

**OWOSSO CITY COUNCIL**

**JANUARY 5, 2009**

**7:00 P.M.**

**PRESIDING OFFICER:** MAYOR MICHAEL E. BRUFF  
**OPENING PRAYER:** THOMAS COOK  
BLUE RIBBON COMMITTEE MEMBER  
**PLEDGE OF ALLEGIANCE:** DIRECTOR OF PUBLIC SAFETY MICHAEL T. COMPEAU  
**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.

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

**PROCLAMATION – MEREDITH KEATING**

Mayor Bruff presented the following proclamation to Meredith Keating recognizing her for her years of service to the City upon the occasion of her retirement:

**A Proclamation of the Mayor’s Office of the City of Owosso, Michigan  
Recognizing the Distinguished Public Service of  
Meredith L. Keating**

WHEREAS, Meredith L. Keating began her service to the City of Owosso as a temporary part-time clerical worker in January of 1995, progressing to a permanent part-time position in November of 2002, and finally moving to full time Information Clerk and Cashier in August of 2005; and

WHEREAS, Meredith has provided a great “face” for the City by providing dependable and helpful assistance to any and all regardless of their need, letting citizens know the City cares; and

WHEREAS, Meredith has exhibited her gentle and even keeled demeanor to all who approach her, never getting her feathers ruffled no matter the commotion; and

WHEREAS, Meredith has gone above and beyond to provide excellent service to the Citizens of the City of Owosso, many times by simply lending a listening ear to let them tell their stories; and

WHEREAS, Meredith has gone the extra mile to lend a helping hand to any staff member in need, whether it be help with a mass mailing, stuffing Absentee Ballot envelopes, or reaching things on high shelves; and

WHEREAS, Meredith has consistently displayed an extraordinary sense of civic mindedness with her tireless and dependable work as an Election Inspector and an Election Chairperson and her regular attendance at City Council meetings; Meredith has carried more than her share in making the democratic process work; and

WHEREAS, Meredith is a true servant of the community, further dedicating her time to the Citizens of the area through her work with the Shiawassee Arts Council and the Hospital Auxiliary; and

WHEREAS, it is the intent of this Office that Meredith’s Dedicated and Distinguished Public Service be recognized.

NOW, THEREFORE, BE IT PROCLAIMED that I, Michael E. Bruff, Mayor of the City of Owosso, on behalf of the citizens of Owosso, hereby recognize and thank Meredith for her nearly 14 years of dedicated service to the Owosso community and further express our sincere wishes to Meredith and her family for a long, healthy and happy retirement.

Proclaimed this 5th day of January, 2009.

**SPECIAL PRESENTATION – BLUE RIBBON COMMITTEE**

Mayor Bruff introduced the following members of the Blue Ribbon Committee:

Debra Adams-Mills  
James Bartlett  
Terri Brown  
James Civile  
Thomas Cook  
T.J. Gaffney  
JoAnn Goodson  
John Orin  
Cindy Popovitch, Chair  
Jessica Thompson  
Geoffrey Washburn

The Committee, made up of community members from all walks of life, had been meeting over the course of the previous 6 months to develop a cohesive vision for the future of the city. The Committee presented their report describing the vision for the future of Owosso, including the presentation of strategic initiatives to help that vision come to fruition. The strategic initiatives touched on the following areas: Safety and Security, Revenue, a Quality City Workforce, Infrastructure, Owosso as a Destination Place, Green Owosso, Transportation, the Economy, Neighborhoods, and Marketing. The Committee went on to present their list of 21 top priorities for the City, including: partnering with other local jurisdictions, improving business practices, attracting and retaining highly qualified City employees, instituting a City-wide recycling program, establishing a monthly curb-side leaf and brush pick-up program, developing a transportation plan, and hiring a marketing director.

Note: The full text of the Blue Ribbon Committee Report is on file in the Clerk's Office.

#### **APPROVAL OF THE MINUTES OF REGULAR MEETING OF DECEMBER 15, 2008**

Motion by Councilperson Simmons to approve the Minutes of the Regular Meeting of December 15, 2008 as presented.

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

#### **PUBLIC HEARINGS**

None.

#### **CITIZEN COMMENTS AND QUESTIONS**

Shelva Cebulski, 1243 Marion Street, inquired if clean air was a topic of discussion for the Blue Ribbon Committee, indicating she felt it should be a top priority. She also inquired about the new turn lane on West Oliver Street at Seventh Street.

Linda Keenan of the Owosso Community Players said she felt the Blue Ribbon Committee report was impressive but felt they left out the Lebowsky Center in their list of priorities. It was noted the Blue Ribbon Committee intended to concentrate on a list of new ideas for the City, the Lebowsky Center was not included because it is a project that is already underway.

Daniel Stewart, County Commissioner District 1, indicated the County Commission would love to work with the Blue Ribbon Committee on any of the initiatives they presented. He updated the Council on issues addressed by the County Commission. Lastly, he indicated Lincoln High School was unable to provide a student liaison for the evening and went on to update the Council on developments at Lincoln including the volleyball team's fourth place ranking in the State tournament.

#### **CITY MANAGER REPORT**

City Manager Fivas reported a City contingent continues to meet with representatives from Owosso Township to negotiate a water agreement. He further noted the intention to switch to a quarterly water billing system for residential customers by the beginning of the fiscal year in July. He indicated an educational effort would take place in the coming months and customers would still be able to pay on a monthly basis if they wished to continue doing so.

There was discussion regarding how problems with water service will be detected with the quarterly billing system and if residents will be able to receive a credit if a legitimate water leak goes undetected for months. It was noted Council would need to re-examine the current water billing policy to determine new parameters allowing staff to credit customer accounts in such cases. There was further discussion as to how the proposed on-line billing will work in conjunction with the quarterly billing changeover.

#### **CONSENT AGENDA**

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

**RESOLUTION NO. 01-2009**

WHEREAS, the City Council of the City of Owosso deems it necessary to acquire and construct the following described improvement:

**The alley east of Division Street from Auburndale Avenue to Franklin Avenue  
Storm Drain Construction**

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The matter of making said public improvement is hereby referred to the City Manager, who shall prepare a report thereon, which shall include plans and detailed estimates of the cost thereof and a description of the special assessment district and such other pertinent information as will permit the City Council to decide the cost, extent and necessity of the public improvement and what proportion of the cost should be paid by the City at large.

The City Manager shall present said report to the City Council when same has been prepared.

**RESOLUTION NO. 02-2009**

WHEREAS, the City Council has ordered the City Manager to prepare a report for public improvement, more particularly hereinafter described; and

**The alley east of Division Street from Auburndale Avenue and Franklin Avenue  
Storm Drain Construction**

WHEREAS, the City Manager prepared said report and the same has been filed with the City Council as required by the Special Assessment Ordinance of the City of Owosso and the Council has reviewed said report.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The plans and estimate of cost and the report of the City Manager for said public improvement shall be filed in the office of the City Clerk and shall be available for public examination.
2. The City Council hereby determines that the Public Improvement hereinafter set forth is necessary.
3. The City Council hereby approves the estimate of cost of said public improvement to be \$6,100.00 and determines that \$3,100.00 thereof shall be paid by special assessment imposed on the lots and parcels of land more particularly hereinafter set forth, which lots and parcels of land are hereby designated to be all of the lots and parcels of land to be benefited by said improvements and determines that \$3,000.00 of the cost thereof shall be paid by the City at large because of benefit to the City at large.
4. The City Council hereby determines that the portion of the cost of said public improvement to be specially assessed shall be assessed in accordance with the benefits to be received.
5. The City Council shall meet at the Owosso City Hall Council Chambers on Tuesday, January 20, 2009 for the purpose of hearing all persons to be affected by the proposed public improvement.
6. The City Clerk is hereby directed to cause notice of the time and place of the hearing to be published once in The Argus Press, the official newspaper of the City of Owosso, not less than seven (7) days prior to the date of said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of property subject to assessment, as indicated by the records in the City Assessor's Office as shown on the general tax roll of the City, at least (10) full days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.
7. The notice of said hearing to be published and mailed shall be in substantially the following form:

NOTICE OF SPECIAL ASSESSMENT HEARING  
CITY OF OWOSSO, MICHIGAN

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

**the alley east of Division Street from Auburndale Avenue and Franklin Avenue**

TAKE NOTICE that the City Council intends to acquire and construct the following described public improvement: **Storm Drain Construction.**

The City Council intends to defray apart or all of the cost of the above-described public improvement by special assessment against the above described property.

TAKE FURTHER NOTICE that City Council has caused plans and an estimate of the cost and report for the above described public improvement to be prepared and made by the City Manager and the same is on file with the City Clerk and available for public examination.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall Council Chambers, Owosso, Michigan at 7:30 o'clock p.m. on Tuesday, January 20, 2009 for the purpose of hearing any person to be affected by the proposed public improvement.

Purchase Authorization. Authorized the purchase of two Sumitomo Gear Reducers for the WWTP in the amount of \$14,650 plus freight.

Warrant No. 377. Accepted Warrant No. 377 as follows:

<b>Vendor</b>	<b>Description</b>	<b>Fund</b>	<b>Amount</b>
Plante & Moran, PLLC	Final billing in connection with the 2008 Audit	General	\$22,580.00

Motion supported by Councilperson Cline.

Roll Call Vote.

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

NAYS: None.

**ITEMS OF BUSINESS**

**2009 INCOME THRESHOLD POVERTY EXEMPTIONS**

Motion by Councilperson Frederick to adopt the following 2009 Income Threshold Poverty Exemptions, as required by Public Act No. 390 of 1994 and further amended by PA 620 of 2002:

2009 Federal Income Standards Poverty Threshold

<b><i>Number of Persons residing in Homestead</i></b>	<b><i>Annual Allowable Income</i></b>
1 person	\$ 10,400
2 persons	14,000
3 persons	17,600
4 persons	21,200
5 persons	24,800
6 persons	28,400
7 persons	32,000
8 persons	36,600
Each additional person, add	3,600

Income of students under the age of 18 years **shall not** be included as income.

Motion supported by Councilperson Forster.

Roll Call Vote.

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

NAYS: None.

**RENTAL HOUSING DISCUSSION**

A discussion was held regarding the establishment of a rental registration/inspection program. It was noted any action would have to use a two pronged approach in implementation with the deployment of the registration program coming first, allowing time for deliberation of the inspection phase. There was discussion regarding overregulation of rental properties vs. the need to enforce proper care and maintenance to protect property values. Mayor Bruff noted the idea of a rental housing registration program had been introduced to the Planning Commission

but no action resulted from it. It was noted the program would require the development of an ordinance to establish and govern the process for registration and inspection and there was discussion as to the procedure to institute such an ordinance.

Motion by Mayor Pro-Tem Owen to end discussion.

Motion supported by Councilperson Simmons.

There was further discussion regarding whether a proposed draft of the program would contain only a registration process or would include the development of an inspection mechanism and when the Planning Commission meets again.

Roll Call Vote.

AYES: Councilperson Martenis, Mayor Pro-Tem Owen, and Councilperson Simmons.

NAYS: Councilpersons Frederick, Cline, Forster, and Mayor Bruff.

Motion failed.

There was discussion on Council's preference whether to take up the issue themselves or refer it to the Planning Commission first and whether Council could force the Planning Commission to meet next month to consider the topic.

Motion by Mayor Pro-Tem Owen to request the Planning Commission develop a registration program.

Motion supported by Councilperson Cline.

Roll Call Vote.

AYES: Councilpersons Martenis, Cline, and Mayor Pro-Tem Owen.

NAYS: Councilpersons Frederick, Forster, Simmons, and Mayor Bruff.

Motion failed.

Motion by Councilperson Cline to amend the motion to add a 60 day time limit on the response from the Planning Commission.

Motion failed for lack of support.

Motion by Councilperson Frederick to direct City staff to develop the framework for a rental registration program which will be referred to the Planning Commission after Council review.

Motion supported by Councilperson Forster.

Roll Call Vote.

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

NAYS: None.

### **TRASH ORDINANCE REVIEW**

July 7, 2008 Council directed a review of Sect 34-49, *Refuse Collection – Residential Collection*, of the Code of Ordinances be conducted at the first meeting in January of 2009. There was discussion regarding the effectiveness of the two day policy. It was noted no objections were received by the refuse haulers once the ordinance had taken affect. The only hauler present at the meeting noted his satisfaction with the current pick up schedule.

There was further discussion regarding the penalties for violating the ordinance and to whom violations should be reported. Council was concerned some refuse providers were picking up trash outside the hours dictated in the ordinance. It was suggested a letter be sent to all local refuse companies highlighting the hours of operation and reminding haulers violators of the ordinance would be ticketed.

Motion by Councilperson Martenis to direct staff to send a letter to each local refuse hauler highlighting the days and hours of collection allowed by the ordinance and informing them the ordinance will be strictly enforced.

Motion supported by Councilperson Frederick.

Roll Call Vote.

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

NAYS: None.

**COMMUNICATIONS**

Downtown Development Authority. Minutes of Meeting of December 3, 2008.

**CITIZEN COMMENTS AND QUESTIONS**

Shelva Cebulski, 1243 Marion Street, thanked City crews for fixing the pothole on Oliver Street at Washington Street and inquired whether crews would continue filling potholes throughout the winter. It was noted crews would cold patch potholes as weather permits. Ms. Cebulski also commended City crews for their work in clearing snow from City streets.

Jeff Gulick introduced himself and offered his services as a professional in the leased cable access field.

Betty Coon, 1204 Palmer Avenue, inquired if the hours of operation for trash haulers applied to commercial accounts. It was noted they did not.

Councilperson Cline commented on his feeling that many positive things would come out of tonight's meeting.

Councilperson Martenis thanked the staff at Memorial Healthcare for their superior service during his recent surgery. He also thanked his many well-wishers for their concern and his wife for her support during his recovery.

**NEXT MEETING**

January 20, 2009

**BOARDS AND COMMISSIONS OPENINGS**

Zoning Board of Appeals – Alternate, term expires 06-30-2009

**ADJOURNMENT**

Motion by Councilperson Simmons for adjournment at 10:04 p.m.

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

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Michael E. Bruff, Mayor

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Amy K. Kohagen, City Clerk