

OWOSSO CITY COUNCIL

AUGUST 6, 2007

7:30 P.M.

PRESIDING OFFICER: MAYOR LINDA L. ROBERTSON

OPENING PRAYER: PASTOR DAVID WOODBY
REDEEMER LUTHERAN 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, Joni M. Forster, and
Justin R. Horvath.

ABSENT: Matthew B. Harvey (resigned).

APPROVE AGENDA

Motion by Councilperson Horvath to approve the agenda as presented with the addition of Item of Business #8 as follows:

8. Special Meeting Time. Set a special meeting time of Thursday, August 16, 2007 at 3:00 p.m. in the City Hall Council Chambers for the purpose of conducting City Manager interviews.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF JULY 16, 2007

Motion by Councilperson Bruff to approve the Minutes of the Regular Meeting of July 16, 2007 as presented.

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

LETTER OF RESIGNATION

City Clerk Amy K. Kohagen read aloud the following letter of resignation from Councilperson Matthew B. Harvey:

July 20, 2007

Larry Cook
Interim City Manager
Owosso City Hall
Owosso, MI 48867

Dear Larry,

It is with deep regrets that I am submitting this letter to you, but effective immediately, I will be resigning from my position on City Council. Due to unforeseen circumstances, I have moved out of the city, and will no longer be able to fulfill my position.

I would like to take this opportunity to thank you for stepping forward in a time of need, and taking on a difficult position. It has been pleasure to work with you.

To the rest of the council, although we may not always have agreed on everything, I feel that we have always had a good working relationship, and I am proud to have served as a councilman with you all. I wish I could have stayed on and finished things that I had set out to do, but I know, you will all make the right decisions. It has been an honor and a privilege serving with you and for the citizens of the City of Owosso.

Respectfully Submitted,

Matthew B. Harvey

CITIZEN COMMENTS AND QUESTIONS

Teresa Skaryd, 601 Ryan Street, commented on her experience when trying to obtain signatures for her nominating petition, her past work experience, her plan to speak out on various topics and her feeling that a member of the City staff recently intimidated her.

Burton Fox, 216 East Oliver Street, commented on his feeling Council should not appoint someone at this time to fill the open Council seat.

Eddie Urban, 601 Glenwood Avenue, indicated he was having trouble hearing the meeting. Councilperson Cline asked Ms. Skaryd to describe her experience while attempting to collect signatures for her nominating petition. She described what happened, indicating there are cliques in town.

Mayor Robertson extended her sympathies to Ms. Skaryd but respectfully disagreed with her statements.

CONSENT AGENDA

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

Bid Award. Approved the low bid of Collard Masonry for replacement of small quantities of bad/misaligned curb and gutter on City streets in an amount not to exceed \$6,000 and authorized payment up to the bid amount.

Contract Payment. Authorized Progress Payment to Fishbeck, Thompson, Carr and Huber for ongoing inspection, testing, and record keeping services on the Oliver Street Bridge project covering the time period from May 19, 2007 through July 13, 2007 in the amount of \$32,043.28

Boards and Commissions Appointment. Approved the Mayoral appointment of Joni M. Forster to the Historical Commission for a term expiring November 6, 2007 (to fill the vacancy left by former Councilperson Joane Ford).

Traffic Control Order No. 1195. Authorized Traffic Control Order No. 1195 to prohibit parking in the alley south of the 200 block of West Mason Street.

Traffic Control Order No. 1196. Authorized Traffic Control Order No. 1196 to prohibit parking on the south side of Frederick Street from Chestnut Street to Tracy Street.

Warrant No. 347. Accepted Warrant No. 347 as follows:

Vendor	Description	Fund	Amount
Shiawassee Family YMCA	Management Services for Holman Pool for the period of July 1, 2007 through July 31, 2007	General	\$17,808.00

Motion supported by Councilperson Cline.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

COUNCIL APPOINTMENT

Mayor Robertson listed the choices available to Council to address the vacancy. They included: appointing someone using letters of interest submitted for the recent vacancy left by Joane Ford, appointing someone using a method agreed upon by the remaining Council members, or leaving the seat vacant until the November City Council election.

A brief discussion followed regarding bringing someone new into the city manager hiring process at this late date, possible perceptions of leaving the seat vacant, and how tie votes would be addressed if no one were appointed.

Council agreed no one would be appointed and no action was taken.

FOCUS OWOSSO PERMISSION

Mayor Robertson noted that David Gapinski from Focus Owosso was available to answer questions about the event. She also noted that no alcohol would be served during the event and Focus Owosso would be providing security.

There were general comments made in regard to what a great idea this is and the hope it would be widely publicized to gather attention.

Motion by Councilperson Bruff to approve the application of Focus Owosso for closure of South Washington Street from Main Street to Jerome Street on September 21, 2007 from 5:00 p.m. to 11:00 p.m. for a street dance to welcome incoming Baker College students and authorize Traffic Control Order No. 1194 formalizing such.

Motion supported by Mayor Pro-Tem Owen.

Roll Call Vote.

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

NAYS: None.

STANDARD STREETLIGHTING CONTRACT CHANGE

Motion by Mayor Pro-Tem Owen to adopt the following resolution:

**RESOLUTION NO. 40-2007
STANDARD STREETLIGHTING CONTRACT CHANGE**

Resolved, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the streetlighting service as provided in the Standard Streetlighting Contract between the Company and the City of Owosso, dated April 1, 1977, in accordance with the Authorization for Change in Standard Streetlighting Contract approved August 6, 2007, heretofore submitted to and considered by this Council; and

Resolved, further, that the Mayor and City Clerk be and are authorized to execute such authorization for change on behalf of the City.

AUTHORIZATION FOR CHANGE IN STANDARD STREETLIGHTING CONTRACT

Consumers Energy Company is hereby authorized as of the 6th day of August, 2007, by the City of Owosso, to make changes, as listed below, in the streetlighting system(s) covered by the existing Standard Streetlighting Contract between the Company and the City of Owosso, dated April 1, 1977.

Company-Owned Streetlight System

Number of Luminaires	Nominal Lumen Rating	Light Source	Installation Or Removal	Location
1	7500	MV	Remove	Now closed portion of Ada Street between King St and Jennett St

Except for the changes in the streetlighting system(s) as herein authorized, all provisions of the aforesaid Standard Streetlighting Contract dated April 1, 1977, shall remain in full force and effect.

Motion supported by Councilperson Horvath.

Roll Call Vote.

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

NAYS: None.

PROPERTY SALE – VACANT PARCEL NORTH OF 700 WRIGHT AVENUE

Mayor Robertson read aloud the memo from Community Development Director Philip B. Hathaway stating the details of the sale.

Motion by Councilperson Bruff to authorize the sale of property described as:

Lot 20, Block 34 of George T Abrey’s Woodlawn Park Addition including ½ of the closed alley, City of Owosso, Shiawassee County, Michigan.

to Daniel R. and Vickie A. Clayton in the amount of \$6,000 plus other considerations.

Motion supported by Mayor Pro-Tem Owen.

Roll Call Vote.

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

NAYS: None.

LIQUOR LICENSE APPLICATION – WOODARD STATION LOFTS

Motion by Mayor Pro-Tem Owen to approve the following resolution supporting the request of Woodard Station Lofts, LLC to obtain an on-premise liquor license:

RESOLUTION NO. 41-2007

WHEREAS, on July 16, 2007, the City Council established a Corridor Improvement Authority under the provisions of Public Act 280 of 2005 with a boundary that includes the redevelopment project site at 317 South Elm Street, and;

WHEREAS, State of Michigan law, being Public Act 501 of 2006, provides for the issuance of on-premise liquor licenses in certain development districts, including those established under the Corridor Improvement Authority Act, and;

WHEREAS, the City of Owosso has received a request from the owners of Woodard Station Lofts to obtain City Council approval for an on-premise liquor license, and;

WHEREAS, Woodard Station Lofts, in addition to being located within the CIA District, has an approved Planned Unit Development mixed-use zoning district classification and site plan that provides for a full-service restaurant, and:

WHEREAS, the City Assessor's affidavit, together with the City Clerk's certification, find that the total amount of public and private investment in real and personal property within the qualified Corridor Improvement Authority development district exceeds the \$200,000 minimum threshold over the preceding 5 year time period, and;

WHEREAS, the Council supports provisions in the issuance of an on-premise license that allows entertainment and dance activity, outdoor service and an additional bar allowance, and

WHEREAS, the Council finds that the stated purpose of Public Act 280 to enhance the quality of life for city residents and visitors to the community applies appropriately to this brownfield redevelopment project of the historic Woodard Furniture Factory, and

WHEREAS, the Council finds that within the CIA District the Woodard Station Lofts application is the only one on record and supports the application above all others, **NOW THEREFORE**;

BE IT RESOLVED, that the City Council of the City of Owosso, in consideration of the aforementioned findings and statements, supports the request of Wood Station Lofts, LLC at 317 South Elm Street in the Corridor Improvement Authority District to obtain an on-premise liquor license as provided for under Public Act 501 of 2006, and **FURTHERMORE**,

BE IT RESOLVED, that the Council directs city staff to provide Woodard Station Lofts and the Liquor Control Commission of the State of Michigan with all the required supplementary documentation.

Motion supported by Councilperson Cline.

Roll Call Vote.

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

NAYS: None.

LIQUOR LICENSE TRANSFER REQUEST – HICKORY CORP.

There was general discussion regarding what a stock transfer entailed.

Motion by Mayor Pro-Tem Owen to approve the request from Hickory Corp. to transfer stock in 2007 Class C licensed business with dance permit, located at 311 Corunna Avenue, Owosso, MI 48867,

Shiawassee County, to transfer 5,100 shares from Jack W. Ott (deceased) to new stockholder Rosemary Ott.

Motion supported by Councilperson Horvath.

Roll Call Vote.

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

NAYS: None.

FIREFIGHTER VACANCY

There was discussion regarding temporarily not filling the position to save money, the current staffing situation (two firefighters are out on extended sick leave), the short term advantages of not filling the position, the long term disadvantages of not filling the position, the entry level pay of a potential new recruit, and the desire for strong police and fire departments.

Motion by Councilperson Cline to hire one full time firefighter to fill the vacancy.

Motion supported by Councilperson Forster.

Roll Call Vote.

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

NAYS: None.

SPECIAL MEETING TIME

Motion by Councilperson Bruff to set a special meeting time of Thursday August 16, 2007 at 3:00 p.m. in the City Hall Council Chambers for the purpose of interviewing City Manager candidates.

Motion supported by Councilperson Forster.

Roll Call Vote.

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

NAYS: None.

COMMUNICATIONS

Michael T. Compeau, Public Safety Director. Fuel Usage Report.

Larry D. Cook, Interim City Manager. Cable advisory committee establishment.

Downtown Development Authority. Minutes of Meeting of July 11, 2007.

Downtown Development Authority. Minutes of Meeting of August 1, 2007.

Mayor Pro-Tem Owen thanked the Public Safety Department for reducing its fuel usage.

There were general comments regarding how nice it was to see police officers on foot patrol and getting the opportunity to meet them.

CITIZEN COMMENTS AND QUESTIONS

Shelva Cebulski, 1243 Marion Street, thanked Council for authorizing the hire of a new firefighter, she also commented on the City softball game and being pleased to see police officers on foot patrol.

Betty Coon, 1204 Palmer Avenue, inquired as to whether alcohol would be served at the street party (no) and sought clarification of issues with the hire of the new city manager.

Burton Fox, 216 East Oliver Street, indicated he liked seeing police officers on foot patrol.

Teresa Skaryd, 601 Ryan Street, commented about seeing police officers riding bikes on patrol.

Eddie Urban, 601 Glenwood Avenue, inquired as to whether someone could assist a fellow audience member catch a ride with SATA after the meeting.

Nancy Cadieux, 118 ½ North Lansing Street, inquired about the safety of City bridges after the recent collapse of a major bridge in Minneapolis. It was indicated all City bridges are inspected every two years.

ADJOURNMENT

Motion by Councilperson Forster for adjournment at 8:14 p.m.

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

Linda L. Robertson, Mayor

Amy K. Kohagen, City Clerk