

OWOSSO CITY COUNCIL

FEBRUARY 22, 2011

7:30 P.M.

PRESIDING OFFICER: MAYOR BENJAMIN R. FREDERICK

OPENING PRAYER: MAJOR HENRY TEMPEL
SALVATION ARMY

PLEDGE OF ALLEGIANCE: LUCY AND ALEX POPOVITCH

PRESENT: Mayor Benjamin R. Frederick, Mayor Pro-Tem Cindy S. Popovitch, Councilpersons Thomas B. Cook, Michael J. Erfourth, Christopher T. Eveleth, Joni M. Forster, and Gary W. Martenis.

ABSENT: None.

APPROVE AGENDA

Motion by Councilperson Cook to approve the agenda as presented.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF FEBRUARY 7, 2011

Motion by Mayor Pro-Tem Popovitch to approve the Minutes of the Regular Meeting of February 7, 2011 as presented.

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

SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Tim Law, owner of the Rainbow Bar invited everyone to the Westtown Chili cook-off on Saturday from 3:00 p.m. to 6:00 p.m.

Michael Bruff, local realtor, 707 West King Street, commented on the proposed pricing structure for the Osburn Lakes subdivision. He asked that Council consider further reducing lot prices and make changes to the development agreement to waive the building requirement.

June Coon, rental property owner, 615 Ridgeview Drive, Corunna, listed her objections to the rental inspection program, including the cost and the intrusion into her life and that of her renters. She went on to say that she felt the City was targeting rental owners and she felt firefighters should not be performing the inspections.

Mayor Frederick responded to Mrs. Coon's comments saying he fully supported the rental inspection program, felt the \$25 registration fee was fair, and it was a good use of City resources in return for better housing conditions for local residents. There was discussion regarding the timing of inspections. It was noted inspections take place at the convenience of the tenant and landlord.

Councilperson Erfourth noted that his family owns rental property in Lansing and East Lansing and inspection fees range anywhere from \$300 to \$595 per unit. He also noted the City's inspection program is targeted at basic hazards and is not overly burdensome.

Councilperson Cook indicated he appreciated Mrs. Coon's feedback on the inspection program and asked for her suggestions as to how landlords and the City could work together to improve the quality of housing in the City.

CITY MANAGER REPORT

City Manager Crawford detailed the monthly status report.

There was a brief discussion regarding potential changes to the water and sewer agreements with the City of Corunna. Mr. Crawford indicated Corunna had received a grant from the federal government but their receipt of those funds hinged on whether the City would be willing to make changes to the water and sewer agreements with them. The topic will be fully addressed at the March 7th meeting.

There was further discussion regarding the clean-up after the recent snow storm.

Lastly there was a discussion about the Governor's proposed budget and how it may affect the City. It was noted there were a number of proposals that could potentially affect the City but how and to what extent is not known at this time. A clearer picture will emerge as the Legislature begins negotiations on the budget and details of the various proposals come out.

CONSENT AGENDA

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

Grant Agreement Authorization. Authorize resolution approving the execution of an agreement for an Assistance to Firefighters Grant for emergency medical equipment, firefighting equipment and personnel as follows:

RESOLUTION NO. 36-2011

**AUTHORIZING THE ACCEPTANCE OF
ASSISTANCE TO FIREFIGHTER GRANT AWARD**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has a fire department requiring the use of emergency medical equipment, firefighting equipment and personnel;

WHEREAS, the city of Owosso received an assistance to firefighters grant (AFG) award in the amount of \$63,624.00 for emergency medical equipment; \$33,600.00 for firefighting equipment; \$3,000.00 for training; and \$3,000.00 for training instructors; and

WHEREAS, the city of Owosso local match is 5% or \$5,161.00;

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 and in the public interest to accept the AFG grant in the amount of \$98,063.00.
- SECOND: The city of Owosso authorizes \$5,161.00 to supplement the AFG Grant.
- THIRD: The above expenses shall be paid from the fire division capital outlay fund 101-335-978000.
- FOURTH: The proper city officials shall be authorized to sign the attached agreement.

Payment Authorization. Authorize Progress Payment No. 4 to the Michigan Department of Transportation for the City's share of work completed on the Washington Street Streetscape in the amount of \$88,013.01 as follows:

RESOLUTION NO. 37-2011

**AUTHORIZING PAYMENT TO
THE MICHIGAN DEPARTMENT OF TRANSPORTATION
FOR WORK COMPLETED ON
THE WASHINGTON STREET STREETSCAPE PROJECT**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has received a Michigan Department of Transportation Enhancement Grant and Federal stimulus money; and

WHEREAS, using these funds in concert with monies from the Main Street Bond Fund the City undertaken a project to refurbish the downtown landscape, replacing deteriorated infrastructure and creating a pedestrian friendly and welcoming atmosphere for the downtown; and

WHEREAS, a portion of the work on this project has been completed and is now eligible for payment; and

WHEREAS, the Michigan Department of Transportation has requested reimbursement for the City's share of the work completed to date.

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 reimburse the Michigan Department of Transportation for eligible funds spent in the course of reconstructing the downtown landscape.
- SECOND: The accounts payable department is authorized to submit payment to the

Michigan Department of Transportation in the amount of \$88,013.01 as detailed on the attached Payment Request #4 as authorized by Council on February 22, 2011.

THIRD: The above expenses shall be paid from the Main Street Bond Fund.

Warrant No. 418. Accept Warrant No. 418 as follows:

Vendor	Description	Fund	Amount
Brown & Stewart, PC	Professional Services January 11, 2011 – February 11, 2011	General	\$9,311.64
Netarx, LLC	Network Engineering Support January 2011	General	\$7,854.00
Johnson Controls, Inc	Planned Service Agreement February 1, 2011 – July 31, 2011	General/Historical	\$10,972.99

Check Register. Receive and approve the Check Register for January 2011.

Revenue & Expenditure Report. Accept the January 2011 Revenue & Expenditure Report.

Motion supported by Councilperson Martenis.

Roll Call Vote.

AYES: Councilpersons Martenis, Forster, Cook, Mayor Pro-Tem Popovitch, Councilpersons Erfourth, Eveleth, and Mayor Frederick.

NAYS: None.

ITEMS OF BUSINESS

FARMERS MARKET ESTABLISHMENT

There was a lengthy discussion regarding how the two organizations that originally proposed to hold a market felt about the plan, whether the DDA was a good fit for the administration of the market, and ensuring the market will be able to begin as planned in light of the preparations that need to be made. It was noted the proposal would be to hold the market one last year in the Armory Parking lot and use the existing rules and regulations, with minor changes, in order to accommodate the opening of the market as well as the concerns of the vendors involved in the original market. City Attorney Brown strongly suggested any organization that is formed as result of this discussion seek formal organization prior to the start of the market.

A motion was made by Councilperson Eveleth and seconded by Councilperson Cook to authorize the resolution establishing the market as presented, with the addition of the closure of the Armory Parking Lot.

Friendly amendments were made to include a contingency for the submission of rules and regulations as well as a request for a status report by the March 21st meeting to ensure the effort remains cohesive and headed in the proper direction.

The final motion, originally made by Councilperson Eveleth, reads as follows: Motion to authorize the following resolution establishing a farmers market administrated by Owosso Main Street/Downtown Development Authority, authorizing Traffic Control Order No. 1248 for the closure of the Armory Parking Lot and Exchange Street from Water Street to Park Street from 6:00 a.m. to 5:00 p.m. on Saturdays from May through October 2011 contingent upon the submission of rules and regulations, and directing staff to submit a status report on the progress of the proposal no later than March 21st.

RESOLUTION NO. 38-2011

APPROVING TRAFFIC CONTROL ORDER GRANTING PERMISSION TO THE OWOSSO DOWNTOWN DEVELOPMENT AUTHORITY FOR USE OF EXCHANGE STREET BETWEEN PARK AND WATER STREETS FOR EVENTS ON SATURDAYS

WHEREAS, the city of Owosso has jurisdiction over streets, alleys, sidewalks and parklands within the city of Owosso and has the responsibility to provide police, emergency medical and other services for the welfare of the residents;

WHEREAS, the Owosso Downtown Development Authority is planning events on Saturdays from 6:00 a.m. to 5:00 p.m. on each Saturday during the months of May through October 2011, including a farmer's market;

WHEREAS, to make the events successful, it will be necessary to use Exchange Street between Park and Water Streets as well as the Armory Parking Lot; and

WHEREAS, the events will require city police and emergency medical services;

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

- FIRST: The city of Owosso approves a traffic control order granting permission to the Owosso Downtown Development Authority for events on Saturdays from 6:00 a.m. to 5:00 p.m. on each Saturday during the months of May through October 2011, as formalized in Traffic Control Order No. 1248;
- SECOND: The Owosso Downtown Development Authority shall be responsible for setup, tear down, cleanup, sanitation, parking, barricades, and event oversight.
- THIRD: This authorization is contingent upon the receipt of rules and regulations.
- FOURTH: A status report on the project must be received no later than March 21st.

Motion supported by Councilperson Cook.

Roll Call Vote.

AYES: Councilpersons Cook, Eveleth, Erfourth, Mayor Pro-Tem Popovitch, Councilpersons Martenis, Forster, and Mayor Frederick.

NAYS: None.

RECESSED AT 9:30 P.M.

RETURNED AT 9:45 P.M.

OSBURN LAKES LOT PRICING

There was discussion regarding the comfort level with the proposed pricing, consulting the homeowners association prior to considering any changes in the building requirements/restrictions, and the economic conditions that have spurred the need to discuss changes.

It was further noted the Master Deed for the project would need to be amended in order to change any of the building requirements/restrictions.

Motion by Councilperson Cook to authorize the following resolution establishing an adjusted pricing table for the unsold lots in the Osburn Lakes subdivision.

RESOLUTION NO. 39-2011

**ESTABLISHING SALE PRICES
FOR LOTS IN THE OSBURN LAKES SUBDIVISION**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, previously determined that it was advisable, necessary and in the public interest to develop the Osburn Lakes Subdivision;

WHEREAS, the city of Owosso retains ownership of 30 lots which the city intends to sell;

WHEREAS, the development agreement provided a price schedule designed to allow the city to recoup development costs and other provisions pertaining to the sale of each lot; and

WHEREAS, the prices established are no longer reasonable in today's market following the real estate market collapse, a new schedule has been proposed;

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 establish the sale price of lots in the Osburn Lakes Subdivision as follows:

Area	Description	Lots	Initial price	New price*
A	60 foot frontage lots with 120-130' depth	16	\$14,600	\$10,040

B-1	Small corner lots and 68 and 69	5	\$15,310	\$10,525
B-2	Large corner lots	5	\$16,100	\$11,070
C-1	Small privacy lots north side of Jackson Drive	8	\$17,500	\$12,030
C-2	Larger privacy lots north side of Jackson Drive	6	\$19,400	\$13,340
D	Walk-out lots/small lots	6	\$22,700	\$15,600
E	Walk-out large privacy lots	11	\$23,250	\$15,980
F	Large basement window	14	\$24,000	\$16,500
G	Walk-out large lots	12	\$25,500	\$17,530

*if sidewalks were installed prior to sale the cost of installation will be added to the price of the lot

SECOND: the city of Owosso will maintain all other sale conditions including but not limited to those requiring that construction begin within one year and that lots shall not be combined;

Motion supported by Councilperson Martenis.

Roll Call Vote.

AYES: Councilperson Forster, Mayor Pro-Tem Popovitch, Councilpersons Martenis, Cook, and Mayor Frederick.

NAYS: Councilpersons Eveleth and Erfourth.

COMMUNICATIONS

Richard C. Williams, Finance Director. Deposits and Investments Position in light of QE2.
Gary Palmer, Building Official. January 2011 Building Department Report.
Gary Palmer, Building Official. January 2011 Code Violations Report.
Michael T. Compeau, Public Safety Director. January 2011 Police Department Report.
Michael T. Compeau, Public Safety Director. January 2011 Fire Department Report.
Owosso Planning Commission. Minutes of Meeting of January 24, 2011.
Parks & Recreation Commission. Minutes of Meeting of January 24, 2011.

CITIZEN COMMENTS AND QUESTIONS

Michael Bruff, 707 West King Street, clarified the difference between removing the building requirement and combining lots in the Osburn Lakes subdivision. He explained his client seeks only to purchase an adjoining lot for a larger yard.

Mayor Pro-Tem Popovitch indicated she really appreciated the status report that the City Manager puts together each month.

NEXT MEETING

Monday, March 7, 2011

BOARDS AND COMMISSIONS OPENINGS

Cable Access Advisory Commission, term expires 06-30-2011

ADJOURNMENT

Motion by Councilperson Erfourth for adjournment at 10:17 p.m.

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

Benjamin R. Frederick, Mayor

Amy K. Kirkland, City Clerk