

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF OCTOBER 19, 2015
7:30 P.M.**

PRESIDING OFFICER: MAYOR BENJAMIN R. FREDERICK

OPENING PRAYER: PASTOR CHRIS HIGGINS
FIRST CHURCH OF CHRIST

PLEDGE OF ALLEGIANCE: COUNCILPERSON MICHAEL J. O'LEARY

PRESENT: Mayor Benjamin R. Frederick, Mayor Pro-Tem Christopher T. Eveleth, Councilpersons Loreen F. Bailey, Burton D. Fox, Elaine M. Greenway, Michael J. O'Leary, and Robert J. Teich, Jr.

ABSENT: None.

APPROVE AGENDA

Motion by Mayor Pro-Tem Eveleth to approve the agenda with the addition of the following to Items of Business:

7. Executive Session. Authorize the holding of executive session after the conclusion of the 2nd period of Citizen Comments and Questions for the purpose of discussing trial and/or settlement strategy in connection with specific pending litigation.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF OCTOBER 5, 2015

Motion by Councilperson Fox to approve the Minutes of the Regular Meeting of October 5, 2015 as presented.

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

STUDENT REPRESENTATIVE REPORT

Lincoln High School Report

Representatives from Lincoln High School were unable to make the meeting this evening. Their report will be rescheduled for a later meeting.

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Mike Cline, 621 Wright Avenue, suggested that in light of recent vandalism that destroyed the collapsible skating rink the City install a surveillance camera at the storage location.

Mayor Frederick applauded the many organizations and individuals that made Oktoberfest a great success again this year.

Councilperson Bailey thanked the newspapers and City staff for their assistance in making the Feral Cat Shelter Workshop a success yesterday.

Councilperson Fox sought clarification on what is expected of a person requesting permission to remove a City tree that is a prohibited species in relation to the newly amended Street Tree Removal Policy. There was significant discussion among Council regarding the vagueness of the policy, clarifying the requirements regarding the replacement of removed trees, and allowing someone to pay the City for a tree that will be planted somewhere other than their property. Councilperson Fox said the request in question, from Viberta Olney, was to have the trees in the right of way in front of her house removed and further, that no new trees be planted to replace

them as she is old and they would be difficult to take care of. He indicated he thought she would be agreeable to paying for a replacement tree that would be planted elsewhere. City Manager Crawford indicated he was unsure if staff had had the opportunity to evaluate whether a replacement tree could be planted on her property or not and that he thought the policy was intended to replace a tree when one is taken down.

Motion by Councilperson Bailey to amend the Street Tree Removal Policy to allow a citizen that has lawfully taken down a City tree to donate an amount equal to the cost of a 2" sapling to a fund that would plant a tree on another property in lieu of a new tree at the former location.

Motion supported by Councilperson O'Leary.

Roll Call Vote.

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

NAYS: None.

CITY MANAGER REPORT

City Manager Crawford reported on the City's struggle to recoup demolition costs when a property goes through tax sale, saying that the City has begun to specially assess those lots and allow the new owner to pay over a 10 year period as the tax sale does not wipe out future special assessment installments, only those installments that have already accrued. He then relayed the story of a parcel recently sold at tax sale and resold once again, neither buyer performing any due diligence thus having no knowledge of the City's lien on the property. The final buyer has indicated his intent to let the parcel go back into the tax foreclosure process to avoid paying the special assessment installments that remain. Mr. Crawford expressed his concern that should the tax foreclosure process be repeated enough all of the special assessment installments would be effectively wiped out and the City would once again find itself with no means to collect the demolition costs for the property. He asked if it would be better to write the special assessment off and allow the property to come back on the tax rolls. Council expressed frustration with buyers that do not perform due diligence prior to purchasing property.

Motion by Councilperson Fox to formally address the question writing off the special assessment for 1711 Frederick Street at the November 2nd meeting.

Motion supported by Councilperson O'Leary.

Roll Call Vote.

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

NAYS: None.

CONSENT AGENDA

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

Boards and Commissions Appointments. Approve the following mayoral boards and commissions appointments:

Name	Board/Commission	Term Expires
Jenelle Steele-Elkin	Historical Commission filling unexpired term of E. Powell	12-31-2017
Christopher Eveleth	Historical Commission filling unexpired term of A. Montague	12-31-2016
Michelle Collison	Planning Commission filling unexpired term of D. Bandkau	06-30-2016

Bid Award – Sale of Used Police Vehicle. Approve the bid of Greater Detroit Used Cars for one 2008 Chevrolet Impala (VIN # 2G1WS583589227565) used police vehicle in the amount of \$2,376.00 as follows:

RESOLUTION NO. 89-2015

**RESOLUTION AUTHORIZING THE EXECUTION OF SALE
OF ONE 2008 CHEVROLET IMPALA TO
GREATER DETROIT USED CARS**

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

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

WHEREAS, a bid solicitation was advertised and the most responsive bid was received from Greater Detroit Used Cars.

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 one 2008 Chevrolet Impala police vehicle, last six digits of the VIN# reading: 227565, in the amount of \$2,376.00.

SECOND: The city clerk is instructed and authorized to complete the necessary paperwork to transfer ownership to Greater Detroit Used Cars upon the remittance of \$2,376.00.

Bid Award – Sale of Used Police Vehicle. Approve the bid of Douglas Bubnes for one 2005 Chevrolet Impala (VIN # 2G1WF55K559382256) used police vehicle in the amount of \$2,325.00 as follows:

RESOLUTION NO. 90-2015

**RESOLUTION AUTHORIZING THE EXECUTION OF SALE
OF ONE 2005 CHEVROLET IMPALA TO
DOUGLAS BUBNES**

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

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

WHEREAS, a bid solicitation was advertised and the most responsive bid was received from Douglas Bubnes.

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 one 2005 Chevrolet Impala police vehicle, last six digits of the VIN# reading: 382256, in the amount of \$2,325.00.

SECOND: The city clerk is instructed and authorized to complete the necessary paperwork to transfer ownership to Douglas Bubnes upon the remittance of \$2,325.00.

Purchase Authorization – New Police Vehicles. Waive competitive bidding requirements, approve joint purchase through the Macomb County Cooperative contract with Signature Ford Lincoln Mercury for one 2016 Ford Fusion S police car in the amount of \$17,856.00 and one 2015 Ford Police Interceptor Utility in the amount of \$28,595.00, and authorize payment upon satisfactory receipt of the vehicle as follows:

RESOLUTION NO. 91-2015

**RESOLUTION AUTHORIZING PURCHASE OF POLICE VEHICLES
WITH OWOSSO MOTORS, INC. D/B/A SIGNATURE FORD LINCOLN
MERCURY
UTILIZING CONTRACT # 071B1300009**

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

WHEREAS, these vehicles must be periodically replaced to ensure a mechanically sound and reliable fleet is available at all times; and

WHEREAS, the City of Owosso desires to purchase two new police vehicles at this time and staff has determined it is in the best interest of the City to utilize State of Michigan Contract No. 071B1300009, held by Owosso Motors, Inc. d/b/a Signature Ford Lincoln Mercury, for said purchase; and

WHEREAS, city ordinance section 2-345(3) provides for an exception to competitive bidding when the best interest of the city would be served by jointly purchasing with another governmental unit.

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 one 2015 Ford Interceptor Utility Police Vehicle and one 2016 Ford Fusion S from Signature Ford Lincoln Mercury, utilizing State of Michigan Contract No. 071B1300009, for a cost to the City of Owosso of \$46,460.00.
- SECOND: The Public Safety Director is hereby instructed and authorized to sign any necessary documents to complete said purchase.
- THIRD: Payment is authorized to Signature Ford Lincoln Mercury in the amount of \$46,460.00 upon delivery and acceptance of the vehicles.
- FOURTH: The budget and appropriation be amended to increase the Police Division Capital Outlay account 101-300-978.000 by \$60,000 to cover the purchase and preparation expenses.

Purchase Authorization – Collapsible Skating Rink. Authorize purchase of one collapsible ice skating rink from NiceRink in the amount of \$6,056.25 to replace the existing skating rink recently vandalized beyond repair as follows:

RESOLUTION NO. 92-2015

AUTHORIZING THE EXECUTION OF A PURCHASE ORDER FOR THE REPLACEMENT OF THE VANDALIZED ICE RINK WITH NICERINK

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined it necessary to purchase a new ice rink to replace the one burned in the fire at the Holman Pool building on October 11, 2015; and

WHEREAS, the city Parks and Recreation Commission purchased the original ice rink from NiceRink on September 29, 2014; and

WHEREAS, City staff received a quotation from NiceRink for \$6,056.25 for a replacement rink.

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 a replacement rink from NiceRink in the amount of \$6,056.25.
- SECOND: The contract between the City and NiceRink shall be in the form of a city purchase order in the amount of \$6,056.25.
- THIRD: The accounts payable department is authorized to pay NiceRink up to the purchase order amount upon satisfactory delivery.
- FOURTH: The above expenses shall be paid by city insurance.

Warrant No. 510. Authorize Warrant No. 510 as follows:

Vendor	Description	Fund	Amount
Logicalis, Inc.	Network engineering services- September 2015	Various	\$ 7,056.00
Owosso Charter Township	Owosso charter township 2011 water agreement payment- July 2015 - September 2015	Water	\$10,239.37
Caledonia Charter Township	Caledonia utility fund payment- July – September 2015	Water	\$22,322.82
William C. Brown, PC	Professional services- September 10, 2015 – October 9, 2015	General	\$10,725.52

***Check Register – September 2015.** Affirm check disbursements totaling \$2,013,402.39 for the month of September 2015.

Motion supported by Councilperson Fox.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

Brownfield Redevelopment Plan - District #16, Qdoba Site

Adam Patton of PM Environmental was on hand to give a presentation detailing the proposed clean-up activities at the site of the future Qdoba restaurant.

Mayor Frederick noted the plan had been unanimously approved by the Brownfield Redevelopment Authority.

Councilperson Bailey commented that there was a great deal of effort on the part of the developers and City staff to get the proposed project to this point.

Councilperson O'Leary inquired about subsurface migration. It was noted that subsurface migration was present and the plan called for the removal of some soil at the site to prevent contamination of the well site to the south. It was further noted that groundwater contamination would need to be handled separately from this part of the project.

Motion by Mayor Pro-Tem Eveleth to approve the Brownfield Redevelopment Plan, including Reimbursement Agreement, for District #16, Qdoba Site, located at 910 East Main Street as follows:

RESOLUTION NO. 93-2015

**RESOLUTION APPROVING A BROWNFIELD PLAN
"DISTRICT #16, OWOSSO QDOBA AND RETAIL" 910 E. MAIN STREET
FOR THE CITY OF OWOSSO PURUSANT TO AND IN ACCORDANCE
WITH THE PROVISIONS OF ACT 381 OF THE
PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996, AS AMENDED**

WHEREAS, the Brownfield Redevelopment Authority (the "Authority") of the City of Owosso, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), has prepared and recommended for approval by the City of Owosso Council, a Brownfield Plan entitled "District #16, Owosso Qdoba and Retail" (the "Plan"), pursuant to and in accordance with Section 13 of the Act, to be carried out within the Brownfield Redevelopment Zone (the "Zone"), said zone being the entire City and said District #16 described as:

Lots 83-87, Stafford, Gardner & Trankle's Central Addition (as recorded in Liber 1 of Plats, Page 50); Except the North 10 feet of said Lots 83-87; Also Except a part of Lot 87 described as: BEGINNING at a point on the East line of said Lot 87 which is 25 feet South of the NE corner of said Lot 87; thence North on said East line 15 feet; thence West parallel with the North line of said Lot 87 a distance of 15 feet; thence Southeasterly to the place of beginning; being a part of the NW 1/4 of Section 19, T7N, R3E, City of Owosso, Shiawassee County, Michigan.

and,

WHEREAS, the Authority has, at least ten (10) days before the meeting of the Authority at which this resolution was first been considered, provided notice to and fully informed all taxing jurisdictions which are affected by the Financing Plan (the "Taxing Jurisdictions") about the fiscal and economic implications of the proposed Financing Plan, and the Authority has previously provided to the Taxing Jurisdictions a reasonable opportunity to express their views and recommendations regarding the Financing Plan in accordance with Sections 13 (10) and 14 (1) of the Act; and

WHEREAS, the Authority conducted the required public hearing on October 12, 2015 and the City Council recognizes and designates the public hearing process to the Authority and has been provided the minutes of the hearing including all public comments or communications that may have been made at said hearing; and

WHEREAS, the Council has made the following determinations and findings:

- A. The Plan constitutes a public purpose under the Act;

- B. The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;
- C. The proposed method of financing the costs of the eligible activities, as described in the Plan is feasible and the Authority has the ability to arrange the financing;
- D. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act;
- E. The amount of captured taxable value estimated to result from the adoption of the Plan is reasonable; and

WHEREAS, as a result of its review of the Plan and upon consideration of the views and recommendations of the Taxing Jurisdictions, the public, and the Authority, the Council desires to proceed with approval of the Plan.

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 approve the Brownfield Plan for District #16 "Owosso Qdoba and Retail." Pursuant to the authority vested in the Council by the Act, and pursuant to and in accordance with the provisions of Section 14 of the Act, the Plan is hereby approved in the form considered by the Council on October 19, 2015 and maintained on file in the office of the City Clerk.
- SECOND: Severability. Should any section, clause or phrase of this Resolution be declared by the Courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
- THIRD: Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.
- FOURTH: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Brownfield Plan District #16 "Owosso Qdoba and Retail.*"

Motion supported by Councilperson Greenway.

Roll Call Vote.

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

NAYS: None.

Brownfield Loan Agreement

Motion by Mayor Pro-Tem Eveleth to approve a Brownfield Loan Agreement accepting a loan from the MDEQ in the amount of \$292,963.00 for environmental remediation activities on the property known as District #16 – Qdoba and Retail Site, to be reimbursed through the Brownfield tax recapture as follows:

RESOLUTION NO. 94-2015
APPROVING ACCEPTANCE OF
A BROWNFIELD REDEVELOPMENT LOAN
BY THE CITY OF OWOSSO
PURSUANT TO AND IN ACCORDANCE WITH
THE PROVISIONS OF ACT 381 OF THE PUBLIC ACTS
OF THE STATE OF MICHIGAN OF 1996, AS AMENDED

WHEREAS, the Owosso City Council, at its regularly scheduled meeting of October 19, 2015 adopted a Brownfield Plan (the "Plan") for the property located at 910 East Main Street, Owosso, Michigan, (the "Site"), pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996; and

WHEREAS, the Plan allows the Authority to capture tax increment revenues generated from the property through redevelopment activities; and

WHEREAS, the Michigan Department of Environmental Quality (the "MDEQ") has reviewed a project proposal submitted by the Authority and communicated its interest in supporting the

project by inviting the Authority to formally submit an Application for a Brownfield Redevelopment Loan, and

WHEREAS, the city of Owosso has reviewed a Brownfield Redevelopment Loan Application relating to the redevelopment project property located at 910 East Main Street (the "Site"), requesting \$292,963 in loan funds, and the city of Owosso has determined that it is financially able and willing to accept a loan up to \$292,963 secured primarily with a Letter of Credit from the Site Owner/Developer, in addition to the future tax increment revenues that may be captured through the Brownfield Plan, and

WHEREAS, the Site has been recently acquired by Southwind Restaurants, LLC, a limited liability company, whose address is 109 East Broadway Street, Mount Pleasant, Michigan 48858 (the "Developer").

WHEREAS, the Developer will raze the vacant commercial building and three vacant dwellings (two with outbuildings/garages) to construct a new retail plaza that will consist of a single building with a 2,808 square foot restaurant and two tenant spaces of 1,713 and 1,770 square feet, for a total of 6,291 square feet. Additionally, a parking lot will be constructed to the north and east of the new commercial building with surrounding landscaping. Anticipated total cost and private investment for this project is estimated to be approximately \$2.5 Million, including acquisition. Of this total investment approximately \$886,000 will be contributed towards the hard cost investment of the building. Additional costs will be incurred to address environmental contamination concerns, which will be completed if funded through the Loan,

WHEREAS, the project is consistent with local development plans and zoning ordinances, and

WHEREAS, the Owosso Brownfield Redevelopment Authority has entered into a Reimbursement Agreement with the Developer requiring the Developer use its best efforts to conduct the activities described in the Plan and raze the existing buildings and construct the described project. The Agreement also provides the Developer pay the difference toward the annual payment on the MDEQ Loan in the event that in any year the TIR is not sufficient to make the full annual Loan payment. Additionally, the Agreement provides for reimbursement by the Developer to the Authority for incurred costs should the Developer default on the Agreement, and

WHEREAS, the city of Owosso supports the loan application for \$292,963 to the MDEQ for the property located at 910 East Main Street, Owosso Brownfield Plan #16.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Acceptance of Loan Funds. The city of Owosso hereby accepts and commits to repay a loan up to \$292,963, that is secured through a Letter of Credit by the Owner/Developer of the Site as described above, with funds to be issued to and managed by the city of Owosso.
2. Severability. Should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
3. Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

Brownfield Grant Agreement

Motion by Mayor Pro-Tem Eveleth to authorize acceptance of a Brownfield Redevelopment Grant from the MDEQ in the amount of \$249,000.00 for environmental remediation activities on the property known as District #16 – Qdoba and Retail Site as follows:

RESOLUTION NO. 95-2015

TO ENTER INTO A BROWNFIELD REDEVELOPMENT GRANT AGREEMENT WITH THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

WHEREAS the Michigan Department of Environmental Quality provides grants to communities through its Brownfield Redevelopment Grant Program for environmental response activities; and

WHEREAS environmental response activities are necessary in order to reuse the property for economic development; and

WHEREAS the property known as 910 East Main Street is currently a brownfield facility; and

WHEREAS the proposed project will be undertaken if a grant is awarded;

WHEREAS the proposed economic development is consistent with local development plans, zoning ordinances, and/or the master plan;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council authorizes the city manager, to apply for and secure a grant for a maximum of \$249,000 from, and enter into a grant agreement with, the Michigan Department of Environmental Quality.

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

As the motions for approval of the Brownfield clean-up came to an end Assistant City Manager Susan K. Montenegro pointed out several Qdoba representatives present for the meeting and she noted their dedication to the idea of creating a clean development as they could have proceeded with the project without any remediation.

Special Assessment District No. 2015-01

Motion by Mayor Pro-Tem Eveleth to authorize Resolution No. 1 for proposed Special Assessment District No. 2015-01 for Gould Street from Corunna Avenue to Main Street for street resurfacing as follows:

RESOLUTION NO. 96-2015

SPECIAL ASSESSMENT RESOLUTION NO. 1 FOR GOULD STREET RESURFACING

Special Assessment District No. 2015-01 Gould Street from Corunna Avenue to Main Street

WHEREAS, the City Council of the City of Owosso deems it necessary to acquire and construct the following described improvement:

Gould Street from Corunna Avenue to Main Street Street Resurfacing

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The matter of making said public improvement is hereby referred to the City Manager, who shall prepare a report thereon, which shall include plans and detailed estimates of the cost thereof and a description of the special assessment district and such other pertinent information as will permit the City Council to decide the cost, extent and necessity of the public improvement and what proportion of the cost should be paid by the City at large.

The City Manager shall present said report to the City Council when same has been prepared.

Motion supported by Councilperson Greenway.

Roll Call Vote.

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

NAYS: None.

Lot Split Authorization – 415 Bradley Street

Motion by Mayor Pro-Tem Eveleth to authorize division of City lot under the Michigan Subdivision Control Act for platted lot commonly known as 415 Bradley Street, parcel # 050-120-009-003-00 as follows:

LOT SPLIT & COMBINATION OF PLATTED LOTS

Current Description:

Address	Status	Parcel #	Description
415 Bradley St	To be split	050-120-009-003-00	LOT 3 BLK 9 LUCY L COMSTOCKS ADD
115 Curwood Castle Dr	To be combined	050-120-009-004-00	LOT 4 BLK 9 LUCY L COMSTOCKS ADD

New Description After Split:

Address	Status	Parcel #	Description
415 Bradley St	Split Parcel	050-120-009-003-00	LOT 3, BLK 9, LUCY L COMSTOCKS ADD, (EX S 20')
115 Curwood Castle Dr	Combined Parcel	050-120-009-004-00	LOT 4 & S 20' LOT 3, BLK 9, LUCY L COMSTOCKS ADD

Motion supported by Councilperson Bailey.

Roll Call Vote.

AYES: Mayor Pro-Tem Eveleth, Councilpersons O'Leary, Fox, Teich, Bailey, and Mayor Frederick.

NAYS: None.

ABSTAIN: Councilperson Greenway.

Sale of City-Owned Properties

The Council reviewed the list of City-owned properties that are eligible for sale and discuss possible methods of disposition. Councilperson O'Leary offered to lead a committee that would work on preparing the properties for auction. There was also discussion of surveying and marking the boundaries of the properties in question as well as establishing a marketing budget to ensure a successful auction.

Motion by Councilperson Bailey to direct staff to prepare two lot splits for the November 2nd meeting to begin the process of addressing the offer to purchase City property from Mike Cline.

Motion supported by Mayor Pro-Tem Eveleth.

Roll Call Vote.

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

NAYS: None.

Executive Session

Motion by Mayor Pro-Tem Eveleth to authorize the holding of executive session after the conclusion of the 2nd period of Citizen Comments and Questions for the purpose of discussing trial and/or settlement strategy in connection with specific pending litigation.

Motion supported by Councilperson Fox.

Roll Call Vote.

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

NAYS: None.

COMMUNICATIONS

- Adrian Montague, Historical Commission. Letter of resignation.
- Susan K. Montenegro, Assistant City Manager. Trebor update.
- Richard C. Williams, Finance Director. Revenue & Expenditure Report – September 2015.
- Charles P. Rau, Building Official. September 2015 Building Department Report.
- Charles P. Rau, Building Official. September 2015 Code Violations Report.
- Kevin D. Lenkart, Public Safety Director. September 2015 Police Report.

Kevin D. Lenkart, Public Safety Director. September 2015 Fire Report.
Historical Commission. Minutes of September 14, 2015.
Parks & Recreation Commission. Minutes of September 28, 2015.
Planning Commission. Minutes of September 28, 2015.
Downtown Development Authority/Main Street. Minutes of October 7, 2015.
Brownfield Redevelopment Authority. Minutes of October 12, 2015.
Historical Commission. Minutes of October 12, 2015.

CITIZEN COMMENTS AND QUESTIONS

Mike Cline, 621 Wright Avenue, spoke about how tax foreclosed properties are sold.

Sam Spencer, 208 West Mason Street, relayed the story of a veteran friend with PTSD that is awaiting sentencing asking any help they could offer to reduce his pending sentence.

Eddie Urban, 601 Glenwood Avenue, said he had heard about the establishment of a special veteran's court.

Councilperson Fox said he was pleased with the actions tonight that will work toward cleaning up the eastern entrance to the City.

ADJOURNED TO EXECUTIVE SESSION AT 9:00 P.M.

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

Executive Session Minutes Approval

Motion by Councilperson Fox to approve the minutes of the April 20, 2015 Executive Session as presented.

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

NEXT MEETING

Monday, November 02, 2015

BOARDS AND COMMISSIONS OPENINGS

Building Board of Appeals – Alternate (2), both terms expire June 30, 2018
Historical Commission (2), terms expire December 31, 2017 & December 31, 2019
Planning Commission, term expires June 30, 2016

ADJOURNMENT

Motion by Mayor Pro-Tem Eveleth for adjournment at 9:36 p.m.

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

Benjamin R. Frederick, Mayor

Amy K. Kirkland, City Clerk