

OWOSSO CITY COUNCIL

OCTOBER 3, 2011

7:30 P.M.

PRESIDING OFFICER: MAYOR BENJAMIN R. FREDERICK
OPENING PRAYER: PASTOR RODGER DEVORE
FIRST CHURCH OF THE NAZARENE
PLEDGE OF ALLEGIANCE: PAUL HEIMNICK
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 with the following changes:

Move Consent 11. Bid Award to Item of Business 3.
Add Consent Item Set Public Hearing – Industrial Facilities Exemption.
Add Item of Business 2. Grant Acceptance.
Add Item of Business 4. Executive Session.

Motion supported by Councilperson Eveleth.

Voice Vote.

6 ayes, 1 nay. Motion passes.

APPROVAL OF THE MINUTES OF REGULAR MEETING OF SEPTEMBER 19, 2011

Motion by Councilperson Eveleth to approve the Minutes of the Regular Meeting of September 19, 2011 as presented.

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

SPECIAL PRESENTATIONS

AMOS GOULD OUTSTANDING CITIZEN AWARD

Mayor Frederick presented the 1st annual Amos Gould Outstanding Citizen Award for 2010 to Lorraine Weckwert for all of her efforts improve the community throughout the years, including her work with the schools, Owosso Community Players, Owosso Friends and Neighbors and in the downtown.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Gordon Pennington, 417 East Oliver Street, thanked the Council for their efforts to improve the City. He said he felt Owosso was on the rise.

Councilperson Cook commended Mrs. Weckwert for her work in the community and her selection as the City's Outstanding Citizen for 2010. He also announced two meetings that will be held this week: a sub-regional planning meeting on Wednesday at 8:30 a.m. at the Readiness Center in Corunna and a meeting of the Friends of the Shiawassee River to discuss the future of the three dams in town on Thursday at 6:00 p.m. in City Hall. Lastly he announced the launch of Common Place in Owosso. Common Place is a website that serves as a platform to encourage communication among neighbors and community members.

CITY MANAGER REPORT

City Manager Crawford announced the receipt of three grants: the COPS grant for the employment of a police officer for a period of 3 years valued at \$207,000, a grant for the purchase of 30 trees from Consumers Energy, and a grant for LED lighting in the downtown valued at \$40,000.

CONSENT AGENDA

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

Set Public Hearing-Obsolete Property Rehabilitation Exemption. Set a Public Hearing for October 17, 2011 to receive citizen comments regarding application from John Hankerd for an Obsolete Property Rehabilitation Exemption Certificate for the property at 116 West Exchange Street as follows:

RESOLUTION NO. 153-2011

**SETTING PUBLIC HEARING TO CONSIDER APPLICATION FOR AN
OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE
JOHN HANKERD OF HANKERD SPORTSWEAR – 116 W. EXCHANGE STREET DESCRIBED
AS:
W 1/3 OF LOT 7 BLK 15 (EX N 12') ORIGINAL PLAT**

WHEREAS, the City of Owosso received application for an Obsolete Property Rehabilitation Exemption Certificate on September 20 2011; and

WHEREAS, the City of Owosso approved a request to establish a Obsolete Property Rehabilitation District, on September 20, 2010, described as W 1/3 OF LOT 7 BLK 15 (EX N 12') ORIGINAL PLAT; and

WHEREAS, it must be determined that approval of the Obsolete Property Rehabilitation Certificate would be beneficial to the city of Owosso, as well as local and regional economy;

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

FIRST: the Owosso City Council sets public hearing for October 17, 2011 on or about 7:30 p.m. in the council chambers for the purpose of hearing comments for those within the district, and any other resident or taxpayer, of the city of Owosso; and

SECOND: the city clerk gives the notifications as required by law; and

THIRD: the city staff is directed to investigate and determine if the qualifications of the act are satisfied and report findings at the hearing.

Set Public Hearing-Industrial Facilities Exemption Certificate. (Added to the agenda.) Set a Public Hearing for October 17, 2011 to receive citizen comment regarding the application from Ruess Winchester, Inc. for an Industrial Facilities Exemption Certificate for the property at 705 McMillan Avenue.

RESOLUTION NO. 154-2011

**SETTING PUBLIC HEARING TO CONSIDER APPLICATION FOR
AN INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE
RUESS WINCHESTER, INC.
705 MCMILLAN AVENUE**

WHEREAS, a tax abatement application was received September 30, 2011 from Ruess Winchester, Inc. per the City of Owosso Tax Abatement Policy of June 7, 2010; and

WHEREAS, application was also received September 30, 2011, from Ruess Winchester, Inc. for an Industrial Facilities Tax Exemption Certificate for real and personal property; and

WHEREAS, an Industrial Development District was established March 19, 1979 for property described as:

BLOCKS 8 & 9 ALSO BEG SW COR LOT 1, BLK 11 TH N 03*39', E 366.24', TH S 62*27', E 556.27' TH S 01*05', W 118.70' TH W TO POB INCLUDING VACATED ABREY AVE. & ALLEYS ADJACENT AND WITHIN SAID BLOCKS. GEO. T. ABREY'S WOODLAWN PARK ADDN.; and

WHEREAS, the Industrial Facilities Tax Exemption certificate, being part of Act 198 of 1974, is available to the city of Owosso; and

WHEREAS, city of Owosso is qualified local governmental unit and permits the city of Owosso to grant an Industrial Facilities Tax Exemption Certificate; and

WHEREAS, it was determined by city staff that the Industrial Facilities Exemption Certificate is within the guidelines of the City of Owosso Tax Abatement Policy of June 7, 2010; and

WHEREAS, notification will be sent to all taxing jurisdictions per the City of Owosso Tax Abatement Policy of June 7, 2010; and

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

FIRST: the Owosso City Council sets a public hearing for October 17, 2011 on or about 7:30 p.m. in the council chambers for the purpose hearing comments for those within the proposed district, governmental taxing jurisdictions and any other resident or taxpayer, of the city of Owosso; and

SECOND: the city clerk gives the notifications as required by law.

COPS Grant Acceptance. Accept award of a COPS Grant covering the wages and benefits for one police for a period of 36 months as follows:

RESOLUTION NO. 155-2011

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR THE HIRING OF ONE POLICE OFFICER UTILIZING U. S. DEPARTMENT OF JUSTICE COPS GRANT

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has a public safety department requiring police officers; and

WHEREAS, the City of Owosso submitted a grant application to U. S. Department of Justice seeking funding for additional officers to assist in the implementation of a community policing program; and

WHEREAS, as a result of the application the U. S. Department of Justice has awarded the City with a COPS grant, providing funding for wages and benefits for one police officer for a three year period;

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 enter into an agreement with U. S. Department of Justice for the hiring of one police officer for community policing.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Agreement between the City of Owosso, Michigan and U. S. Department of Justice.

THIRD: The above expenses shall be paid from the Police Division line item 101-300-702.100 with reimbursement from the U. S. Department of Justice in the amount of \$207,434.00 for the first 36-months of employment.

FOURTH: The City of Owosso agrees to retain the officer for a minimum of 12-months following the 36-month federal funding period.

Boards and Commissions Appointments. Approved the following Mayoral boards and commissions appointment:

Name	Board/Commission	Term Expires
Lance Omer	Downtown Development Authority/Main Street	06-30-2013

Change Order. Approve change to the purchase order with Perrin Construction Co. for additional miscellaneous curb replacement in the amount of \$1,047.70 as follows:

RESOLUTION NO. 156-2011

AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT WITH PERRIN CONSTRUCTION CO. FOR WORK RELATED TO THE 2011 MISC. CURB AND GUTTER PROJECT

WHEREAS, the city of Owosso, Shiawassee County, Michigan, entered into an agreement with Perrin Construction Co. for the 2011 Misc. Curb and Gutter Program,

WHEREAS, the scope of the original project was increased slightly to take advantage of the low unit prices; and

WHEREAS, this change in scope is accounted for in Change Order No.1 in the amount of \$1,047.70.

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 pay Perrin Construction Co for the additional curb and gutter replacement costs as shown in Change Order No. 1.
- SECOND: The accounts payable department is authorized increase the purchase order for the 2011 Misc. Curb Gutter Project by the amount of \$1047.70 as listed in change order no. 1.
- THIRD: The above expenses shall be paid from the Local and Major Street Funds.

Payment Authorization. Authorize Payment to Perrin Construction Co. for work completed on the 2011 Miscellaneous Curb Replacement Program in the amount of \$11,907.70 as follows:

RESOLUTION NO. 157-2011
AUTHORIZING FINAL PAYMENT TO
PERRIN CONSTRUCTION CO.
FOR WORK RELATED TO
THE 2011 MISC. CURB AND GUTTER PROJECT

WHEREAS, the city of Owosso, Shiawassee County, Michigan, entered into an agreement with Perrin Construction Co. for the 2011 Misc. Curb and Gutter Program,

WHEREAS, the work on this project has been completed and the amount of work has been agreed to and approved by the Engineer in the amount of \$11,907.70.

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 pay Perrin Construction Co for the work completed and approved by the Engineer.
- SECOND: The accounts payable department is authorized to submit payment to Perrin Construction Co. in the amount of \$11,907.70
- THIRD: The above expenses shall be paid from the Local and Major Street Funds.

Repair Authorization. Authorize the overhaul of the in-line sludge grinder at the Waste Water Treatment Plant utilizing the Cutter Cartridge Exchange Program from JWC Environmental at a cost not to exceed \$8,190.00 as follows:

RESOLUTION NO. 158-2011
RESOLUTION AUTHORIZING THE EXECUTION
OF A PURCHASE ORDER FOR
SLUDGE GRINDER CUTTER CARTRIDGE EXCHANGE
FOR THE WASTEWATER TREATMENT PLANT
WITH JWC ENVIRONMENTAL

WHEREAS, the City of Owosso, Shiawassee County, Michigan, requires refurbishing of the Muffin Monster sludge grinder at its Wastewater Treatment Plant; and

WHEREAS, JWC Environmental is the original equipment supplier and sole source for the necessary equipment refurbishing; a quotation was received from JWC for a Cutter Cartridge Exchange as the most cost-effective means to refurbish the equipment while minimizing downtime; and it is hereby determined that JWC Environmental is qualified to provide such product;

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 refurbish the equipment through the Cutter Cartridge Exchange program from JWC Environmental in the amount of \$8,190. less refund of the core deposit.
- SECOND: The purchase agreement between the City and JWC Environmental shall be in the form of a City Purchase Order.

THIRD: The above expenses shall be paid from the Wastewater Fund.

Payment Authorization. Authorize payment to Airport Lighting, LLC for the installation of an emergency generator at the Public Safety Building in the amount of \$36,900.00 (with reimbursement from a grant from Shiawassee Emergency Management and Homeland Security) as follows:

RESOLUTION NO. 159-2011

**AUTHORIZING THE EXECUTION OF A CONTRACT FOR
AN EMERGENCY GENERATOR
WITH AIRPORT LIGHTING LLC**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has public safety department requiring a Generator in the event of a power loss; and

WHEREAS, the City of Owosso solicited sealed 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 theretofore determined that it is advisable, necessary and in the public interest to enter into a contract with Jr. Howell for the purchase and installation of a Generator.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Contract for Services between the City of Owosso, Michigan and Airport Lighting LLC.
- THIRD: The above expenses shall be paid from the Police Division line item 101-300-978.000 and Fire Division line item 101-335-978.000 with reimbursement from the Shiawassee County Emergency Management and Homeland Security.
- FOURTH: Authorize Payment to Airport Light LCC in the amount of \$36,900.00.

Purchase Authorization. Waive bid irregularities and authorized the purchase of salt for the 2011-2012 winter salt supply through the State of Michigan Road Salt Contract with Morton Salt for 1,800 tons of salt at \$54.39 per ton and approve payment up to the contract amount as follows:

RESOLUTION NO. 160-2011

**RESOLUTION AUTHORIZING THE EXECUTION OF
A PURCHASE ORDER WITH
MORTON SALT, INC.
FOR THE WINTER SUPPLY OF ROAD SALT**

WHEREAS, the City of Owosso has a duty to keep its streets safe during the winter months;

WHEREAS, the most efficient way to remove ice from the streets is the application of road salt to the icy pavements

WHEREAS, it is in the best interest of the City of Owosso to utilize the state wide purchasing contract for purchasing road salt, and MORTON SALT, INC is the low bidder for this contract at \$54.39 per ton of salt.

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 1800 tons of road salt from MORTON SALT, INC.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit A, Contract for Purchase Between the City of Owosso, Michigan and Morton Salt, Inc. in the amount of \$97,902.00.
- THIRD: The above expenses shall be paid from the Local and Major Street Fund.

Motion supported by Councilperson Erfourth.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

CITY MANAGER GOALS

City Manager Crawford distributed a list of goals he developed based on the feedback Council submitted to the HR Director. The list included 6 areas of concentration with 2-5 specific goals under each heading. There was discussion regarding how to make the City Manager accountable for the agreed upon goals, concern there may be too many goals, and concern that an overload of goals could create excessive pressure on staff in an effort to achieve those goals.

The Council asked the City Manager to develop measures and timelines for the goals he presented for discussion during the October 17th meeting.

TREE GRANT ACCEPTANCE (This item was added to the agenda)

Motion by Councilperson Eveleth to accept the grant award from Consumers Energy for 30 trees for City parks and right-of ways as follows.

RESOLUTION NO. 161-2011

TO APPROVE CONSUMER'S ENERGY TREE PLANTING GRANT AGREEMENT

WHEREAS, the City of Owosso wants to continue to promote city beautification through the planting of trees;

WHEREAS, Consumer's Energy has awarded the City a \$3,000 grant to plant trees in city right-of-ways and parks,

WHEREAS, the City Council finds it in the best interest of the City to participate in the Consumer's Energy Tree Planting grant program;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Owosso, Shiawassee County, Michigan that the mayor and city clerk be authorized to sign the grant agreement form as attached.

Motion supported by Councilperson Martenis.

Roll Call Vote.

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

NAYS: None.

BID AWARD – POLICE VEHICLE

There was significant discussion whether local dealerships were allowed to bid on the item. It was noted that bids were open to all participants in the past but the City had consistently gone with the State bid because of the cost savings. There was also discussion regarding whether the City could save money by purchasing police cars and having the equipment installed locally.

Motion by Councilperson Martenis to waive bid irregularities and authorize bid award to Shaheen Chevrolet, Inc. for one Chevrolet Impala police vehicle in the amount of \$20,982.00 based on the State of Michigan Cooperative Contract.

Motion supported by Councilperson Eveleth.

Roll Call Vote.

AYES: Councilpersons Eveleth and Martenis.

NAYS: Councilpersons Cook, Forster, Erfourth, Mayor Pro-Tem Popovitch, and Mayor Frederick.

Motion fails for lack of affirmative votes.

Council directed staff to send the item out for bid.

EXECUTIVE SESSION

Motion by Councilperson Cook to approve holding executive session at the conclusion of regular business for the purpose of discussing labor negotiations and a written opinion of the City Attorney (continued).

Motion supported by Councilperson Erfourth.

Roll Call Vote.

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

NAYS: None.

COMMUNICATIONS

Michael T. Compeau, Public Safety Director. Emergency Services Activities outside the City.

Michael T. Compeau, Public Safety Director. Prescription Drug Give-Back Day.

Owosso Main Street/Downtown Development Authority. Minutes of Meeting of September 7, 2011.

Owosso Historical Commission. Minutes of the Meeting of September 20, 2011.

Owosso Parks & Recreation Commission. Minutes of the Meeting of September 26, 2011.

CITIZEN COMMENTS AND QUESTIONS

Burton Fox, 216 East Oliver Street, inquired about the cost of the paint on police vehicles. He noted that he would rather pay more for a vehicle and purchase locally rather than pay a lower price to an out of town dealer.

Councilperson Cook asked for an update on the Main Street Manager hiring process. It was noted the committee will be forming a short list of applicants for interviews this Friday.

RECESSED TO EXECUTIVE SESSION AT 8:39 P.M.

RETURNED FROM EXECUTIVE SESSION AT 9:35 P.M.

APPROVE SEPTEMBER 19, 2011 EXECUTIVE SESSION MINUTES

Motion by Councilperson Eveleth to approve the September 19, 2011 Executive Session Minutes, specifically noting the presentation of the written opinion by City Attorney Brown.

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

NEXT MEETING

October 17, 2011

BOARDS AND COMMISSIONS OPENINGS

Historical Commission, term expires 12-31-2011

ADJOURNMENT

Motion by Councilperson Eveleth for adjournment at 9:36 p.m.

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

Benjamin R. Frederick, Mayor

Amy K. Kirkland, City Clerk