

OWOSSO CITY COUNCIL

FEBRUARY 19, 2008

7:30 P.M.

PRESIDING OFFICER: MAYOR MICHAEL E. BRUFF

OPENING PRAYER: REVEREND RAY STRAWSER
FIRST BAPTIST CHURCH

PLEDGE OF ALLEGIANCE: Betty Coon

PRESENT: Mayor Michael E. Bruff, Councilpersons Michael N. Cline, Joni M. Forster, Benjamin R. Frederick, Gary W. Martenis, and Jason D. Simmons.

ABSENT: Mayor Pro-Tem Mark D. Owen.

APPROVE AGENDA

Mayor Bruff pointed out the amended Warrant and Resolution for M-52.

Motion by Councilperson Cline to approve the agenda as presented with the addition of Presentation #3 as follows:

3. Presentation by Owosso Public Schools Junior Council Liaison Chelsea Hartner.

And the deletion of Items of Business #9 and #10 as follows:

9. Purchase Agreement. Consider agreement to purchase the lot described as PART OF BLOCK 1, GEORGE THOMAS ADDITION TO THE CITY OF OWOSSO COMMENCING AT THE NORTHWEST CORNER BLOCK 1, THAN SOUTH 60 FEET, EAST 150 FEET, NORTH TO NORTH LINE OF BLOCK 1, THAN NORTHWESTERLY TO POINT OF BEGINNING, commonly known as 209 South State Street in the amount of \$1.00.
10. Property Sale. Authorize twenty-one (21) day posting period for sale of City-owned property located at 209 South State Street to Shiawassee Habitat for Humanity in the amount of \$1.00 plus closing costs, taxes owed, and other associated costs.

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

APPROVAL OF THE MINUTES OF SPECIAL MEETING OF JANUARY 28, 2008

Motion by Councilperson Frederick to approve the Minutes of the Special Meeting of January 28, 2008 as presented with corrections to the spelling of Councilperson Forster's last name.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF FEBRUARY 4, 2008

Motion by Councilperson Forster to approve the Minutes of the Regular Meeting of February 4, 2008 as presented.

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

SPECIAL PRESENTATIONS

City Assessor Larry D. Cook detailed the activities of the Assessing Department, including the educational level of the personnel, cross training efforts, and the information terminal located in City Hall. He also detailed likely assessing scenarios for 2008, such as declining assessed values and rising taxable values.

City Attorney William C. Brown detailed the Open Meetings Act. He described situations in which the statute would attach and those in which it wouldn't. He indicated the courts have chosen to broadly interpret the law and encouraged Council members to read the case law provided in the packet.

Owosso Public Schools Junior Council Liaison Chelsea Hartner described recent functions at the schools and detailed upcoming events including the band concert, choir concert and dodge ball tournament.

PUBLIC HEARINGS

ORDINANCE AMENDMENT

**ORDINANCE NO. 692
CHAPTER 18, NUISANCES
ARTICLE III, LITTERING AND DISTRIBUTION OF HANDBILLS, SECTION 18-58(c)**

A public hearing was conducted to receive citizen comment regarding the proposed addition of Chapter 18, *Nuisances*, Article III, Littering and Distribution of Handbills, Section 18-58 (c) to the Code of Ordinances of the City of Owosso, Michigan.

Thomas Ford, 649 Adams Street, inquired as to whether the proposed ordinance addition would apply to political activities. It was replied it would not.

Eddie Urban, 601 Glenwood Avenue, commented that allowing handbills to be left at unattended homes could invite burglars.

Whereas, the Council, after due and legal notice, has met and having heard all interested persons, motion by Councilperson Cline that the following ordinance be adopted:

ORDINANCE NO. 692

AN ORDINANCE TO ADD CHAPTER 18, NUISANCES, ARTICLE III, LITTERING AND DISTRIBUTION OF HANDBILLS, SECTION 18-58(c) TO THE CODE OF ORDINANCES OF THE CITY OF OWOSSO, MICHIGAN, TO ALLOW THE DISTRIBUTION OF HANDBILLS TO UNATTENDED PREMISES.

THE CITY OF OWOSSO ORDAINS:

Section 1. That, Chapter 18, *Nuisances*, Article III, Littering and Distribution of Handbills, Section 18-58 (c) of the Code of Ordinances of the City of Owosso, Michigan shall be and the same is hereby added to read as follows:

Section 18-58(c)

A non-profit organization may obtain a permit from the City Clerk to distribute handbills at inhabited private premises without leaving such handbill with an owner, occupant or other person. The permit shall be valid for two (2) days, and the non-profit organization may only apply for one permit during an eleven (11) month period. Permits can only be issued for community service projects, and can not be issued for fundraising activities. The permit applicant shall fully describe activities and rationale for the permit. If the City receives complaints from residents that they do not want the handbills, the permit applicant shall retrieve the handbills from the resident in a timely fashion. The permit application shall provide contact information so that such complaints may be forwarded. The City Clerk may reject a permit application if it does not meet the criteria in this subsection, or upon evidence of past abuses of this policy.

Section 2. This ordinance shall become effective March 7, 2008.

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 Forster.

Roll Call Vote.

AYES: Councilpersons Simmons, Forster, Martenis, Frederick, Cline, and Mayor Bruff.

NAYS: None.

ABSENT: Mayor Pro-Tem Owen.

CITIZEN COMMENTS AND QUESTIONS

Burton Fox, 216 East Oliver Street, indicated his support for the Character Counts! program and his support for its use by local businesses and commercial enterprises.

Henrietta Sparkes, County Commissioner District 6, detailed recent decisions by the County Commission.

Thomas Ford, 649 Adams Street, read aloud a letter addressing his desire to be a part of the cable commission and asked the Mayor why he failed to respond. The Mayor indicated he had responded to Mr. Ford's request and further indicated he planned to appoint someone else to the commission.

Betty Coon, 1204 Palmer Avenue, inquired as to whether the next Council meeting date could be listed on future agendas.

Councilperson Martenis inquired as to the status of the Parks and Recreation Commission and the Cable Commission, expressed his concern over a lack of sidewalk on South Chipman Street, proposed a help hotline for citizens, inquired if Council was interested in pursuing a sledding hill at Holman Park, expressed his concern over the needs of Holman Pool, inquired if Council would support the idea of transitioning to a ward system, proposed a neighborhood watch program, expressed his concern over security at Council meetings, and relayed his observances of a recent County Commission meeting.

There was general discussion in response to Councilperson Martenis's inquiries and proposals.

CITY MANAGER REPORT

City Manager Joseph A. Fivas presented an update on the police mileage restriction. He proposed lifting the 50 mile per day limit and development of a comprehensive City-wide energy conservation policy. He also detailed the search for new utility billing software indicating the current software was marginally functional and was in replacement. He further indicated his hopes the new system would allow credit card payments, automatic electronic withdrawal, and internet payment options.

Mayor Bruff addressed Habitat for Humanity representative Sara Warren-Riley inquiring whether the issues regarding the purchase and sale of the home at 209 South State Street had been resolved. She indicated all the issues had been resolved.

Motion by Councilperson Simmons to add Items of Business No. 9 & 10 back to the agenda as follows:

9. Purchase Agreement. Consider agreement to purchase the lot described as PART OF BLOCK 1, GEORGE THOMAS ADDITION TO THE CITY OF OWOSSO COMMENCING AT THE NORTHWEST CORNER BLOCK 1, THAN SOUTH 60 FEET, EAST 150 FEET, NORTH TO NORTH LINE OF BLOCK 1, THAN NORTHWESTERLY TO POINT OF BEGINNING, commonly known as 209 South State Street in the amount of \$1.00.
10. Property Sale. Authorize twenty-one (21) day posting period for sale of City-owned property located at 209 South State Street to Shiawassee Habitat for Humanity in the amount of \$1.00 plus closing costs, taxes owed, and other associated costs.

Motion supported by Councilperson Frederick.

Roll Call Vote.

AYES: Councilpersons Forster, Simmons, Martenis, Frederick, and Mayor Bruff.

NAYS: Councilperson Cline.

ABSENT: Mayor Pro-Tem Owen.

CONSENT AGENDA

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

Conduct First Reading and Set Public Hearing-Ordinance Amendment.

The First Reading on the proposed ordinance amendment was held.

A public hearing was set for March 3, 2008 to receive citizen comment regarding proposed ordinance amendment to amend Chapter 23, *Planning*, Article II, Planning Commission, Section 23-17 of the Code of Ordinances of the City of Owosso, Michigan as follows:

AN ORDINANCE TO AMEND CHAPTER 23, *PLANNING*, ARTICLE II, PLANNING COMMISSION, SECTION 23-17 OF THE CODE OF ORDINANCES OF THE CITY OF OWOSSO, MICHIGAN, TO CHANGE THE MEMBERSHIP OF THE PLANNING COMMISSION.

THE CITY OF OWOSSO ORDAINS:

Section 1. That, Chapter 23, *Planning*, Article II, Planning Commission, Section 23-17 of the Code of Ordinances of the City of Owosso, Michigan shall be and the same is hereby amended to read as follows:

That Section 23-17 of the Code of Ordinances which previously provided:

Section 23-17. Membership, powers and duties.

The city planning commission shall be composed of the members prescribed in section 7.14 of the Charter and shall have the powers and duties therein set forth.

shall be amended to read:

Section 23-17. Membership, Terms.

(a) In accordance with Act 285 of the Public Acts of 1931, as amended, of the State of Michigan, there is hereby established a Planning Commission consisting of nine (9) members. One (1) of whom shall be a member of the legislative body to be selected by resolution of the legislative body to serve as a member ex officio, and eight (8) of whom shall be appointed by the Mayor as provided in this subsection. An appointment by the Mayor shall be subject to approval of the legislative body by majority vote. An appointed member shall not hold another municipal office, except that one (1) appointed member

may be a member of the zoning board of appeals. The term of the ex officio member shall be determined by the legislative body and shall be stated in the resolution selecting the ex officio member, but the terms shall not exceed the member's term of office as a member of the legislative body. The term of each appointed member shall be three (3) years or until his or her successor takes office, except that the respective terms of two (2) of the members first appointed shall be for one (1) year and three (3) for two (2) years. After a public hearing, a member other than the member selected by the legislative body may be removed by the Mayor for inefficiency, neglect of duty, or malfeasance in office. The legislative body may for like cause remove the member selected by the legislative body. All ex officio members appointed under this subsection shall have full voting rights.

(b) There shall be no compensation for a member of the Planning Commission, except that reasonable expenses may be allowed in case of necessity with prior approval of the Owosso City Council.

(c) The rules, regulations, duties and authority of the Planning Commission, as outlined by Act 285 of the Public Acts of 1931, as amended or provided for in its successor legislation, of the State of Michigan, shall apply in all cases.

Section 2. This Ordinance shall become effective 20 days following its adoption.

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.

Conduct First Reading and Set Public Hearing-Ordinance Amendment.

The First Reading on the proposed ordinance amendment was held.

A public hearing for March 3, 2008 to receive citizen comment regarding proposed ordinance amendment to amend Chapter 38, *Zoning*, Article XXII, Planning Commission, Section 38-526 of the Code of Ordinances of the City of Owosso, Michigan as follows:

AN ORDINANCE TO AMEND CHAPTER 38, *ZONING*, ARTICLE XXII, PLANNING COMMISSION, SECTION 38-526 OF THE CODE OF ORDINANCES OF THE CITY OF OWOSSO, MICHIGAN, TO CHANGE THE MEMBERSHIP OF THE PLANNING COMMISSION.

THE CITY OF OWOSSO ORDAINS:

Section 1. That, Chapter 38, *Zoning*, Article XXII, Planning Commission, Section 38-526 of the Code of Ordinances of the City of Owosso, Michigan shall be and the same is hereby amended to read as follows:

That Section 38-526 which previously provided:

Section 38-526. Designation.

The city planning commission is hereby designated as the commission specified in section 4 of Act No. 207 of the Public Acts of Michigan of 1921 (MCL 125.584, MSA 5.2934), as amended and shall perform the zoning duties of the commission as provided in the statute in connection with the amendment of this chapter.

shall be amended to read:

Section 38-526. Establishment, Membership, Terms.

The city planning commission is hereby designated as the commission specified in section 301 of Act No. 110 of the Public Acts of Michigan of 2006 (MCL 125.3301) as amended and shall perform the zoning duties of the commission as provided in the statute.

Section 2. This Ordinance shall become effective 20 days following its adoption.

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.

Bid Award. Accepted low bid of Novak Construction for 2008 Street Program in the amount of \$219,359.00.

Purchase Authorization. Authorized purchase of one Sumitomo Gear Reducer with accessories from Motion Industries for an influent screw pump at the WWTP in the amount of \$8,082.81.

Payment Authorization. Authorized progress payment No. 2 to BioTech Agronomics for Lime Softening Residuals removal/reuse in the amount of \$18,664.50.

Boards and Commissions Appointments. Approved the Mayoral appointment of Paula Perry to the Cable Access Advisory Commission for a term expiring June 30, 2009.

Warrant No. 357. Accepted Warrant No. 357 as follows:

Vendor	Description	Fund	Amount
Brown & Stewart, PC	Professional Services covering the period from January 15, 2008 through February 11, 2008	General	\$8,914.88
Johnson Controls Inc.	Planned Service Agreement covering the period from February 1, 2008 through July 31, 2008	General	\$10,392.50
Michigan Municipal League Workers' Compensation Fund	Workers' Compensation Insurance	General	\$23,300.00

Motion supported by Councilperson Simmons.

Roll Call Vote.

AYES: Councilpersons Martenis, Cline, Simmons, Frederick, Forster, and Mayor Bruff.

NAYS: None.

ABSENT: Mayor Pro-Tem Owen.

ITEMS OF BUSINESS

NON-PROFIT ORGANIZATION GAMING LICENSE RECOGNITION REQUEST – OWOSSO PUBLIC SCHOOLS

Motion by Councilperson Frederick to recognize the Owosso Public Schools as a non-profit organization operating in the City of Owosso for the purpose of obtaining a gaming license from the State of Michigan Lottery.

Motion supported by Councilperson Simmons.

Roll Call Vote.

AYES: Councilpersons Simmons, Forster, Martenis, Frederick, Cline, and Mayor Bruff.

NAYS: None.

ABSENT: Mayor Pro-Tem Owen.

SHIAWASSEE STREET RECONSTRUCTION RESOLUTION

City Manager Fivas indicated he will be speaking to officials from Owosso Township seeking their cooperation in working on this project.

Motion by Councilperson Frederick to authorize the following resolution urging State and Federal representatives to aid in the reconstruction of South Shiawassee Street:

RESOLUTION 10-2008 IN SUPPORT OF THE RECONSTRUCTION OF M-52

WHEREAS, M-52 is major north/south transportation artery that serves the Owosso community with an average daily traffic count of 9,000 vehicles; and

WHEREAS, the M-52 reconstruction project has been scheduled by the Michigan Department of Transportation for 2012; and

WHEREAS, this stretch of highway is in dire need of reconstruction including curbing, drainage, and new pavement; and

WHEREAS, this corridor is important to the economic development of the City of Owosso, with a number of large investments fronting the highway, including the Woodard Station Lofts and TiAL Products; and

WHEREAS, City leaders believe good infrastructure is imperative to attracting and retaining much needed business to the area.

WHEREAS, the City has dedicated itself to providing quality infrastructure despite difficult economic times; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Owosso, formally requests the Michigan Department of Transportation take the necessary steps to improve M-52 within the City of Owosso within the next two years; and

BE IT FURTHER RESOLVED, a copy of this Resolution be forwarded to Governor Jennifer Granholm, State Senator Valde Garcia, State Representative Richard Ball and Federal representatives for the Owosso area.

Motion supported by Councilperson Martenis.

Roll Call Vote.

AYES: Councilpersons Martenis, Frederick, Forster, Cline, Simmons, and Mayor Bruff.

NAYS: None.

ABSENT: Mayor Pro-Tem Owen.

MICHIGAN MAIN STREET PROGRAM – NOTICE OF INTEREST

City Manager Fivas indicated he had been approached by several downtown merchants about entering the program.

Economic Development Director Brent Morgan indicated he had worked with a similar program and found it to be very labor intensive, though he went on to recommend Council look at the program.

Motion by Councilperson Forster to authorize staff to submit a notice of interest to the Michigan State Housing Development Authority for the Michigan Main Street Program.

Motion supported by Councilperson Frederick.

Roll Call Vote.

AYES: Councilpersons Martenis, Simmons, Cline, Frederick, Forster, and Mayor Bruff.

NAYS: None.

ABSENT: Mayor Pro-Tem Owen.

CURWOOD CASTLE EXTERIOR REPAIR PROPOSAL

Mayor Bruff inquired as to whether this project would delay the reconstruction of the Gould House garage. It was indicated it would not.

Motion by Councilperson Martenis to approve the Historical Commission proposal to repair the exterior surface coating of Curwood Castle in the amount of \$16,900.00 and further authorize the release of \$3,170.14 in funds raised by the Brick fundraiser for use on the project.

Motion supported by Councilperson Forster.

Roll Call Vote.

AYES: Councilpersons Frederick, Cline, Forster, Simmons, Martenis, and Mayor Bruff.

NAYS: None.

ABSENT: Mayor Pro-Tem Owen.

BID AWARD

Utilities Director Gary M. Burk explained the reasoning for waiving the competitive bidding procedures.

Motion by Councilperson Forster to waive competitive bidding procedures and authorize repair contract with Layne Northern for rehabilitation of a 100 HP Vertical Turbine Pump at the WWTP on a cost basis not to exceed \$22,275.00.

Motion supported by Councilperson Simmons.

Roll Call Vote.

AYES: Councilpersons Frederick, Simmons, Cline, Martenis, Forster, and Mayor Bruff.

NAYS: None.

ABSENT: Mayor Pro-Tem Owen.

CONTRACT AGREEMENT – SSO PROGRAM, PHASE 1A

Motion by Councilperson Forster to accept the low bid proposal from Ron Bretz Excavating, Inc. and authorize construction contract on a unit price basis with an estimated total contract amount of \$603,291.08 for Phase 1A (Sanitary Manhole Rehabilitation Project) of the Sanitary Sewer Overflow Control Program.

Motion supported by Councilperson Martenis.

Roll Call Vote.

AYES: Councilpersons Martenis, Cline, Simmons, Forster, Frederick, and Mayor Bruff.

NAYS: None.

ABSENT: Mayor Pro-Tem Owen.

ENGINEERING SERVICES AGREEMENT – SSO PROGRAM, PHASE 1A

Utilities Director Burk indicated that, if time allowed, City staff would try to perform some of the functions listed in the agreement in an effort to keep down costs.

Motion by Councilperson Simmons to approve the engineering services agreement with Orchard, Hiltz, & McCliment, Inc for consulting engineering services for Phase 1A of the Sanitary Sewer Overflow Control Program on a cost basis not to exceed \$130,000.00 as follows:

PROJECT UNDERSTANDING & SCOPE

The City of Owosso currently has the Sanitary Manhole Rehabilitation - Phase I project out for bid, with bids being opened at City Hall on February 6, 2008 at 2 p.m. During the course of this project OHM will assist the City of Owosso with construction services. Construction services include construction observation, contract administration and construction engineering services through the City Council approving the contractor's final pay estimate.

This project includes the rehabilitation of approximately 495 sanitary manholes in order to reduce inflow and infiltration within those manholes. Work is scheduled to begin in April of 2008. OHM will be in close consultation with the utilities department and the contractor to determine the appropriate rehabilitation techniques for each manhole and to track quantities of construction materials used and rehabilitation work performed.

This proposal assumes construction observation of manhole rehabilitation work assuming a contractor production rate of 5 manholes per day during the 18 weeks of the planned construction period. Construction observation includes end of day observation. If the City can perform a portion of this work, it will reduce our fee. OHM will verify that the rehabilitation was performed in accordance with the plans and specifications and observe pavement restoration to verify roads are restored to their original condition or to the satisfaction of the governing agency.

OHM will work with the contractor, the City of Owosso to ensure that the contract documents and permit requirements are being properly executed. Costs for construction observation are based on assumed contractor production rates, as our time for observation is dependent upon the contractor and his operations.

We have prepared the attached detailed work plan. We have grouped the work plan tasks into the following three phases:

1. Field Observation - observation of daily construction activities
2. Contract Administration - preparing change orders and compiling IDR's
3. Contract Engineering - negotiation of field change orders between City and Contractor

PROPOSED FEE

We propose to perform the project on an hourly basis with a not-to-exceed fee as follows:

1. Field Observation: \$100,000*
 2. Contract Administration: \$10,000
 3. Contract Engineering: \$20,000
- Total: \$130,000

*Note: This includes end of day observation. If the City can perform a portion of this, it will reduce our fee.

The attached table provides a summary of our proposed fee by task. Also attached is a copy of our 2008 Rate Schedule. The fee was prepared with the following assumptions:

- The Contractor can rehabilitate 5 manhole manholes per day

- OHM will provide end of day observation, as needed, for up to 2.5 hours per day average
- Construction observation will occur 5 days per week for 18 weeks

SCHEDULE

The schedule is called out in the construction documents. Construction will begin on April 1, 2008 with substantial completion planned for July 30, 2008 and project completion scheduled on August 29, 2008.

CONTRACT TERMS AND CONDITIONS

The attached Standard Terms and Conditions are incorporated into this proposal by reference.

SERVICES NOT INCLUDED

Services not a part of this contract include, but are not limited to:

- Entry into any manhole for any reason
- Coordination of any meetings with City residents or homeowner's associations
- Any rehabilitation observation done outside of the 495 manholes specifically identified in the construction documents
- Materials testing
- Six-month inspection

LEASE OF REAL PROPERTY - HOPKINS LAKE AREA

There was a brief discussion regarding renegotiation of the lease price next year and whether the City owned other tillable land.

Motion by Councilperson Forster to authorize a lease agreement with Shawnee Creek Farms for city-owned property described as WEST TILLABLE ACRES, (10 ACRES M/L) OF THE FOLLOWING DESCRIPTION: SECTION 25, T7N-R2E, CITY OF OWOSSO, PART OF SOUTHWEST ¼, BEGINNING AT A POINT ON NORTH-SOUTH ¼ LINE, WHICH IS N00°29'49"W ON NORTH-SOUTH ¼ LINE 1230.00 FEET FROM SOUTH ¼ CORNER OF SECTION 25; THAN S69°57'00"W 261.04 FEET; N89°52'59"W 1074.00 FEET; N00°29'49"W 858.37 FEET; S89°51'20"E 1320.01 FEET TO SAID NORTH-SOUTH ¼ LINE; TH S00°29'49"E 767.74' TO POINT OF BEGINNING in the amount of \$300.00 for the period of one year, authorize the City Clerk to execute the proper documents, and further authorize the negotiation of a 5 year agreement at \$500.00 per year.

Motion supported by Councilperson Cline.

Roll Call Vote.

AYES: Councilpersons Martenis, Frederick, Forster, Cline, Simmons, and Mayor Bruff.

NAYS: None.

ABSENT: Mayor Pro-Tem Owen.

Mayor Bruff announced a brief recess at 9:38 p.m.

Council returned to session at 9:45 p.m.

PURCHASE AGREEMENT – 209 SOUTH STATE STREET

Motion by Councilperson Forster to approve an agreement to purchase the lot described as PART OF BLOCK 1, GEORGE THOMAS ADDITION TO THE CITY OF OWOSSO COMMENCING AT THE NORTHWEST CORNER BLOCK 1, THAN SOUTH 60 FEET, EAST 150 FEET, NORTH TO NORTH LINE OF BLOCK 1, THAN NORTHWESTERLY TO POINT OF BEGINNING, commonly known as 209 South State Street through the Department of Housing and Urban Development Good Neighbor Program in the amount of \$1.00.

Motion supported by Councilperson Frederick.

Roll Call Vote.

AYES: Councilpersons Martenis, Cline, Forster, Simmons, Frederick, and Mayor Bruff.

NAYS: None.

ABSENT: Mayor Pro-Tem Owen.

PROPERTY SALE – 21 DAY POSTING

Motion by Councilperson Frederick to authorize the twenty-one (21) day posting period for sale of City-owned property located at 209 South State Street to Shiawassee Habitat for Humanity in the amount of \$1.00 plus closing costs, taxes owed, and other associated costs.

Motion supported by Councilperson Forster.

Roll Call Vote.

AYES: Councilpersons s, Frederick, Forster, Cline, Martenis, and Mayor Bruff.

NAYS: None.

ABSENT: Mayor Pro-Tem Owen.

BUILDING PERMIT FEE WAIVER – OWOSSO COMMUNITY PLAYERS

There was a brief discussion of the costs the permit fees cover and the precedence set by waiving the fees.

Motion by Councilperson Frederick to table the request of the Owosso Community Players to waive building permit fees for reconstruction of the Lebowsky Center until the meeting of March 3, 2008.

Motion supported by Councilperson Simmons.

Roll Call Vote.

AYES: Councilpersons Simmons, Martenis, Forster, Frederick, Cline, and Mayor Bruff.

NAYS: None.

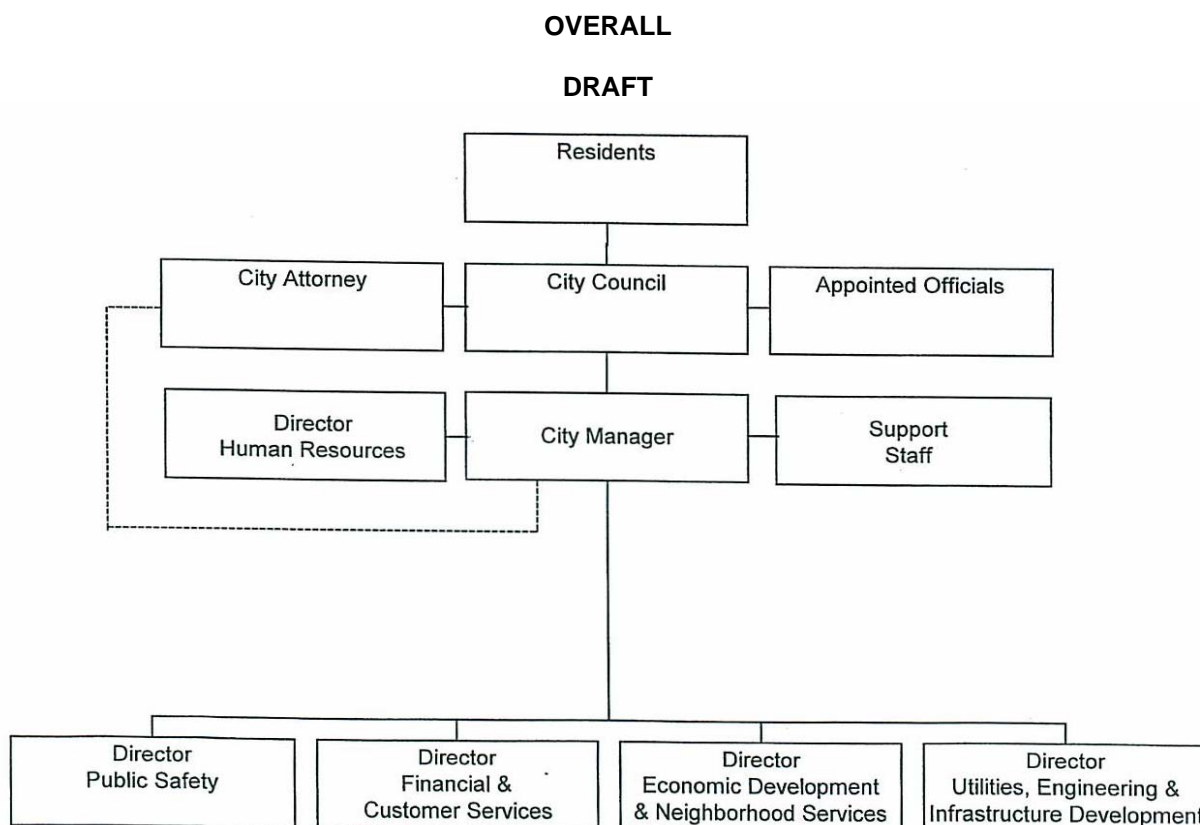
ABSENT: Mayor Pro-Tem Owen.

ORGANIZATIONAL STRUCTURE REVIEW

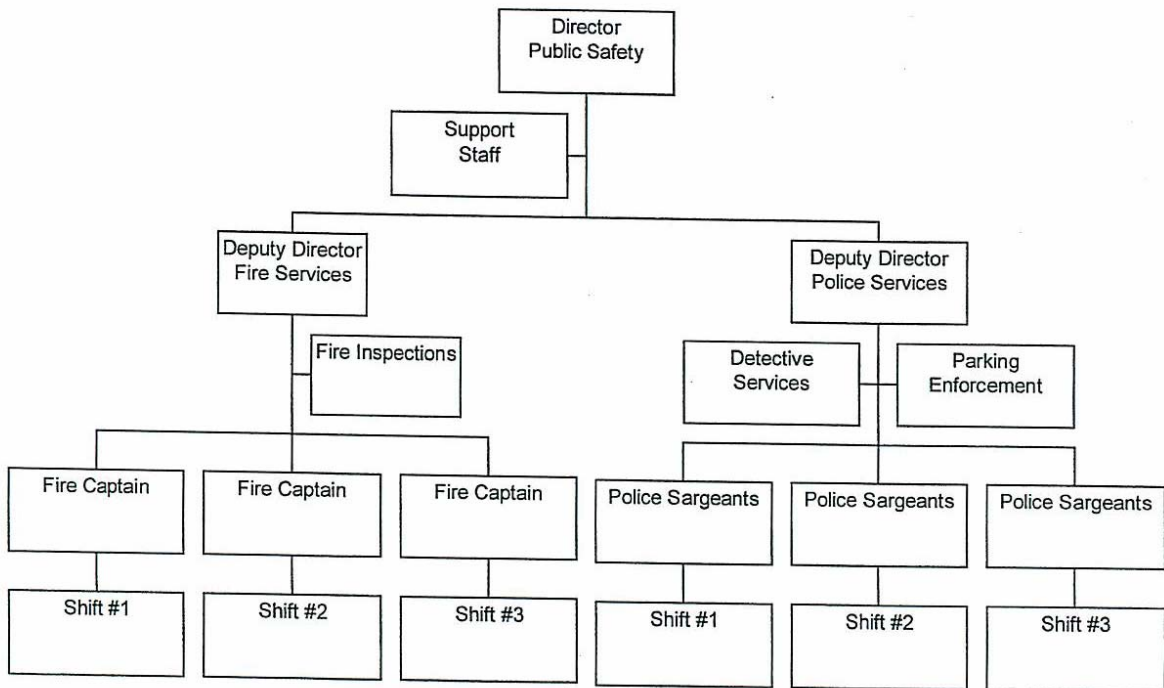
City Manager Fivas described the proposed changes to the organizational structure indicating they would take place gradually over the course of the next two years. The changes would involve a decrease in the number of full time employees from the current level to approximately 90. He went on to indicate he felt restructuring of the structure would allow for more flexibility as city funding continues to decrease.

There was a brief discussion regarding the addition of a rental property inspector position. City Manager Fivas indicated that while there are no funds allocated for such a position at the current time Council could consider the idea during budget discussions.

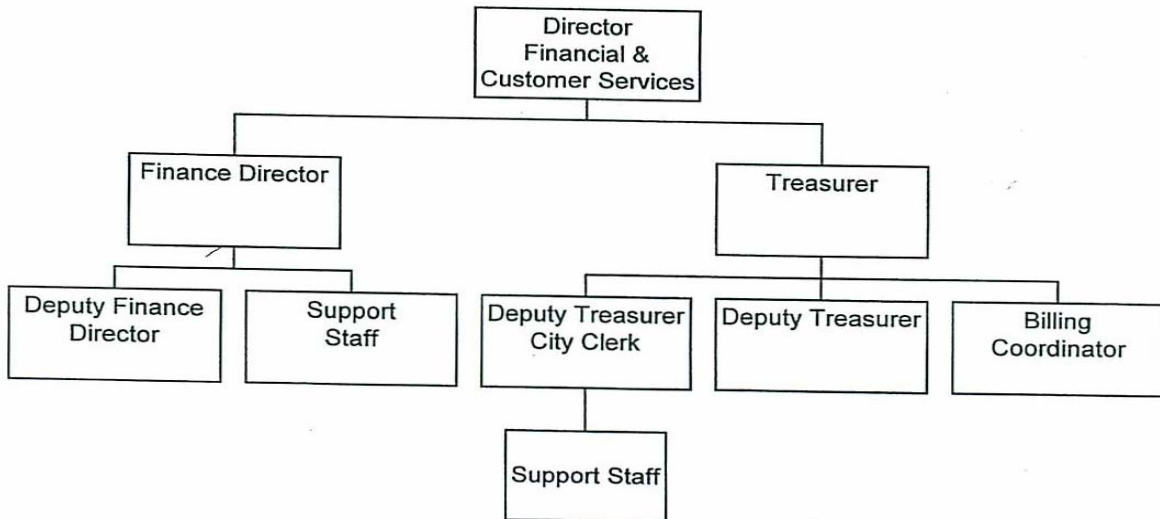
Motion by Councilperson Martenis to approve changes to the City organizational structure as follows:



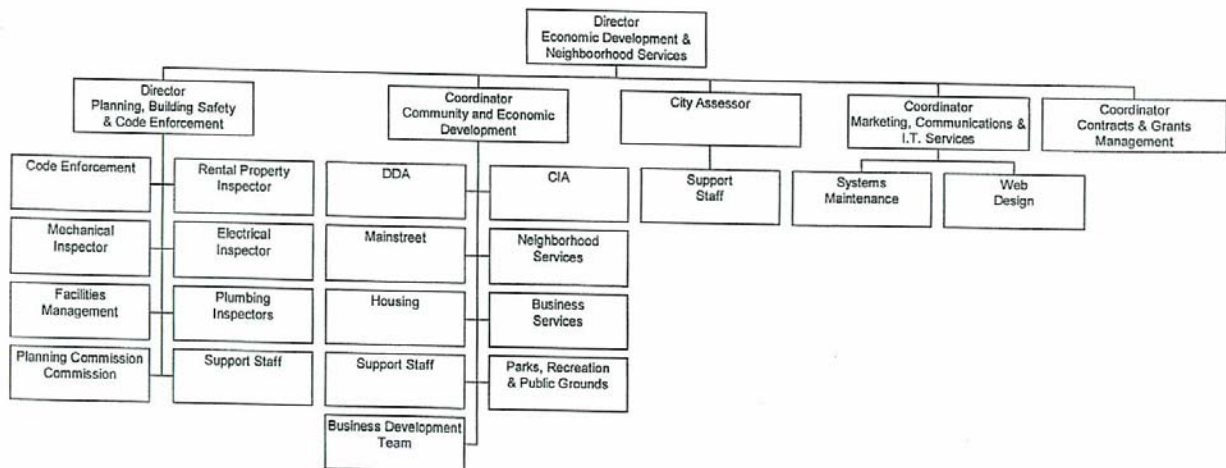
PUBLIC SAFETY DIVISION



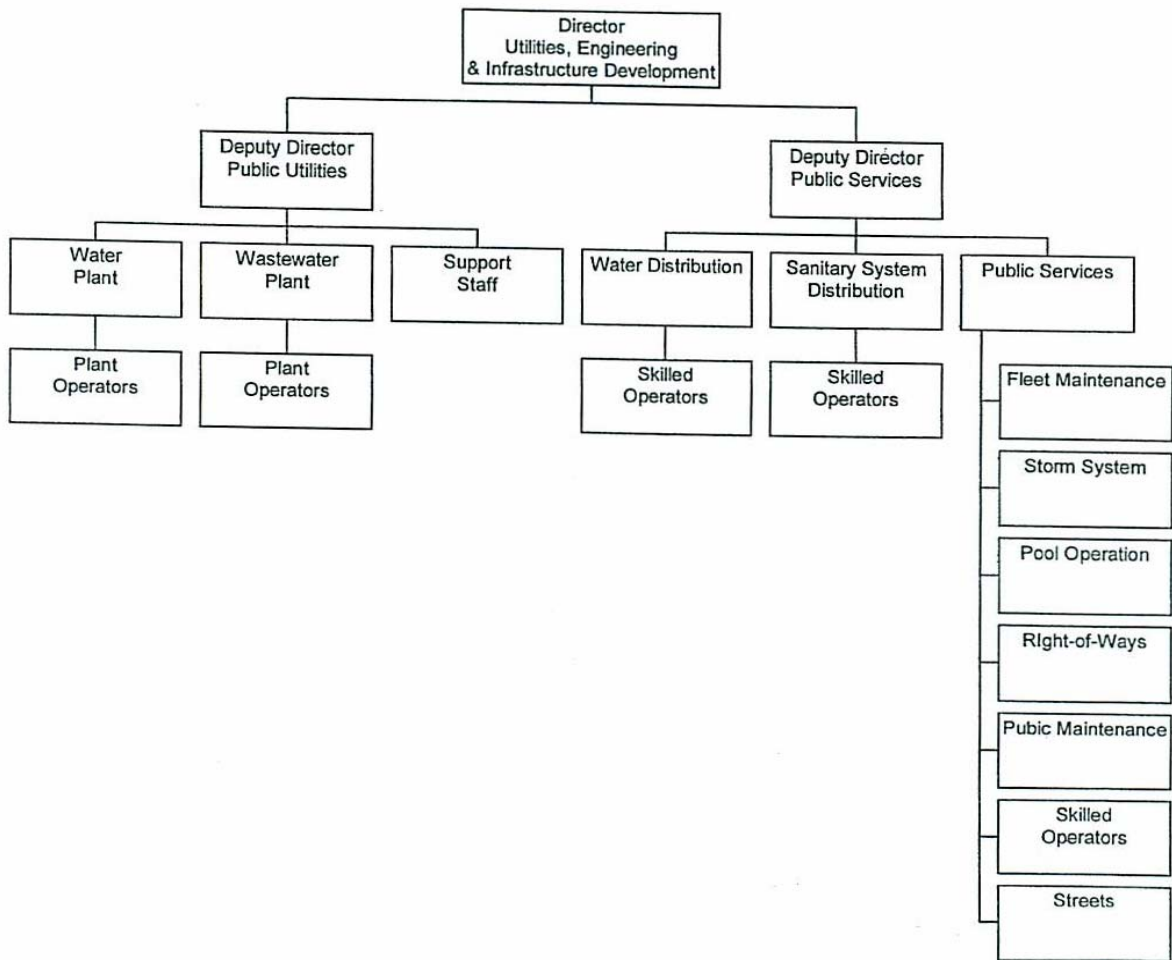
FINANCIAL & CUSTOMER SERVICES DIVISION



ECONOMIC DEVELOPMENT & NEIGHBORHOOD SERVICES DIVISION



UTILITIES, ENGINEERING AND INFRASTRUCTURE DEVELOPMENT DIVISION



COMMUNITY STRATEGIC PLANNING FOR 2008

Motion by Councilperson Frederick to table the discussion of the community strategic planning process until the meeting of March 3, 2008 due to the late hour.

Motion supported by Councilperson Simmons.

Roll Call Vote.

AYES: Councilperson Forster, Cline, Frederick, Simmons, Martenis, and Mayor Bruff.

NAYS: None.

ABSENT: Mayor Pro-Tem Owen.

COMMUNICATIONS

John F. Archer, Building Official. January 2008 Building Department Report.

John F. Archer, Building Official. January 2008 Code Violations Report.

Michael T. Compeau, Public Safety Director. January 2008 Police Department Report.

Michael T. Compeau, Public Safety Director. January 2008 Fire Department Report.

Owosso Historical Commission. Minutes of Meeting of January 29, 2008.

Councilperson Martenis inquired as to why addresses on the Fire Report were not made available to Council members. It was indicated it was felt giving out the addresses could lead to HIPPA violations.

CITIZEN COMMENTS AND QUESTIONS

Thomas Ford, 649 Adams Street, indicated he felt slighted he was not appointed to the Cable Commission and further indicated he felt it was inappropriate for the schools to raise money through gambling.

Justin Horvath, SEDP Director, described an energy conservation review service offered by the SEDP.

Burton Fox, 216 East Oliver Street, detailed a past attempt to change to a ward system that was defeated by the voters and indicated his support for the current at large election system.

Eddie Urban, 601 Glenwood Avenue, indicated he wanted all sides to be represented on the cable access channel and further indicated his support for the posting of a sign pointing out the presence of armed officers at Council meetings.

Councilperson Frederick expressed his support for the current at large election system and indicated he appreciated the challenge of representing citizens from all over the city.

Mayor Bruff inquired if City Assessor Cook's written presentation could be presented to the Board of Realtors.

ADJOURNMENT

Motion by Councilperson Frederick for adjournment at 10:33 p.m.

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

Michael E. Bruff, Mayor

Amy K. Kohagen, City Clerk