

**OWOSSO CITY COUNCIL**

**AUGUST 20, 2012**

**7:30 P.M.**

**PRESIDING OFFICER:** MAYOR BENJAMIN R. FREDERICK

**OPENING PRAYER:** PASTOR CAL EMERSON  
NORTHGATE WESLEYAN

**PLEDGE OF ALLEGIANCE:** MARSHA LADD  
OUTGOING PARKS & RECREATION COMMISSIONER

**PRESENT:** Mayor Benjamin R. Frederick, Mayor Pro-Tem Cindy S. Popovitch, Councilpersons Loreen F. Bailey, Michael J. Erfourth, Christopher T. Eveleth and Burton D. Fox.

**ABSENT:** Councilperson Thomas B. Cook.

**APPROVE AGENDA**

Motion by Mayor Pro Tem Popovitch to approve the agenda with the following change:

Move Consent Item 15. Warrant to Item of Business 4.

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

**APPROVAL OF THE MINUTES OF REGULAR MEETING OF JULY 30, 2012**

Motion by Councilperson Eveleth to approve the Minutes of the Regular Meeting of July 30, 2012 as presented.

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

**APPROVAL OF THE MINUTES OF REGULAR MEETING OF AUGUST 6, 2012**

Motion by Councilperson Erfourth to approve the Minutes of the Regular Meeting of August 6, 2012 as presented.

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

**PROCLAMATIONS / SPECIAL PRESENTATIONS**

**PROCLAMATION OF APPRECIATION – MARSHA LADD**

Mayor Frederick presented the following Proclamation of Appreciation to Marsha Ladd for her work on the Parks & Recreation Commission.

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

**MARSHA K. LADD**

WHEREAS, Marsha Ladd has served as a member of the City of Owosso Parks & Recreation Commission for the past 4 years, serving as its Chair for 3 of those years; and

WHEREAS, Marsha has demonstrated a dedication to the youth of the community in all facets of her life through her service on the Commission and her career as an elementary school teacher; and

WHEREAS, throughout her service on the Commission Marsha has been a tenacious advocate for improving the park system in the City of Owosso; and

WHEREAS, she dreamed big and proposed the purchase of a new playscape for Bentley Park; and

WHEREAS, after 3 years of careful planning and hard fought fundraising Marsha and her colleagues on the Parks & Recreation Commission made that dream come to fruition with the installation of a brand new 3 piece playscape in Bentley Park; and

WHEREAS, it is the intent of this Office that her exemplary service to the community be recognized.

NOW, THEREFORE, BE IT PROCLAIMED, that I, Benjamin R. Frederick, Mayor of the City of Owosso, on behalf of the citizens of Owosso, hereby recognize Marsha Ladd for her years of contribution and service to the community through her service on the Parks & Recreation Commission.

Proclaimed this 20<sup>th</sup> day of August, 2012.

### **CHAIR AUCTION DONATION**

Downtown Owosso Farmers Market Master Tracey Peltier and local business owner Sue Treen presented a \$3,000 check of proceeds from the recent Chair Fair auction to Retta Parsons of the local United Way food bank.

Ms. Parsons thanked Ms. Peltier and Ms. Treen along with the Council, the Downtown Farmers Market and downtown business owners for their efforts in raising money to benefit local families. She spoke of the residual effects of growing up poor and thanked everyone for working to make a difference in the community.

### **PUBLIC HEARINGS**

None.

### **CITIZEN COMMENTS AND QUESTIONS**

David Acton, business owner at 317 South Elm Street, gave an update on the progress with the splash pad donation saying the kit for the pad had been received, a tentative location had been chosen, and maintenance costs had been solidified. Further review of the proposal will be undertaken by the MDEQ prior to Council consideration.

Eddie Urban, 601 Glenwood Avenue, spoke about paying his water bill in advance and how the credit was shown on his bill.

Mayor Frederick noted that the City had been suffering from some troubling petty crimes lately, such as the destruction of 2 small sapling trees on public property. He encouraged everyone to keep an eye out for those that might be perpetrating such crimes.

Councilperson Eveleth thanked local business owner Sue Treen for her personal donation of the metal honey bee sculpture on the corner of Ball and Exchange Streets and asked that Council formally acknowledge the donation.

Mayor Pro-Tem Popovitch thanked the Market Master and those that assisted in the Chair Fair and other ongoing efforts with the Farmers Market. She went on to ask what could be done about weeds growing up through cracks in the street.

Councilperson Fox distributed copies of minutes from a 2008 meeting of the 911 Board and highlighted his recent conversation with Lt. Payne of Central Dispatch. He indicated she would be willing to come to the next Council meeting to answer any questions members might have about the operations of Central Dispatch. He went on to address another matter regarding a late water bill saying citizens should have a 10 day grace period prior to the application of any late fee. Lastly he asked who is responsible for maintaining items that have been donated to the City.

### **CITY MANAGER REPORT**

City Manager Crawford recalled numerous recent discussions regarding the signs marking the entrances to the City and their need for refurbishment. He suggested using the proposed design for wayfinding signs as the model for the creation of new entrance signs. He went on to say the design of the wayfinding signs offered flexibilities that could be capitalized upon to keep the entrances looking fresh. He noted a number of items that would need to be researched and properly executed prior to replacement of the signs including legal agreements with property owners and right of way permits.

Next he noted the bids had come in for the 2012 Street Paving Program and it was anticipated the award would come at the September 4<sup>th</sup> meeting after the public hearings regarding the special assessments. He also noted there may be some changes to the projects as listed because there was some question as to the condition of the base under some of the streets in the program. He said staff would be meeting with the proposed awardee to discuss details and prepare them to start work the day after the contract is approved.

There was a brief discussion regarding establishing a grace period for water billing and the ongoing problem with late payments.

Mayor Pro-Tem Popovitch suggested a contest be held to design the graphics for the new entry signs.

Councilperson Fox said he would like to see proper signage identifying City parks as well.

**CONSENT AGENDA**

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

Traffic Control Order No. 1173 – Amendment. Amend Traffic Control Order No. 1173 to reflect the transition of 11 lease spaces to 2-hour parking spaces as dictated by demand.

Boards and Commissions Appointment. Approve the appointment of Tim Alderman to the Parks & Recreation Commission to fill the unexpired term of M. Ladd ending June 30, 2013.

Change Order. Approve change order to the contract with Glaeser Dawes Corporation for the 2011 Sump Line Collector Project increasing the total amount by \$5,512.00 for additional materials and lawn restoration required to complete the project. (The resolution for this item follows the Payment Authorization for this item.)

Payment Authorization. Authorize final payment to Glaeser Dawes Corporation for work completed on the 2011 Sump Line Collector Project in the amount of \$5,512.00 as follows:

**RESOLUTION NO. 86-2012**

**AUTHORIZING A CHANGE ORDER AND FINAL PAYMENT  
TO GLAESER DAWES CORPORATION  
FOR THE 2011 SUMP LINE COLLECTOR PROJECT**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, approved a contract with Glaeser Dawes Corporation on April 18, 2011 for the 2011 Sump Line Collector Bid; and

WHEREAS, additional materials and lawn restoration were required in the installation of sump line collector pipes which will gather water from sump lines and direct it to the storm sewer.

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

- FIRST: The City of Owosso amends the contract with Glaeser Dawes Corporation to add additional work to their contract in the amount of \$5,512.00.
- SECOND: Final payment to Glaeser Dawes Corporation for the 2011 Sump Line Collector Project is hereby authorized in the amount of \$5,512.00.
- THIRD: The above expenses shall be paid from the Sanitary Sewer SSO Fund budget.

Payment Authorization – Water Main Installation. Authorize final payment to Glaeser Dawes Corp. for work completed on the water main installation project on Grand Avenue and Grace Street in the amount of \$97,907.46 as follows:

**RESOLUTION NO. 87-2012**

**AUTHORIZING PAYMENT TO  
GLAESER DAWES CORPORATION  
FOR WORK COMPLETED ON THE  
2011 WATER MAIN REPLACEMENT PROJECT  
AS AMENDED BY CHANGE ORDER 2012-1**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, entered into a unit price contract with Glaeser Dawes Corporation for the 2011 Water Main Replacement Project, and found it necessary and beneficial to extend that unit price work to accomplish water main replacement in 2012 on Grand and Grace Streets, prior to reconstruction of those streets, pursuant to Change Order 2012-2, and

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

WHEREAS, the City project manager recommends Pay Estimate 2012-2 in the amount of \$97,907.46 for work completed through August 15, 2012, and said unit quantities and amount agreed to by Glaeser Dawes Corporation.

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 Glaeser Dawes Corporation for work completed on the 2011 Water Main Replacement Project as amended by Change Order 2012-2.
- SECOND: The accounts payable department is authorized to submit payment to the Glaeser Dawes Corporation the amount of \$97,907.46 as detailed on the attached Payment Estimate 2012-2 as authorized by Council on August 20, 2012.

THIRD: The above expenses shall be paid from the Sewer (\$119,979.92) and Water (\$2,467.62) Funds.

Purchase Authorization – Ambulance Supplies. Waive competitive bidding requirements and authorize the purchase of ambulance supplies for the 2012-2013 fiscal year from J & B Medical, holder of the State of Michigan medical supply contract, in an amount not to exceed \$12,500.00 as follows:

**RESOLUTION NO. 88-2012**

**RESOLUTION WAIVING COMPETATIVE BID PROCESS  
AUTHORIZING CONTRACT WITH J&B MEDICAL SUPPLY CO., INC.  
AND AUTHORIZING PAYMENT FOR AMBULANCE SUPPLIES**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has an ambulance service that requires the purchase of ambulance supplies; and

WHEREAS, J&B Medical Supply Co., Inc. has the State of Michigan bid for ambulance supplies; and

WHEREAS, the City anticipates a significant cost savings by using the State contract;

WHEREAS, the Code of Ordinances provides an exception to competitive bidding requirements when doing so will benefit the City.

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

- FIRST: Authorize the City of Owosso to enter into a contract with J&B Medical Supply Co., Inc. in an amount not to exceed \$12,500.00 for the purchase of ambulance supplies for the 2012-2013 fiscal year.
- SECOND: Authorize payment to J&B Medical Supply Co., Inc. in an amount not to exceed \$12,500.00 from account 101-335-728100.
- THIRD: Authorize waiving the competitive bid process per the City of Owosso Code of Ordinances Section 2-345 (3).
- FOURTH: 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 J&B Medical Supply Co., Inc. detailing the transaction.

Bid Award – Sand. Accept low bid from Fuoss Gravel Co. for Class II Backfill Sand for the fiscal year 2012/13 at \$4.14/ton with anticipated usage of 2,100 tons as follows:

**RESOLUTION NO. 89-2012**

**RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR  
CLASS II BACKFILL SAND WITH  
FUOSS GRAVEL CO.**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, requires backfill sand to fill underground trenches; and

WHEREAS, the City of Owosso sought bids for Class II backfill sand; a bid was received from Fuoss Gravel Co.; and it is hereby determined that Fuoss Gravel Co. 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 Class II Backfill Sand from Fuoss Gravel Co. in the amount of \$4.14 per ton, for the fiscal year 2012-2013 with an estimated quantity of 2100 tons for the year.
- 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 Fuoss Gravel Co.
- THIRD: The above expenses shall be paid from the Water Fund, and the Major and Local Street Funds in an amount not to exceed \$8,694.00 without further approval.

Bid Award – Gravel. Accept low bid from Fuoss Gravel Co. for 22A gravel for the fiscal year 2012/13 at \$8.14/ton with anticipated usage of 1,800 tons as follows:

**RESOLUTION NO. 90-2012**

**RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR  
22A GRAVEL WITH  
FUOSS GRAVEL CO.**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, requires 22A Gravel to cap underground trenches; and

WHEREAS, the City of Owosso sought bids for 22A Gravel; a bid was received from Fuoss Gravel Co.; and it is hereby determined that Fuoss Gravel Co. 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 22A Gravel from Fuoss Gravel Co. in the amount of \$8.14 per ton for the fiscal year 2012-2013 with an estimated quantity of 1800 tons.
- 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 Fuoss Gravel Co.
- THIRD: The above expenses shall be paid from the Water Fund, and the Major and Local Street Fund in amount not to exceed \$14,652.00 without further approval.

Special Assessment District No. 2012-01. Consider authorizing Resolution No. 4 setting a public hearing for Tuesday, September 04, 2012 to receive citizen comment regarding Special Assessment District No. 2012-01 for Chipman Street from Main to Lynn for street reconstruction as follows:

**RESOLUTION NO. 91-2012**

**SETTING A PUBLIC HEARING  
TO HEAR COMMENT REGARDING  
SPECIAL ASSESSMENT DISTRICT NO. 2012-01  
CHIPMAN STREET FROM MAIN TO LYNN**

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements more particularly hereinafter described to the properties specially benefited by said public improvement, and the same has been presented to the Council by the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll is hereby accepted and shall be filed in the office of the City Clerk for public examination.
2. The Council shall meet at the Owosso City Hall, Owosso, Michigan at 7:30 o'clock p.m., on Tuesday, September 04, 2012 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same.
3. The City Clerk is directed to publish the notice of said hearings once in the *Argus Press*, the official newspaper of the City of Owosso, not less than ten (10) days prior to said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of the property subject to assessment, as indicated by the records in the City Assessor's office as shown on the general tax rolls of the City, at least ten (10) days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.
4. The notice of said hearing to be published and mailed shall be in substantially the following form:

**NOTICE OF HEARING  
TO REVIEW SPECIAL ASSESSMENT ROLL  
CITY OF OWOSSO, COUNTY OF SHIAWASSEE, MICHIGAN**

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

Chipman Street from Main to Lynn

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described public improvements:

Street Reconstruction

The said Special Assessment roll is on file for public examination with the City Clerk and any objections to said Special Assessment roll must be filed in writing with the City Clerk prior to the close of the hearing to review said Special Assessment roll.

TAKE FURTHER NOTICE that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter and his or her personal appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessments may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall, Owosso, Michigan at 7:30 p.m. on Tuesday, September 4, 2012 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

Special Assessment District No. 2012-02. Consider authorizing Resolution No. 4 setting a public hearing for Tuesday, September 04, 2012 to receive citizen comment regarding Special Assessment District No. 2012-02 for Grace Street from Cedar to Lyons for street reconstruction as follows:

**RESOLUTION NO. 92-2012**

**SETTING A PUBLIC HEARING  
TO HEAR COMMENT REGARDING  
SPECIAL ASSESSMENT DISTRICT NO. 2012-02  
GRACE STREET FROM CEDAR TO LYONS**

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements more particularly hereinafter described to the properties specially benefited by said public improvement, and the same has been presented to the Council by the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll is hereby accepted and shall be filed in the office of the City Clerk for public examination.
2. The Council shall meet at the Owosso City Hall, Owosso, Michigan at 7:30 o'clock p.m., on Tuesday, September 04, 2012 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same.
3. The City Clerk is directed to publish the notice of said hearings once in the *Argus Press*, the official newspaper of the City of Owosso, not less than ten (10) days prior to said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of the property subject to assessment, as indicated by the records in the City Assessor's office as shown on the general tax rolls of the City, at least ten (10) days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.
4. The notice of said hearing to be published and mailed shall be in substantially the following form:

**NOTICE OF HEARING  
TO REVIEW SPECIAL ASSESSMENT ROLL  
CITY OF OWOSSO, COUNTY OF SHIAWASSEE, MICHIGAN**

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

Grace Street from Cedar to Lyons

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described public improvements:

Street Reconstruction

The said Special Assessment roll is on file for public examination with the City Clerk and any objections to said Special Assessment roll must be filed in writing with the City Clerk prior to the close of the hearing to review said Special Assessment roll.

TAKE FURTHER NOTICE that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter and his or her personal

appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessments may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall, Owosso, Michigan at 7:30 p.m. on Tuesday, September 4, 2012 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

Special Assessment District No. 2012-03. Consider authorizing Resolution No. 4 setting a public hearing for Tuesday, September 04, 2012 to receive citizen comment regarding Special Assessment District No. 2012-03 for Grand Avenue from Auburndale to Franklin for street reconstruction as follows:

**RESOLUTION NO. 93-2012**

**SETTING A PUBLIC HEARING  
TO HEAR COMMENT REGARDING  
SPECIAL ASSESSMENT DISTRICT NO. 2012-03  
GRAND AVENUE FROM AUBURNDALE TO FRANKLIN**

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements more particularly hereinafter described to the properties specially benefited by said public improvement, and the same has been presented to the Council by the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll is hereby accepted and shall be filed in the office of the City Clerk for public examination.
2. The Council shall meet at the Owosso City Hall, Owosso, Michigan at 7:30 o'clock p.m., on Tuesday, September 04, 2012 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same.
3. The City Clerk is directed to publish the notice of said hearings once in the *Argus Press*, the official newspaper of the City of Owosso, not less than ten (10) days prior to said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of the property subject to assessment, as indicated by the records in the City Assessor's office as shown on the general tax rolls of the City, at least ten (10) days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.
4. The notice of said hearing to be published and mailed shall be in substantially the following form:

**NOTICE OF HEARING  
TO REVIEW SPECIAL ASSESSMENT ROLL  
CITY OF OWOSSO, COUNTY OF SHIAWASSEE, MICHIGAN**

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

Grand Avenue from Auburndale to Franklin

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described public improvements:

Street Reconstruction

The said Special Assessment roll is on file for public examination with the City Clerk and any objections to said Special Assessment roll must be filed in writing with the City Clerk prior to the close of the hearing to review said Special Assessment roll.

TAKE FURTHER NOTICE that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter and his or her personal appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessments may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall, Owosso, Michigan at 7:30 p.m. on Tuesday, September 4, 2012 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

Special Assessment District No. 2012-04. Consider authorizing Resolution No. 4 setting a public hearing for Tuesday, September 04, 2012 to receive citizen comment regarding Special Assessment District No. 2012-04 for Hickory Street from Exchange to Oliver for street reconstruction as follows:

**RESOLUTION NO. 94-2012**

**SETTING A PUBLIC HEARING  
TO HEAR COMMENT REGARDING  
SPECIAL ASSESSMENT DISTRICT NO. 2012-04  
HICKORY STREET FROM EXCHANGE TO OLIVER**

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements more particularly hereinafter described to the properties specially benefited by said public improvement, and the same has been presented to the Council by the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll is hereby accepted and shall be filed in the office of the City Clerk for public examination.
2. The Council shall meet at the Owosso City Hall, Owosso, Michigan at 7:30 o'clock p.m., on Tuesday, September 04, 2012 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same.
3. The City Clerk is directed to publish the notice of said hearings once in the *Argus Press*, the official newspaper of the City of Owosso, not less than ten (10) days prior to said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of the property subject to assessment, as indicated by the records in the City Assessor's office as shown on the general tax rolls of the City, at least ten (10) days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.
4. The notice of said hearing to be published and mailed shall be in substantially the following form:

**NOTICE OF HEARING  
TO REVIEW SPECIAL ASSESSMENT ROLL  
CITY OF OWOSSO, COUNTY OF SHIAWASSEE, MICHIGAN**

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

Hickory Street from Exchange to Oliver

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described public improvements:

Street Reconstruction

The said Special Assessment roll is on file for public examination with the City Clerk and any objections to said Special Assessment roll must be filed in writing with the City Clerk prior to the close of the hearing to review said Special Assessment roll.

TAKE FURTHER NOTICE that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter and his or her personal appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessments may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall, Owosso, Michigan at 7:30 p.m. on Tuesday, September 4, 2012 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

Special Assessment District No. 2012-06. Consider authorizing Resolution No. 4 setting a public hearing for Tuesday, September 04, 2012 to receive citizen comment regarding Special Assessment District No. 2012-06 for Oak Street from Oliver to its north end for street reconstruction as follows:



**RESOLUTION NO. 95-2012**

**SETTING A PUBLIC HEARING  
TO HEAR COMMENT REGARDING  
SPECIAL ASSESSMENT DISTRICT NO. 2012-06  
OAK STREET FROM OLIVER TO ITS NORTH END**

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements more particularly hereinafter described to the properties specially benefited by said public improvement, and the same has been presented to the Council by the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll is hereby accepted and shall be filed in the office of the City Clerk for public examination.
2. The Council shall meet at the Owosso City Hall, Owosso, Michigan at 7:30 o'clock p.m., on Tuesday, September 04, 2012 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same.
3. The City Clerk is directed to publish the notice of said hearings once in the *Argus Press*, the official newspaper of the City of Owosso, not less than ten (10) days prior to said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of the property subject to assessment, as indicated by the records in the City Assessor's office as shown on the general tax rolls of the City, at least ten (10) days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.
4. The notice of said hearing to be published and mailed shall be in substantially the following form:

**NOTICE OF HEARING  
TO REVIEW SPECIAL ASSESSMENT ROLL  
CITY OF OWOSSO, COUNTY OF SHIAWASSEE, MICHIGAN**

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

Oak Street from Oliver to its north end

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described public improvements:

Street Reconstruction

The said Special Assessment roll is on file for public examination with the City Clerk and any objections to said Special Assessment roll must be filed in writing with the City Clerk prior to the close of the hearing to review said Special Assessment roll.

TAKE FURTHER NOTICE that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter and his or her personal appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessments may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall, Owosso, Michigan at 7:30 p.m. on Tuesday, September 4, 2012 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

Special Assessment District No. 2012-07. Consider authorizing Resolution No. 4 setting a public hearing for Tuesday, September 04, 2012 to receive citizen comment regarding Special Assessment District No. 2012-07 for State Street from Main to its south end for street reconstruction as follows:

**RESOLUTION NO. 96-2012**  
**SETTING A PUBLIC HEARING  
TO HEAR COMMENT REGARDING  
SPECIAL ASSESSMENT DISTRICT NO. 2012-07  
STATE STREET FROM MAIN TO ITS SOUTH END**

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements more particularly hereinafter described to the properties specially benefited by said public improvement, and the same has been presented to the Council by the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll is hereby accepted and shall be filed in the office of the City Clerk for public examination.
2. The Council shall meet at the Owosso City Hall, Owosso, Michigan at 7:30 o'clock p.m., on Tuesday, September 04, 2012 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same.
3. The City Clerk is directed to publish the notice of said hearings once in the *Argus Press*, the official newspaper of the City of Owosso, not less than ten (10) days prior to said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of the property subject to assessment, as indicated by the records in the City Assessor's office as shown on the general tax rolls of the City, at least ten (10) days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.
4. The notice of said hearing to be published and mailed shall be in substantially the following form:

**NOTICE OF HEARING  
TO REVIEW SPECIAL ASSESSMENT ROLL  
CITY OF OWOSSO, COUNTY OF SHIAWASSEE, MICHIGAN**

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

State Street from Main to its south end

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described public improvements:

Street Reconstruction

The said Special Assessment roll is on file for public examination with the City Clerk and any objections to said Special Assessment roll must be filed in writing with the City Clerk prior to the close of the hearing to review said Special Assessment roll.

TAKE FURTHER NOTICE that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter and his or her personal appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessments may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall, Owosso, Michigan at 7:30 p.m. on Tuesday, September 4, 2012 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

\*Check Register. Receive and approve the Check Register for July 2012.

Motion supported by Councilperson Erfourth.

Roll Call Vote.

AYES: Councilperson Fox, Mayor Pro-Tem Popovitch, Councilpersons Eveleth, Bailey, Erfourth, and Mayor Frederick.

NAYS: None.

ABSENT: Councilperson Cook.

\*Due to its length this item will not be printed in the minutes. Full text of the item is available in the Clerk's Office.

**ITEMS OF BUSINESS**

## **MML DELEGATE**

Mayor Frederick inquired whether any Council member was interested in attending the Fall Conference of the MML on Mackinaw Island. No one expressed interest in attending the conference.

## **SHIAWASSEE COUNTY CENTRAL DISPATCH BILLING**

There was significant discussion regarding how the 911 Board fits into county government, the responsibilities of Central Dispatch, the lack of communication between the municipalities in the county and the County Commission in relation to Central Dispatch, details of the grant that purchased the radios currently in use, and the responsibilities of the City in regard to the funding of 911 related costs. There was concern whether the rules governing the 911 Board and the operation of Central Dispatch were being properly applied. There were also questions regarding how the City representative to the Board was chosen and whether the City could have a more direct role in the decision making process of the Board.

Councilperson Fox presented minutes of the 911 Board in 2008 when the grant was accepted, pointing out action that included the revisiting of mic fees after an initial 3-4 year period.

City Attorney William C. Brown suggested adding an additional paragraph to the resolution requesting copies of any document that required the City to pay mic fees.

There was further discussion regarding whether Council would like a representative of Central Dispatch to attend the next meeting to answer questions regarding this matter. Mayor Frederick indicated they would be welcome to attend the meeting but only in addition to a formal response to the resolution requesting information.

Motion by Mayor Pro-Tem Popovitch to approve the following resolution requesting information regarding 911 operations and governance in Shiawassee County and further direct a copy of this resolution be distributed to all affected entities in the county:

### **RESOLUTION NO. 97-2012**

#### **RESOLUTION SEEKING INFORMATION CONCERNING THE AGREEMENTS, REVENUES AND COSTS OF PROVIDING EMERGENCY 9-1-1 SERVICES TO OWOSSO AS A PARTICIPANT IN THE SHIAWASSEE COUNTY E-9-1-1 SERVICE DISTRICT**

WHEREAS, the Shiawassee County Board of Commissioners established the Shiawassee County E-9-1-1 Service District under the provisions of the Emergency 9-1-1 Service Enabling Act (Act 32 of 1986); and

WHEREAS, the Shiawassee County Central Dispatch was created to serve the Shiawassee County Service District; and

WHEREAS, the Shiawassee County 9-1-1 Service Plan was approved in 1989 as a means of centralizing and operating dispatching services within the county, in which the city of Owosso became a participant as an emergency provider of emergency medical, fire and police services; and

WHEREAS, the Shiawassee County Central Dispatch provides dispatching services requiring:

- personnel (salaries, fringe benefits, and uniforms);
- training and memberships (conferences, training seminars, travel and lodging);
- facility costs (capital improvements, utilities, insurance, furniture and office supplies);
- hardware, software, connectivity and peripherals directly attributable to 9-1-1 service (customer premise equipment, computer-aided dispatch, radio system and field equipment and maintenance and service agreements; and

WHEREAS, the Shiawassee County E911 Service District receives fees from wired and wireless phone carriers to fund the operations the Shiawassee County Central Dispatch; and

WHEREAS, the city council of the city of Owosso desires to see emergency services in the Shiawassee County run smoothly and efficiently and seeks information about the use of the above fees in the providing dispatch services.

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

- FIRST: obtain a copy of the *Shiawassee County Enhanced 9-1-1 Service Plan* adopted in 1989 with amendments.

- SECOND: obtain a copy of the current contract between the *Shiawassee County Central Dispatch Board, the Shiawassee County Sheriff's Department, and the Shiawassee County Board of Commissioners.*
- THIRD: obtain a copy of the *By-laws to Govern the Shiawassee County Central Dispatch Board.*
- FOURTH: obtain copies of any agreements between Shiawassee County Central Dispatch and/or the Shiawassee County Board of Commissioners concerning 9-1-1 services.
- FIFTH: determine ownership of the equipment purchased under The Public Safety Interoperable Communications (PSIC) Grant.
- SIXTH: determine, if possible, how much Owosso residents contribute to 9-1-1 each year through 9-1-1 surcharges on wireline phones, wireless phones, and VoIP phones.
- SEVENTH: determine, if possible, the number of calls originating from Owosso each year through wireline phones, wireless phones, and VoIP phones.
- EIGHTH: obtain copies of any agreement(s) requiring the City of Owosso to pay mic fees.

Motion supported by Councilperson Erfourth.

Roll Call Vote.

AYES: Councilperson Erfourth, Mayor Pro-Tem Popovitch, Councilpersons Eveleth, Bailey, Fox, and Mayor Frederick.

NAYS: None.

ABSENT: Councilperson Cook.

#### **PHONE SYSTEM LEASE**

Motion by Councilperson Eveleth to approve a lease agreement with Cisco Systems Capital Incorporated for a new phone system including hardware, software, installation and annual maintenance in the amount of \$27,528.40 annually as follows:

#### **RESOLUTION NO. 98-2012**

#### **AUTHORIZING A LEASE AGREEMENT WITH CISCO SYSTEMS CAPITAL INCORPORATED FOR A NEW PHONE SYSTEM AND RELATED COMPONENTS**

WHEREAS, the City of Owosso is in need of a new phone system; and

WHEREAS, numerous options have been explored to find the most up to date and cost effective system; and

WHEREAS, as a result of this research staff has proposed utilizing the State of Michigan contract with Cisco Systems Capital Incorporated for lease of a new VOIP phone system including hardware, software, installation and annual maintenance for a period of 5 years with an option to purchase at the end of the lease term; and

WHEREAS, the system will take advantage of new technology employing a Voice Over Internet Protocol system that will utilize newly installed fiber optic cable connecting all major City facilities producing more flexibility and reducing costs over the life of the system.

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

- FIRST: The City of Owosso authorizes a 5-year lease contract with Cisco Systems Capital Incorporated for new VOIP hardware, software, installation and annual maintenance in the amount of \$27,528.40 annually at 0% interest with staff approval as to substance, City Attorney approval as to form and opinion.
- SECOND: The Mayor and City Clerk are hereby authorized to execute appropriate documents on behalf of the City.
- THIRD: The above expenses shall be paid from the General Fund and various Enterprise Funds as appropriate.

Motion supported by Councilperson Fox.

Roll Call Vote.

AYES: Councilpersons Bailey, Eveleth, Erfourth, Mayor Pro-Tem Popovitch, Councilperson Fox, and Mayor Frederick.

NAYS: None.

ABSENT: Councilperson Cook.

**WARRANT NO. 447**

Councilperson Eveleth indicated he had pulled this item from the Consent Agenda to allow discussion regarding the payment to the SEDP. He said that while he supported giving the SEDP \$2.00/per capita in light of recent water increases he was no longer in support of taking half of said contribution from the water fund and inquired whether other members felt the same. There was discussion regarding support for the amount of the overall contribution and possible areas where the payment could be taken from.

Motion by Councilperson Bailey to accept Warrant No. 447 as follows, reflecting a change to the SEDP contribution to show the entire amount being taken from the General Fund:

Vendor	Description	Fund	Amount
Shiawassee Economic Development Partnership	Annual Investment – FY 2012-2013	General	\$31,426.00
Brown & Stewart, PC	Professional Service- July 10, 2012 – August 10, 2012	General	\$11,950.48
Johnson Controls, Inc.	Planned Service Agreement- August 1, 2012 – January 31, 2012	General/ Historical	\$11,641.00
Michigan Municipal League Workers' Compensation Fund	Workers' Compensation Insurance- 2 <sup>nd</sup> Installment FY 12/13	General/Sewer/ Streets/WTP/ WWTP/Fleet/ Housing	\$23,197.00
<b>TOTAL</b>			<b>\$78,214.48</b>

Motion supported by Councilperson Eveleth.

Roll Call Vote.

AYES: Councilpersons Bailey, Erfourth, Mayor Pro-Tem Popovitch, Councilpersons Eveleth, Fox, and Mayor Frederick.

NAYS: None.

ABSENT: Councilperson Cook.

**COMMUNICATIONS**

- Gary Martenis, SATA Board. Letter of Resignation.
- Charles P. Rau, Building Official. July 2012 Building Department Report.
- Charles P. Rau, Building Official. July 2012 Code Violations Report.
- Michael T. Compeau, Public Safety Director. July 2012 Police Report.
- Michael T. Compeau, Public Safety Director. July 2012 Fire Report.
- Historical Commission. Minutes of August 13, 2012.

Mayor Frederick and Mayor Pro-Tem Popovitch both thanked Gary Martenis for his years of service to the City.

There was discussion regarding the police and fire reports, rental inspections, and the speed of code enforcement.

**CITIZEN COMMENTS AND QUESTIONS**

Eddie Urban, 601 Glenwood Avenue, spoke of two different robberies in the county that he had heard about asking if they were perpetrated by the same individual. It was noted they were not.

Michael Cline, 621 Wright Avenue, reported his personal difficulties getting on the 911 Board when he was a City Council Member saying he was told the open positions were reserved for candidates hand-picked by the County.

Mayor Frederick announced the Unity and Remembrance Picnic to be held once again on September 11<sup>th</sup> at Fayette Square starting at 6:00 p.m.

Councilperson Erfourth inquired whether the City was moving forward to purchase cameras for the Council Chambers so all meetings could be broadcast on Channel 96 for the public. It was noted that the purchase of camera equipment was being delayed until a resolution to the return path issue was resolved and continued broadcast of Channel 96 could be ensured.

**NEXT MEETING**

Tuesday, September 04, 2012

**BOARDS AND COMMISSIONS OPENINGS**

Zoning Board of Appeals – Alternate, term expiring June 30, 2013  
Shiawassee District Library Board, term expiring June 30, 2016  
Shiawassee Area Transportation Agency, term expiring October 1, 2014

**ADJOURNMENT**

Motion by Councilperson Eveleth for adjournment at 8:43 p.m.

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

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Benjamin R. Frederick, Mayor

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Amy K. Kirkland, City Clerk