

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF SEPTEMBER 21, 2020
7:30 P.M.
VIRTUAL MEETING**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: COUNCILMEMBER JEROME C. HABER

PLEDGE OF ALLEGIANCE: MAYOR PRO-TEM SUSAN J. OSIKA

PRESENT: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika, Councilmembers Loreen F. Bailey (7:38 p.m.), Janae L. Fear, Jerome C. Haber, Daniel A. Law, and Nicholas L. Pidek.

ABSENT: None.

APPROVE AGENDA

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

2. Trunkline Manhole Rehabilitation.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF SEPTEMBER 8, 2020

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of September 8, 2020 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

Ordinance Amendment – Chapter 2, Administration

The proposed amendment would allow Parks & Recreation Commission members to live outside the City limits.

City Manager Nathan R. Henne explained that the request came from the Parks & Recreation Commission after they had a series of meetings pre-COVID where they failed to reach a quorum. He said the requirement that members live in within the City limits causes problems and the Commission would like their membership to mirror that of the Historical Commission. Good ideas are coming out of the Commission, but they need a quorum to make those things happen.

Mayor Eveleth echoed City Manager Henne's comments saying this board has struggled with quorum issues for quite some time and he supported the idea of allowing people that care about the subject to participate, even if they don't live in the City.

A public hearing was conducted to receive citizen comment regarding the proposed amendment to Chapter 2, Administration, Section 2-242, *Members; appointment, terms, voting, officers*, of the Code of Ordinances of the City of Owosso.

The following person commented regarding the proposed amendment:

Mike Cline, 204 Stratford Drive, said he was strongly against this idea as City residents pay taxes for parks & recreation programming and this amendment would open the commission up to people that do not pay taxes here.

Mayor Eveleth indicated that the reason he is comfortable with the proposed amendment is because the Commission only makes recommendations to City Council. They cannot spend money without City Council approval. He further indicated that the Historical Commission also collects a millage and it allows its board members to come from outside the City limits.

Councilmember Pidek seconded Mayor Eveleth's comments, pointing out that Carol Vaughn has been a big part of the Historical Commission despite the fact that she lives out of town.

Mayor Eveleth further pointed out that voters have to decide to raise taxes and the Council has to decide to put a millage question on the ballot.

Councilmember Fear noted that this commission has had difficulty for years getting a quorum and she supports the idea of allowing community members to serve.

Whereas, the Council, after due and legal notice, has met and having heard all interested persons, motion by Councilmember Pidek that the following ordinance be adopted:

ORDINANCE NO. 812

**TO AMEND CHAPTER 2, ADMINISTRATION,
ARTICLE IV, BOARDS AND COMMISSIONS,
DIVISION 3, PARKS AND RECREATION COMMISSION**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has a Parks and Recreation Commission to provide quality park and recreation opportunities based upon cost, efficiency and community need; and

WHEREAS, the Parks and Recreation Commission is currently made up of 7 members and all members of the Commission must be city residents; and

WHEREAS, it is the desire of the Parks and Recreation Commission to allow members to live outside the city limits; and

WHEREAS, a public hearing was held and all interested parties were heard.

NOW THEREFORE BE IT RESOLVED THAT THE CITY OF OWOSSO ORDAINS:

SECTION 1. AMENDMENT. That Chapter 2, Administration, Article IV, *Boards and Commissions*, Division 3, *Parks and Recreation Commission*, Section 2-242. *Members; appointment, terms, voting, officers* shall be amended as follows:

Sec. 2-242. - Members; appointment, terms, voting, officers.

- (a) The members of the parks and recreation commission shall consist of seven (7) members appointed by the mayor and approved by the council. The mayor or the designee of the mayor, with council approval, shall be an ex-officio member of the commission.
- (b) The seven (7) members shall have terms of two (2) years. The first appointment of the seven (7) members shall be staggered so that three (3) members are appointed for a one-year term and four (4) members shall be appointed to two-year terms. Thereafter each appointment of a member shall be for a two-year term unless it is an appointment to fill a vacancy in office that occurs prior to completion of a term. The ex-officio member of the commission shall serve for an indefinite term at the pleasure of the mayor.
- (c) Each member shall be entitled to one (1) vote. The ex-officio member shall not have a vote. Any action shall require a majority vote of the members present at a meeting constituting a quorum. A quorum shall consist of at least four (4) members.

SECTION 2. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

SECTION 3. EFFECTIVE DATE. This amendment shall become effective October 12, 2020.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

CITIZEN COMMENTS AND QUESTIONS

Eddie Urban, 601 Glenwood Avenue, said he was helping to give away free face shields from the Shiawassee County United Way. There are 5,000 shields to give away.

Mike Cline, 204 Stratford Drive, said he had inquired in the Building Department about the lack of a permit for the construction of a fence at a home near his. He said he had been told the Building Office was aware of the construction but didn't have the opportunity to follow up on it. Mr. Cline asked why the homeowner was allowed to put up a fence without a permit.

Tom Manke, 2910 W. M-21, attempted to make comments but the phone connection was very poor and his comments were unintelligible.

Mayor Eveleth said that he knows the Building Department is extremely overwhelmed with the back log due to the COVID shutdown. He asked that someone look into the matter about the fence.

City Manager Henne noted that the Building Department has had some trouble with permits expiring while the quarantine was going on.

CONSENT AGENDA

Motion by Councilmember Bailey to approve the Consent Agenda as follows:

Boards and Commissions Appointments. Approve the following Mayoral Boards and Commissions appointments:

Name	Board/Commission	Term Expires
Josh Ardelean	DDA/OMS Board filling unexpired term of J. Woodworth	06-30-2022
Name	Board/Commission	Term Expires
Dianne Acton*	Downtown Historic District Commission	06-30-2022
Lance Omer*	Downtown Historic District Commission	06-30-2022
Patrick Bradley*	Firemen's Memorial Steering Committee	09-01-2021
Burton Fox*	Firemen's Memorial Steering Committee	09-01-2021
Daniel Law*	Firemen's Memorial Steering Committee	09-01-2021
Mary Reid Long*	Firemen's Memorial Steering Committee	09-01-2021
Teresa Schneider*	Firemen's Memorial Steering Committee	09-01-2021
Ross Stanley*	Firemen's Memorial Steering Committee	09-01-2021
Sarah Moorodian*	Firemen's Memorial Steering Committee	09-01-2021

OMS/DDA RLF Loan Funding Approval – 116 W. Main Street. Approve the application from Woodworth Commercial, LLC requesting a loan from the OMS/DDA Revolving Loan Fund in the amount of \$32,582.16 for office equipment and furniture associated with the 2nd floor redevelopment of their property located at 116 W. Main Street as follows:

RESOLUTION NO. 122-2020

**RESOLUTION AUTHORIZING
THE APPROVAL OF THE RELEASE OF OMS/DDA REVOLVING
LOAN FUND LOAN TO WOODWORTH COMMERCIAL, LLC.
FOR WORK AT 116 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.

WHEREAS, on August 17, 2020 a loan application was submitted to the OMS/DDA for a loan request from Woodworth Commercial, LLC. for \$32,582.16 for the purchase of equipment and furniture associated with the second-story redevelopment located at 116 W. Main Street. The redevelopment of this vacant, second-story office space will bring in a minimum of 9 new, full time jobs into the downtown district.

WHEREAS, on August 31, 2020 the OMS/DDA Revolving Loan Committee reviewed and recommended the application, giving it an overall score of 45. This score reaches the 30 points required for consideration. The Committee determined the loan award for \$32,582.16.

WHEREAS, on September 2, 2020 the OMS/DDA Board of Directors approved the Revolving Loan Committee recommendations.

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 \$32,582.16 to Woodworth Commercial, LLC. for the purchase of equipment and furniture associated with the second-story redevelopment located at 116 W. Main Street; according to the terms & specifications determined by the OMS/DDA Loan & Grant Manual.

Contract Authorization - N. Gould Street Sanitary Sewer Repairs. Authorize contract with Monchilow Sewer Services, LLC for the repair of sanitary sewer along North Gould Street in the amount of \$10,900.00, and further authorize payment to the contractor upon satisfactory completion of the work as follows:

RESOLUTION NO. 123-2020

**AUTHORIZING SERVICES AGREEMENT BETWEEN THE CITY OF OWOSSO
AND MONCHILOV SEWER SERVICES LLC OF FAIRVIEW, MICHIGAN
FOR THE REPAIR OF SANITARY SEWER ON NORTH GOULD STREET**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, is required to provide wastewater collection services to city customers in compliance with city ordinances and the NPDES discharge permit issued by the state of Michigan, and

WHEREAS, Monchilow Sewer Services, LLC has televised the N Gould Street sanitary sewer and found areas in need of repair due to cracking and defective caps.

WHEREAS, the City Director of Public Services and Utilities has reviewed the necessity for the repairs and recommends authorizing Monchilow Sewer Services, LLC to provide the required repair services in an amount not to exceed \$10,900.00.

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 contract with Monchilow Sewer Services, LLC for the repair of the N Gould Street sanitary sewer.
- SECOND: The accounts payable department is authorized to submit payment to Monchilow Sewer Services, LLC in an amount not to exceed \$10,900.00 for repair services upon satisfactory completion of repairs.
- THIRD: The above expense shall be paid from account no. 590-549-818.000-NGOULDST21.

Purchase Authorization – Election Equipment. Waive competitive bidding requirements and authorize sole source purchase of one M160ii high speed scanning unit from Dominion Voting in the amount of \$12,980.00 and further authorize payment to the vendor upon satisfactory receipt of said equipment as follows:

RESOLUTION NO. 124-2020

**RESOLUTION AUTHORIZING THE PURCHASE OF A HIGH SPEED SCANNING UNIT
FROM DOMINION VOTING
FOR USE IN THE AV COUNTING BOARD**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, conducts elections requiring special equipment to count absentee ballots; and

WHEREAS, the City has seen an extreme increase in the use of absentee ballots, necessitating the creation of another counting board to count said ballots; and

WHEREAS, the City of Owosso may waive competitive bidding requirements when equipment can only be purchased from a single source; and

WHEREAS, the City of Owosso desires to purchase one new M160ii high speed scanning unit from Dominion Voting to match its existing high speed scanning unit.

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 purchase one M160ii high speed scanning unit from Dominion Voting in the amount of \$12,980.00.

SECOND: Payment to Dominion Voting in the amount of \$12,980.00 is authorized upon satisfactory delivery of said equipment.

FOURTH: The above expenses shall be paid from account no. 101-215-706000.

Warrant No. 590. Authorize Warrant No. 590 as follows:

Vendor	Description	Fund	Amount
Gould Law, PC	Professional services-8/11/20-9/14/20	General	\$13,458.20

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

Retirement Board Minutes

Mayor Eveleth thanked all those that had served on the Board over the years and he thanked staff for all the work they did to make the move to MERS.

City Manager Henne said he had especially appreciated the efforts of the Board's final Chairman, Bill Farrell. He thanked the Clerk and Treasurer for all of their work with the Board over the years.

Motion by Councilmember Fear to approve the minutes for the last meeting of the City of Owosso Employees' Retirement System Board of Trustees as presented.

Motion supported by Councilmember Haber.

Roll Call Vote.

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

NAYS: None.

Trunkline Manhole Rehabilitation (This item was added to the agenda.)

City Manager Henne indicated this item crept up on staff, hence its late introduction to the agenda. Each year MDOT allocates a certain amount of money for maintenance on state highways. If we do not spend this money by September 30th we will lose it and we cannot afford to do so. He went on to say that staff was asking Council to waive bidding requirements and enter into a joint contract with the holder of the state contract for manhole rehabilitation.

Motion by Mayor Pro-Tem Osika to waive bidding requirements and enter into a joint contract with Mid Michigan Contracting, Inc. for rehabilitation of 15 manholes on state trunklines within the City limits in the amount of \$19,995.00 and authorize payment to the contractor upon satisfactory completion of the work or portion thereof as follows:

RESOLUTION NO. 125-2020

RESOLUTION AUTHORIZING PURCHASE ORDER FOR TRUNKLINE MANHOLE REHABILITATION CONSTRUCTION

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has determined to rehabilitate fifteen(15) manhole structures on M-21 and M-52; and

WHEREAS, the Michigan Department of Transportation has allocated funds to reimburse the City for maintenance on said state highways within city limits up to \$39,378.00 for state Fiscal Year 2020; and

WHEREAS, the Michigan Department of Transportation bids for this service annually; and

WHEREAS, Mid-Michigan Contracting, Inc was awarded the bid for this service by MDOT

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 waive competitive bidding requirements and have Mid Michigan Contracting, Inc rehabilitate fifteen (15) sewer manhole structures on M-21 and M-52.

SECOND: The purchase contract is in the form of city purchase order in the amount of \$19,995 with Mid Michigan Contracting, Inc and the attached terms included with estimate #2123 dated 9/17/2020.

THIRD: The above expenses shall be paid from the Major Streets fund, 202-486-818-000.

Motion supported by Councilmember Bailey.

Roll Call Vote.

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

NAYS: None.

Closed Session

Motion by Mayor Pro-Tem Osika to authorize holding closed session at the conclusion of Communications to conduct the City Manager's annual evaluation at the request of the employee.

Motion supported by Councilmember Bailey.

Roll Call Vote.

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

NAYS: None.

COMMUNICATIONS

Amy K. Fuller, Assistant to the City Manager. Board & Commission Recruitment Packet.
N. Bradley Hissong, Building Official. August 2020 Building Department Report.
N. Bradley Hissong Building Official. August 2020 Code Violations Report.
N. Bradley Hissong Building Official. August 2020 Certificates Issued Report.
N. Bradley Hissong Building Official. August 2020 Inspection Report.
Kevin D. Lenkart, Public Safety Director. August 2020 Police Report.
Kevin D. Lenkart, Public Safety Director. August 2020 Fire Report.
Owosso Historical Commission. Minutes of August 10, 2020.

THE COUNCIL ADJOURNED TO CLOSED SESSION AT 8:08 P.M.

THE COUNCIL RETURNED FROM CLOSED SESSION AT 8:50 P.M.

APPROVAL OF THE MINUTES OF CLOSED SESSION OF AUGUST 17, 2020

Motion by Councilmember Pidek to approve the Minutes of the Closed Session of August 17, 2020 as presented.

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

NEXT MEETING

Monday, October 05, 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

ADJOURNMENT

Motion by Councilmember Bailey for adjournment at 8:53 p.m.

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

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk