

OWOSSO CITY COUNCIL

DECEMBER 5, 2005

7:30 P.M.

Mayor Robertson called the meeting to order at 7:30 p.m.

PRESIDING OFFICER: Mayor Linda L. Robertson

OPENING PRAYER: Mayor Linda L. Robertson

PLEDGE OF ALLEGIANCE: Mayor Linda L. Robertson

PRESENT: Mayor Linda L. Robertson, Mayor Pro-Tem Mark D. Owen, Councilpersons Michael E. Bruff, Michael N. Cline, Joane E. Ford, Matthew B. Harvey, and Justin R. Horvath.

ABSENT: None.

APPROVAL OF THE AGENDA

Motion by Mayor Pro-Tem Owen to approve the Agenda as presented.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF NOVEMBER 21, 2005

Motion by Mayor Pro-Tem Owen to approve the Minutes of the Regular Meeting of November 21, 2005 as presented.

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

PUBLIC HEARING

ORDINANCE AMENDMENT – CHAPTER 34, UTILITIES AND SERVICES

ORDINANCE 670

A Public Hearing was conducted to receive citizen comment regarding proposed changes to Chapter 34, *Utilities and Services*, Article III, *Water*, Section 34-67. Service connections, of the Code of Ordinances of the City of Owosso.

The following person addressed the City Council regarding the proposed amendment:

Girard Dion, 821 South Washington Street

There was general City Council discussion regarding normal fees, existing customers versus new customers, capital outlay fund and capital recovery charge.

Whereas, the Council, after due and legal notice, has met and having heard all interested persons, motion by Mayor Pro-Tem Owen that the following ordinance be adopted:

ORDINANCE NO. 670

AN ORDINANCE TO AMEND CHAPTER 34, UTILITIES AND SERVICES, ARTICLE III, *WATER*, SECTION 34-67, SERVICE CONNECTIONS, OF THE CODE OF ORDINANCES OF THE CITY OF OWOSSO, MICHIGAN.

THE CITY OF OWOSSO ORDAINS:

Section 1. That, Chapter 34, *Utilities and Services*, Article III, *Water*, Section 34-67. Service connections, of the Owosso City Code shall be and the same is hereby amended to read as follows:

Sec. 34-67. Water service connections, connection charges.

(a) Application for water service connection(s) shall be made to the public utilities department on forms prescribed and furnished by it. Water service connections and water meters shall be installed, maintained and replaced in accordance with applicable rules and standards of the public utilities department and applicable plumbing code provisions. The size of the service line and meter, and installation details, are subject to review and approval by the director.

(b) The city shall be responsible for the installation, maintenance and replacement in like size of

that portion of the water connection from the water main to and including the curb stop and stop box, or through the water meter pit if the meter is located in a pit in the public right-of-way or water easement. The property owner or customer shall be responsible for the installation, maintenance and replacement of that portion of the water connection from the curb stop, or meter pit if such meter pit is located in the public right-of-way or water easement, to and within the premises being served.

(c) Water meters shall generally be supplied by the city. Any water meter provided by the customer shall conform to city standards and specifications, and shall be approved by the director prior to installation or start of service. All meters shall be owned by and under the control of the city. The City shall be responsible for the cost of meter replacement except in the case of a customer requested change in meter size, or damage to the meter attributable to the customer, or agent or tenant of the customer.

(d) Connection charges for new water service connections, or for an increase in service size or capacity, in effect on the effective date of this ordinance shall remain in effect until changed by resolution of the council, which may thereafter be modified or revised by council resolution. Such connection charges may include: recovery of costs for water system capacity attributable to the new user, recovery of costs for water distribution piping serving the user if not previously assessed, recovery of city costs for the initial installation of the service connection and initial provision of the water meter, and recovery of city costs for increasing the service connection and/or meter size. In addition the connection charge schedule may include permit application and review fees, and inspection fees.

Section 2. This ordinance shall take effect December 25, 2005.

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

Motion supported by Councilperson Ford.

Roll Call Vote.

AYES: Councilpersons Ford, Harvey, Horvath, Bruff, Cline, Mayor Pro-Tem Owen, and Mayor Robertson.

NAYS: None.

CITIZEN COMMENTS AND QUESTIONS

Betty Coon, 1204 Palmer Street, welcomed new council members. She commented regarding Mayor Montague, his service to the community, and her service on the Planning Commission. She commented regarding the drive at Baker College and her feeling that the ordinance was not followed. She recommended changes.

Girard Dion, 821 South Washington Street, commented regarding water service charges. He commented that the City should charge the townships more for City water. He also commented regarding illicit floor drains connected to the sanitary sewer drains.

City Manager Guetschow commented that the floor drains could be causing a nuisance.

Mark Anderson, 106 North Lansing Street, questioned having to pay the fee if he was to purchase a home. He asked the City Council to look at communities that were made up of elderly and economically challenged citizens.

Ed Urban, 601 Glenwood Avenue, commented that St. Johns could be comparable sized city.

Councilperson Cline asked Mark Anderson for his suggestion of a comparable city.

CONSENT AGENDA

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

Special Assessment District No. 2005-1– Hazards and Nuisances

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances 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 December 19, 2005 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.

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 – HAZARDS AND NUISANCES
CITY OF OWOSSO
COUNTY OF SHIAWASSEE, MICHIGAN**

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

Parcel #	Address	Type of Nuisance/Hazard	Amount
050-602-024-001-00	1200 George Street	Property Clean-up	183.48
050-580-000-069-00	824 East Main Street	Property Clean-up	220.74
050-622-005-010-00	920 South Lyon Street	Property Clean-up	93.53
050-010-018-011-00	654 Woodlawn Avenue	Property Clean-up	322.33
050-602-018-011-00	1100 Nelson Street	Property Clean-up	234.87
050-680-004-002-00	405 Huron Street	Property Clean-up	272.02
050-622-005-002-00	1005 West Stewart Street	Property Clean-up	334.19
050-660-012-004-00	211 North Howell Street	Property Clean-up	306.18
050-602-003-010-00	1418 Henry Street	Property Clean-up	90.00
050-580-000-078-00	837 East Comstock Street	Property Clean-up	388.71
050-010-015-011-00	623 Glenwood Avenue	Property Clean-up	243.68
050-470-021-005-00	110 East Exchange Street	Property Clean-up	246.01
050-602-026-001-00	1601 Freeman Street	Property Clean-up	508.99
050-010-024-007-00	522 Harrison Avenue	Property Clean-up	285.20
050-660-008-001-00	1000 Bradley Street	Property Clean-up	7,750.00
050-320-000-075-00	953 North Saginaw Street	Property Clean-up	602.84
050-420-001-003-00	520 Corunna Avenue	Property Clean-up	135.51
050-420-005-007-00	725 Division Street	Property Clean-up	101.01
050-115-002-015-00	1135 South Shiawassee Street	Clear Ice/Snow	86.52
050-622-005-002-00	1005 West Stewart Street	Clear Ice/Snow	81.28
050-580-000-078-00	837 East Comstock Street	Clear Ice/Snow	83.79
050-320-010-010-00	803 North Washington Street	Clear Ice/Snow	156.56
050-112-000-020-00	705 East Main Street	Clear Ice/Snow	81.27
050-580-000-011-00	642 East Main Street	Clear Ice/Snow	91.77
050-602-024-005-00	1414 Herman Street	Clear Ice/Snow	81.28
050-310-001-002-00	819 North Shiawassee Street	Clear Ice/Snow	81.28
050-240-003-015-00	636 North Park Street	Mow Tall Grass/Weeds	110.82
050-420-004-005-00	612 Broadway Avenue	Mow Tall Grass/Weeds	97.29
050-601-000-059-00	835 Michigan Avenue	Mow Tall Grass/Weeds	162.35
050-622-005-002-00	1005 West Stewart Street	Mow Tall Grass/Weeds	165.70
050-130-000-023-00	VL – Ash Street	Mow Tall Grass/Weeds	175.61
050-541-000-018-00	501 East King Street	Mow Tall Grass/Weeds	175.83
050-680-004-002-00	405 Huron Street	Mow Tall Grass/Weeds	193.48
050-112-000-002-00	202 North Dewey Street	Sidewalk Improvements	107.00
		TOTAL ROLL	\$14,251.12

TAKE NOTICE that a Special Assessment Roll-Hazards and Nuisances has been prepared for the purpose of defraying the unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances of the above described property.

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

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 December 19, 2005 for the purpose of reviewing said Special Assessment Roll-Hazards and Nuisances and for the purpose of considering all objections to said roll submitted in writing.

Boards and Commissions Appointments

Approved Mayoral appointment of the following:

Member	Board/Commission	Term Expires
Michael Bruff	Planning Commission	Council Representative
Mark Owen	Employees Retirement System Board	Council Representative
Joane Ford	Historical Commission	Council Representative
Matthew Harvey	Mid-County WWTP Review Board	Council Representative
Michael Cline	Shiawassee Area Transportation Authority	Council Representative
Arla Louks	Downtown Loan Committee	11/12/2007
Michael Dvorak	Shiawassee Airport Board	11/12/2007
Lance Ellenberg	Historical Commission	12/31/2008

Motion supported by Councilperson Harvey.

Roll Call Vote.

AYES: Councilpersons Bruff, Ford, Harvey, Mayor Pro-Tem Owen, Councilpersons Cline, Horvath, and Mayor Robertson.

NAYS: None.

ITEMS OF BUSINESS

SOCIAL SECURITY NUMBER PRIVACY POLICY

Motion by Mayor Pro-Tem Owen to adopt the following Social Security Number Privacy Policy:

**CITY OF OWOSSO
SOCIAL SECURITY NUMBER PRIVACY POLICY**

1. Purpose.

The City of Owosso is required by the Michigan Social Security Number Privacy Act, Public Act 454 of 2004, MCL 445.81, *et seq.*, to create a privacy policy concerning the Social Security numbers that it possesses or obtains.

2. Policy.

It is the policy of the City to protect the confidentiality of the Social Security numbers obtained in the ordinary course of business from employees, vendors, contractors, customers or others. No person shall knowingly obtain, store, transfer, use, disclose, or dispose of a Social Security number that the City obtains or possesses except in accordance with the Act and this Privacy Policy.

3. Procedure.

- a. **Obtaining Social Security Numbers.** Social Security numbers should be collected only where required by federal and state law, or as otherwise permitted by federal and state law for legitimate reasons consistent with this Privacy Policy.

Legitimate reasons for collecting a Social Security number include, but are not limited to:

- Applicants may be required to provide a Social Security number for purposes of a pre-employment background check.
- Copies of Social Security cards may be obtained for purposes of verifying employee eligibility for employment.
- Social Security numbers may be obtained from employees for tax reporting purposes, for new hire reporting or for purposes of enrollment in any City employee benefit plans.

- Social Security numbers may be obtained from creditors or vendors for tax reporting purposes.
- b. **Public Display.** All or more than four sequential digits of a Social Security number shall not be placed on identification cards, badges, time cards, employee rosters, bulletin boards, permits, licenses or any other materials or documents designed for public display. Documents, materials or computer screens that display all or more than four sequential digits of a Social Security number shall be kept out of public view at all times.
- c. **Account Numbers.** All or more than four sequential digits of a Social Security number shall not be used as a primary account number for an individual.
- d. **Computer Transmission.** All or more than four sequential digits of a Social Security number shall not be used or transmitted on the Internet or on a computer system or network unless the connection is secure or the transmission is encrypted.
- e. **Mailed Documents.** City documents containing all or more than four sequential digits of a Social Security number shall only be sent in cases where state or federal law, rule, regulation, or court order or rule authorizes, permits or requires that a Social Security number appear in the document. Documents containing all or more than four sequential digits of a Social Security number, that are sent through the mail, shall not reveal the number through the envelope window or otherwise be visible from outside the envelope or package.
- f. **Freedom of Information Act.** Where all or more than four sequential digits of a Social Security number are contained within a document subject to release under the Freedom of Information Act, the Social Security number shall be redacted or otherwise rendered unreadable before the document or copy of a document is disclosed.
- g. **Storage.** All documents containing Social Security numbers shall be stored in a physically secure manner. Social Security numbers shall not be stored on computers or other electronic devices that are not secure against unauthorized access.
- h. **Access to Social Security Numbers.** Only personnel who have legitimate business reasons to know will have access to records containing Social Security numbers. The department head having access to records containing Social Security numbers shall determine which other personnel within their department have legitimate reason in the City's ordinary course of business to have access to such Social Security numbers. Personnel using records containing Social Security numbers must take appropriate steps to secure such records when not in immediate use.
- i. **Disposal.** Documents containing Social Security number will be retained in accordance with the requirements of state and federal laws and the City's retention policy. At such time as documents containing Social Security numbers may be disposed of, such disposal shall be accomplished in a manner that protects the confidentiality of the Social Security numbers, such as shredding.
- j. **Unauthorized Use or Disclosure of Social Security Numbers.** The City shall take reasonable measures to enforce this Privacy Policy and to correct and prevent reoccurrence of any known violations. Any employee who knowingly obtains, uses or discloses Social Security numbers for unlawful purposes or contrary to the requirements of this Privacy Policy shall be subject to discipline up to and include discharge. Additionally, certain violations of the Act carry criminal and/or civil sanctions. The City will cooperate with appropriate law enforcement or administrative agencies in the apprehension and prosecution of any person who knowingly obtains, uses or discloses Social Security numbers through the City for unlawful purposes.
- k. **Guidance.** If any questions regarding Social Security number privacy and security should arise, contact the office of the City Manager for policy clarification and guidance.

Motion supported by Councilperson Horvath.

Roll Call Vote.

AYES: Councilpersons Cline, Harvey, Mayor Pro-Tem Owen, Councilpersons Bruff, Horvath, Ford, and Mayor Robertson.

NAYS: None.

**LIQUOR CONTROL COMMISSION-
DANCE-ENTERTAINMENT PERMIT REQUEST FOR 200 EAST COMSTOCK STREET
D.J. ENTERPRISES, INC. (ROMA'S BACK DOOR)**

Motion by Mayor Pro-Tem Owen that the request from D.J. Enterprises, Inc. to add new Dance-Entertainment Permit, in conjunction with 2005 Class C License, located at 200 East Comstock Street, Owosso, Michigan 48867, in Shiawassee County be approved.

Motion supported by Councilperson Ford.

Roll Call Vote.

AYES: Councilpersons Harvey, Cline, Mayor Pro-Tem Owen, Councilpersons Bruff, Ford, Horvath, and Mayor Robertson.

NAYS: None.

AMBULANCE SERVICE RATES

There was general Council discussion regarding the proposed rates, the ACCUMED billing service, insurance deductibles, and an annual review of rates.

Motion by Councilperson Ford to adopt proposed ambulance services rates as follows:

Rate Schedule

Basic Life Support (BLS)	\$375.00 plus \$10.00 a loaded-mile-minimum one mile
Non-Emergency Transfers	\$375.00 plus \$10.00 a loaded-mile-minimum one mile
Advanced Life Support 1 (ALS1)	\$475.00 plus \$10.00 a loaded-mile-minimum one mile
Advanced Life Support 2 (ALS2)	\$550.00 plus \$10.00 a loaded-mile-minimum one mile
Specialty Care Transport (SCTs)	\$600.00 plus \$10.00 a loaded-mile-minimum one mile
Use of Oxygen	\$40.00

- Resident not responsible for Co-Pay
- Non-Resident required to pay Co-Pay

Levels of Care Defined

Basic Life Support Definition: Level of service provided by an EMT-Basic and is based on state and local protocols. There was some confusion in the Proposed Rule about including IV therapy in the basic life support payment. The Final Rule makes it clear that IVs are included in the BLS base rate ONLY in those areas where EMTs may start IVs under state or local law.

ALS1 Definition: An ALS1 level of service is defined as including an ALS assessment OR the provision of at least one ALS intervention. An ALS assessment is performed by an ALS crew and results in the determination that the patient's condition requires an ALS level of care, even if no other ALS intervention is performed. ALS assessments will be recognized only in emergency situations.

If both a BLS and ALS unit respond to a call and an ALS Assessment is performed by the ALS service and it is determined that no further ALS intervention is required, the BLS unit may transport patient to hospital with no ALS staff on board. THE BLS unit can charge at the ALS level of service even though no ALS staff was on board during transport. (Of course, ALS and BLS service may have contractual agreement in place whereby the parties agree to payment of these services; consult qualified legal counsel for more information. ALS Assessment is only done in Emergency Situations and the transporting unit is the entity who files the Medicare claim.

ALS2 Definition: An ALS2 level of service has been clarified to mean the administration of at least three medications OR the provisions of at least one of the following procedures: **manual defib/cardioversion; endotracheal intubation; central venous line; cardiac pacing; chest decompression; surgical airway; intraosseous line.** Dextrose, normal saline and Ringer's lactate are NOT medications for the purposes of the "three medication" rule, and neither are oxygen or aspirin. Also, medications must be administered by intravenous push/bolus or by continuous infusion to satisfy the "three medication" rule. In addition, Medicare will now permit three administrations of the same qualifying medication to satisfy the "three medication" rule.

Specialty Care Transports (SCTs): An ambulance service will be eligible for payment at the SCT rate if it performs a transport of a patient requiring care by "health professionals in an appropriate specialty area" (like nursing, emergency medicine, respiratory care) or a "paramedic with additional training." There is no prescribed certification, curriculum, course or number of hours established to determine what constitutes a "paramedic with additional training" for

purposes of being paid at the SCT level. However, the final rule states that this is determined with reference to state or local authority that governs EMS personnel in that jurisdiction.

Motion supported by Councilperson Cline.

Roll Call Vote.

AYES: Councilpersons Cline, Harvey, Mayor Pro-Tem Owen, Councilpersons Horvath, Bruff, Ford, and Mayor Robertson.

NAYS: None.

OUT-OF-TOWN WATER POLICY

There was City Council discussion regarding changes to the current policy regarding out-of-town connections to the City's water system.

Mayor Pro-Tem Owen commented regarding the inability to allow people in the townships who are adjacent to our water lines to connect if they need to. Councilperson Horvath commented regarding Dr. Allam's project on North M-52 in Owosso Township. He also commented that "we need to bring everybody to the table", the City of Corunna, Caledonia Township, and Owosso Township.

There was discussion regarding the 1976 policy, updated connection charges, collection fees, capacity – supply versus distribution, and sending a message to the townships that we are willing to work with them for water supply.

Councilperson Bruff asked what it would take to connect the rest of the homes in the township areas where there are currently water lines.

The City Council asked staff to present a proposal for out-of-town water service at an upcoming meeting.

SET EARLY START TIME-DECEMBER 19TH MEETING

Motion by Councilperson Ford to set an early start time of 7:00 p.m. for the December 19, 2005 City Council meeting for the purpose of receiving the FY 2004-2005 Audit Report.

Motion supported by Mayor Pro-Tem Owen.

Roll Call Vote.

AYES: Councilperson Cline, Mayor Pro-Tem Owen, Councilpersons Horvath, Ford, Bruff, Harvey, and Mayor Robertson.

NAYS: None.

COMMUNICATIONS

City of Corunna. Invitation to City of Corunna Community Christmas Party.
Shiawassee County Road Commission. Christmas Card.
John F. Archer, Building Official. Memo regarding house demolition costs.
Owosso Historical Commission. Minutes of Meeting of November 15, 2005.

CITIZEN COMMENTS AND QUESTIONS

Betty Coon, 1204 Palmer Street, commented regarding the Social Security Policy, enforcement issues related to Baker College; sign prohibiting a left turn, and MML conference fees.

Gregg Guetschow responded to Mrs. Coon's questions. There was further discussion regarding enforcement issues related to the Baker College parking lot. Mr. Guetschow advised the City Council and Mrs. Coon that the City will talk to Baker College personnel to see if there are legal remedies available. Mrs. Coon inquired about a no left turn sign.

Girard Dion, 821 South Washington Street, commented regarding the ambulance rates, eliminating the fire marshal position, and hiring a Fire Chief. Mr. Guetschow commented that he will be reporting to the Council in the near future on the status of the Public Safety Department.

Mark Anderson, 106 North Lansing Street, commented regarding ambulance service and township water issues.

Ed Urban, 601 Glenwood Avenue, asked the City Manager about the early start time for the next meeting.

ADJOURNMENT

Motion by Mayor Pro-Tem Owen for adjournment at 9:11 p.m., supported by Councilperson Bruff and concurred in by unanimous vote.

Linda L. Robertson, Mayor

Gail L. Schultz, City Clerk