

OWOSSO CITY COUNCIL

JANUARY 16, 2007

7:30 P.M.

PRESIDING OFFICER: MAYOR LINDA L. ROBERTSON

OPENING PRAYER: REVEREND HEATHER BARTA
CHRIST EPISCOPAL CHURCH

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, Matthew B. Harvey,
and Justin R. Horvath.

ABSENT: Councilperson Joane E. Ford.

APPROVE AGENDA

Motion by Councilperson Harvey to approve the agenda as presented with the addition of Item of Business 1. City Manager Evaluation Form. Discuss formats for the City Manager's evaluation.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF JANUARY 2, 2007

Motion by Councilperson Bruff to approve the Minutes of the Regular Meeting of January 2, 2007 as presented.

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

PUBLIC HEARINGS

SPECIAL ASSESSMENT DISTRICT NO. 2007-01

ALTA VISTA DRIVE FROM CENTER STREET TO SHADY LANE DRIVE

The public hearing was conducted for the proposed project. There were no public comments.

City Manager Guetschow addressed the audience indicating the public hearings tonight are to determine the necessity of the project.

Motion by Councilperson Harvey to adopt the following resolution:

RESOLUTION NO. 02-2007

WHEREAS, the City Council, after due and legal notice, has met and there being no one to be heard regarding the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited: Alta Vista Drive from Center Street to Shady Lane Drive
2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be \$36,000.00 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.
3. The City Council determines that of said total estimated cost, the sum of \$13,819.50 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied: Alta Vista Drive from Center Street to Shady Lane Drive for street reconstruction.
5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special

assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.

When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

Motion supported by Councilperson Bruff.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Ford.

SPECIAL ASSESSMENT DISTRICT NO. 2007-02

ALTURAS DRIVE FROM CENTER STREET TO SHADY LANE DRIVE

The public hearing was conducted for the proposed project. There were no public comments.

Motion by Councilperson Bruff to adopt the following resolution:

RESOLUTION NO. 03-2007

WHEREAS, the City Council, after due and legal notice, has met and there being no one to be heard regarding the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited: Alturas Drive from Center Street to Shady Lane Drive
2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be \$40,000.00 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.
3. The City Council determines that of said total estimated cost, the sum of \$16,710.45 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied: Alturas Drive from Center Street to Shady Lane Drive for street reconstruction.
5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.

When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

Motion supported by Councilperson Harvey.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Ford.

SPECIAL ASSESSMENT DISTRICT NO. 2007-03

CHIPMAN STREET FROM HARDING STREET TO NORTH STREET

The public hearing was conducted for the proposed project. There were no public comments.

Motion by Councilperson Harvey to adopt the following resolution:

RESOLUTION NO. 04-2007

WHEREAS, the City Council, after due and legal notice, has met and there being no one to be heard regarding the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited: Chipman Street from Harding Street to North Street.
2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be \$92,800.00 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.
3. The City Council determines that of said total estimated cost, the sum of \$41,965.80 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied: Chipman Street from Harding Street to North Street for street reconstruction.
5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.

When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

Motion supported by Councilperson Cline.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Ford.

SPECIAL ASSESSMENT DISTRICT NO. 2007-04

NORTH STREET FROM SHIAWASSEE STREET (M-52) TO HICKORY STREET

The public hearing was conducted for the proposed project.

The following persons addressed the City Council regarding the proposed project:

Shirley Blossom, 204 East North Street, commented on the movement of heavy equipment on her street and how everyone pays their fair share.

City Manager Guetschow indicated property owners are assessed the same amount regardless of what type of traffic uses the street or how heavily it is traveled. The remaining cost is paid for by monies collected through the State, by the City at large, and by the adjoining townships if they draw benefit from the improvement.

Irene Telfer, 206 East North Street, commented that North Street is not a truck route and wished to know the amount assessed to Owosso Charter Township.

There was general discussion regarding established truck routes, ordinances governing the use of City streets, and how streets bordering neighboring townships are maintained.

Drew Thorsby, 1324 North Washington Street, asked if township property owners were being assessed at a lower rate than city property owners.

It was noted that Owosso Charter Township will be assessed almost \$11,000.00 and some of the properties on the north side of North Street are in the City limits.

City Manager Guetschow reminded everyone that this public hearing only determines the necessity of the project not the costs assessed to property owners and the City at large. He explained how the street reconstruction/special assessment process works and indicated Council has a number of options in determining how costs are assessed when the time comes.

There was general discussion regarding the annual review of streets performed by the Engineering Department, the general life of a typical street and how streets are scheduled for reconstruction or maintenance.

Motion by Councilperson Horvath to adopt the following resolution:

RESOLUTION NO. 05-2007

WHEREAS, the City Council, after due and legal notice, has met and heard all persons to be affected by the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited: North Street from Shiawassee Street (M-52) to Hickory Street.
2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be \$112,800.00 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.
3. The City Council determines that of said total estimated cost, the sum of \$34,194.00 be paid by special assessment upon the property specially benefited (\$10,926.00 to be additionally assessed to Owosso Charter Township), as more particularly hereinafter described.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied: North Street from Shiawassee Street (M-52) to Hickory Street for street reconstruction.
5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.

When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

Motion supported by Councilperson Bruff.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Ford.

SPECIAL ASSESSMENT DISTRICT NO. 2007-05

OLIVER STREET FROM SHIAWASSEE STREET (M-52) TO FIRST STREET

The public hearing was conducted for the proposed project.

The following persons addressed the City Council regarding the proposed project:

Councilperson Horvath inquired as to how an individual could request curb be replaced.

It was indicated the City will examine the curb at the property owner's request.

Motion by Councilperson Bruff to adopt the following resolution:

RESOLUTION NO. 06-2007

WHEREAS, the City Council, after due and legal notice, has met and heard all persons to be affected by the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited: Oliver Street from Shiawassee Street (M-52) to First Street.
2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be \$66,400.00 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.
3. The City Council determines that of said total estimated cost, the sum of \$30,790.05 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied: Oliver Street from Shiawassee Street (M-52) to First Street for street reconstruction.
5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.

When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

Motion supported by Councilperson Harvey.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Ford.

SPECIAL ASSESSMENT DISTRICT NO. 2007-06

OLIVER STREET FROM FIRST STREET TO CHIPMAN STREET

The public hearing was conducted for the proposed project.

The following persons addressed the City Council regarding the proposed project:

Florence Dignan, 1001 West Oliver Street, commented on her support for the street reconstruction but opposition to the installation of sidewalks.

Catherine Collamer, 1101 West Oliver Street, commented on her opposition to the installation of sidewalks.

Juan Hernandez, 1025 West Oliver Street, commented on his opposition to the installation of sidewalks.

There was general discussion regarding property owner liability for sidewalks, how they are paid for, consideration for landscaping and trees when installing a sidewalk, the safety of children when walking to Central School, organizing a petition to show support for not building the sidewalks, and the corner lot discount.

Motion by Councilperson Harvey to adopt the following resolution:

RESOLUTION NO. 07-2007

WHEREAS, the City Council, after due and legal notice, has met and heard all persons to be affected by the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited: Oliver Street from First Street to Chipman Street.
2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be \$140,310.00 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.
3. The City Council determines that of said total estimated cost, the sum of \$62,348.00 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied: Oliver Street First Street to Chipman Street for street reconstruction with no sidewalk installation.
5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.

When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

Motion supported by Councilperson Bruff.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Ford.

SPECIAL ASSESSMENT DISTRICT NO. 2007-07

SHADY LANE DRIVE FROM MEADOW DRIVE TO ALTA VISTA DRIVE

The public hearing was conducted for the proposed project.

There were no citizen comments.

Motion by Councilperson Bruff to adopt the following resolution:

RESOLUTION NO. 08-2007

WHEREAS, the City Council, after due and legal notice, has met and there being no one to be heard regarding the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited: Shady Lane Drive from Meadow Drive to Alta Vista Drive.
2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be \$20,200.00 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.
3. The City Council determines that of said total estimated cost, the sum of \$6,088.05 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described.

4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied: Shady Lane Drive from Meadow Drive to Alta Vista Drive for street reconstruction.
5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.

When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

Motion supported by Councilperson Harvey.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Ford.

CITIZEN COMMENTS AND QUESTIONS

Gary Martenis, 705 Lingle Avenue, commented on streets he would like repaired, adding a four-way stop in the downtown, constructing a sledding hill at Holman Park, and when the City Manager's contract expires.

In response to Mr. Martenis's questions it was noted the City Manager has no contract and a sledding hill is in the parks plan and will be constructed as materials become available. It was also noted that Stewart Street will not be repaired until the Gute drain is fixed and previous Councils had decided against installing four-way stops in the downtown.

Betty Coon, 1204 Palmer Avenue, commented on ambulance runs outside the City and use of the fire truck that has been decorated for Christmas.

It was indicated the City and adjacent townships have a mutual aid agreement covering runs outside of their respective jurisdictions and the fire truck is fully functional despite being decorated.

Rev. Heather Barta, 415 Pine Street, commented on her desire to see curbside recycling service in the City.

County Commissioner Henrietta Sparkes thanked City voters for helping elect her to office.

Theresa Trecha, owner of Capitol Bowl, thanked Council and Staff for their support during the rebuilding of the bowling alley.

Councilperson Bruff suggested a series of classes be held for landlords and tenants to educate both on the responsibilities of rental properties.

CONSENT AGENDA

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

Bid Award. Accepted the low bid of HME Ahrens-Fox for one 104' Aerial Platform Fire Truck in the amount of \$660,598.00.

Designation of Certifying Officer. Approved the designation of Community Development Director Philip B. Hathaway as the Certifying Officer for the Community Development Block Grant #MSC 206032-ICE for Water System Improvements.

Warrant No. 338. Accepted Warrant No. 338 as follows:

Vendor	Description	Fund	Amount
Brown & Stewart, PC	Professional services covering the period from 12-13-2006 through 01-09-2007	General	\$8,952.60
Huron & Eastern Railway Company Inc.	Annual maintenance of active traffic control devices	General	\$5,690.00

Motion supported by Councilperson Cline.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Ford.

ITEMS OF BUSINESS

CITY MANAGER EVALUATION FORM

There was general discussion regarding the various evaluation formats available to Council and the process for evaluating the City Manager. There was further discussion regarding self evaluation, 360° evaluation, and charter requirements and restrictions.

It was agreed to use the Durand City Manager Evaluation form and customize it to fit Council's needs. It was also agreed to use a standardized number scoring system from 1 to 5, with one being the lowest and five being the highest. Council concerns and suggestions will be communicated to the Mayor. The final version will be formed in the coming weeks.

COMMUNICATIONS

Westtown Merchants. Thank you note regarding lights along Main Street in Westtown.

Michael Cline, Councilperson. SATA fixed route information.

William C. Brown, City Attorney. Update on 123 West Exchange Street Special Assessment.

Gregg G. Guetschow, City Manager. Fifth Monday meeting discussion outline.

Richard C. Williams, Finance Director. December 2006 Revenue & Expenditure Comparison Report.

John F. Archer, Building Official. December 2006 Building Department Report.

John F. Archer, Building Official. December 2006 Code Violations Report.

Michael T. Compeau, Public Safety Director. December 2006 Police Department Report.

Michael T. Compeau, Public Safety Director. December 2006 Fire Department Report.

Councilperson Cline commented on his disappointment with the recent SATA meeting.

There was general discussion regarding the ability to rescind or change the motion approving funding for SATA.

CITIZEN COMMENTS AND QUESTIONS

Betty Coon, 1204 Palmer Avenue, commented on her appreciation for Council's efforts in regard to SATA and making sure the City Manager's Evaluation is fair.

Gary Martenis, 705 Lingle Avenue, asked why there was no City Manager evaluation process already in place and if the public could comment.

It was noted there is a process in place but Council would like to see it changed and citizens may comment on the City Manager's performance during the Citizen Comments and Questions portion of any Council meeting. It was also noted that at the time of the City Manager's hiring contracts were illegal and that policy has carried forth despite a change in the law.

There was general discussion regarding the timing of this evaluation and those in the future.

ADJOURNMENT

Motion by Mayor Pro-Tem Owen for adjournment at 9:20 p.m.

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

Linda L. Robertson, Mayor

Amy K. Kohagen, City Clerk