explained that many new subdivisions include covenants like those found in Osburn Lakes. In this case the condominium designation allowed for the creation of an home owners association with broad authority to govern the properties within the development.

Osburn Lakes Home Owners Association Treasurer Fred Finnen and Secretary Bryan Smith then gave a PowerPoint presentation detailing the HOA's role in the development and providing recommendations for the future. They pointed out the property values in the development have not suffered to the same extent as other neighborhoods with the average home sale coming in multiple times higher than the county average. They felt this was due to the amenities and quality of the neighborhood, which the Homeowners' Association has a direct bearing. They also pointed out the HOA helps to self-regulate the neighborhood, promotes a sense of community and continuity within the neighborhood, and maintains all the common areas in the development.

The gentlemen went on to say that the HOA recommends the lot lines be enlarged in Phase II and the HOA boundaries extended to include Phase II to provide continuity and protect property values. Further they recommended the City partner with a development firm for Phase II and that a group of stakeholders in Phase I be included in any discussions regarding the details of Phase II.

Council discussion was then held to clarify details and answer questions. The conversation covered the following topics: whether property within a condo development was desirable, creating a Master Deed for Phase II, allowing larger lots and homes in Phase II, and the advantages and disadvantages of a home owners' association.

Proposed buyer Laura Birchmeier was given the opportunity to express her opinion on the discussion. She indicated she was frustrated with the conversation because the property she proposes to purchase is in an undeveloped area adjacent to Phase I and is not part of an official development. She indicated she was interested in the property precisely because it is not included in the HOA, yet is still in the City. The home she proposes to build will comply with the City's design standards and will be a very nice home. Mayor Frederick apologized to Ms. Birchmeier for the fact her purchase offer was getting pulled into the bigger issue of what to do with the undeveloped Phase II land.

Councilperson Fox thought building a new home on the property could spur new development.

Councilperson Teich inquired whether the property could be included in an HOA if one were to be formed at a later date. It was noted it could not.

PROPERTY SALE-TWENTY ONE DAY POSTING — 1120-1170 JUNIPER STREET

There was discussion regarding whether there was a limit on counter-offers for the property, the fact the property would be exempt from an HOA if the sale proceeds as proposed, placing conditions on the sale to require an HOA, changing the terms of the sale after the purchase agreement is posted, and the desire to continue moving forward for the sake of the purchasers while providing Council enough time to properly consider the terms of the deal.

Motion by Councilperson Fox to authorize twenty-one (21)day posting period for sale of city owned property located at 1120-1170 Juniper Street to Laura and Leonard Birchmeier in the amount of \$20,000.00, noting the covenants of the purchase agreement presented, as follows:

RESOLUTION NO. 89-2014

AUTHORIZING 21-DAY POSTING OF PURCHASE AGREEMENT FOR THE SALE OF CITY-OWNED PROPERTY AT 1120-1170 JUNIPER STREET

WHEREAS, the city owns an unsubdivided property in the city of Owosso, Caledonia Township, Shiawassee County, Michigan which the city acquired for the development of a subdivision; and

WHEREAS, the city wishes to develop the property into single family homes and is willing to sell parcels to purchasers who will build a dwelling upon the parcel; and

WHEREAS, Leonard and Laura Birchmeier approached the city offering to purchase a parcel generally as follows subject to a survey:

SEC 18, T7N, R3E, CITY OF OWOSSO, W 1/2 OF NE 1/4 AND W 1/2 OF E 1/2 OF NE 1/4 DESCRIBED AS BEGINNING AT A POINT THAT IS AT THE SOUTHWEST CORNER OF LOT 69 OF THE OSBURN LAKES RESIDENTIAL SITE CONDOMINIUM; THENCE SOUTH 239 FEET; THENCE EAST 125 FEET TO THE SOUTHWESTERLY CORNER OF LOT 63; THENCE NORTHERLY 239 FEET; THENCE WESTERLY 125 FEET TO THE POINT OF BEGINNING, CONTAINING .7078 ACRES, MORE OR LESS.

and

WHEREAS, the value of the land in question has been determined according to the city's property sale policy as modified; 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 July 21, 2014 for potential final disposition.

Motion supported by Councilperson Teich.

Roll Call Vote.

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

NAYS: None.

2014-15 WATER & SEWER RATES

Councilperson Fox indicated he had asked for this item to be pulled for discussion because he had a number of questions.

There was a back and forth discussion between Council and Utilities Director Gary M. Burk regarding how sewer fees are determined, if the age of the water lines prohibited the flushing of all the City's fire hydrants, and why the sewer charges are now higher than the water charges.

A significant discussion about infrastructure and funding for its replacement ensued. There was also discussion regarding the outcome of the smoke testing performed a couple of years ago, the status of the sanitary sewer overflow control program, storm water infiltration from outlying communities, and the recent changes in the landscape that have contributed to the current situation. Councilpersons Bandkau and Fox asked for more detailed information as to the fund reserves for water and sewer as well as more information regarding the replacement of utility infrastructure and its associated costs. Mr. Burk indicated he would be happy to sit down with both Councilperson s and answer their questions.

Motion by Councilperson Bandkau to approve the proposed water and sewer rates for the 2014-15 fiscal year as follows:

RESOLUTION NO. 90-2014

WATER AND SEWER RATE SCHEDULE FOR THE CITY FISCAL YEAR BEGINNING JULY 1, 2014

"Pursuant to Sections 34-248. Water Rates, and 34-249. Sewer Rates, of Article V, of Chapter 34, of the Owosso City Code, the City Council does hereby resolve that the following rate schedule for water and sewer service shall be in effect for the City fiscal year beginning July 1, 2014 and continuing thereafter until modified or replaced by further Council action. Bills issued with a nominal bill date of June 30, 2014 covering the quarter from April to June 2014 shall be billed under the previous rate schedule. All previous resolutions or parts thereof, insofar as the same may be in conflict herewith, are hereby repealed following the effective date of this schedule."

CITY OF OWOSSO WATER AND SEWER RATE SCHEDULE FOR THE CITY FISCAL YEAR BEGINNING JULY 1, 2014

I. QUARTERLY WATER AND SEWER RATES

In-town quarterly water service charges consist of: a demand charge based on water meter size (see table below), a capital charge dedicated for water main replacement, and a metered usage charge. One meter unit is equal to 100 cubic feet of water or about 750 gallons. Rates for retail out-of-town water service are double the in-town rate, except that the capital charge does not apply to out-of-town customers where the respective Township separately finances water main replacement. Twenty five percent of the out-of-town revenue is collected for and transferred to the respective Township for use in replacing and improving their water distribution system.

Quarterly sewer charges consist of a demand charge based on the water meter size (see table below) and a sewer usage charge based on metered water consumption. The City has no retail out-of-town sewer service.

Bills are issued on a quarterly basis and, if not paid by the due date as shown on the billing, a late payment charge of ten percent (10%) of the current amount due may be added for failure to make prompt payment.

QUARTERLY WATER SERVICE CHARGE:

In-town: In-town Water Usage Charge of \$1.70 per meter unit plus In-town Water Demand Charge plus Capital Charge from Table below.

Out-of-town: Out-of-town Water Usage Charge of \$3.40 per meter unit plus Out-of-town Water Demand Charge from Table below.

QUARTERLY SEWER SERVICE CHARGE:

Sewer Usage Charge of \$2.10 per unit plus Sewer Demand Charge from Table below.

For residential customers without metered water service, the quarterly sewer charge shall be \$76.40 per residential unit.

QUARTERLY DEMAND CHARGE TABLES

A. Potable Water & Sewer Service

Water Meter Size	Water Demand	Water Capital	Sewer Demand	Combined In-town	Water Only (Out-of-town)
5/8"	\$ 31.00	\$ 12.00	\$ 26.00	\$ 69.00	\$ 62.00
3/4"	\$ 46.50	\$ 18.00	\$ 39.00	\$ 103.50	\$ 93.00
1"	\$ 77.50	\$ 30.00	\$ 65.00	\$ 172.50	\$ 155.00
1.5"	\$ 155.00	\$ 60.00	\$ 130.00	\$ 345.00	\$ 301.00
2"	\$ 248.00	\$ 96.00	\$ 208.00	\$ 552.00	\$ 496.00
3"	\$ 465.00	\$ 180.00	\$ 390.00	\$ 1,035.00	\$ 930.00
4"	\$ 775.00	\$ 300.00	\$ 650.00	\$ 1,725.00	\$ 1,550.00
6"	\$ 1,550.00	\$ 600.00	\$ 1,300.00	\$ 3,450.00	\$ 3,100.00

For a residential user with a second 5/8" meter on a single service line for water only irrigation service, the user shall be charged a single water demand and capital charge equivalent to a 3/4" metered service on a year round basis.

The demand charge for multiple residential units served by a single water meter shall be based on actual meter size provided the meter meets the minimum size requirement per the following table:

<u>Number of Apartments</u>	<u>Minimum Meter Size</u>	5/8"
1 – 3	3/4"	
4 - 7	1"	
8 – 11	1 1/2"	
12 – 15	2"	
16 – 24	3"	
24 - 48	4"	
Over 48		

B. Fire Protection Service

<u>Sprinkler Service</u>	<u>Quarterly Water Charge</u>			
	<u>Riser Size</u>	<u>In-Town</u>		<u>Out-of-Town</u>
		<u>DEMAND</u>	<u>CAPITAL</u>	<u>DEMAND</u>
4 inch	\$ 46.50	\$ 18.00	\$ 93.00	
6 inch	\$ 77.50	\$ 30.00	\$ 155.00	
8 inch	\$ 155.00	\$ 60.00	\$ 310.00	
10 inch	\$ 248.00	\$ 96.00	\$ 496.00	

II. HYDRANT RENTAL CHARGES

Hydrants located outside the City of Owosso and private hydrants maintained by the City of Owosso shall be subject to an annual hydrant rental charge of \$150.

III. BULK WATER CHARGES

For users with an active city water service connection, bulk water delivered by the city from hydrants or other approved outlets for such purposes as pool filling, shall be charged at the standard metered usage rate given in Section I. above along with actual labor and equipment costs with a minimum charge of \$40.00.

Other bulk water sales, such as filling tank trucks, shall be charged at the rate of \$9.00 per thousand gallons with a \$45.00 minimum charge, which includes up to 5,000 gallons, if during the normal workday at an established city delivery point. After hours bulk water sales and/or sales at other than established city delivery points, shall be charged at the rate of \$9.00 per thousand gallons plus actual labor and equipment costs.

For customers who do not prepay a \$10 service charge shall apply for invoicing.

(Note: These charges do not apply to water supplied for fire fighting).

IV. INCREMENTAL WATER AND SEWER USAGE CHARGES FOR BILLING ADJUSTMENTS RELATED TO PLUMBING LEAKS

The incremental water and sewer usage charges shall be 50% of the normal usage charge. These incremental usage rates are for the purpose of making adjustments to significantly high bills attributable to plumbing leaks and may be applied in accordance with Guidelines separately approved by the Owosso City Council.

V. EXTRA STRENGTH WASTEWATER SURCHARGES

Extra strength wastewater surcharges shall apply to those users of the City wastewater treatment system approved for the discharge of extra strength wastewater in accordance with Section 34-170. of the Owosso City Code. The surcharge rate shall be applied to loadings in excess of the base or normal strength loading.

EXTRA STRENGTH WASTEWATER SURCHARGE SCHEDULE

<u>PARAMETER</u>	<u>BASE</u>	<u>SURCHARGE</u>
BOD-5	220 MG/L	\$0.11/pound in excess of base
TSS	300 MG/L	\$0.17/pound in excess of base
TP	10 MG/L	\$1.50/pound in excess of base
NH3-N	20 MG/L	\$0.80/pound in excess of base

(Note: BOD-5 = Biochemical Oxygen Demand; TSS = Total Suspended Solids; TP = Total Phosphorous; NH3-N = Ammonia Nitrogen; MG/L = Milligrams per Liter)."

Motion supported by Mayor Pro-Tem Eveleth.

Roll Call Vote.

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

NAYS: None.

EXECUTIVE SESSION

Motion by Mayor Pro-Tem Eveleth to authorize holding executive session after the last session of Citizen Comments and Questions for the purpose of discussing real property acquisition.

Motion supported by Councilperson Bandkau.

Roll Call Vote.

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

NAYS: None.

COMMUNICATIONS

- J. Parker, Historical Commission. Letter of resignation.
- Kevin D. Lenkart, Public Safety Director. May 2014 Police Report.
- Kevin D. Lenkart, Public Safety Director. May 2014 Fire Report.
- Downtown Development Authority/Main Street. Minutes of May 7, 2014.
- Historical Commission. Minutes of May 12, 2014.
- Zoning Board of Appeals. Minutes of May 20, 2014.
- Parks & Recreation Commission. Minutes of May 27, 2014.
- Planning Commission. Minutes of May 27, 2014.

CITIZEN COMMENTS AND QUESTIONS

Janae Fear, 1430 Jackson Drive, said she had moved to the Osburn Lakes subdivision specifically for the HOA. She said she had had a bad experience in another new building development that did not have an HOA. She asked Council to look at the decision as a long-term decision and encouraged them to consider keeping the HOA intact for the second part of the development.

Eddie Urban, 601 Glenwood Avenue, said that Utilities Director Gary Burk is very knowledgeable about water.

The Council recessed at 9:56 p.m.

MOVED TO EXECUTIVE SESSION AT 10:07 P.M.

RETURNED FROM EXECUTIVE SESSION AT 10:38 P.M.

APPROVAL OF THE MINUTES OF EXECUTIVE SESSION OF MAY 19, 2014

Motion by Mayor Pro-Tem Eveleth to approve the Minutes of the **REGULAR** Executive Session of June 2, 2014 as presented.

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

NEXT MEETING

Monday, June 30, 2014 – Work Session, 7:00 p.m.
Monday, July 07, 2014 – Regular Meeting, 7:30 p.m.

BOARDS AND COMMISSIONS OPENINGS

Historical Commission (2), terms expiring December 31, 2016

ADJOURNMENT

Motion by Mayor Pro-Tem Eveleth for adjournment at 10:40 p.m.

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

Benjamin R. Frederick, Mayor

Amy K. Kirkland, City Clerk