

OWOSSO CITY COUNCIL

JUNE 4, 2007

7:30 P.M.

PRESIDING OFFICER: MAYOR LINDA L. ROBERTSON

OPENING PRAYER: MAJOR HENRY TEMPEL
SALVATION ARMY

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: Joane Ford (resigned).

APPROVE AGENDA

Motion by Councilperson Horvath to approve the agenda as presented with Consent Item #3 Water Treatment Plant Vacancy moving to Item of Business #4.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF MAY 21, 2007

Motion by Councilperson Bruff to approve the Minutes of the Regular Meeting of May 21, 2007 as presented.

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

Mayor Robertson addressed the audience in preparation for the public hearings and read aloud the rules for addressing City Council.

LETTER OF RESIGNATION

City Clerk Amy K. Kohagen read aloud the following letter of resignation from Councilperson Joane E. Ford:

May 29, 2007

1512 Hiawatha
Drive Owosso, MI
48867

Dear City Clerk Amy Kohagen:

After much thought and prayer, I have decided to resign from the Owosso City Council. My personal life is going through some major changes with the wedding, selling my condo and moving. I know that I will miss many of the meetings in the next five months and will not be able to keep the commitment that is necessary to be an effective councilperson.

I am glad I had the opportunity to serve our community during these past three and a half years. I regret that I cannot finish the end of my term and request that my resignation be effective immediately. Also, please consider this letter as a resignation notification from the committees upon which I served as a councilperson: the Historical Commission, the Great Start Collaborative, and the Comprehensive Health Advisory Committee.

Sincerely
yours,

Joane Ford

PUBLIC HEARINGS

SANITARY SEWER OVERFLOW CONTROL PROGRAM

A public hearing was conducted to receive citizen comment regarding the Sanitary Sewer Overflow Control Program Project Plan.

Utilities Director Gary M. Burk described the project touching specifically on the following topics: a description of the water quality problems and the alternatives considered to mitigate the problems, a description of the recommended alternative and its costs, project financing, cost to users, and the anticipated social and environmental impacts of the project.

There were no citizen comments.

There was general Council discussion regarding the elimination of illicit residential connections, how elimination costs will be paid, who will perform the work, and implementing a long term program to systematically remove/repair illicit connections.

No action was required at this time. The Council will consider approval of the plan at the June 18, 2007 meeting.

(A complete verbatim written copy of the public hearing was provided to the State per requirements.)

BROWNFIELD PLAN AMENDMENT – TIAL PRODUCTS DISTRICT #3

A public hearing was conducted to receive citizen comment regarding the proposed District #3 Brownfield Plan amendment for TiAL Products, Inc.

The following person addressed the City Council: Burton Fox, 216 East Oliver Street, commented regarding the aesthetics of the proposed development. It was noted discussions had taken place in regard to placing a tree line between TiAL and the Woodard Station development and also along M-52.

Director of Community Development Philip B. Hathaway that the Michigan Economic Development Corporation had accepted the amended plan and would be scheduling it for action at the MEGA meeting in August pending receipt of the completed work plan.

Motion by Councilperson Horvath to adopt the following resolution approving the amendment to Brownfield Plan, District #3, TiAL Products, Inc.:

**RESOLUTION NO. 26-2007
RESOLUTION APPROVING A BROWNFIELD PLAN
District #3, Amended Brownfield Plan -TiAL Products
Inc**

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 #3, Amended Brownfield Plan - TiAL Products, Inc" (the "Plan"), pursuant to and in accordance with Section 13 of the Act; and

WHEREAS, the Authority has, at least twenty (20) days before the meeting of the City Council at which this resolution has 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 Council has previously provided to the Taxing Jurisdictions a reasonable opportunity to express their views and recommendations regarding the Financing Plan and in accordance with Sections 13 (10) and 14 (1) of the Act; 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 their views and recommendations of the Taxing Jurisdictions, the Council desires to proceed with approval of the Plan.

NOW THEREFORE, BE IT RESOLVED THAT:

- 1. Plan Approved. 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 June 4, 2007 and maintained on file in the office of the City Clerk.
- 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 Mayor Pro-Tem Owen.

Roll Call Vote.

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

NAYS: None.

PROCLAMATIONS / SPECIAL PRESENTATIONS

CITY MANAGER PROFILE DEVELOPMENT

Sandra Soltysiak of Varnum Consulting led a discussion regarding the qualities and traits desired in the new city manager. The list included the ability to enable and empower people to contribute to the success of the City, provide inspiration and motivation, the ability to instill passion in others, someone that accepts responsibility for him/herself and their subordinates, someone with vision and decisiveness, someone able to think outside the box and willing to take risks, someone that is accessible and approachable, and most importantly someone that possesses very strong communication skills.

The advertising campaign is set to start around June 8th or 9th. A meeting to receive citizen comment will be organized for sometime between June 11th and July 6th. Final selection is scheduled to be completed by September 1, 2007.

CITIZEN COMMENTS AND QUESTIONS

Shelva Cebulski, 1243 Marion Street, commented on the Red Cross Blood Drive at City Hall June 5, 2007.

Burton Fox, 216 East Oliver Street, apologized for past conduct and offered to give up KoK's Thursday or Saturday programming hours for others.

Betty Coon, 1204 Palmer Avenue, commented on not being able to hear. (It was noted that adjustments were made to the sound system and further adjustments would be necessary.)

Eddie Urban, 601 Glenwood Avenue, commented on Council members interacting with the public.

There was some discussion regarding whether other organizations could use KoK's television equipment for their programming. Burton Fox indicated he would explore the idea.

CONSENT AGENDA

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

Bid Award. Authorized low bid of Arrow Construction Co. for the 2007 Street Patch Program in the amount of \$16,972.50 and approved payment up to the bid amount.

Planning Commission Referral. Referred to the Planning Commission the staff request to close Elm Street at Cass Street.

Warrant No. 344. Accepted Warrant No. 344 as follows:

Vendor	Description	Fund	Amount
State of Michigan - MDOT	South Street Reconstruction	Major Street	\$52,344.82

Motion supported by Councilperson Cline.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

PROPERTY SALE – NORTH OF 700 WRIGHT STREET

Motion by Mayor Pro-Tem Owen to receive a purchase agreement for vacant parcel located north of 700 Wright Avenue legally described as LOT 20, BLK 34 OF GEORGE T ABREYS

WOODLAWN PARK ADDITION INCLUDING 1/2 OF THE CLOSED ALLEY, CITY OF OWOSSO, SHIAWASSEE COUNTY, MICHIGAN for the sum of \$6,000 and considerations to Dan Clayton and file with the City Clerk until the meeting of July 2, 2007.

Motion supported by Councilperson Harvey.
Roll Call Vote.

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

NAYS: None.

ADMINISTRATIVE FEE

There was general discussion regarding when the fee was first instituted on the collection of City taxes, addressing the issue before the budget was approved, where replacement money would come from if the fee were to be repealed (fund balance), the amount of money the fee generates, using cable franchise fees to make up the difference, the timing of the issue, and viewing the change as a symbolic gesture.

Motion by Mayor Pro-Tem Owen to repeal the 1% administration fee on City taxes (approximately \$38,793.54).

Motion supported by Councilperson Cline.

Roll Call Vote.

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

NAYS: Councilperson Bruff, and Mayor Robertson.

COUNCIL APPOINTMENT

Mayor Robertson detailed the process used the last time a member was appointed to Council indicating Council received letters of interest then voted to make an appointment at the following meeting.

There was general discussion regarding the deadline, timing of publication of an official notice, and the type of person one Councilperson would like to see appointed.

Motion by Mayor Pro-Tem Owen receive letters of interest until Wednesday June 13, 2007 at 5:00 p.m. and publish notice in the paper by Wednesday June 6, 2007.

Motion supported by Councilperson Harvey.

Roll Call Vote.

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

NAYS: None.

WATER TREATMENT PLANT VACANCY

There was general discussion regarding whether updating the eligibility list was a violation of the hiring freeze, what happens to the new hire if the current worker does not leave as planned, efforts not to limit the number of candidates that apply, when the new hire would reach full pay, minimum staffing levels at the water treatment plant, providing Council with notice of hire for positions funded by enterprise funds, and filling critical positions.

Motion by Councilperson Harvey to fill the Water Treatment Plant shift operator vacancy.

Motion supported by Councilperson Bruff.
Roll Call Vote.

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

NAYS: Councilperson Cline.

COMMUNICATIONS

Michigan Municipal League. Announcement of fall convention.
Larry D. Cook, Interim City Manager. Cable Commission information.

Brownfield Redevelopment Authority. Minutes of Meeting of May 17, 2007.
Owosso Planning Commission. Minutes of Meeting of May 29, 2007.

CITIZEN COMMENTS AND QUESTIONS

Shelva Cebulski, 1243 Marion Street, inquired as to when work on the Oliver Street Bridge and Chipman Street would start (Monday June 11th).

Burton Fox, 216 East Oliver Street, inquired if it had been decided how to designate cable franchise fees (not at this time).

Betty Coon, 1204 Palmer Avenue, thanked Council for repealing the 1% administrative fee and commented on the upcoming council appointment.

Gary Martenis, 705 Lingle Avenue, inquired about city property at 415 Bradley Street and encouraged all to participate in the Curwood Festival.

Nancy Blair, 723 Division Street, commented on increased costs of performing tax collection.

There was general discussion regarding the status of the property at 415 Bradley Street, indicating the amount of the rent, where the rent money goes, why the City owns the property, and future plans for the property.

ADJOURNMENT

Motion by Councilperson Bruff for adjournment at 9:58 p.m.

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

Linda L. Robertson, Mayor

Amy K. Kohagen, City Clerk