

OWOSSO CITY COUNCIL

MARCH 17, 2008

7:30 P.M.

PRESIDING OFFICER: MAYOR MICHAEL E. BRUFF

OPENING PRAYER: PASTOR ERIC NUMERICH
LIFE IN CHRIST CHURCH

PLEDGE OF ALLEGIANCE: PAGE LELAND, JUNIOR COUNCIL LIAISON

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 Frederick to approve the agenda as presented.

Motion supported by Mayor Pro-Tem Owen.

Councilperson Forster asked that changes be made to the agenda.

Motion by Councilperson Frederick to amend his motion to include the following change:

Move Consent Item #2 Boards and Commissions Appointments to Item of Business #6

Motion to amend supported by Mayor Pro-Tem Owen and concurred in by unanimous vote.

APPROVAL OF THE MINUTES OF REGULAR MEETING OF MARCH 3, 2008

Motion by Councilperson Forster to approve the Minutes of the Regular Meeting of March 3, 2008 as presented.

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

SPECIAL PRESENTATIONS

Utilities Director Gary M. Burk gave a presentation on the Water Utilities System.

CITIZEN COMMENTS AND QUESTIONS

Junior Council Liaison Page Leland detailed recent projects completed by the Middle School Builders Club and further detailed upcoming events.

Shelva Cebulski, 1243 Marion Street, indicated the Red Cross will be having a blood drive at the Knights of Columbus on March 19th.

Shiawassee District Library Director Steven Flayer introduced himself to Council and invited all members to visit the library.

County Commissioner Henrietta Sparkes detailed recent actions taken by the County Board of Commissioners.

Councilperson Martenis commented on the great success of the recent Boy Scout food drive.

Mayor Bruff indicated organizations need to be diligent in their efforts not to leave remnants of their efforts behind on people's doorsteps.

CITY MANAGER REPORT

City Manager Fivas gave a brief detail of the utilities software programs being considered for purchase and provided approximate costs. He also gave an update on the VSCI Grant indicating the latest phase had been completed and he was waiting to hear from the State.

CONSENT AGENDA

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

Payment Authorization. Authorize payment to Spring City Electrical for the purchase of 18 pedestrian lights for Cass Street in the amount of \$52,792.08.

Warrant No. 359. Accept Warrant No. 359 as follows:

Vendor	Description	Fund	Amount
Brown & Stewart, PC	Professional Services covering the period from February 12, 2008 through March 10, 2008	General	\$8,161.92

Motion supported by Mayor Pro-Tem Owen.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

STREET CLOSURE PERMIT – FOCUS OWOSSO STREET MARKET

There was a brief discussion regarding the process for temporarily closing streets and parking lots.

Motion by Mayor Pro-Tem Owen to approve the request from Focus Owosso to close the 100 block of North Washington Street from 6:00 am to 6:00 pm on May 11, June 15, July 13, August 17, and September 14, 2008 for the purpose of conducting a street market.

Motion failed for lack of support.

There was further discussion regarding uniform application of the street closure policy.

The Council agreed to consider the request from Focus Owosso to close the 100 block of North Washington Street from 6:00 am to 6:00 pm on May 11, June 15, July 13, August 17, and September 14, 2008 for the purpose of conducting a street market at the April 7, 2008 meeting in order to allow time to gather the required documentation.

LICENSE TO ENTER PREMISES

Motion by Mayor Pro-Tem Owen to accept a License to Enter Premises for Construction Purposes with Great Lakes Central Railroad, Inc. to allow the City to construct a boardwalk as part of the Sam and Opal Voight Loop Trail as follows:

**LICENSE TO ENTER PREMISES
For Construction Purposes**

THIS LICENSE TO ENTER PREMISES is dated the _____ day of _____, 200_, and is between Great Lakes Central Railroad, Inc. of 600 Oakwood Street, Owosso, Michigan 48867 ("Grantor") and the City of Owosso a Michigan municipal corporation of 301 West Main Street Owosso, Michigan 49967 ("Grantee").

WHEREAS Grantor owns a parcel of real property described on Exhibit A;

WHEREAS Grantee owns a contiguous parcel of real property described on Exhibit B; upon which it is constructing a boardwalk;

WHEREAS Grantor and Grantee have agreed that Grantor would convey a license to Grantee pertaining to a portion of the property described on Exhibit A.

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. Grantor hereby conveys a temporary license to Grantee, its successors and assigns for the purposes stated below.

2. The purposes of this License are to allow Grantee to enter onto Grantor's property and accomplish construction of the boardwalk on Grantee's property, to store heavy duty construction equipment on Grantor's property and to enter onto Grantor's property for any other purpose necessary to construct the boardwalk.

3. A representative of Grantor may attend and participate in a pre-bid meeting with prospective contractors to define the terms, conditions, details and location of occupancy of the premises. Grantor may also attend and participate in pre-construction and progress meetings with the selected contractor and representatives of Grantee and the Michigan Department of Transportation.

4. The term of this license shall start from the date stated above and run until June 30, 2008. The term may be extended by a mutual written agreement of the parties.

5. Grantee's exercise and use of this license shall in no way interfere with Grantor's use of its property.

6. Grantee, its successors and assigns shall hold harmless and defend Grantor, its successors and assigns from any claims, causes of action or lawsuits arising from the use of the property for access.

**EXHIBIT A - GRANTOR'S PROPERTY DESCRIPTION
(TSB)**

Parcel 1: Tax Roll # 078-050-680-001-001-00
BLOCK 1 & LOTS 1,2,3,4, & 5 OF BLOCK 2 OF WILLIAMS & LYONS ADDITION, CITY OF OWOSSO, SHIAWASSEE COUNTY, STATE OF MICHIGAN, LOCATED IN T7N-R3E, AS RECORDED IN LIBER 6 PAGE 76 OF SHIAWASSEE COUNTY RECORDS, INCLUDING ADJACENT VACANT DIVISION & HOWARD STREETS. ALSO, RAILROAD RIGHT OF WAY DIVISION ST TO WASHINGTON STREET LOCATED IN T7N-R2E, EXCEPT; BEGINNING AT A POINT ON WEST LINE OF BLOCK 2, WHICH IS N00°06'01"E, 85.31 FEET FROM THE SW CORNER OF BLOCK 2; THENCE CONTINUING

NOO*06'01"E, 32.86 FEET, THENCE N74*28'3 1 "W, 34.22 FEET, THENCE ALONG A CURVE TO THE LEFT, 171.71 FEET, HAVING A RADIUS OF 1385.50 FEET AND A LONG CHORD BEARING & DISTANCE OF N60*50'20"W, 171.60 FEET, THENCE N00*06'0r E PARALLEL WITH WEST LINE OF BLOCK 2 35.75 FEET, THENCE S75*00'43"E, 543.37 FEET, THENCE S24*47'19"W, 97.80 FEET, THENCE N71*29'39"W, 279.03 FEET, THENCE S55*39 271.31 FEET TO SOUTH LINE OF BLOCK 2, THENCE N79*45'37"W ALONG SOUTH LINE, 97.78 FEET, THENCE ALONG A CURVE TO THE LEFT, 200.80 FEET, HAVING A RADIUS OF 1385.50 FEET AND A LONG CHORD BEARING AND DISTANCE OF N55*01'0rW 200.63 FEET TO POINT OF BEGINNING. 1.13AC. ALSO EXCEPT; BEGINNING AT A POINT WHICH IS N00*06'01"E ON WEST LINE OF BLOCK 2, 118.17 FEET AND N74*28'31"W 34.22 FEET AND ALONG A CURVE TO THE LEFT, 71.71 FEET, HAVING A RADIUS OF 1385.50 FEET AND LONG CHORD BEARING AND DISTANCE OF N60*50'20"W, 171.60 FEET, AND N00*06'01"E 35.75 FEET AND S75*00'43"E 176.95 FEET AND N14*59'17"E, 76.95 FEET FROM .SW CORNER BLOCK 2; THENCE N29*58'12"E 262.15 FEET, THEN S87*18'35 254.72 FEET, THENCE S80*22'21"E 184.20 FEET, THENCE S29*58'12"W, 246.04 FEET, THENCE N87*03"08"W, 395.34 FEET, THENCE N80*14'08"W, 50 FEET TO POINT OF BEGINNING. 2.42AC. SUBJECT TO EASEMENTS, RIGHT OF WAYS AND RESTRICTIONS OF RECORD. ALSO EXCEPT, STRIP OF LAND ALONG RIVERS EDGE FOR CITY PARK RIVERWALK DESCRIBED AS PART OF A.L WILLIAMS, WILLIAMS & LYONS, LOUISA MERRELL'S, AND J.L. WRJGHTS ADDITIONS, DESCRIBED AS BEGINNING AT A POINT ON EAST LINE OF WASHINGTON ST WHICH IS N01*04'04"E 178.33 FEET FROM SW CORNER OF RESERVE NO. 8 OF A.L. WILLIAMS ADDITION; THEN N88*58'17"E, 58.87 FEET, S87*29'00"E, 141.47 FEET, S80*59'30"E, 208.51 FEET, N79*53'15"E, 249.61 FEET, N84*44'04"E, 98.81 FEET, S83*12'46"E 107.12 FEET, S69*48'57"E, 185.83 FEET, S87*18'35"E, 285.30 FEET, S80*22'21"E, 184.20 FEET, N78*09'52"E, 88.58 FEET, S86*52'31"E 65.28 FEET, S73*37'20"E, 230.94 FEET, S72*36'38"E, 136.78 FEET, S56*07'29"E 85.61 FEET S54*32'48"E, 156.92 FEET, 843*19'04"E 100.7 FEET, S36*46'08"E, 53.67 FEET, S39*18'45"E 84.17 FEET, S23*55'42E, 93.89 FEET, S20*30'21"E, 98.80 FEET, S30*45'56"E, 89.82 FEET, S30*03'46"E, 94.95 FEET, S40*48'33"E, 87.92 FEET, S58*16'37 179.85 FEET, S70*38'55"E 75.5 FEET TO WESTERLY LINE OF OAKWOOD AVENUE, THEN NORTHWESTERLY TO WATER'S EDGE OF SHIAWASSEE RIVER, THEN NORTHWESTERLY ALONG WATER'S EDGE TO EAST LINE OF WASHINGTON ST, THEN SOUTHERLY ALONG EAST LINE OF WASHINGTON STREET TO POINT OF BEGINNING.

Parcel 2: Tax Roll # 78-050-430-000-001-00

LOTS 1-12 OF LOUISA MERRELLS ADDITION TO THE CITY OF OWOSSO, SHIAWASSEE COUNTY, STATE OF MICHIGAN, IN T7N-R3E, AS RECORDED IN LIBER U PAGE 963 OF SHIAWASSEE COUNTY RECORDS. (EXCEPT A STRIP OF LAND ALONG RIVER'S EDGE FOR CITY PARK RIVERWALK)

Parcel 3: Tax Roll #78-050-710-001-015-00

RAILROAD RIGHT OF WAY, OAKWOOD AVENUE TO WEST LINE OF LOUISE MERRELL'S ADDITION TO THE CITY OF OWOSSO, SHIAWASSEE COUNTY, STATE OF MICHIGAN, IN T7N-R3E, AS RECORDED IN LIBER U PAGE 963 OF SHIAWASSEE COUNTY RECORDS. (EXCEPT A STRIP OF LAND ALONG RIVER'S EDGE FOR CITY PARK RIVERWALK)

**EXHIBIT B -- GRANTEE'S PROPERTY
(City of Owosso)**

Parcel # 78-050-651-000-032.

PART OF A.L. WILLIAMS ADDITION TO THE CITY OF OWOSSO, IN SECTION 24, TOWNSHIP 7N,RANGE 2E, CITY OF OWOSSO AND WILLIAMS AND LYONS ADDITION TO THE CITY, LOUISA MERRELL'S ADDITION TO THE VILLAGE (NOW CITY) OF OWOSSO AND J.L. WRIGHT'S ADDITION TO THE CITY, ALL IN SECTION 19, T7N, R3E, CITY OF OWOSSO, SHIAWASSEE COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT A POINT ON THE EAST LINE OF WASHINGTON STREET WHICH IS N01*04'16"E 178.33' FROM THE SOUTHWEST QUARTER OF RESERVE #8 OF SAID A.L. WILLIAMS ADDITION TO THE CITY; THENCE N88*58'17"E 58.87'; THENCE S87*29'00"E141.47'; THENCE S80*59'30"E 208.51'; THENCE N79*53'15E 249.61'; THENCE N84*44'04E 98.81'; THENCE S83*12'46"E 107.12'; THENCE S69*48'57E 185.83';

THENCE S87°18'35"E 285.30'; THENCE S80°22'21"E 184.20'; THENCE N78°09'52"E 88.58'; THENCE S86°52'31"E 65.28'; THENCE S73°37'20"E 230.94'; THENCE S72°36'38"E 136.78'; THENCE S56°07'29"E 85.61'; THENCE S54°32'48"E 156.92'; THENCE S43°19'04"E 100.70'; THENCE S36°46'08"E 53.67'; THENCE S39°18'45"E 84.17'; THENCE S23°55'42"E 93.89'; THENCE S20°30'21"E 98.80'; THENCE S30°45'56"E 89.82'; THENCE S30°03'46"E 94.95'; THENCE S40°48'33"E 87.92'; THENCE S58°16'37"E 179.85'; THENCE S70°38'55"E 75.50' TO THE WESTERLY LINE OF OAKWOOD AVENUE; THENCE NORTHWESTERLY TO THE WATER'S EDGE OF THE SHIAWASSEE RIVER; THENCE NORTHWESTERLY ALONG SAID WATER'S EDGE TO THE EAST LINE OF WASHINGTON STREET; THENCE SOUTHERLY ALONG SAID EAST LINE TO THE POINT OF BEGINNING. (3,214.43 LINEAL FEET).

Motion supported by Councilperson Cline.

Roll Call Vote.

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

NAYS: None.

DEED OF EASEMENT

Motion by Mayor Pro-Tem Owen to accept a deed of easement from Great Lakes Central Railroad to allow the City to construct a boardwalk as part of the Sam and Opal Voight Loop Trail as follows:

DEED OF EASEMENT

THIS DEED OF EASEMENT is dated the _____ day of _____, 200_, and is between Great Lakes Central Railroad, Inc., of 600 Oakwood Street, Owosso, Michigan 48867 ("Grantor") and the City of Owosso a Michigan municipal corporation of 301 West Main Street Owosso, Michigan 49967 ("Grantee").

WHEREAS Grantor owns a parcel of real property described on Exhibit A;

WHEREAS Grantee owns a contiguous parcel of real property described on Exhibit B; upon which it is constructing a boardwalk;

WHEREAS Grantor and Grantee have agreed that Grantor would convey an easement to Grantee pertaining to a portion of the property described on Exhibit A.

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. Grantor hereby conveys to Grantee, for the sum of Zero and No/100 (\$0.00) Dollars, a non-exclusive easement for the following purposes and, therefore, this conveyance is exempt from State and County Transfer Tax pursuant to MCLA 207.526(6)(a) and MCL 207.505(5)(a) respectively:

- a. Install a trench drain on Grantor's property in accordance with the construction plans dated October 25, 2007 prepared by C2AE, Inc. The purpose of said trench drain is to stabilize the banks of the Shiawassee River immediately contiguous to Grantor's and Grantee's property from the Oakwood Street Bridge to approximately 600 feet west of said bridge.
- b. To eliminate a contact point between the natural embankment and Grantee's footbridge to permit bank stabilization plantings requiring sunlight.

- c. To permit Grantee to spread soils gathered from construction of the excavated embankment area onto Grantor's property at locations directed by Grantor. At Grantor's direction, Grantee will add topsoil and grass to the area were such soils are spread.

2. Grantee's exercise and use of this easement shall in no way interfere with Grantor's use of its property as a railroad yard.

3. Grantee, its successors and assigns shall hold harmless and defend Grantor, its successors and assigns from any claims, causes of action or lawsuits arising from the use of the property for access.

EXHIBIT A - GRANTOR'S PROPERTY DESCRIPTION (TSB)

Parcel 1: Tax Roll # 078-050-680-001-001-00

BLOCK 1 & LOTS 1,2,3,4, & 5 OF BLOCK 2 OF WILLIAMS & LYONS ADDITION, CITY OF OWOSSO, SHIAWASSEE COUNTY, STATE OF MICHIGAN, LOCATED IN T7N-R3E, AS RECORDED IN LIBER 6 PAGE 76 OF SHIAWASSEE COUNTY RECORDS, INCLUDING ADJACENT VACANT DIVISION & HOWARD STREETS. ALSO, RAILROAD RIGHT OF WAY DIVISION ST TO WASHINGTON STREET LOCATED IN T7N-R2E, EXCEPT; BEGINNING AT A POINT ON WEST LINE OF BLOCK 2, WHICH IS N00°06'01"E, 85.31 FEET FROM THE SW CORNER OF BLOCK 2; THENCE CONTINUING N00°06'01"E, 32.86 FEET, THENCE N74°28'31"W, 34.22 FEET, THENCE ALONG A CURVE TO THE LEFT, 171.71 FEET, HAVING A RADIUS OF 1385.50 FEET AND A LONG CHORD BEARING & DISTANCE OF N60°50'20"W, 171.60 FEET, THENCE N00°06'01" E PARALLEL WITH WEST LINE OF BLOCK 2 35.75 FEET, THENCE S75°00'43"E, 543.37 FEET, THENCE S24°47'19"W, 97.80 FEET, THENCE N71°29'39"W, 279.03 FEET, THENCE S55°39'27.31 FEET TO SOUTH LINE OF BLOCK 2, THENCE N79°45'37"W ALONG SOUTH LINE, 97.78 FEET, THENCE ALONG A CURVE TO THE LEFT, 200.80 FEET, HAVING A RADIUS OF 1385.50 FEET AND A LONG CHORD BEARING AND DISTANCE OF N55°01'01"W 200.63 FEET TO POINT OF BEGINNING. 1.13AC. ALSO EXCEPT; BEGINNING AT A POINT WHICH IS N00°06'01"E ON WEST LINE OF BLOCK 2, 118.17 FEET AND N74°28'31"W 34.22 FEET AND ALONG A CURVE TO THE LEFT, 71.71 FEET, HAVING A RADIUS OF 1385.50 FEET AND LONG CHORD BEARING AND DISTANCE OF N60°50'20"W, 171.60 FEET, AND N00°06'01"E 35.75 FEET AND S75°00'43"E 176.95 FEET AND N14°59'17"E, 76.95 FEET FROM .SW CORNER BLOCK 2; THENCE N29°58'12"E 262.15 FEET, THEN S87°18'35" 254.72 FEET, THENCE S80°22'21"E 184.20 FEET, THENCE S29°58'12"W, 246.04 FEET, THENCE N87°03'08"W, 395.34 FEET, THENCE N80°14'08"W, 50 FEET TO POINT OF BEGINNING. 2.42AC. SUBJECT TO EASEMENTS, RIGHT OF WAYS AND RESTRICTIONS OF RECORD. ALSO EXCEPT, STRIP OF LAND ALONG RIVERS EDGE FOR CITY PARK RIVERWALK DESCRIBED AS PART OF A.L WILLIAMS, WILLIAMS & LYONS, LOUISA MERRELL'S, AND JL. WRJGHTS ADDITIONS, DESCRIBED AS BEGINNING AT A POINT ON EAST LINE OF WASHINGTON ST WHICH IS N01°04'04"E 178.33 FEET FROM SW CORNER OF RESERVE NO. 8 OF A.L. WILLIAMS ADDITION; THEN N88°58'17"E, 58.87 FEET, S87°29'00"E, 141.47 FEET, S80°59'30"E, 208.51 FEET, N79°53'15"E, 249.61 FEET, N84°44'04"E, 98.81 FEET, S83°12'46"E 107.12 FEET, S69°48'57"E, 185.83 FEET, S87°18'35"E, 285.30 FEET, S80°22'21"E, 184.20 FEET, N78°09'52"E, 88.58 FEET, S86°52'31"E 65.28 FEET, S73°37'20"E, 230.94 FEET, S72°36'38"E, 136.78 FEET, S56°07'29"E 85.61 FEET S54°32'48"E, 156.92 FEET, S43°19'04"E 100.7 FEET, S36°46'08"E, 53.67 FEET, S39°18'45"E 84.17 FEET, S23°55'42"E, 93.89 FEET, S20°30'21"E, 98.80 FEET, S30°45'56"E, 89.82 FEET, S30°03'46"E, 94.95 FEET, S40°48'33"E, 87.92 FEET, S58°16'37" 179.85 FEET, S70°38'55"E 75.5 FEET TO WESTERLY LINE OF OAKWOOD AVENUE, THEN NORTHWESTERLY TO WATER'S EDGE OF SHIAWASSEE RIVER, THEN NORTHWESTERLY ALONG WATER'S EDGE TO EAST LINE OF WASHINGTON ST, THEN SOUTHERLY ALONG EAST LINE OF WASHINGTON STREET TO POINT OF BEGINNING.

Parcel 2: Tax Roll # 78-050-430-000-001-00

LOTS 1-12 OF LOUISA MERRELLS ADDITION TO THE CITY OF OWOSSO, SHIAWASSEE COUNTY, STATE OF MICHIGAN, IN T7N-R3E, AS RECORDED IN LIBER U PAGE 963 OF SHIAWASSEE COUNTY RECORDS. (EXCEPT A STRIP OF LAND ALONG RIVER'S EDGE FOR CITY PARK RIVERWALK)

Parcel 3: Tax Roll #78-050-710-001-015-00

RAILROAD RIGHT OF WAY, OAKWOOD AVENUE TO WEST LINE OF LOUISE MERRELL'S ADDITION TO THE CITY OF OWOSSO, SHIAWASSEE COUNTY, STATE OF MICHIGAN, IN T7N-R3E, AS RECORDED DM LIBER U PAGE 963 OF SHIAWASSEE COUNTY RECORDS. (EXCEPT A STRIP OF LAND ALONG RIVER'S EDGE FOR CITY PARK RIVERWALK)

**EXHIBIT B -- GRANTEE'S PROPERTY
(City of Owosso)**

Parcel # 78-050-651-000-032. Part of A.L. Williams Addition to the City of Owosso, in Section 24, Township 7N, Range 2E, City of Owosso and Williams and Lyons Addition to the city, Louisa Merrell's Addition to the Village (now City) of Owosso and J.L. Wright's Addition to the City, all in Section 19, T7N, R3E, City of Owosso, Shiawassee County, Michigan, described as beginning at a point on the East line of Washington Street which is N01°04'16"E 178.33' from the southwest quarter of Reserve #8 of said A.L. Williams Addition to the City; thence N88°58'17"E 58.87'; thence S87°29'WE 141.47'; thence S80°59'30"E 208.51'; thence N79°53'15"E 249.61'; thence N84°44'04"E 98.81'; thence S83°12'46"E 107.12"; thence S69°48'57"E 185.83'; thence S87°18'35"E 285.30'; thence S80°22'21"E 184.20'; thence N78°09'52"E 88.58'; thence S86°52'31"E 65.28'; thence S73°37'20"E 230.94'; thence S72°36'38"E 136.78'; thence S56°07'29"E 85.61'; thence S54°32'48"E 156.92'; thence S43°19'04"E 100.70'; thence S36°46'08"E 53.67'; thence S39°18'45"E 84.17'; thence S23°55'42"E 93.89'; thence S20°30'21"E 98.80'; thence S30°45'56"E 89.82'; thence S30°03'46"E 94.95'; thence S40°48'33"E 87.92'; thence S58°16'37"E 179.85'; thence S70°38'55"E 75.50' to the westerly line of Oakwood Avenue; thence Northwesterly to the water's edge of the Shiawassee River; thence Northwesterly along said water's edge to the east line of Washington Street; thence southerly along said east line to the Point of Beginning. (3,214.43 lineal feet).

Motion supported by Councilperson Martenis.

Roll Call Vote.

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

NAYS: None.

WATER SERVICE DISCUSSION

City Manager Fivas distributed copies to Council of the proposed amendment to the water agreement with Owosso Township for service to the new Davis Cartage site along with a matrix of all the options available to the City when considering requests for out of town water service.

City Clerk Kohagen read aloud the proposed amendment for the public. The amendment detailed a request for 25% of the water sale proceeds to be placed in escrow and turned over to the Township upon completion of a water agreement. It was suggested a time limit be placed on the amendment to prevent the money from being held in perpetuity on the occasion a water agreement is not reached. The proposed deadline would be December 31, 2008, if at which time a comprehensive water agreement has not been reached any monies in the escrow account would be returned to City coffers.

There was a brief discussion regarding options listed on the matrix.

Motion by Mayor Pro-Tem Owen to approve the amendment to the out of town water service agreement with Davis Cartage as proposed by Owosso Charter Township and include a deadline of December 31, 2008 for completion of a comprehensive water service agreement or monies in escrow be returned to the City provided Owosso Charter Township agrees to the second amendment and further authorize the Mayor to sign appropriate documents.

Motion supported by Councilperson Cline.

Councilperson Martenis expressed his reluctance to vote on the issue at the current time, indicating he did not like the addition of a deadline.

Roll Call Vote.

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

NAYS: Councilperson Martenis.

5TH MONDAY MEETING

Motion by Councilperson Cline to cancel the 5th Monday meeting scheduled for March 31, 2008.

Motion supported by Councilperson Frederick.

Roll Call Vote.

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

NAYS: None.

BOARDS AND COMMISSIONS APPOINTMENTS

There was discussion regarding term limits for the various boards and commissions, how positions are filled, and where citizens can find a list of open board seats. Councilperson Forster expressed concern over residents outside the city being appointed to city boards and her desire to see new people fill open seats. There was further discussion regarding the most appropriate place to advertise open board seats.

Motion by Councilperson Frederick to approve the following Mayoral appointments:

Name	Board/Commission	Term Expires
Sandy Harvey	Planning Commission	06-30-2010
Terry Kemp	Planning Commission	06-30-2010

Motion supported by Councilperson Simmons.

Roll Call Vote.

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

NAYS: None.

Council agreed to seek an opinion from City Attorney Brown on whether Piper Brewer was eligible for appointment to the Historical Commission and further agreed the following appointments would be re-considered at the April 7, 2008 meeting.

Name	Board/Commission	Term Expires
Piper Brewer	Historical Commission	12-31-2008
JoEllen Hartley	Historical Commission	SAC Representative

COMMUNICATIONS

Michael T. Compeau, Public Safety Director. Liquor License Transfer.
John F. Archer, Building Official. February 2008 Building Department Report.
John F. Archer, Building Official. February 2008 Code Violations Report.
Michael T. Compeau, Public Safety Director. February 2008 Police Department Report.
Michael T. Compeau, Public Safety Director. February 2008 Fire Department Report.
Westown Corridor Improvement Authority. Minutes of Meeting of January 9, 2008
Westown Corridor Improvement Authority. Minutes of Meeting of February 13, 2008.

CITIZEN COMMENTS AND QUESTIONS

Shelva Cebulski, 1243 Marion Street, asked Utilities Director Burk if the city water supply could be contaminated with pharmaceuticals or hormones. He indicated this was unlikely as we use well water as opposed to surface water to supply the system.

Betty Coon, 1204 Palmer Avenue, commented on her approval of the City amendment to the temporary water service agreement with Owosso Charter Township, she also inquired as to the length of the agreement.

Eddie Urban, 601 Glenwood Avenue, indicated he liked having the meetings video taped and would like them to be broadcast on a regular schedule on the cable access channel.

Justin Horvath, SEDP Director, thanked those members of Council that attended the Davis Cartage ground breaking. He also detailed upcoming efforts by the SEDP to promote the Owosso area.

Councilperson Martenis indicated he would like to see council meetings broadcast at a specific time.

City Manager Fivas agreed a set time for broadcast of the council meeting would be beneficial, he also indicated patience was called for as the City works through the new cable situation.

ADJOURNMENT

Motion by Councilperson Simmons for adjournment at 9:28 p.m.

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

Michael E. Bruff, Mayor

Amy K. Kohagen, City Clerk