

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF JANUARY 7, 2019
7:30 P.M.**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: DEACON MICHAEL BASSETT
SAINT GEORGE ORTHODOX CHURCH, FLINT

PLEDGE OF ALLEGIANCE: COUNCILMEMBER JEROME C. HABER

PRESENT: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika, Councilmembers Janae L. Fear, Jerome C. Haber, and Nicholas L. Pidek.

ABSENT: Councilmembers Loreen F. Bailey and Daniel A. Law.

APPROVE AGENDA

Motion by Mayor Pro-Tem Osika to approve the agenda with the following changes:

- Remove Consent 1. Boards & Commissions Appointment.
- Postpone Consent 3. Contract Extension – IT/Network Engineering Services until January 22, 2019.
- Postpone Consent 4. Contract Authorization – Firewall Upgrade until January 22, 2019.

Motion supported by Councilmember Pidek and concurred in by unanimous vote.

APPROVAL OF THE MINUTES OF REGULAR MEETING OF DECEMBER 17, 2018

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of December 17, 2018 as presented.

Motion supported by Councilmember Fear and concurred in by unanimous vote.

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Tim Stechschulte, property owner at 220 N. Howell Street, indicated his house has had a City tree leaning against it for three years. He said he had spoken to the DPW about the issue and was told that the tree was on the list to be cut but no work was taking place due to injury of the City Arborist. He asked when someone would be hired to do the work as he could not wait any longer.

County Commissioner Marlene Webster, District 1, reported the new Commission had just been sworn in and would be holding their first meetings next week. She said she was looking forward to working with everyone.

County Commissioner John Horvath, District 2, wished everyone a Happy New Year and thanked all the citizens that supported his run for Commissioner. He said he will be available to anyone that has questions or comments.

Pete Yerian, Osburn Lakes resident, reported that since he had last spoken to Council the Osburn Lakes HOA has officially dropped its pursuit of the homeowners that allowed their daughter's family to live with them while she sought treatment for cancer. He also reported that there are a group of homeowners that are seeking the recall of all of the current board members in an effort to elect a group that more closely represents the will of a majority of the homeowners.

Eddie Urban, 601 Glenwood Avenue, noted that work to repair his home had started.

Mayor Eveleth asked about the plan to deal with trees on the cut list. Utilities Director Glenn Chinavare indicated that he anticipates contracting for this work in the next couple of weeks.

Mayor Eveleth commented about the great New Year's Eve celebration held downtown recently. He thanked all those that worked to put the event together and said he hopes it continues well into the future.

Mayor Pro-Tem Osika said she was on the New Year's Eve event committee and they had worked hard over the course of the last several months to put on a great event.

CITY MANAGER REPORT

City Manager Nathan R. Henne briefly detailed the latest Project Status Report.

Councilmember Fear asked about the reduction in the water service line replacement grant. It was explained that the reduction was due to unanticipated interest in the grant program, the City had known about the reduction for quite some time, and modifications to the work planned for the project had already been accomplished.

CONSENT AGENDA

Motion by Mayor Pro-Tem Osika to approve the Consent Agenda as follows:

Boards and Commissions Appointment. (This item was removed from the agenda.)

Emergency Repair Authorization – Fire Department Tower 1.* Authorize payment to Front Line Services, Inc. for emergency repair and replacement of the cables and tracks on Fire Department Tower 1 in the amount of \$14,336.52 as follows:

RESOLUTION NO. 01-2019
AUTHORIZING PAYMENT TO
FRONT LINE SERVICES, INC.
FOR EMERGENCY REPAIR OF
OWOSSO FIRE DEPARTMENT TOWER 1

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has a fire department vehicle, Tower 1, that required an emergency repair of the vehicle, and

WHEREAS, the City directed Front Line Services, Inc., to proceed and make the emergency repair, which subsequently totaled \$14,336.25, and

WHEREAS, the Public Safety Director has reviewed the detailed billing from Front Line Services, Inc. for the cost of the repair and recommends payment in the amount of \$14,336.52 for the work that was satisfactorily completed.

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

FIRST: The City of Owosso has heretofore determined that it was necessary and in the public interest to contract with Front Line Services, Inc. for the emergency repair of Owosso Fire Department Tower 1.

SECOND: The accounts payable department is authorized to submit payment to Front Line Services, Inc. in the amount up to \$14,336.52 as authorized by Council this 7th day of January, 2019.

THIRD: The above expenses shall be paid from the Fire Department vehicle repair fund.

Contract Extension – IT/Network Engineering Services. (This item was postponed until the meeting of January 22, 2019.)

Contract Authorization - Firewall Upgrade. (This item was postponed until the meeting of January 22, 2019.)

Contract Amendment - 2018 Street Program Engineering Services.* Approve Amendment No. 5 to the 2018 Street Program Engineering Services contract with Fleis &Vandenbrink, Inc. to add field work oversite and construction administration services related to the 2019 Street Program to the contract in an amount not to exceed \$137,500.00 and authorize payment up to the contract amount including Amendment Nos 1-5, as terms of the contract are fulfilled as follows:

RESOLUTION NO. 02-2019

**AUTHORIZING AMENDMENT NO. 5
TO ADDENDUM NO. 4, STREET PROGRAM ENGINEERING SERVICES
CONTRACT WITH FLEIS & VANDENBRINK ENGINEERING, INC.
FOR ENGINEERING SERVICES**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved a Contract with Fleis & Vandenbrink Engineering Inc. on July 3, 2017 for Engineering Survey and Design Services for the 2018 Street Program in the amount of \$251,000.00; and

WHEREAS, City Council approved Amendments No 1 thru 4 totaling \$51,335.00 to the Contract with Fleis & Vandenbrink Engineering, Inc. for additional engineering services and making the current Contract amount \$302,335.00; and

WHEREAS, the city requests additional services of the consultant in the amount of \$137,500.00 to provide construction engineering and administration services for the City's 2019 Street Resurfacing Program, that are beyond the original contractual scope of services; and

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

- FIRST: The city of Owosso has theretofore determined that it is advisable, necessary and in the public interest to amend the contract with Fleis & Vandenbrink Engineering Inc. for a cost to the city of Owosso of \$137,500.00 as outlined within its proposal.
- SECOND: The mayor and city clerk are requested and authorized to sign Contract Amendment No. 5 to Addendum No. 4 to the Contract between the City of Owosso, Michigan and Fleis & Vandenbrink Engineering, Inc.
- THIRD: The Accounts Payable department is authorized to make payment up to the amended amount of \$439,835.00 to Fleis & Vandenbrink Engineering, Inc. upon successful completion of stated work.
- FOURTH: The above expenses shall be paid from the 2016 Unlimited Obligation Bond Proceeds.

Purchase Authorization – Salt Trucks. Waive competitive bidding requirements, authorize the purchase of 2 Freightliner single axle cab and chassis from D. & K. Truck Company in the amount of \$156,112.00 via State of Michigan Contract No. 071B6600119; authorize the purchase and installation of 2 underbody scrapers, the rebuild and mount of 2 existing salt boxes, and the purchase and installation of necessary hydraulic systems, controls and lighting from Truck & Trailer Specialties, Inc. in the amount of \$79,952.00 via State of Michigan Contract No. 071 B5500010, authorize a contingency of \$11,000.00 for delivery costs and unplanned expenses, and further authorize payment to the vendors upon satisfactory delivery of said equipment as detailed below:

RESOLUTION NO. 03-2019

**AUTHORIZING PURCHASE OF
TWO FREIGHTLINER CAB & CHASSIS
AND RELATED STREET MAINTENANCE EQUIPMENT
FOR FLEET MOTOR POOL EQUIPMENT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has budgeted from the Fleet Motor Pool Replacement Fund for the replacement of two heavy duty work trucks used for the maintenance of streets and grounds, and

WHEREAS, the cab and chassis of two existing salt trucks, Nos. 426 & 427, have expended their useful life and are too costly to continue maintaining, and

WHEREAS, the City of Owosso Director of Public Services & Utilities has reviewed the replacement equipment available on the State of Michigan MiDeal Contract and recommends authorizing a purchase agreement between the city of Owosso and D. & K. Truck Company for the purchase of two (2) Freightliner single-axle truck cab and chassis units per the terms of said contract, and

WHEREAS, the City of Owosso Director of Public Services & Utilities has further reviewed the replacement equipment available on the State of Michigan MiDeal Contract and recommends authorizing a purchase agreement between the city of Owosso and Truck & Trailer Specialties, Inc. for the purchase and/or installation of salt boxes, hydraulics, controls, and underbody scrapers for the two Freightliner cab and chassis trucks purchased from D. & K. Truck Company.

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

FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to contract with D. & K. Truck Company of Lansing, Michigan for the purchase of two (2) Freightliner single axle truck cab and chassis units per the terms of State of Michigan Contract Number: 071B6600119, for use in the Fleet Motor Pool, in the amount of \$156,112.00.

SECOND: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to contract with Truck & Trailer Specialties, Inc. of Dutton, Michigan for the rebuilding and mounting of two salt boxes, the purchase and installation of two underbody scrapers, the purchase and installation of two sets of controls, hydraulics and lighting assemblies per the terms of State of Michigan Contract Number: 071B5500010, for use in the Fleet Motor Pool, in the amount of \$79,952.00.

THIRD: The accounts payable department is authorized to submit payment to D. & K. Truck Company in the amount of \$156,112.00, and Truck & Trailer Specialties, Inc. in the amount of \$79,952.00, plus contingency funds in the amount of \$11,000.00 for unplanned configuration modifications and delivery charges, for a total of \$247,064.00.

FOURTH: The above expenses shall be paid from account no. 661-901-979.000.

Check Register – December 2018.* Affirm check disbursements totaling \$520,351.81 for December 2018.

Motion supported by Councilmember Haber.

Roll Call Vote.

AYES: Councilmember Pidek, Mayor Pro-Tem Osika, Councilmembers Haber, Fear, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmembers Bailey and Law.

ITEMS OF BUSINESS

EASEMENT ACCEPTANCE – STORM SEWER EASEMENTS – MINER RIVERWALK*

Motion by Mayor Pro-Tem Osika to accept two permanent easements from Owosso Public Schools for the purpose of constructing and maintaining a public storm sewer near the trailhead of the James A. Miner River Walkway/Bikeway on Williams Street in the amount of \$1.00 each as detailed below:

RESOLUTION NO. 04-2019

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH OWOSSO PUBLIC SCHOOLS FOR A PERMANENT EASEMENT ALONG 405 WEST WILLIAMS STREET AND A PERMANENT EASEMENT ALONG 219 N. WATER STREET

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that it is in the best interest of the public to replace the storm sewer located under properties owned by the Owosso Public Schools; and

WHEREAS, replacement of the storm sewer will require permanent easements from the property owner; and

WHEREAS, Owosso Public Schools, property owner, is willing to grant said permanent easements to the City of Owosso for the sum of two dollars (\$2.00).

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

FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to agree to the terms set forth in the attached permanent easement documents between the City of Owosso, Michigan and Owosso Public Schools, 645 Alger Street, Owosso, Michigan.

SECOND: The City Clerk is instructed and authorized to file said easement documents with the Shiawassee County Register of Deeds.

THIRD: The accounts payable department is authorized to pay Owosso Public Schools for necessary expenses as set forth in the permanent easement documents.

FOURTH: The above expenses shall be paid from the 2016 Unlimited Obligation Bond Proceeds.

Motion supported by Councilmember Pidek.

Roll Call Vote.

AYES: Councilmember Fear, Mayor Pro-Tem Osika, Councilmembers Pidek, Haber, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmembers Bailey and Law.

AMENDMENT NO. 2 - CALEDONIA CHARTER TOWNSHIP WATER DISTRICT AGREEMENT*

Motion by Councilmember Pidek to approve Amendment No. 2 to the Water District Agreement with Caledonia Charter Township to include language necessary for Caledonia Charter Township to secure loan financing from the United States Department of Agriculture as shown below:

RESOLUTION NO. 05-2019

**AUTHORIZATION FOR AMENDMENT NO. 2 TO THE WATER DISTRICT AGREEMENT
DATED JULY 1, 2006 BETWEEN THE CITY OF OWOSSO
AND CALEDONIA CHARTER TOWNSHIP**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, entered into an agreement with Caledonia Charter Township on July 1, 2006 to provide water supply and related maintenance services to Caledonia Charter Township, Shiawassee County for 20 years; and

WHEREAS, Caledonia Charter Township requested and was granted, as Amendment No.1 dated September 17, 2018, an extension this Agreement for a period of 40 years to comply with United States Department of Agriculture (USDA) regulations that were required in order to secure loan financing for water distribution system infrastructure improvements within the Caledonia Charter Township, Shiawassee County, Middletown area; and

WHEREAS, Caledonia Charter Township requests additional language changes to paragraph No. 4 of the Water District Agreement in order for them to secure loan financing from the United States Department of Agriculture (USDA) for the water distribution system infrastructure improvements noted above.

NOW THEREFORE BE IT RESOLVED by the city council of the city of Owosso, Shiawassee County, Michigan that:

FIRST: The city of Owosso has heretofore determined that it is advisable, necessary and in the public interest to amend the Water District Agreement with Caledonia Charter Township, as Amendment No. 2 to the July 1, 2006 Agreement, to facilitate loan financing for water distribution system infrastructure improvements within the Middletown area.

SECOND: Amendment No. 2 shall add language to paragraph No.4 of the Water District Agreement between the city of Owosso and Caledonia Charter Township to state:

4. City, to the best of its ability, shall deliver water to customers within the districts at such rates of flow as may be required to meet ordinary needs, and as may be required to meet peak hour demand to the same extent that peak hour demand is met within the boundaries of the City. ***In the event of any water shortages to the system encountered for any reason the water supply will be shared proportionately between Owosso, Corunna, Charter Township of Caledonia and any other users provided service from this source.***

Motion supported by Councilmember Haber.

Roll Call Vote.

AYES: Councilmembers Fear, Pidek, Mayor Pro-Tem Osika, Councilmember Haber, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmembers Bailey and Law.

COMMUNICATIONS

Scott J. Gould, City Attorney. Memo regarding Developer's participation in Osburn Lakes HOA vote.

Cheryl A. Grice, Finance Director. Revenue & Expenditure Report – November 2018.

Historical Commission. Minutes of December 10, 2018.

Parks & Recreation Commission. Minutes of November 28, 2018.

CITIZEN COMMENTS AND QUESTIONS

There were no citizen comments.

Mayor Eveleth announced that he will not be present for the next meeting as he will be out of state.

NEXT MEETING

Tuesday, January 22, 2019

BOARDS AND COMMISSIONS OPENINGS

Building Board of Appeals – Alternate - term expires June 30, 2019

Building Board of Appeals – Alternate - term expires June 30, 2021

Brownfield Redevelopment Authority – term expires June 30, 2022

Historical Commission – term expires December 31, 2020

Historical Commission – term expires December 31, 2021

Parks & Recreation Commission – term expires June 30, 2019

Zoning Board of Appeals - Alternate – term expires June 30, 2021

ADJOURNMENT

Motion by Councilmember Fear for adjournment at 8:00 p.m.

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

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk

*Due to their length, text of marked items is not included in the minutes. Full text of these documents is on file in the Clerk's Office.