

OWOSSO CITY COUNCIL

MARCH 3, 2008

7:30 P.M.

PRESIDING OFFICER: MAYOR MICHAEL E. BRUFF

OPENING PRAYER: ELDER CARL ROSSMAN
COMMUNITY IN CHRIST CHURCH

PLEDGE OF ALLEGIANCE: MAYOR MICHAEL E. BRUFF

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

ABSENT: None.

APPROVE AGENDA

Motion by Councilperson Cline to approve the agenda as presented with the addition of Item of Business #5 as follows:

5. VSCI Grant Authorizing Resolution. Authorize VSCI Grant Authorizing Resolution acknowledging the details and scope of the award and the projects involved and further acknowledge City Manager Joseph A. Fivas as the person designated to submit the Request on behalf of the City.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF FEBRUARY 19, 2008

Motion by Councilperson Simmons to approve the Minutes of the Regular Meeting of February 19, 2008 as presented.

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

SPECIAL PRESENTATIONS

City Clerk Amy K. Kohagen detailed the activities of the Clerk's Office.

City Treasurer Ronald J. Tobey detailed the activities of the Treasurer's Office.

PUBLIC HEARINGS

ORDINANCE AMENDMENT - PLANNING

**ORDINANCE NO. 693
CHAPTER 23, PLANNING
ARTICLE II, PLANNING COMMISSION, SECTION 23-17**

A public hearing was held to receive citizen comment regarding the proposed amendment to Chapter 23, *Planning*, Article II, Planning Commission, Section 23-17 of the Code of Ordinances of the City of Owosso, Michigan.

There were no citizen comments.

Whereas, the Council, after due and legal notice, has met and there being no one to be heard, motion by Mayor Pro-Tem Owen that the following ordinance be adopted:

ORDINANCE NO. 693

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:

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 March 23, 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 Cline.

Roll Call Vote.

AYES: Councilpersons Cline, Simmons, Martenis, Forster, Frederick, Mayor Pro-Tem Owen, and Mayor Bruff.

NAYS: None.

ORDINANCE AMENDMENT - ZONING

**ORDINANCE NO. 694
CHAPTER 38, ZONING
ARTICLE XXII, PLANNING COMMISSION, SECTION 38-526**

A public hearing was held to receive citizen comment regarding the proposed amendment to Chapter 38, *Zoning*, Article XXII, Planning Commission, Section 38-526 of the Code of Ordinances of the City of Owosso, Michigan.

There were no citizen comments.

Whereas, the Council, after due and legal notice, has met and there being no one to be heard, motion by Mayor Pro-Tem Owen that the following ordinance be adopted:

ORDINANCE NO. 694

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:

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 March 23, 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 Frederick.

Roll Call Vote.

AYES: Councilpersons Frederick, Simmons, Cline, Forster, Mayor Pro-Tem Owen, Councilperson Martenis, and Mayor Bruff.

NAYS: None.

CITIZEN COMMENTS AND QUESTIONS

Carl Rossman, CROP Walk Chair, handed out literature on the CROP Walk and asked for Council's blessing in the use of Collamer Park for this year's event. It was indicated he may have to apply for permit through the event system.

Ashley Plulik, Lincoln High School student council representative, described the efforts of Lincoln School to help students that do not thrive in a traditional school environment. She went on to detail various events and programs, including the Character Counts program sponsored by the school.

Betty Coon, 1204 Palmer Avenue, commented on her frustration that property values did not decline in a consistent manner throughout the city. It was noted that property values depreciate for a number of reasons including location.

There was a brief discussion regarding the use of a 1 year study as opposed to a 2 year study when determining assessed values. It was noted there was a desire to remain consistent with the County in the use of such studies.

Norman Pugh, 3030 Copas Road, commented on his feeling that certain wrecker services in the county receive a disproportionate number of wrecker calls and the system was not equitable. He was directed to take the issue up with the County.

Burton Fox, 216 East Oliver Street, described what he felt was the practice for dispatching wreckers.

County Commissioner Daniel Stewart gave an update on County Commission activities and indicated he would check into Mr. Pugh's concerns.

There was a brief discussion regarding licensing and regulations for wrecker services. A point of order was called and the agenda was resumed.

City Manager Fivas invited the Lincoln High students to visit his office when they tour City Hall.

Councilperson Frederick asked that Council institute a rule allowing a 3 minute break every 2 hours. All members were in favor.

CONSENT AGENDA

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

Special Assessment District No. 2008-01. Authorized Resolution No. 4 setting a public hearing for April 7, 2008 to receive citizen comment regarding Special Assessment District No. 2008-01 for Ball Street from Ridge Street to Gute Street for street reconstruction as follows:

RESOLUTION NO. 11-2008

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements 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 Monday, April 7, 2008 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.

4. 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
CITY OF OWOSSO
COUNTY OF SHIAWASSEE, MICHIGAN

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

BALL STREET FROM RIDGE STREET TO GUTE STREET

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described public improvements: Street Reconstruction.

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

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 Monday, April 7, 2008 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

Special Assessment District No. 2008-02. Authorized Resolution No. 4 setting a public hearing for April 7, 2008 to receive citizen comment regarding Special Assessment District No. 2008-02 for Bradley Street from Shiawassee Street to Elm Street for street reconstruction.

RESOLUTION NO. 12-2008

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements 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 Monday, April 7, 2008 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.

4. 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
CITY OF OWOSSO
COUNTY OF SHIAWASSEE, MICHIGAN

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

BRADLEY STREET FROM SHIAWASSEE STREET TO ELM STREET

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described public improvements: Street Reconstruction.

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

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 Monday, April 7, 2008 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

Special Assessment District No. 2008-03. Authorized Resolution No. 4 setting a public hearing for April 7, 2008 to receive citizen comment regarding Special Assessment District No. 2008-03 for Bradley Street from Elm Street to Howell Street for street reconstruction.

RESOLUTION NO. 13-2008

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements 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 Monday, April 7, 2008 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.
4. 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
CITY OF OWOSSO
COUNTY OF SHIAWASSEE, MICHIGAN

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

BRADLEY STREET FROM ELM STREET TO HOWELL STREET

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described public improvements: Street Reconstruction.

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

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 Monday, April 7, 2008 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

Special Assessment District No. 2008-04. Authorized Resolution No. 4 setting a public hearing for April 7, 2008 to receive citizen comment regarding Special Assessment District No. 2008-04 for Park Street from King Street to Osburn Street for street reconstruction.

RESOLUTION NO. 14-2008

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements 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 Monday, April 7, 2008 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.
4. 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
CITY OF OWOSSO
COUNTY OF SHIAWASSEE, MICHIGAN

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

PARK STREET FROM KING STREET TO OSBURN STREET

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described public improvements: Street Reconstruction.

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

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 Monday, April 7, 2008 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

Special Assessment District No. 2008-05. Authorized Resolution No. 4 setting a public hearing for April 7, 2008 to receive citizen comment regarding Special Assessment District No. 2008-05 for Park Street from Mason Street to Williams Street for street reconstruction.

RESOLUTION NO. 15-2008

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements 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 Monday, April 7, 2008 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.
4. 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
CITY OF OWOSSO
COUNTY OF SHIAWASSEE, MICHIGAN

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

PARK STREET FROM MASON STREET TO WILLIAMS STREET

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described public improvements: Street Reconstruction.

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

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 Monday, April 7, 2008 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

Contract Agreement. Authorized Contract Agreement with Gary Palmer for electrical inspection services.

Contract Agreement. Authorized Contract Agreement with Merle West for plumbing and mechanical inspection services.

Contract Payment. Authorized Progress Payment to the Michigan Department of Transportation in the amount of \$2,055.83 for the City's portion of the Oliver Street Bridge Reconstruction Project.

Boards and Commissions Appointments. Approved the following Mayoral appointments:

Name	Board/Commission	Term Expires
Marsha Ladd	Parks and Recreation Commission	06/30/2009
Donald Moore	Parks and Recreation Commission	06/30/2009
Richard Theile	Parks and Recreation Commission	06/30/2010
Michael Wojtkowicz	Parks and Recreation Commission	06/30/2010
Kevin M. Brown	Parks and Recreation Commission	06/30/2010
Anita Kimbrough	Parks and Recreation Commission	Ex-officio

Warrant No. 358. Accepted Warrant No. 358 as follows:

Vendor	Description	Fund	Amount
Mid-Michigan Area Group Narcotics Enforcement Team	Annual Commitment	General	\$15,700.00

Motion supported by Councilperson Forster.

Roll Call Vote.

AYES: Councilpersons Cline, Frederick, Simmons, Forster, Mayor Pro-Tem Owen, Councilperson Martenis, and Mayor Bruff.

NAYS: None.

ITEMS OF BUSINESS

COMMUNITY STRATEGIC PLANNING FOR 2008

A discussion was held regarding the community strategic planning process. Due to the very detailed nature of the project it was decided a committee would be employed to examine the issues and report its findings and recommendations to Council, further each Council member would submit to the Mayor the names of 3-5 people interested in serving on the committee. Council also directed staff to gather information and quotes from possible consultants to facilitate the process.

WATER SERVICE REQUEST – 409 SOUTH CHESTNUT STREET

Mayor Bruff indicated the request was not indicative of a breakdown in the water negotiations with Owosso Township, but described the situation as more of an emergency need as Davis Cartage does not have the luxury of waiting for the agreement to come to fruition.

Motion by Councilperson Frederick to approve the Water Service Request for Davis Cartage at 490 South Chestnut Street.

Motion supported by Councilperson Forster.

Roll Call Vote.

AYES: Councilpersons Simmons, Martenis, Cline, Frederick, Mayor Pro-Tem Owen, Councilperson Forster, and Mayor Bruff.

NAYS: None.

BUILDING PERMIT FEE WAIVER – LEBOWSKY CENTER

Building Official John F. Archer indicated he felt waiving the fees would set a dangerous precedence. He also indicated the Lebowsky Center will receive some monies from the VSCI Grant for façade restoration.

There was general discussion regarding whether or not a motion was needed to deny the waiver.

Motion by Councilperson Frederick to pass on the building permit fee waiver and postpone the item indefinitely.

Motion supported by Councilperson Martenis.

Building Official Archer indicated he would prefer to see the item definitively acted on to avoid confusion.

Councilperson Martenis withdrew his support of the action.

The motion failed for lack of support.

Motion by Councilperson Martenis to grant the request of the Owosso Community Players to waive building permit fees for reconstruction of the Lebowsky Center.

Motion supported by Councilperson Frederick.

Roll Call Vote.

AYES: Councilperson Frederick.

NAYS: Councilpersons Forster, Simmons, Martenis, Cline, Mayor Pro-Tem Owen, and Mayor Bruff.

CONSUMERS ENERGY AGREEMENT – WASTEWATER TREATMENT PLANT

Motion by Mayor Pro-Tem Owen to approve a 5 year Agreement for Continuing Alternative Electric Distribution Service with Consumers Energy for the Wastewater Treatment Plant having an additional total cost of \$22,540 payable at \$4,508 per year.

Motion supported by Councilperson Simmons.

Roll Call Vote.

AYES: Councilpersons Simmons, Martenis, Frederick, Mayor Pro-Tem Owen, Councilpersons Cline, Forster, and Mayor Bruff.

NAYS: None.

*Full text of the contract may be found in the clerk's office.

VSCI GRANT AUTHORIZING RESOLUTION

There was a brief discussion regarding the difficulty in selling municipal bonds in the current bond market. It was noted that MSHDA is allowing the City to place general fund monies into escrow in lieu of selling bonds at this point.

Motion by Councilperson Forster to authorize the following VSCI Grant Authorizing Resolution acknowledging the details and scope of the award and the projects involved and further acknowledging City Manager Fivas as the person designated to submit the Request on behalf of the City:

RESOLUTION NO. 16-2008 VIBRANT SMALL CITIES INITIATIVE GRANT AUTHORIZING RESOLUTION

WHEREAS, the City of Owosso intends to utilize \$1 million in Michigan State Housing Development Authority (MSHDA) Community Assistance Team Community Development Block Grant (CDBG) funds in conjunction with at least \$1 million in match dollars from General Obligation Bonds for the following projects:

Curwood Castle Park Improvements, MSHDA CATeam VSCI RFG submission # 1 of 4, with a funding request of \$80,000; and

Riverwalk Improvements, MSHDA CATeam VSCI RFG submission # 2 of 4, with a funding request of \$85,000; and

Streetscape and Public Area Improvements, MSHDA CATeam VSCI RFG submission # 3 of 4, with a funding request of \$365,000; and

Façade Improvement Program, MSHDA CATeam VSCI RFG submission # 4 of 4, with a funding request of \$470,000;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Owosso that:

1. The proposed projects are consistent with the local community development plan as referenced in the Application and Notice of Interest and as described in Section I of the Request for Grant Funding submission; and
2. The City certifies at least 51% of the beneficiaries of the proposed projects would be low and moderate income persons or result in the removal of downtown blight; and
3. The City assures that no project costs (CDBG and non-CDBG) will be incurred prior to a formal grant award, completion of the environmental review procedures and formal, written authorization to incur costs is received from the Community Assistance Team; and
4. The City understands that all required matching funds must be placed in an escrow account by 8:00 a.m. on Monday, March 17, 2008; and
5. City Manager Joseph A. Fivas is hereby designated as the person authorized to submit the Michigan Community Development Block Grant Vibrant Small Cities Initiative Request for Grant Funding documents on behalf of the City.

Motion supported by Councilperson Martenis.

Roll Call Vote.

AYES: Councilpersons Frederick, Martenis, Mayor Pro-Tem Owen, Councilpersons Forster, Cline, Simmons, and Mayor Bruff.

NAYS: None.

COMMUNICATIONS

Kathleen Simon, CIS Trail. Friends of the Fred Meijer Clinton-Ionia-Shiawassee Trail newsletter.
Owosso Historical Commission. Minutes of Meeting of February 19, 2008.

CITIZEN COMMENTS AND QUESTIONS

Kevin M. Brown, 217 Curwood Castle Drive, commended Council for endorsing citizen participation in government and relayed his appreciativeness at being appointed to the Parks and Recreation Commission.

Michael Wojtkowicz, 1026 Summit Street, expressed his gratitude for being appointed to the Parks and Recreation Commission.

There was a brief discussion regarding how declining property values affect the Headlee Tax Cap.

Councilperson Martenis and Frederick thanked the new Parks and Recreation Commission members and all those that expressed an interest in serving on the commission. There was further discussion regarding the particulars of the joint meeting of the Planning Commission and the Parks and Recreation Commission.

ADJOURNMENT

Motion by Councilperson Frederick or adjournment at 9:34 p.m.

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

Michael E. Bruff, Mayor

Amy K. Kohagen, City Clerk