

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF SEPTEMBER 6, 2016
7:30 P.M.**

PRESIDING OFFICER: MAYOR BENJAMIN R. FREDERICK

OPENING PRAYER: REVEREND RAY STRAWSER
MEMORIAL HEALTHCARE CHAPLAIN

PLEDGE OF ALLEGIANCE: GIRL SCOUT TROOP 30331

PRESENT: Mayor Benjamin R. Frederick, Mayor Pro-Tem Christopher T. Eveleth, Councilpersons Loreen F. Bailey, Burton D. Fox, Elaine M. Greenway, Michael J. O'Leary, and Robert J. Teich, Jr.

ABSENT: None.

APPROVE AGENDA

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

Agenda Section	Change	Item Name	Comments
Items of Business	Move	2. Permission to Install Little Free Libraries	To Special Presentations
Consent Agenda	Move	7. Contract Amendment No. 3 —WWTP Screening Equipment	To Items of Business 4
Consent Agenda	Move	9. Professional Service Agreement – Painting Restoration	To Items of Business 5
Items of Business	Move	5. Development of Educational Plan for Street Bond	To Items of Business 6

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

APPROVAL OF THE MINUTES OF SPECIAL MEETING OF AUGUST 9, 2016

Motion by Mayor Pro-Tem Eveleth to approve the Minutes of the Regular Meeting of August 15, 2016 as presented.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF AUGUST 15, 2016

Motion by Councilperson Fox to approve the Minutes of the Regular Meeting of August 15, 2016 as presented.

Motion supported by Councilperson O'Leary and concurred in by unanimous vote.

PROCLAMATIONS / SPECIAL PRESENTATIONS

Permission to Install Little Free Libraries

Girl Scout Troop 30331 members Eve Hickey and Marisa Rose gave a presentation to Council seeking permission for the Troop to construct, install, and maintain little free libraries in two City parks. The proposed project will be performed as a part of their efforts to achieve a Bronze Award – the third highest award a Girl Scout can receive.

Mayor Frederick applauded the level of thought put into the plan.

Motion by Councilperson Fox to approve the request of Girl Scout Troop 30331 to construct, install, and maintain Little Free Libraries in Bentley Park and Curwood Castle Park as follows:

RESOLUTION NO. 96-2016

**RESOLUTION AUTHORIZING GIRL SCOUT TROOP 30331
TO INSTALL ONE LITTLE FREE LIBRARY AT BENTLEY PARK
AND ONE AT CURWOOD CASTLE PARK**

WHEREAS, the Girl Scout Troop 30331 made a presentation to the Parks & Recreation for a Little Free Library at Bentley Park and at Curwood Castle Park; and

WHEREAS, the Parks & Recreation Commission approved Troop 30331's request to install a Little Free Library at Bentley Park and at Curwood Castle Park; and

WHEREAS, Girl Scout Troop 30331 has agree to provide their own materials, construct the Little Free Libraries, and maintain the Little Free Libraries in perpetuity; and

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

FIRST: Girl Scout Troop 30331 has permission to install a Little Free Library at Bentley Park near the Pavilion.

SECOND: That Girl Scout Troop 30331 has permission to install a Little Free Library at Curwood Park on the river side of the sidewalk.

Motion supported by Councilperson Bailey.

Roll Call Vote.

AYES: Councilpersons Greenway, Bailey, Mayor Pro-Tem Eveleth, Councilpersons Teich, O'Leary, Fox, and Mayor Frederick.

NAYS: None.

PUBLIC HEARINGS

Plant Rehabilitation District – 300 W. Main Street

A public hearing was conducted to receive citizen comment regarding the application from Owosso REI Group, LLC of Owosso requesting the establishment of a Plant Rehabilitation District for the property located at 300 West Main Street.

Marilyn Crowley, representative for the contractor Kincaid Henry, introduced herself, noted that Kincaid Henry will be the contractor for the project at 300 W. Main Street as well as the project at 344 W. Main Street, and that she was present to answer any questions regarding either project.

There were no citizen comments received prior to, or during the meeting.

Whereas, the Council, after due and legal notice, has met and there being no one to be heard, motion by Mayor Pro-Tem Eveleth that the following resolution be adopted:

RESOLUTION NO. 97-2016

ESTABLISHING A PLANT REHABILITATION DISTRICT FOR THE PROPERTY AT 300 W. MAIN STREET CITY OF OWOSSO, MICHIGAN

WHEREAS, a request was received July 21, 2016 for an Industrial Facilities Tax Exemption Certificate from Owosso REI Group, LLC; and

WHEREAS, an Plant Rehabilitation District must be established to meet the requirements for an Industrial Facilities Tax Exemption Certificate; and

WHEREAS, this property is located within the city limits of the City of Owosso, County of Shiawassee; and

WHEREAS, the property description of proposed district is:

PART OF ORIGINAL PLAT OF THE VILLAGE, NOW CITY OF OWOSSO DESCRIBED AS; SOUTH 1/2 OF BLOCK 24 & SOUTH 10 FEET OF NORTH 1/2 BLOCK 24, ALSO ADJACENT RESERVE 1, LYING BETWEEN EAST BANK OF SHIAWASSEE RIVER AND SAID DESCRIPTION; and

WHEREAS, it is determined that establishing this district would be beneficial to the city of Owosso, as well as local and regional economy.

NOW, THEREFORE, BE IT RESOLVED by the city council of the City of Owosso, Shiawassee County, Michigan that the Plant Rehabilitation District is approved as described.

Motion supported by Councilperson Fox.

Roll Call Vote.

AYES: Councilpersons Bailey, Teich, Fox, Mayor Pro-Tem Eveleth, Councilpersons Greenway, O'Leary, and Mayor Frederick.

NAYS: None.

Obsolete Property Rehabilitation District – 344 W. Main Street

A public hearing was conducted to receive citizen comment regarding the application from D.R. & H.P., LLC of Lansing requesting the establishment of an Obsolete Property Rehabilitation District for their property at 344 W. Main Street.

There were no other comments received prior to, or during the meeting.

Whereas, the Council, after due and legal notice, has met and there being no one to be heard, motion by Mayor Pro-Tem Eveleth that the following resolution be adopted:

RESOLUTION NO. 98-2016

**TO APPROVE ESTABLISHING AN
OBSOLETE PROPERTY REHABILITATION DISTRICT
FOR THE PROPERTY COMMONLY KNOWN AS:
344 WEST MAIN STREET**

WHEREAS, Obsolete Property Rehabilitation Exemption Application was received August 3, 2016 along with a City of Owosso Application for Tax Abatement from D.R. & H.P., L.L.C., owners of 344 W. Main Street, to create an Obsolete Property Rehabilitation District, described as:

LOTS 10 THRU 15 AND WEST 132 FEET OF LOT 8 AND WEST 13 2FEET' OF THE SOUTH 18 FEET OF LOT 7, BLOCK 6, LUCY L COMSTOCKS ADDITION TO CITY OF OWOSSO, INCLUDING THE WEST 132 FEET OF CLOSED ALLEY; and

WHEREAS, the Obsolete Rehabilitation Act, Act 146 of 2000 is available to the city of Owosso; and

WHEREAS, the act permits the city of Owosso to establish an obsolete property rehabilitation district; and

WHEREAS, a public hearing was held for the purpose of hearing comments from those within the proposed district, and any other resident or taxpayer, of the city of Owosso; and

WHEREAS, the city clerk has given notification as required by law and this act, and

WHEREAS, the city council has determined that the qualifications of the act are satisfied.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Owosso, Shiawassee County, Michigan that on this date, September 6, 2016, in accordance with the Obsolete Rehabilitation Act, Act 146 of 2000, the Obsolete Property Rehabilitation District is established as described above.

Motion supported by Councilperson Greenway.

Roll Call Vote.

AYES: Councilpersons O'Leary, Bailey, Greenway, Mayor Pro-Tem Eveleth, Councilpersons Teich, Fox, and Mayor Frederick.

NAYS: None.

CITIZEN COMMENTS AND QUESTIONS

There were no citizen comments to be received.

Mayor Frederick applauded the cities of Corunna and Owosso and the Friends of the Shiawassee River for their cooperative effort to clean up the river trail during the annual Labor Day Walk. Councilperson Greenway said she enjoyed the walk as well.

Councilperson Fox inquired about the recent notification that Lincoln School is now listed on the National Register of Historic Places, asking what the designation might mean for the redevelopment of the school. City Manager Crawford noted that the NRHP designation was part of the redevelopment plan from its outset and would benefit the project.

CITY MANAGER REPORT

City Manager Donald D. Crawford detailed the latest Project Status Report for the Council noting the environmental cleanup efforts at the future Qdoba site were wrapping up.

Mr. Crawford went on to detail the status of the Brownfield Plan for the Sugar Beet Site, saying the State had been extremely difficult to deal with over the last several months but he anticipated the plan would be completed to the State’s specifications in the coming days. Prior to submitting the plan for State approval the Brownfield Authority and the Council must rescind the existing plan and approve the new plan necessitating a special meeting of both groups which he proposed for Tuesday, September 13, 2016 at 7:30am.

Mayor Frederick inquired about the status of the bond rating initiative. Mr. Crawford indicated that Finance Director Williams continues to work on the issue.

Councilperson Bailey inquired whether the purchase of an automatic meter reading system would allow the City to return to a monthly billing cycle for utilities. Mr. Crawford said staff would be looking at the feasibility of moving to monthly or bimonthly billing once the new system is installed.

Councilperson Fox inquired why the first phase of the Oliver Street Reconstruction Project would not be extended to the intersection of Oliver Street and Dewey Street, but to Oak Street instead. Public Services Director Sedlak indicated work would stop at Oak Street to accommodate the operations of Emerson School, except for the installation of water main which will extend to Dewey Street.

Councilperson Fox also inquired about his concern that the disc golf course may be encroaching on private property. City Manager Crawford indicated the owners of the property were present at the meeting tonight and the issue had been resolved.

CONSENT AGENDA

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

Set Public Hearing – Industrial Facilities Tax Exemption Certificate – 300 W. Main Street.

Set a public hearing for Monday, September 19, 2016 to receive public comment on the application from Owosso REI Group, LLC of Owosso for an Industrial Facilities Tax Exemption Certificate for real and personal property for their property at 300 West Main Street as follows:

RESOLUTION NO. 99-2016

**SETTING PUBLIC HEARING TO CONSIDER APPLICATION FOR
AN INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE
OWOSSO REI GROUP, LLC
300 W. MAIN STREET
CITY OF OWOSSO, MICHIGAN**

WHEREAS, a general tax abatement application was received March 11, 2016 from Owosso REI Group, LLC, per the City of Owosso Tax Abatement Policy of June 7, 2010; and

WHEREAS, application was also received July 21, 2016 from Owosso REI Group, LLC for an Industrial Facilities Tax Exemption Certificate; and

WHEREAS, a Plant Rehabilitation District was established September 6, 2016 for property described as:

*PART OF ORIGINAL PLAT OF THE VILLAGE, NOW CITY OF OWOSSO DESCRIBED AS;
SOUTH 1/2 OF BLOCK 24 & SOUTH 10 FEET OF NORTH 1/2 BLOCK 24, ALSO
ADJACENT RESERVE 1, LYING BETWEEN EAST BANK OF SHIAWASSEE RIVER AND
SAID DESCRIPTION; and*

WHEREAS, the Industrial Facilities Tax Exemption certificate, being part of Act 198 of 1974, is available to the city of Owosso; and

WHEREAS, city of Owosso is a qualified local governmental unit and permits the city of Owosso to grant an Industrial Facilities Tax Exemption Certificate; and

WHEREAS, it was determined by city staff that the Industrial Facilities Exemption Certificate application is within the guidelines of the City of Owosso Tax Abatement Policy of June 7, 2010; and

WHEREAS, notification will be sent to all taxing jurisdictions per the City of Owosso Tax Abatement Policy of June 7, 2010.

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

FIRST: the Owosso City Council sets a public hearing for September 19, 2016 on or about 7:30 p.m. in the council chambers for the purpose of hearing comments from those within the proposed district, governmental taxing jurisdictions and any other resident or taxpayer, of the city of Owosso; and

SECOND: the city clerk gives the notifications as required by law.

Set Public Hearing -Obsolete Property Rehabilitation Exemption Certificate – 344 W. Main Street. Set a public hearing for Monday, September 19, 2016 to receive citizen comment regarding the application from D.R. & H.P., LLC of Lansing for an Obsolete Property Rehabilitation Exemption Certificate for their property at 344 W. Main Street as detailed below:

RESOLUTION NO. 100-2016

**SETTING PUBLIC HEARING TO CONSIDER APPLICATION FOR
AN OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE
FOR THE PROPERTY COMMONLY KNOWN AS
344 WEST MAIN STREET**

WHEREAS, the City of Owosso received application for an Obsolete Property Rehabilitation Exemption Certificate on August 3, 2016, from Owosso DRHP, LLC, and

WHEREAS, the City of Owosso approved a request to establish an Obsolete Property Rehabilitation District, on September 6, 2016, described as:

LOTS 10 THRU 15 AND WEST 132 FEET OF LOT 8 AND WEST 132 FEET OF THE SOUTH 18 FEET OF LOT 7, BLOCK 6, LUCY L COMSTOCKS ADDITION TO CITY OF OWOSSO, INCLUDING THE WEST 132 FEET OF CLOSED ALLEY; and

WHEREAS, it must be determined that approval of the Obsolete Property Rehabilitation Certificate would be beneficial to the city of Owosso, as well as the local and regional economies.

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

FIRST: the Owosso City Council sets public hearing for September 19, 2016 at or about 7:30 p.m. in the council chambers for the purpose of hearing comments for those within the district, and any other resident or taxpayer, of the city of Owosso; and

SECOND: the city clerk gives the notifications as required by law; and

THIRD: the city staff is directed to investigate and determine if the qualifications of the act are satisfied and to report their findings at the hearing.

Art Walk Permission. Approve the application of Owosso Main Street/DDA for use of Main Street Plaza September 10, 2016 from 8:00am to 4:00pm for the Art Walk event, waive the insurance requirement, and authorize Traffic Control Order No. 1361 formalizing the requested closure.

Free Food Distribution Permission. Approve the application from the United Methodist Care Network for use of a portion of the southwest corner of the Comstock Parking Lot on September 17, 2016 from 8:00am – 12:00pm to conduct a free food distribution, waive the insurance requirement, and authorize Traffic Control Order No. 1362 formalizing the action.

Change Order No. 1 – Sanitary Sewer Cleaning Contract. Authorize Change Order No. 1 to the Sanitary Sewer Cleaning Contract with Safeway Transport, Inc. for additional heavy cleaning services in the amount of \$30,000.00, and further authorize payment to the contractor up to the contract amount, including Change Order No. 1, upon satisfactory completion of the work or a portion thereof as follows:

RESOLUTION NO. 101-2016

**AUTHORIZING CHANGE ORDER NO. 1 AND PAYMENT TO
SAFEWAY TRANSPORT, INC. OF ROMULUS, MICHIGAN
FOR ADDITIONAL SANITARY SEWER CLEANING SERVICES**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has received Grant funds from the Michigan Department of Environmental Quality to accomplish 10 Tasks in the development of an Asset Management Plan, of which Task No. 5 is for the cleaning and televising of sewer mains; and

WHEREAS, numerous sections of sewer main require cleaning to allow passage of closed circuit televising (CCTV) equipment in order to complete required video inspections as identified in detail spreadsheets provided by the CCTV contractor; and

WHEREAS, the City Utilities Director has reviewed the incomplete CCTV pipe segment spreadsheets and verified the necessity to clean said pipes, and has estimated additional services not to exceed \$30,000.00 are required to complete the Task No. 5 project, with final payment upon satisfactory completion of work verified.

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 contract for the cleaning of 71,536 linear feet of sanitary sewer main, increasing the contract \$30,000.00 for additional cleaning services required to complete Task No. 5 as detailed above.
- SECOND: The mayor and city clerk are instructed and authorized to execute Change Order No. 1 to the Sanitary Sewer Cleaning Services Contract with Safeway Transport, Inc.
- THIRD: The accounts payable department is authorized to submit payment to Safeway Transport, Inc. in an amount not to exceed \$91,539.28 upon satisfactory completion of the work in accordance with their bid dated June 8, 2016.
- FOURTH: The above expenses shall be paid from account no. 590-549-818.000 SAWGrantSwr.

Contract Addendum No. 4 - OHM Professional Engineering Services. Authorize Addendum No. 4 to the contract with Orchard, Hiltz & McCliment d/b/a OHM Advisors for Professional Engineering Services originally approved April 6, 2015, for hydrant flow testing to assist in the development of a water distribution model in an amount not to exceed \$2,400.00, and further authorize payment up to the contract amount, including Addendum Nos. 1-4, upon satisfactory receipt of deliverables as detailed:

RESOLUTION NO. 102-2016

**AUTHORIZING THE EXECUTION OF ADDENDUM NO. 4 TO
AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES
WITH ORCHARD, HILTZ & MCCLIMENT, INC. D/B/A OHM ADVISORS**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, entered into an agreement with Orchard, Hiltz & McCliment, Inc. d/b/a OHM Advisors by the adoption of Resolution 26-2015 on April 6, 2015; and

WHEREAS, the city and the utility director desire to expand the contract to include hydrant flow testing as part of the water reliability study and general plan as outlined in the attached Addendum No. 4.

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 expand the contract approved by Resolution 26-2015 on April 6, 2015 with Orchard, Hiltz & McCliment, Inc. d/b/a OHM Advisors to include hydrant flow testing for development and calibration of the water distribution model, in accordance with the water reliability study and general plan, as required by the Michigan Department of Environmental Quality, increasing the overall contract in the amount of \$2,400.00.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Addendum No. 4 to an Agreement for Professional Engineering Services between the City of Owosso, Michigan and, Orchard, Hiltz & McCliment, Inc. originally authorized by Resolution No. 26-2015 on April 6, 2015.
- THIRD: The accounts payable department is authorized to submit payment to OHM Advisors for professional services, up to and including Addendum No. 4, in an amount not to exceed \$38,950.00.
- FOURTH: The above expenses shall be paid from the water fund account 591-553-818000.

Contract Amendment No. 3 —WWTP Screening Equipment. (This item was moved to Items of Business.)

Professional Services Agreement – Financial & Accounting Services. Authorize professional services agreement with Deeann M Biondi LLC for the provision of financial and accounting services as detailed below:

RESOLUTION NO. 103-2016

**AUTHORIZING EXECUTION OF A CONTRACT FOR SERVICES
BETWEEN THE CITY OF OWOSSO, MICHIGAN AND DEEANN M BIONDI LLC
FOR ACCOUNTING AND FINANCIAL SERVICES**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that accounting and financial services are necessary for the proper functioning of the city; and

WHEREAS, Deeann M Biondi LLC provides such services which are covered in the attached agreement.

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 employ Deeann M Biondi LLC for providing accounting and financial services.

SECOND: The mayor and the city clerk of the city of Owosso are instructed and authorized to sign the document substantially in the form attached.

Professional Service Agreement – Painting Restoration. (This item was moved to Items of Business.)

Contract Authorization – WWTP Transformer Repair. Authorize a contract in the form of a purchase order with Halligan Electric, Inc. for repair of the west side transformer at the WWTP in the amount of \$20,650.00 as detailed below:

RESOLUTION NO. 104-2016

**AUTHORIZING A CONTRACT WITH
HALLIGAN ELECTRIC, INC.
FOR REPAIRS TO THE WEST SIDE TRANSFORMER
AT THE WASTEWATER TREATMENT PLANT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has budgeted funding in the Wastewater Treatment Plant Operating and Maintenance Fund for the maintenance and repair of site electrical infrastructure, and

WHEREAS, the existing west side transformer has experienced deteriorated components well into its service life and requires permanent repairs, and Halligan Electric, Inc., who previously provided temporary emergency repairs to the transformer busway, has provided a proposal for performing final and permanent repairs to the transformer in the amount \$20,650.00, and

WHEREAS, the City Utilities Director has reviewed the proposal for services, and agrees with the scope of services provided by Halligan Electrical, and recommends waiver of the purchasing policy competitive bidding requirements based on the firm's direct knowledge of the equipment and the nature of the exact problem at hand.

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 issue a purchase order for material and labor services with Halligan Electric, Inc. for busway repairs to the west side transformer located at the Wastewater Treatment Plant.

SECOND: The accounts payable department is authorized to submit payment to Halligan Electric, Inc. an amount not to exceed \$20,650.00 upon satisfactory completion of the work.

THIRD: The above expenses shall be paid from account no. 599-548-833.000.

Preferred Service Provider Contract – No-Preference Towing Services. Authorize a Preferred Service Provider Contract for no-preference towing services to Richard Maurer d/b/a Dick's Auto Service and Reeves Wheel Alignment, Inc., equally sharing the preferred wrecker service contract for the City for the period from July 1, 2016 through June 30, 2019 as follows:

RESOLUTION NO. 105-2016

**AUTHORIZING A PREFERRED PROVIDER CONTRACT
FOR NO-PREFERENCE TOWING SERVICES TO
RICHARD MAURER D/B/A DICK'S AUTO SERVICE AND REEVES WHEEL ALIGNMENT, INC.
FOR THE PERIOD EXPIRING JUNE 30, 2019**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has a Public Safety Department that in the normal course of business requires wrecker services; and

WHEREAS, Shiawassee County Central Dispatch notified all police agencies in Shiawassee County of the need to specify a towing service that will provide service in any situation in which no preferred service is requested by the vehicle owner(s) or officers involved; and

WHEREAS, the City of Owosso requested bids and it is hereby determined that Richard Maurer d/b/a/ Dicks Auto Service and Reeves Wheel Alignment, Inc. are both qualified to provide such services and have submitted the responsible and responsive bids; and

WHEREAS, staff recommends awarding service calls on a rotating basis allowing equal opportunity for both companies to provide towing services.

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 award a Preferred Service Provider Contract for No-Preference Towing Services to Richard Maurer d/b/a Dick's Auto Service and Reeves Wheel Alignment, Inc. on an equally shared basis.
- 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 Richard Maurer d/b/a Dick's Auto Service and Reeves Wheel Alignment, Inc..
- THIRD: Charges for said services will be directed to the owner(s) of any vehicle towed.

Bid Award – 2016 Street Patches Program. Authorize bid award to Eastern Asphalt Company Inc. as the sole bidder for the 2016 Street Patches Program in the amount of \$142,068.12 and further authorize payment up to the bid amount upon satisfactory completion of the work or a portion thereof as detailed:

RESOLUTION NO. 106-2016

**AUTHORIZING THE EXECUTION OF A CONTRACT FOR
THE 2016 STREET PATCHES PROGRAM
WITH EASTERN ASPHALT COMPANY, INC.**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that the temporary street patches in many of the streets in the city need to be permanently repaired with a hot mixed asphalt to prevent water from getting into the sub base of the street, accelerating the deterioration of the street pavement, and that this pavement maintenance is advisable, necessary and in the public interest; and

WHEREAS, the city of Owosso sought bids to permanently patch said areas; a bid was received from Eastern Asphalt Company, Inc. and it is hereby determined that Eastern Asphalt Company, Inc. is qualified to provide such services and that it has submitted the only bid.

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 employ Eastern Asphalt Company, Inc. for pavement patching as part of the 2016 Street Patches Program.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit A, Contract for Services Between the city of Owosso, Michigan and Eastern Asphalt Company, Inc. in the amount of \$142,068.12.
- THIRD: The accounts payable department is authorized to pay Eastern Asphalt Company, Inc. for work satisfactorily completed on the project up to the bid amount.
- FOURTH: The above expenses shall be paid from account 591-552-833.300 and 591-552-833.200 Water Maintenance Fund.

Warrant No. 527. Authorize Warrant No. 527 as follows:

Vendor	Description	Fund	Amount
Michigan Municipal League Workers' Compensation Fund	2nd installment for FY 16/17	Various	\$20,062.00
Michigan Municipal League	Annual Membership	General	\$5,835.00
Orchard Hiltz & McCliment, Inc.	Engineering services payment for Cargill project	OBRA #8	\$3,087.00
Orchard Hiltz & McCliment, Inc	Water reliability study payment	Water	\$3,727.00
Michigan Municipal Risk Management Authority	1st installment for FY 16/17	General	\$134,818.50
Maurer Heating & Cooling	Air conditioning unit at WWTP	WWTP	\$5,268.00

***Check Register – August 2016.** Affirm check disbursements totaling \$1,216,033.68 for August 2016.

Motion supported by Councilperson Bailey.

Roll Call Vote.

AYES: Councilpersons Teich, Fox, Mayor Pro-Tem Eveleth, Councilpersons Bailey, Greenway, O'Leary, and Mayor Frederick.

NAYS: None.

ITEMS OF BUSINESS

Industrial Facilities Tax Exemption Certificate Application Recommendation – 1007 S. Washington Street

Motion by Mayor Pro-Tem Eveleth to recommend approval of the application for an Industrial Facilities Tax Exemption Certificate from Crowe Properties, LLC, to be obtained via the I-69 International Trade Corridor Next Michigan Development Corporation, and to maintain all entitlements to further notice or right of disapproval it has under Section 5.16 of the interlocal agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation as follows:

RESOLUTION NO. 107-2016

**BY THE OWOSSO CITY COUNCIL RECOMMENDING APPROVAL OF
A NEW REAL PROPERTY TAX EXEMPTION APPLICATION
P.A. 198 OF 1974, AS AMENDED
FROM CROWE PROPERTIES, LLC**

WHEREAS, Crowe Properties, LLC, an eligible Next Michigan Development business, is filing an application for an Industrial Facilities Tax Exemption Certificate for new real property as regulated by P.A. 198 of 1974, as amended, through the I-69 International Trade Corridor Next Michigan Development Corporation; and

WHEREAS, the city of Owosso understands that Crowe Properties, LLC is ineligible to secure such through the city of Owosso and therefore is making application through the I-69 International Trade Corridor Next Michigan Development Corporation (NMDC); and

WHEREAS, to consider the application the I-69 International Trade Corridor Next Michigan Development Corporation requires a recommendation of approval from the governmental jurisdiction in which the project and tax exemption is located; and

WHEREAS, the city of Owosso has determined that it is advisable, necessary and in the public interest for Crowe Properties, LLC to obtain an Industrial Facilities Tax Exemption for the property at 1007 S. Washington Street in Owosso; and

WHEREAS, the request is for an abatement on a 48 foot by 100 foot pole barn with an estimated value of \$50,000 which would result in an abatement of approximately \$700.00 in taxes per year; and

WHEREAS, under the city policy for tax abatements the term of the abatement would be limited to six years.

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

FIRST: The application of Crowe Properties, LLC, an eligible Next Michigan Development business, for an Industrial Facilities Tax Exemption Certificate for new real property as regulated by P.A. 198 of 1974, as amended, through the I-69 International Trade Corridor Next Michigan Development Corporation be supported provided the abatement be limited to (six) years.

SECOND: The city of Owosso hereby does not waive any further notice or right of disapproval it has under Section 5.16 of the interlocal agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation.

THIRD: The city of Owosso supports the creation of an Industrial Development District for Crowe Properties, LLC at 1007 S. Washington Street.

Motion supported by Councilperson Fox.

Roll Call Vote.

AYES: Councilpersons Fox, Teich, Mayor Pro-Tem Eveleth, Councilpersons Greenway, O'Leary, and Mayor Frederick.

NAYS: Councilperson Bailey.

Special Assessment District No. 2017-01 Oliver Street from Washington Street to Oak Street

Motion by Mayor Pro-Tem Eveleth to authorize Resolution No. 1 for proposed Special Assessment District No. 2017-01 for Oliver Street from Washington Street to Oak Street (Phase 1) for street reconstruction as detailed:

RESOLUTION NO. 108-2016

Special Assessment District No. 2017-01 Oliver Street from Washington Street to Oak Street

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

**Oliver Street from Washington Street to Oak Street
for Street Reconstruction**

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.

Motion supported by Councilperson Bailey.

Roll Call Vote.

AYES: Councilpersons Bailey, Greenway, Mayor Pro-Tem Eveleth, Councilpersons Fox, O'Leary, Teich, and Mayor Frederick.

NAYS:

Special Assessment District No. 2017-02 Oliver Street from Oak Street to Gould Street

Motion by Mayor Pro-Tem Eveleth to authorize Resolution No. 1 for proposed Special Assessment District No. 2017-02 for Oliver Street from Oak Street to Gould Street (Phase 2) for street reconstruction as follows:

RESOLUTION NO. 109-2016

Special Assessment District No. 2017-02 Oliver Street from Oak Street to Gould Street

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

**Oliver Street from Oak Street to Gould Street
for Street Reconstruction**

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.

Motion supported by Councilperson Greenway.

Roll Call Vote.

AYES: Councilpersons Fox, Bailey, O'Leary, Teich, Mayor Pro-Tem Eveleth, Councilperson Greenway, and Mayor Frederick.

NAYS: None.

Contract Amendment No. 3 —WWTP Screening Equipment

Councilperson Fox sought clarification as to whether the City would receive any credit from the payments required by this amendment toward the purchase of new screening equipment. It was noted that the City would not receive credit from payments made as a part of Amendment No. 3 because the bids for the new equipment had already been let and received. It was further noted the City would receive credit toward the purchase of new equipment for payments made as a part of the original contract and Amendment Nos. 1 & 2.

Motion by Councilperson Fox to authorize Amendment No. 3 to the lease agreement with Duperon Leasing & Sales, Inc. for the lease of the screening equipment at the Waste Water Treatment Plant extending the contract on a month to month basis, not to exceed 9 additional months (ending June 30, 2016), in the amount of \$1,815.00 per month as follows:

RESOLUTION NO. 110-2016

**AUTHORIZING AMENDMENT NO. 3 TO AN EXISTING
LEASE AGREEMENT WITH
DUPERON LEASING AND SALES, LLC
FOR SCREENING EQUIPMENT FOR THE WASTEWATER PLANT
AT \$1,815 PER MONTH FOR UP TO 6 MONTHS**

WHEREAS, the City and Duperon Corporation entered a lease agreement dated September 10, 2013 for full scale demonstration of wastewater screening equipment, initially for 12 months and extended 12 months through September 30, 2015, and extended the lease agreement again through September 30, 2016, and

WHEREAS, Duperon Corporation has subsequently assigned the lease to Duperon Leasing and Sales, LLC, and

WHEREAS, both parties agree to an extension of the equipment lease on a month to month basis for up to an additional 6 months at a monthly rate of \$1,815 beginning October 1, 2016,

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 extend the lease for wastewater screening equipment from Duperon Leasing and Sales, LLC at \$1,815 per month for up to an additional 9 month lease term, plus a deposit in the amount of \$1,815.00.

SECOND: The Mayor and City Clerk are hereby authorized to sign the attached document, Amendment No. 3 to Equipment Lease Agreement, between the City of Owosso and Duperon Leasing and Sales, LLC, extending the existing lease agreement for a third time, with all terms of the original contract unchanged, save the monthly rate and lease term.

THIRD: The accounts payable department is authorized to submit the initial and subsequent monthly payments to Duperon Leasing and Sales, LLC pursuant to the agreement up to \$18,150.00.

FOURTH: The above expenses shall be paid from the Wastewater Plant Fund.

Motion supported by Mayor Pro-Tem Eveleth.

Roll Call Vote.

AYES: Councilpersons Teich, Bailey, Fox, Mayor Pro-Tem Eveleth, Councilpersons Greenway O'Leary, and Mayor Frederick.

NAYS: None.

Professional Service Agreement – Painting Restoration

City Manager Crawford indicated there was an insurance matter that remained unresolved and any authorization should include a contingency regarding the matter.

Motion by Mayor Pro-Tem Eveleth to authorize a contract with Lis Art Conservation & Restoration Services, LLC for the restoration of 14 paintings owned by the City, services to include cleaning, varnishing, crack filling and reframing, in the amount of \$34,500.00, contingent on the approval of language regarding insurance coverages for said paintings by the City Attorney, and further authorize payment to the contractor upon satisfactory completion of the work or portion thereof as follows:

RESOLUTION NO. 111-2016

**AUTHORIZING EXECUTION OF A CONTRACT FOR SERVICES
BETWEEN THE CITY OF OWOSSO, MICHIGAN
AND LIS ART CONSERVATION & RESTORATION SERVICES, LLC**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, is owner of 14 works of art that are in need of restoration to preserve their value; and

WHEREAS, the city of Owosso has determined that restoration services are necessary for the preservation of these artworks; and

WHEREAS, the Lis Art Conservation & Restorations Services, LLC provides such services which are covered in the attached agreement.

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 employ Lis Art Conservation & Restoration Services, LLC for restoring the 14 pieces of artwork, contingent upon the approval of language regarding insurance coverages for said paintings by the City Attorney.
- SECOND: The mayor and the city clerk of the city of Owosso are instructed and authorized to sign the document substantially in the form attached.
- THIRD: The accounts payable department is authorized to pay Lis Art Conservation & Restorations Services, LLC up to \$34,500.00 upon presentation of a purchase order from the city manager for each individual painting.

Motion supported by Councilperson Greenway.

Roll Call Vote.

AYES: Mayor Pro-Tem Eveleth, Councilpersons Bailey, O'Leary, Greenway, Teich, and Mayor Frederick.

NAYS: Councilperson Fox.

Development of Educational Plan for Street Bond

City Manager Crawford indicated that Councilperson Fox had agreed to spearhead an effort to inform voters about the street bond proposal and he would like to see each Council member recruit 6-10 individuals to learn about the proposal then spread the word on why voters should approve it.

Councilperson Fox expressed his concern with the timing of the City's distribution of information with the distribution of absentee ballots saying the group needed to get moving. He has already done some leg-work recruiting people to spread the word, scheduling a meeting with the landlords' association, and calculating the estimated tax increase for homes with various values. He said the proposed increase is very manageable and could actually be less than the cost of car repairs caused by bad roads.

Mayor Frederick asked each Council member to examine the information in the packet and think about the ways they want to be involved to get the word out.

COMMUNICATIONS

SATA Board of Directors. Minutes of July 12, 2016.
Planning Commission. Minutes of July 25, 2016.
Parks & Recreation Commission. Minutes of July 26, 2016.
Planning Commission. Minutes of August 8, 2016.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 2910 W M-21, sought clarification on the nature of the tax abatement for the Sheridan Auction property. He also commented on the street bond proposal saying he thinks it will be difficult to persuade people to vote for it. Mayor Frederick directed Mr. Manke to Brent Jones of the SEDP for answers to his questions regarding the tax abatement for the Sheridan Auction property.

Norm Campbell, owner of the private property within Collamer Park, said he had no problems with the activities of the park but asked that those involved with the installation of the new disc golf course respect his property lines.

Special Meeting Date/Time

Motion by Councilperson Fox to call a special meeting for Tuesday, September 13, 2016 immediately following the Brownfield Authority meeting (starting at 7:30am) to consider rescinding the current Brownfield Plan for District #8 Sugar Beet/Tuscarora, Inc. and approving the proposed new plan.

Motion supported by Councilperson O'Leary.

Roll Call Vote.

AYES: Councilpersons Bailey, Greenway, Mayor Pro-Tem Eveleth, Councilpersons Fox, Teich, O'Leary, and Mayor Frederick.

NAYS: None.

NEXT MEETING

Tuesday, September 13, 2016, 7:30am - Special
Monday, September 19, 2016, 7:30pm - Regular

BOARDS AND COMMISSIONS OPENINGS

Building Board of Appeals – term expires June 30, 2019
Building Board of Appeals – Alternate - term expires June 30, 2018

ADJOURNMENT

Motion by Mayor Pro-Tem Eveleth for adjournment at 8:39 p.m.

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

Benjamin R. Frederick, 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.