

OWOSSO CITY COUNCIL

FEBRUARY 17, 2009

7:30 P.M.

PRESIDING OFFICER: MAYOR MICHAEL E. BRUFF

OPENING PRAYER: PASTOR ROGER DEVORE
FIRST CHURCH OF THE NAZARENE

PLEDGE OF ALLEGIANCE: COUNCILPERSON BENJAMIN FREDERICK

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 Simmons to switch Item of Business 1. Property Lease with Item of Business 4. Holman Pool Funding.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF FEBRUARY 2, 2009

Motion by Councilperson Cline to approve the Minutes of the Regular Meeting of February 2, 2009 as presented.

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

SPECIAL PRESENTATION

The official portrait of Mayor Michael E. Bruff was unveiled by Eddie Urban.

CITIZEN COMMENTS AND QUESTIONS

Junior Council Liaisons and Lincoln High School seniors Makayla Blanton and Lindsey Marcum made a brief presentation to Council regarding the activities at Lincoln High including an upcoming fund raiser for the American Red Cross.

Kevin Brown, 217 Curwood Castle Drive, detailed the history of citizen efforts to keep Holman Pool open. He listed the various groups that use the pool and also indicated the Parks and Recreation Commission strongly supported keeping the pool open.

Marcia Ladd, Parks and Recreation Commission member, indicated Holman Pool was the number one priority being addressed by the Commission this year. She further indicated children need physical activities throughout the summer. She noted the Commission had asked Council to place a millage question on the November 2008 ballot without result. She asked the Council place a two year millage request on the May 2009 ballot and work in language to allow the use of any leftover funding to be used for the establishment of a new aquatic center.

Lisa Hood, 1014 North Shiawassee Street, indicated she felt the Argus Press had not accurately reported the activities offered at the High School pool. She went on to detail those activities including its use by middle and high school teams, lap swims, open swims, lifeguard training, and use by the RESD. She said the pool would be closed this summer for repairs. She also indicated the High School pool is old and a new aquatic center would be an asset to the community.

Eddie Urban, 601 Glenwood Avenue, said he was putting together a regular cable access program dealing with veteran concerns and benefits.

Michael Wojtkowicz, Parks and Recreation Commission member, said he understood the decision on the pool would be difficult and he encouraged the Council to keep a long term approach in mind.

Donald Moore, Parks and Recreation Commission member, said he would like to see the pool open this year as it is important to have free activities for kids to do.

Dawn Reha, Shiawassee Family YMCA CEO, indicated childhood obesity is a serious problem and the City needs to provide recreational opportunities for children.

Betty Coon, 1204 Palmer Avenue, asked Council to have empathy for families in the city as they are hurting during the difficult economic times. She asked if there would be stimulus money available to build a new pool.

Daniel Stewart, County Commissioner District #1, commented on recent issues addressed by the County Commission including the passage of PA 375 waiving the health inspection fee for charitable organizations.

Mayor Bruff thanked audience members for treating those with opposing viewpoints with respect.

CITY MANAGER REPORT

City Manager Fivas distributed copies of the annual report. He indicated he would be discussing the report in depth at the next Council meeting.

He went on to note that bids had gone out for the Ball/Exchange Street parking lot project, business owners have been contacted and a meeting has been scheduled to educate local businesses on the temporary effects of the construction.

He also noted that work on the Loop Trail will begin soon, that the City continues to explore website development, and that work on organizing Community Pride week is on-going. Lastly, he noted the public is welcome to the special meeting to be held this Saturday from 9:00 am to 3:00 pm at the Gould House.

CONSENT AGENDA

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

Set Public Hearing – Grant Closeout. Set a public hearing for March 2, 2009 to receive citizen comment regarding the close-out of Michigan Economic Development Corporation grant project at the corner of Main Street and Washington Street.

Purchase Authorization. Authorized the purchase of two overhead lights for the Exchange Street parking lot from The Lighting Group in the amount of \$5,840.00 contingent upon the approval of MSHDA.

Payment Authorization. Authorized progress payment No. 4 to BioTech Agronomics for Lime Softening Residuals removal/reuse in the amount of \$80,010.00.

Warrant No. 380. Authorized Warrant No. 380 as follows:

Vendor	Description	Fund	Amount
Brown & Stewart, PC	Professional Services covering January 13, 2009 – February 9, 2009	General	\$8,376.16
Johnson Controls Inc.	Planned Service Agreement covering February 1, 2009 – July 31, 2009	General, Water & Historical	\$10,679.00

Motion supported by Councilperson Simmons.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

HOLMAN POOL FUNDING

Councilperson Martenis expressed his disappointment that the Council did not place a millage question on the ballot the last time the issue was addressed. He went on to express his emphatic support for keeping the pool open.

There was an extensive discussion regarding the number of individual users of the pool, the hourly cost of operating the pool, using tax payer money wisely, supplying recreational opportunities for the children of the community, and private funding for the pool.

Motion by Councilperson Martenis to place a two year millage to support the operation of Holman Pool on the May 2009 ballot.

Motion supported by Councilperson Cline.

Roll Call Vote.

AYES: Councilpersons Cline, Simmons, and Martenis.

NAYS: Councilperson Forster, Mayor Pro-Tem Owen, Councilperson Frederick, and Mayor Bruff.

Motion fails for lack of affirmative votes.

PROPOSED OWOSSO TOWNSHIP WATER AGREEMENT

State Representative Richard Ball detailed the history in the making of this agreement, saying it has been a long but rewarding process and it offered great potential for economic development.

City Manager Fivas described the highlights of the agreement as follows: the agreement covers three districts within Owosso Charter Township, the area along south M-52 is not covered by the agreement, the Township industrial park will disconnect from its current well water source and connect to city supplied water, the Township will appropriate approximately \$100,000 to replace aging infrastructure within the districts, and the Township will have custodianship of the fund established to provide for replacement and/or improvement of the distribution system in the Township districts.

Council members expressed hopes the proposed agreement would foster more intergovernmental cooperation and spur economic development. Owosso Charter Township leaders in attendance also expressed their favor of the agreement.

The Council recessed briefly at 9:00 p.m., the meeting resumed at 9:09 p.m.

RENTAL REGISTRATION PROGRAM

City Manager Fivas described the four presented options for the program: a simple, annual program at \$12/unit, a more extensive annual program including GIS mapping and educational programs at \$17/unit, a simple, biennial program also at \$17/unit, or a more extensive biennial program including GIS mapping and educational programs at \$25/unit.

There was discussion regarding the staffing required to administer the program, notification of landlords by postcard once the registration program is established, assessing landlords for the program because they profit from the rental of their properties, rolling out the program in stages to negate the need to hire more staff, suggestions for developing an inspection component to the program, landlords passing on the cost of registration to renters, and the benefits landlords provide to the community.

Motion by Councilperson Cline to incorporate a biennial registration program, including GIS mapping and educational programs for landlords and tenants, into a proposed ordinance to be presented at the next regular meeting.

Motion supported by Councilperson Martenis.

Roll Call Vote.

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

NAYS: Mayor Pro-Tem Owen.

PROPERTY LEASE – HOPKINS LAKE

Motion by Mayor Pro-Tem Owen to authorize the lease of city owned tillable land located near Hopkins Lake to Shawnee Creek Farms in the amount of \$500.00 per year for five years and described as follows:

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

Motion supported by Councilperson Forster.

Roll Call Vote.

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

NAYS: None.

COMMUNICATIONS

John F. Archer, Building Official. January 2009 Building Department Report.
John F. Archer, Building Official. January 2009 Code Violations Report.

Michael T. Compeau, Public Safety Director. January 2009 Police Department Report.
Michael T. Compeau, Public Safety Director. January 2009 Fire Department Report.

CITIZEN COMMENTS AND QUESTIONS

Shelva Cebulski, 1243 Marion Street, expressed her disappointment in the Council for not placing a millage question on the May ballot. She also inquired how many parking spots would be lost in the reconstruction of the Ball/Exchange lot. It was noted only a few leased spaces would be sacrificed.

Stavroula Erfourth, 308 East Oliver Street, indicated she was appreciative that Council had undertaken the effort to establish a rental registration program.

Cindy Popovitch, 704 North Chipman Street, indicated she was disappointed with Council's decision not to place a millage question on the ballot. She asked that Council provide alternative recreation opportunities if the pool is not going to be open this summer. She also expressed her disappointment with the establishment of a rental registration program saying she had hoped landlords would participate in a program on their own and she hoped there would be no fees. She asked that an educational effort be made to inform landlords and renters about the program.

Betty Coon, 1204 Palmer Avenue, said she had hoped one Councilperson would be more accepting of others' opinions on the operation of the pool. She also asked Council not to downplay the value of \$13.

Eddie Urban, 601 Glenwood Avenue, expressed his feeling the pool should have been advertised more to draw a larger number of users. He went on to thank Representative Ball's office for their assistance with his cable television matter.

Fred Park, 609 North Washington Street, indicated he feels Council isn't aware of exactly what it has instituted with the creation of a rental registration program. He said tenants have rights established by law and if they would inform themselves of the law the registration program would not be needed.

Mayor Bruff indicated Council did the best it using the pool numbers they received from the Y.

Councilperson Frederick noted he based his \$200/hr price tag on the cost of operating the pool divided by the number of hours of operation as provided by the YMCA.

NEXT MEETING

February 21, 2009 – Special Meeting
March 2, 2009 – Regular Meeting

BOARDS AND COMMISSIONS OPENINGS

Cable Access Advisory Commission – term expires 06-30-2009
Zoning Board of Appeals – Alternate, term

RECESSED TO EXECUTIVE SESSION AT 9:55 PM

RETURNED FROM EXECUTIVE SESSION AT 11:06 PM

APPROVAL OF EXECUTIVE SESSION MINUTES OF FEBRUARY 2, 2009

Motion by Mayor Pro-Tem Owen to approve the Executive Session Minutes of the meeting of February 2, 2009.

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

ADJOURNMENT

Motion by Councilperson Simmons for adjournment at 11:07 p.m.

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

Michael E. Bruff, Mayor

Amy K. Kohagen, City Clerk