

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF DECEMBER 16, 2019
7:30 P.M.**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: MAYOR CHRISTOPHER T. EVELETH

PLEDGE OF ALLEGIANCE: CHERYL A. GRICE, FINANCE DIRECTOR

PRESENT: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika, Councilmembers Loreen F. Bailey, Janae L. Fear, Jerome C. Haber, and Daniel A. Law.

ABSENT: Councilmember Nicholas L. Pidek.

APPROVE AGENDA

Motion by Councilmember Bailey to approve the agenda with the following addition to Items of Business:

6. Access Easement – Palmer Avenue.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF DECEMBER 2, 2019

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of December 2, 2019 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

Parks Volunteer Recognition – Everett Little

Mayor Eveleth presented the following certificate of appreciation to Owosso third grade student Everett Little for all of his efforts to improve the City's parks:

**A CERTIFICATE OF APPRECIATION
FROM THE MAYOR'S OFFICE
OF THE CITY OF OWOSSO, MICHIGAN
RECOGNIZING**

Everett Little

In recognition of his service to the City of Owosso and the Owosso Parks & Recreation Commission, for his volunteer work in beautifying the City's parks.

You provide a positive and gracious model for the residents of the City of Owosso.

It is the intent of this Office that your efforts not go unrecognized, and it is with great pride and honor that

I, Christopher T. Eveleth, Mayor of the City of Owosso, offer to you:

“THANK YOU!”

Awarded this 16th of December, 2019.

Annual Audit Presentation

Joe Verlin, CPA with Gabridge & Company, PLC presented the annual audit for the year ending June 30, 2019. He reported that the City had received a clean opinion, the highest opinion an auditor can bestow on a municipality. He indicated that all City funds had positive and stable fund balances as of June 30, 2019. Revenues increased over 2018, as did expenditures, with the City ending its fiscal year with an additional \$439,000 in the general fund's fund balance. He went on to say that despite heavy investment losses in the 4th quarter of 2018 the City's Retirement System still maintained a decent funding level (82.7%) according to State guidelines. The funding level of the MERS portion of City pensions was also hit by the poor market performance of the 4th quarter. The resulting 58% funding level is 2% below the recommended funding level,

but requires no corrective action at this point. Mr. Verlin concluded his comments saying the City's health is strong, it has healthy fund balances, utility rates are being well managed, operations are sustainable, and overall pension funding is much better than most communities.

PUBLIC HEARINGS

Obsolete Property Rehabilitation Certificate – 114-116 W. Main Street

(This item was removed from the agenda due to significant changes in the application.)

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 2910 W. M-21, recalled that the general fund balance was 29% a few years ago and he was told that the City was in good shape. He said that if the fund balance has grown to 39% the City must be doing really well.

Eddie Urban, 601 Glenwood Avenue, spoke about the code enforcement issues on his property. He said he wants to do things right but he just can't seem to please people.

Mayor Eveleth thanked City Manager Henne for organizing the first meeting of the Complete Count Committee for the 2020 Census. He also noted that Main Street had held their annual retreat and had set their priorities for the coming year.

Councilmember Haber indicated that he continues to receive feedback from people asking the City not to switch to a single hauler trash service.

A motion was made by Councilmember Haber to end discussion and consideration of single hauler trash service in the City.

Motion supported by Councilmember Law.

Roll Call Vote.

AYES: Councilmember Haber, Mayor Pro-Tem Osika, Councilmember Law, and Mayor Eveleth.

NAYS: Councilmembers Bailey and Fear.

ABSENT: Councilmember Pidek.

Mayor Eveleth clarified for everyone that action taken by this council cannot restrict the right of future councils to govern the City, so the motion would only be effective until the end of the current council term.

CONSENT AGENDA

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

Purchase Authorization – Hydrovac Truck. Waive bidding requirements, approve purchase of one RAMVAC HX-9 Truck Mounted Hydro Excavator in the amount of \$386,389.61 from Fredrickson Supply via National Joint Powers Alliance Contract No. 122017-SCA, and authorize payment to the vendor upon satisfactory receipt of the vehicle and training as follows:

RESOLUTION NO. 181-2019

RESOLUTION AUTHORIZING PURCHASE OF MOTOR POOL HYDRO EXCAVATOR FROM FREDRICKSON SUPPLY OF GRAND RAPIDS MICHIGAN UTILIZING THE NATIONAL JOINT POWERS ALLIANCE (NJPA) CONTRACT 122017-SCA

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Department of Public Works Fleet Motor Pool requires the use of a Hydro Excavator to perform specialized excavations; and

WHEREAS, the City of Owosso desires to purchase one RAMVAC Hydro Excavator manufactured by Sewer Equipment of America, and it is in the best interest of the City of Owosso to utilize the National Joint Powers Alliance Contract No. 122017-SCA to purchase said equipment; and

WHEREAS, Fredrickson Supply is an authorized distributor for Sewer Equipment of America, selling RAMVAC equipment under the NJPA contract; and

WHEREAS, city ordinance section 2-345(3) provides for an exception to competitive bidding when the best interest of the city would be served by joint purchase with another governmental unit.

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

FIRST: That it is advisable, necessary and in the public interest to purchase the following vehicle from Fredrickson Supply using NJPA Contract 122017-SCA:

- One (1) RAMVAC HX-9 Truck Mounted Hydro Excavator in the amount of \$386,389.61

SECOND: The Director of Public Services is hereby instructed and authorized to sign any necessary documents to complete said purchase.

THIRD: Payment is authorized to Fredrickson Supply in the amount of \$386,389.61 upon delivery and acceptance.

FOURTH: Said purchase shall be paid for from the Fleet Motor Pool 661-901-979.000.

Schedule Discussion on Recreational Marijuana Facilities. Schedule an item of discussion for the meeting on January 6, 2020 to discuss recreational marijuana facilities.

OMS/DDA RLF Loan Funding Approval – 122 N. Washington Street. Approve the application from Insight Vision Center, LLC requesting a loan from the OMS/DDA Revolving Loan Fund in the amount of \$50,000.00 for interior and exterior renovations for their location at 122 N. Washington Street, and future home of Insight Vision Center as follows:

RESOLUTION NO. 182-2019

**RESOLUTION AUTHORIZING
THE APPROVAL OF THE RELEASE OF OMS/DDA REVOLVING LOAN FUNDS
TO INSIGHT VISION CENTER, LLC
FOR ELIGIBLE EXPENSES AT 122 N. WASHINGTON STREET**

WHEREAS, in 1994 the city of Owosso established the Downtown Owosso Revolving (formerly UDAG/CDBG) Loan Program for projects within the Owosso Downtown Development Authority district; and

WHEREAS, on June 17, 2019 City Council approved the new OMS/DDA Revolving Loan & Grant Program, giving stewardship of the loan and grant process to the Owosso Main Street/DDA Board; and

WHEREAS, on October 29, 2019 an application was submitted to the OMS/DDA for a loan request from Insight Vision Center, LLC for \$50,000.00 for interior and exterior renovations of the building located at 122 N. Washington Street for the future use of Insight Vision Center; and

WHEREAS, on November 26, 2019 the OMS/DDA Design & Business Vitality Committee reviewed and approved the application, giving it an overall score of 38. This score is above the 30 points required for consideration; and

WHEREAS, the OMS/DDA Board approved the release of loan dollars for this application during its December 4, 2019 Board Meeting.

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

FIRST: The City of Owosso approves the loan of \$50,000.00 to Insight Vision Center, LLC for interior and exterior building renovations for the future use of Insight Vision Center located at 122 N. Washington Street according to the terms & specifications determined by the OMS/DDA Loan & Grant Manual.

SECOND: The mayor is hereby authorized and instructed to sign appropriate documents.

THIRD: The accounts payable department is hereby authorized to release funds in the amount of \$50,000.00 to Insight Vision Center, LLC for the use stated above.

OMS/DDA RLF Loan Funding Approval – 804 W. Main Street. Approve the application from Shook Westown Development, LLC requesting a loan from the OMS/DDA Revolving Loan Fund in the amount of \$50,000.00 for interior and exterior renovations for their location at 804 W. Main Street as follows:

RESOLUTION NO. 183-2019

**RESOLUTION AUTHORIZING
THE APPROVAL OF THE RELEASE OF OMS/DDA REVOLVING LOAN FUNDS TO
SHOOK WESTOWN DEVELOPMENT, LLC
FOR ELIGIBLE EXPENSES AT 804 W. MAIN STREET**

WHEREAS, in 1994 the city of Owosso established the Downtown Owosso Revolving (formerly UDAG/CDBG) Loan Program for projects within the Owosso Downtown Development Authority district; and

WHEREAS, on June 17, 2019 City Council approved the new OMS/DDA Revolving Loan & Grant Program, giving stewardship of the loan and grant process to the Owosso Main Street/DDA Board; and

WHEREAS, on October 29, 2019 a loan application was submitted to the OMS/DDA for a loan request from Shook Westown Development, LLC for \$50,000.00 for interior and exterior renovations of the vacant property located at 804 W. Main Street; and

WHEREAS, on November 26, 2019 the OMS/DDA Design & Business Vitality Committee reviewed and approved the application, giving it an overall score of 30. This score is equal to the 30 points required for consideration; and

WHEREAS, the OMS/DDA Board approved the release of loan dollars for this application during its December 4, 2019 Board Meeting.

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

- FIRST: The City of Owosso approves the loan of \$50,000.00 to Shook Westown Development, LLC for interior and exterior renovations of the vacant property located at 804 W. Main Street according to the terms & specifications determined by the OMS/DDA Loan & Grant Manual.
- SECOND: The mayor is hereby authorized and instructed to sign appropriate documents.
- THIRD: The accounts payable department is hereby authorized to release funds in the amount of \$50,000.00 to Shook Westown Development, LLC for the use stated above.

Warrant No. 578. Authorize Warrant No. 578 as follows:

Vendor	Description	Fund	Amount
Michigan Municipal Risk Authority	Building and property insurance-3 of 3 installments for FY 19/20	Various	\$62,482.50

Check Register – November 2019.* Affirm check disbursements totaling \$962,465.75 for November 2019.

Motion supported by Councilmember Law.

Roll Call Vote.

- AYES: Councilmembers Bailey, Law, Mayor Pro-Tem Osika, Councilmembers Fear, Haber, and Mayor Eveleth.
- NAYS: None.
- ABSENT: Councilmember Pidek.

ITEMS OF BUSINESS

Audit Acceptance*

Motion by Councilmember Bailey to authorize the following resolution accepting and placing on file the City of Owosso Financial Report for the Fiscal Year Ended June 30, 2019:

RESOLUTION NO. 184-2019

**RESOLUTION ACCEPTING AND PLACING ON FILE
THE CITY OF OWOSSO, MICHIGAN FINANCIAL REPORT**

**WITH ADDITIONAL INFORMATION
FOR THE FISCAL YEAR ENDED JUNE 30, 2019**

WHEREAS, the city of Owosso is required by the laws of the state of Michigan to annually have an independent audit performed in accordance with generally accepted auditing standards; and

WHEREAS, the city of Owosso employed Gabridge and Company PLC, certified public accountants, to audit the financial records of the city of Owosso and such audit has been completed and is presented this date to the city council.

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

FIRST: The City of Owosso, Michigan Financial Report with Additional Information for the Fiscal Year Ended June 30, 2019, attached hereto and made a part hereof as Exhibit A, is hereby accepted and placed on file.

SECOND: A copy of the City of Owosso, Michigan Financial Report with Additional Information for the Fiscal Year Ended June 30, 2019 will be maintained on file in the office of the city clerk for public examination, a copy will be placed in the Shiawassee District Library Owosso Branch for public examination, and copies will be sent to those required by law and agreement.

Motion supported by Councilmember Fear.

Roll Call Vote.

AYES: Councilmembers Haber, Law, Mayor Pro-Tem Osika, Councilmembers Fear, Bailey, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Pidek.

Special Assessment Amendment – Hazards & Nuisances Roll

Mayor Eveleth said he recognized that the charges needed to be assessed to the property at 1417 Frederick to prevent setting a precedent. He went on to say that he had reached out to a couple of people in town and they have agreed to cover the cost of the water meter on behalf of the owner. He said he had spoken to Ms. Inman prior to the meeting and she was very pleased with the outcome.

Motion by Mayor Pro-Tem Osika to amend the roll for Special Assessment District 2019-01 – Hazards & Nuisances to include charges as they relate to the unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances at 1417 Frederick Street as follows:

RESOLUTION NO. 185-2019

**AUTHORIZING AN ADDITION TO THE ROLL FOR
SPECIAL ASSESSMENT DISTRICT NO. 2019-01, HAZARDS & NUISANCES**

This amends Resolution No. 178-2019, approved 12/02/2019.

WHEREAS, the Council, after due and legal notice, has met and having heard all interested parties at the November 18, 2019 meeting, motion by xxx to add charges for 1417 Frederick Street to the roll for Special Assessment District No. 2019-01 for the annual hazards & nuisances roll, as follows:

Parcel #	Address	Type of Nuisance	Balance
050-602-017-004-00	1417 FREDERICK ST	METER REPLACEMENT	\$297.72

Bringing the total assessment roll to: \$7,665.60

and

WHEREAS, the Council deems said addition to the Special Assessment Roll- Hazards and Nuisances to be fair, just and equitable and that the assessment contained thereon results in the special assessment being in accordance with the unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances of said property.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said Special Assessment Roll No. 2019-01-Hazards and Nuisances as prepared by the City Assessor in the amount of \$7,367.88 is hereby amended to include the above charges for 1417 Frederick Street, bringing the total amount of said roll to \$7,665.60.

2. Said Amended Special Assessment Roll No. 2019-01-Hazards and Nuisances shall be placed on file in the office of the City Clerk who shall attach his warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

Motion supported by Councilmember Fear.

Roll Call Vote.

AYES: Councilmembers Law, Bailey, Mayor Pro-Tem Osika, Councilmembers Haber, Fear, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Pidek.

Tax-Foreclosed Property Consideration

City Manager Henne recommended rejecting the parcel in question based on the fact that it is too narrow to realistically build a home on.

Motion by Councilmember Bailey to reject the listed tax-foreclosed property that did not sell at the State tax sale in September 2019 as follows:

RESOLUTION NO. 186-2019

OBJECTING TO THE TRANSFER OF UNSOLD TAX REVERTED PROPERTY FROM THE STATE OF MICHIGAN TO THE CITY OF OWOSSO

WHEREAS, the city of Owosso received from the state of Michigan a list of parcels of property in the city of Owosso foreclosed for unpaid property taxes pursuant to Public Act 123 of 1999; and

WHEREAS, under Section 78m(6) of said Act, being MCL 211.78m(6) the title to the listed parcels will be automatically transferred to the city of Owosso on December 31, 2019, unless the city objects to the transfer of all or any parcel before the transfer is made.

NOW, THEREFORE, BE IT RESOLVED the city of Owosso objects to the transfer of title to the city for the following tax foreclosed property:

Parcel # 050-113-001-022-00;
Described as E 32' LOT 23 & W 9' LOT 24 BLK 1 CITY ASSESSORS PLAT 3;
Commonly known as 900 W. Stewart Street

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Pidek.

MERS Transfer – All Remaining Members & Retirees

City Manager Henne indicated the remaining union contracts have been approved and the administration was now looking to set the effective date for the transfer of all remaining members and retirees for June 1, 2020. He thanked everyone involved for their efforts in this endeavor.

Motion by Mayor Pro-Tem Osika to authorize the transfer of all remaining members and retirees from the City of Owosso Employees' Retirement System to the Michigan Municipal Employees' Retirement System, effective June 1, 2020.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.
ABSENT: Councilmember Pidek.

2020 Street Bond Options

City Manager Henne started the conversation saying the flurry of street projects the City has undertaken with the proceeds of the current street bond have effectively halted the downward trend in the overall condition of the City's infrastructure. It is anticipated that bond will be exhausted next year. Council has been provided with six options to move forward, but the main question to be answered is whether the Council's goal is to simply halt the decline or to actually begin to reverse it. He briefly touched on the six options presented and indicated the Council could always choose not to ask for additional bond funding but they should realize that street projects are coordinated with utility projects and the City is required by the Lead and Copper Rule to replace 5% of lead and galvanized pipes each year. This requirement would not be waived if the Council were to decide not to ask for bond funding for the streets, as such come creativity would need to be employed to meet the requirements. Lastly, he cautioned that the millage calculations in his memo were lower than the estimates calculated by the Finance Department, directing the Council to use the more conservative numbers generated by the Finance Department.

There was discussion among Council about letting the voters decide the question, improvement of the City's infrastructure was a goal worthy of asking for funding, the type of educational effort that would be deployed if the question is placed on the ballot, how far out street projects have been planned and the fact that the projects will only cost more in the long run.

Motion by Mayor Pro-Tem Osika to place a street bond question on the March 10, 2020 ballot as follows:

RESOLUTION NO. 187-2019

SUBMITTING BOND PROPOSAL FOR STREET IMPROVEMENTS TO THE VOTERS OF THE CITY OF OWOSSO

WHEREAS, the City Council of the City of Owosso, County of Shiawassee, State of Michigan (the "City") has determined that it is in the best interest of the residents and property owners of the City that the City acquire and construct local and major street improvements in the City consisting of paving, repaving, reconstructing and improving streets, sidewalks, and parking areas including necessary rights-of-way, proper drainage facilities and all necessary appurtenances and attachments thereto (the "Project"); and

WHEREAS, the maximum estimated cost of the Project is \$10,000,000; and

WHEREAS, the City Council has determined that the City should borrow money in an amount not-to-exceed Ten Million Dollars (\$10,000,000) and issue general obligation bonds of the City in one or more series for the purpose of paying the cost of the Project; and

WHEREAS, the City Council wishes to place a proposal to issue bonds for the Project before the qualified electors of the City at the Presidential Primary election to be held in the City on Tuesday, March 10, 2020 (the "Election Date"); and

WHEREAS, in order for the bond proposal to be submitted to the City's electors on the Election Date, it is necessary for the City Council to certify the ballot wording of the proposal to the City Clerk and the County Clerk of the County of Shiawassee, Michigan, as required by Act 116, Public Acts of Michigan, 1954, as amended (the "Michigan Election Law").

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The bond proposal attached hereto as Exhibit A is hereby certified to the City Clerk and the County Clerk for submission to the City's electors on the Election Date. The City Clerk is hereby authorized and directed to file this Resolution and/or complete any such forms, certificates or documents as may be required by the County Clerk to evidence the foregoing certification and/or submission by no later than 4:00 p.m. December 17, 2019.
2. The City Clerk and the County Clerk are hereby directed to (a) post and publish notice of last day of registration and notice of election for the Election Date in the manner required by the Michigan Election Law; and (b) have prepared and printed, as provided by the Michigan Election Law, ballots for submitting the bond proposal on the Election Date, which ballots shall include the bond proposal shown in Exhibit A, or the bond proposal shall be stated as a proposal on the voting machines, which ballots may include other matters presented to the electorate on the same date.
3. The estimated first year millage and simple average annual millage rate set forth in the Bond Proposal are hereby found to be reasonable estimates of such millage rates.

4. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 for tax-exempt bonds pursuant to the Internal Revenue Code of 1986, as amended:
 - (a) The City reasonably expects to reimburse itself with proceeds of the bonds for certain costs of the Project described in the bond proposal which will be paid from the general funds of the City.
 - (b) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$10,000,000.
 - (c) A reimbursement allocation of the capital expenditures on the Project with the proceeds of the bonds will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the bonds to reimburse the City for a capital expenditure made pursuant to this resolution.
5. If the qualified electors of the City approve the bond proposal, then the City hereby appoints Miller, Canfield, Paddock and Stone, P.L.C. as bond counsel for the Bonds.
6. All resolutions and parts of resolutions, insofar as they conflict with the provisions of this resolution, are hereby repealed.

EXHIBIT A

**CITY OF OWOSSO
BOND PROPOSAL FOR STREET IMPROVEMENTS**

Shall the City of Owosso, Shiawassee County, Michigan, borrow the principal sum of not to exceed Ten Million Dollars (\$10,000,000) and issue its general obligation unlimited tax bonds therefor in one or more series, payable in not to exceed twenty years from the date of issue of each series, for the purpose of paying the costs to the City of acquiring and constructing local and major street improvements in the City consisting of paving, repaving, reconstructing and improving streets, sidewalks, parking areas, and all necessary appurtenances and attachments thereto for the use of the City? The estimated millage to be levied in 2021 is 2.5689 mills (\$2.5689 per \$1,000 of taxable value) and the estimated simple average annual millage rate required to retire the bonds is 2.9831 mills (\$2.9831 per \$1,000 of taxable value).

**YES
NO**

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Pidek.

Access Easement – Palmer Avenue* (This item was added to the agenda.)

City Manager Henne indicated the City has been working with the owner of a property containing a communications tower, located near Hopkins Lake, to reach an agreement providing permanent access to the property. The tower owner would like to make improvements to the tower but will not do so until such time as the City sells them property providing access or grants an easement. The City owns the adjoining property next to the tower parcel but it contains a 16" watermain that serves the Palmer Avenue Well Field, making sale of the property impossible. An agreement was reached recently to grant an access easement across the City's property to the tower parcel.

Councilmember inquired if the grantee is required by the agreement to carry liability coverage on the City parcel. City Attorney Scott J. Gould noted that the agreement specifically states that the grantee will be held liable for any damage to the existing infrastructure on the City's property.

Motion by Mayor Pro-Tem Osika to approve the access easement requested by Norman Campbell, for the City property located at 1505-1507 Palmer Avenue, for the purpose of accessing his landlocked parcel as follows:

RESOLUTION NO. 188-2019

RESOLUTION AUTHORIZING INGRESS, EGRESS AND UTILITY EASEMENT AGREEMENT FOR PALMER STREET COMMUNICATIONS TOWER

WHEREAS, the City of Owosso, Shiawassee County, Michigan, (fill in department and project); and

WHEREAS, the City of Owosso received a request from American Tower Sub, LLC to clarify access to the facility across city-owned property; and

WHEREAS, City water utility infrastructure exists under the existing access drive to the facility on city property, and

WHEREAS, American Tower Sub, LLC wishes to gain clear legal access to the facility on the existing access drive, and

WHEREAS, the City and American Tower Asset Sub, LLC negotiated an easement agreement to preserve the city's ability to retain the ability to access, maintain, and replace city infrastructure on the property.

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 enter into the enclosed Utility Easement Agreement with American Tower Asset Sub, LLC.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Contract for Services between the City of Owosso, Michigan and American Tower Asset Sub, LLC.

Motion supported by Councilmember Law.

Roll Call Vote.

AYES: Mayor Pro-Tem Osika, Councilmembers Bailey, Law, Fear, Haber, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Pidek.

COMMUNICATIONS

Cheryl A. Grice, Finance Director. Revenue & Expenditure Report – November 2019.
N. Bradley Hissong, Building Official. November 2019 Building Department Report.
N. Bradley Hissong Building Official. November 2019 Code Violations Report.
N. Bradley Hissong Building Official. November 2019 Inspection Report.
N. Bradley Hissong Building Official. November 2019 Certificates Issued Report.
Kevin D. Lenkart, Public Safety Director. November 2019 Police Report.
Kevin D. Lenkart, Public Safety Director. November 2019 Fire Report.
Downtown Historic District Commission. Minutes of October 16, 2019.
Parks & Recreation Commission. Minutes of October 23, 2019.
Downtown Historic District Commission. Minutes of October 30, 2019.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 2910 W. M-21, asked how much more money the Council will be asking for in the future. He said he wanted people to know how much the street bond would cost them before they vote on the question. Also, he again complained that a previous Council voted to have a complaint based code enforcement program but he sees that the City is taking a proactive approach and looking for violations. He said people aren't happy.

Eddie Urban, 601 Glenwood Avenue, read aloud a Facebook post by Tom Manke detailing the on-going code enforcement issues on his property. He said he doesn't get why the City is going after him.

Mayor Eveleth wished everyone a Merry Christmas and a Happy New Year.

NEXT MEETING

Monday, January 06, 2020

BOARDS AND COMMISSIONS OPENINGS

Brownfield Redevelopment Authority – County Representative – term expires 06-30-2020
Building Board of Appeals – Alternate - term expires June 30, 2022
Building Board of Appeals – Alternate - term expires June 30, 2021
Brownfield Redevelopment Authority – term expires June 30, 2022
Downtown Loan Committee – Bank Representative - term expires June 30, 2021
Historical Commission – term expires December 31, 2022
Historical Commission – 2 terms expire December 31, 2020
Planning Commission – term expires June 30, 2020
Planning Commission – term expires June 30, 2022

ADJOURNMENT

Motion by Councilmember Bailey for adjournment at 8:32 p.m.

Motion supported by Councilmember Law 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.