

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF AUGUST 21, 2017
7:30 P.M.**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: PAULA TEMPLE

PLEDGE OF ALLEGIANCE: ATTORNEY SCOTT GOULD

PRESENT: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika, Councilmembers Burton D. Fox, Elaine M. Greenway, Daniel A. Law, and Robert J. Teich, Jr.

ABSENT: Councilmember Loreen F. Bailey.

APPROVE AGENDA

Motion by Mayor Pro-Tem Osika to approve the agenda as presented.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF AUGUST 7, 2017

Motion by Councilmember Fox to approve the Minutes of the Regular Meeting of August 7, 2017 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

Special Assessment District No. 2017-03 **Stewart Street from Chestnut to Chipman**

A public hearing was conducted to receive citizen comment regarding authorization of Resolution No. 5 for Special Assessment District No. 2017-03 for Stewart Street, from Chestnut Street to Chipman Street for resurfacing.

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

Motion by Councilmember Fox that the following resolution be adopted:

RESOLUTION NO. 121-2017
DISTRICT NO. 2017-03
W. STEWART STREET FROM CHESTNUT STREET TO CHIPMAN STREET
SPECIAL ASSESSMENT RESOLUTION NO. 5

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement: West Stewart Street, from S. Chestnut Street to S. Chipman Street, and

WHEREAS, having provided opportunity for all interested parties to be heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$154,550.12 is hereby confirmed and shall be known as Special Assessment Roll No. 2017-03.
2. Said special assessment roll shall be divided into five installments, the first of which shall be due and payable on December 1, 2017, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by December 1, 2017.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2017 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her 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 Teich.

Roll Call Vote.

AYES: Councilmembers Law, Greenway, Fox, Mayor Pro-Tem Osika, Councilmember Teich, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Bailey.

Special Assessment District No. 2017-04 Chipman Street from South to Stewart

A public hearing was conducted to receive citizen comment regarding authorization of Resolution No. 5 for Special Assessment District No. 2017-04 for Chipman Street, from South Street to Stewart Street for resurfacing.

The following person commented regarding the proposed special assessment roll:

Anonymous woman telephoned to voice her objections to the special assessment saying she was on a fixed income.

Motion by Mayor Pro-Tem Osika that the following resolution be adopted:

RESOLUTION NO. 122-2017

DISTRICT NO. 2017-04

**CHIPMAN STREET FROM SOUTH STREET TO STEWART STREET
SPECIAL ASSESSMENT RESOLUTION NO. 5**

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement: South Chipman Street, from South Street to Stewart Street, and

WHEREAS, all interested parties were heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$153,207.52 is hereby confirmed and shall be known as Special Assessment Roll No. 2017-04.
2. Said special assessment roll shall be divided into five installments, the first of which shall be due and payable on December 1, 2018, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by December 1, 2018.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2018 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her 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 Fox.

Roll Call Vote.

AYES: Councilmember Greenway, Mayor Pro-Tem Osika, Councilmembers Fox, Teich, Law, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Bailey.

Special Assessment District No. 2017-06 Chipman Street from Oliver to King

A public hearing was conducted to receive citizen comment regarding authorization of Resolution No. 5 for Special Assessment District No. 2017-06 for Chipman Street, from Oliver Street to King Street for resurfacing.

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

Motion by Councilmember Greenway that the following resolution be adopted:

RESOLUTION NO. 123-2017

DISTRICT NO. 2017-06

**N. CHIPMAN STREET FROM OLIVER STREET TO KING STREET
SPECIAL ASSESSMENT RESOLUTION NO. 5**

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement: North Chipman Street, from Oliver Street to King Street, and

WHEREAS, having provided opportunity for all interested parties to be heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$25,790.16 is hereby confirmed and shall be known as Special Assessment Roll No. 2017-06.
2. Said special assessment roll shall be divided into five installments, the first of which shall be due and payable on December 1, 2017, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by December 1, 2017.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2017 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her 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 Mayor Pro-Tem Osika.

Roll Call Vote.

AYES: Councilmembers Teich, Law, Mayor Pro-Tem Osika, Councilmembers Greenway, Fox, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Bailey.

Special Assessment District No. 2017-07 Chipman Street from Willow Springs to Harding

A public hearing was conducted to receive citizen comment regarding authorization of Resolution No. 5 for Special Assessment District No. 2017-07 for Chipman Street, from Willow Springs Drive to Harding Avenue for resurfacing.

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

Motion by Councilmember Fox that the following resolution be adopted:

RESOLUTION NO. 124-2017

**DISTRICT NO. 2017-07
N. CHIPMAN STREET FROM WILLOW SPRINGS DRIVE TO HARDING AVENUE
SPECIAL ASSESSMENT RESOLUTION NO. 5**

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement: North Chipman Street, from Willow Springs Drive to Harding Avenue, and

WHEREAS, having provided opportunity for all interested parties to be heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$25,435.67 is hereby confirmed and shall be known as Special Assessment Roll No. 2017-07.
2. Said special assessment roll shall be divided into five installments, the first of which shall be due and payable on December 1, 2017, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by December 1, 2017.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2017 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her 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 Teich.

Roll Call Vote.

AYES: Councilmember Fox, Mayor Pro-Tem Osika, Councilmembers Greenway, Law, Teich, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Bailey.

Special Assessment District No. 2017-09 Chestnut Street from South to Stewart

A public hearing was conducted to receive citizen comment regarding authorization of Resolution No. 5 for Special Assessment District No. 2017-09 for Chestnut Street, from South Street to Stewart Street for resurfacing.

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

Motion by Councilmember Fox that the following resolution be adopted:

RESOLUTION NO. 125-2017

DISTRICT NO. 2017-09
S. CHESTNUT STREET FROM SOUTH STREET TO STEWART STREET
SPECIAL ASSESSMENT RESOLUTION NO. 5

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement: S. Chestnut Street, public street, from South Street to Stewart Street, and

WHEREAS, having provided opportunity for all interested parties to be heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$25,117.76 is hereby confirmed and shall be known as Special Assessment Roll No. 2017-09.
2. Said special assessment roll shall be divided into five installments, the first of which shall be due and payable on December 1, 2017, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by December 1, 2017.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2017 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her 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 Law.

Roll Call Vote.

AYES: Mayor Pro-Tem Osika, Councilmembers Law, Fox, Greenway, Teich, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Bailey.

CITIZEN COMMENTS AND QUESTIONS

Paula Temple, 533 Ament Street, introduced herself and asked Clerk Kirkland to explain the referendum petition process. Ms. Kirkland explained that she was in receipt of Ms. Temple's petition to repeal Section 3-2(c)(3) of the Code of Ordinances and that it had been forwarded to the City Attorney for review of form and legality. If the City Attorney finds the petition meets these requirements Ms. Temple can begin to circulate the petition. Upon submission of the petition the Council would be required to adopt the ordinance or submit it to the voters.

Mayor Eveleth noted that he had the pleasure to speak to Owosso Public School teachers on their first day back, saying it was a great gathering. He also congratulated Councilmember Fox on his accomplishments in tackling the drainage issue at the Oak Hill Cemetery.

Councilmember Fox indicated the work is not yet finished. He said he hopes to pull out brush and take down trees using community service workers. He went on to thank everyone that has helped in the effort so far.

Councilmember Greenway thanked Utilities Director Chinavare and the DPW for working with the Friends of the Shiawassee River to redo the flower bed at the end of the Heritage Footbridge.

Mayor Eveleth reminded all in attendance of the Labor Day Bridge Walk at 7:30am Labor Day morning. Councilmember Fox inquired how many signatures Ms. Temple would need on her petition. It was indicated she would need 1601 signatures.

CITY MANAGER REPORT

City Manager Donald D. Crawford reminded everyone of the planning session to be held this Saturday starting at 8:00am at D'Mar Banquet Center.

CONSENT AGENDA

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

First Reading & Set Public Hearing – Ordinance Amendment – Downtown/Westown Parking.

Conducted first reading and set a public hearing for Tuesday, September 5, 2017 to receive citizen comment regarding the proposal to amend Chapter 38, Zoning, Article XVII, General Provisions, Section 38-380, Off-street parking requirements, Subsections (2) & (11) to allow downtown and Westown residents to park in any public parking lot with a parking tag as shown below:

RESOLUTION NO. 126-2017

FIRST READING & SET PUBLIC HEARING FOR AN ORDINANCE AMENDING SECTIONS 38-380 (2) & (11) – OFF-STREET PARKING, OF THE OWOSSO CITY ZONING CODE

WHEREAS, the City of Owosso Zoning Code Section 38-380, Off-street parking, outlines off-street parking requirements; and

WHEREAS, the city of Owosso, Shiawassee County, Michigan, Planning Commission believe Section 38-380 of the Zoning Code, also known as off-street parking, does not address current parking needs for downtown residents in the city of Owosso; and

WHEREAS, the city of Owosso seeks to provide parking areas in the downtown in any of the city owned parking lots for downtown residents as stated in the new language in section 38-380(2); and

WHEREAS, a map that delineates the areas where downtown residential parking shall be allowed is shown in section 38-380(11).

NOW THEREFORE BE IT RESOLVED:

SECTION 1. AMENDMENT #1. That existing Section 38-380 (2), Off-street parking requirements, of Chapter 38, Zoning, Article XVII, *General Provisions*, of the Owosso City Code be amended to read:

Sec. 38-380. - Off-street parking requirements.

- (2) Off-street parking for other than residential use shall be either on the same lot or within three hundred (300) feet of the building it is intended to serve, measured from the nearest point of the

building to the nearest point of the off-street parking lot. Ownership shall be shown of all lots or parcels intended for use as parking by the applicant. **However, in the DDA and Westtown Districts, as shown in the map in Figure 1, residential parking for downtown residents shall be allowed in any public parking lot with a residential parking permit, according to the terms of the lease agreement.**

SECTION 2. MAP. That existing Section 38-380 (11), Off-street parking requirements, of Chapter 38, Zoning, Article XVII, *General Provisions*, of the Owosso City Code be amended to show a map of the affected areas:

Sec. 38-380. - Off-street parking requirements.

- (11) The requirements of subsection (12) shall not apply to the erection, alteration or extension of any building or structure, with the exception of those to be used for residential purposes, including transients, within the developed portion of the central business district (except as required by the subsection (5) within the following boundary):

~~Beginning at the center of the intersection of Main Street and the Shiawassee River, thence northerly along the Shiawassee River to the imaginary north right of way line of Exchange Street extended to the River, thence east along said imaginary line to the center of Water Street, thence north along Water Street to Mason Street, thence east along Mason Street to Park Street, thence south along Park Street to Exchange Street, thence east along Exchange Street to Saginaw Street, thence south along Saginaw Street and continuing south along the imaginary west right of way line of Saginaw Street extended to Comstock Street, thence west along Comstock Street to Park Street, thence south along Park Street approximately one hundred twenty (120) feet to the alley right-of-way, thence west along the alley right-of-way to the alley running north and southwest of Park Street, thence south along said alley to Jerome Street and the Shiawassee River, thence northwesterly along said Shiawassee River to the Point of Beginning. Also to include Block fourteen (14), Lots three (3) through fourteen (14) including South six (6) feet of the alley on the north; Block 15, Lots three (3) through ten (10) and Lot fourteen (14) including South six (6) feet of the alley on the North, of the A. L. & B. O. Williams Addition to City of Owosso. Also Lots one (1) through eleven (11) of the Eratus Barnes Addition to the City of Owosso.~~



Figure 1

SECTION 3. SEVERABILITY. The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of this Ordinance as a whole or any section or provision of this Ordinance other than the section or provision so declared to be unconstitutional or invalid.

SECTION 4. INCONSISTENT ORDINANCES. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are repealed.

SECTION 5. EFFECTIVE DATE. This amendment shall become effective 20 days after approval.

SECTION 6. 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 7. PUBLIC HEARING. A public hearing is set for Tuesday, September 5, 2017 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendment.

Cantu 5K Walk/Run Permission. Approved application of Shelly Ochodnicky for the partial closure of various streets on Sunday, August 27, 2016 from 7:00am - 12:00pm for the Cantu 5K Walk & Run, waived the insurance requirement, and authorized Traffic Control Order No. 1377 formalizing permission.

Vintage Motorcycle Days Permission. Approved the request from Owosso Main Street for the closure of Washington Street from Exchange to Williams, Exchange Street from Washington to Park, and Washington Street from Mason to Williams (in case of overflow only) for the Vintage Motorcycle Days event on Saturday, August 26, 2017 from 5:00 am to 5:00 pm, waived the insurance requirement, and authorized Traffic Control Order No. 1378 formalizing the action.

Contract Amendment No. 5 – Clarifier Engineering. Approved Amendment No. 5 to the Professional Services Agreement with c2ae adding \$1,500.00 for additional engineering services related to the replacement of the trough, baffle, and weirs at the wastewater treatment plant, and further approved payment up to the amount of Amendment No. 5 as follows:

RESOLUTION NO. 127-2017

AUTHORIZING AMENDMENT NO.5 TO THE AGREEMENT BETWEEN THE CITY OF OWOSSO AND C2AE ENGINEERS AND PLANNERS FOR ADDITIONAL DESIGN AND CONSTRUCTION SERVICES TO REPAIR THE NORTH PRIMARY CLARIFIER AT THE WASTEWATER PLANT

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has budgeted from the Wastewater Plant Replacement Fund for the replacement of Primary Clarifier components, and

WHEREAS, the existing Primary Clarifier circular trough was damaged during normal operations, and C2ae of Lansing, Michigan has provided a proposal for the necessary additional engineering services to guide the repair and installation of the new circular trough, weir and baffle plates, and

WHEREAS, the Director of Public Services & Utilities has reviewed the proposal and verified the additional engineering services to repair and restore the north clarifier to operational capability, and recommends authorizing C2ae to provide the design layout and construction services in the amount of \$1,500.00.

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 C2ae Engineers and Planners for design services to repair and restore the circular trough, weir and baffle plates at the Wastewater Treatment Plant.

SECOND: The accounts payable department is authorized to submit payment to C2ae in the amount of \$47,300.00 plus \$1,500.00 for a total amount of \$48,800.00.

THIRD: The above expenses shall be paid from the Wastewater Plant Fund 599-901-977.000.

Change Order No. 2 – Sanitary Sewer Cleaning Services Contract. Authorized Addendum No. 2 to the Contract for Service with Safeway Transport, Inc. for sanitary sewer cleaning services requesting additional cleaning, televising, and PACP coding services in the amount of \$30,000.00, and further authorized payment to the contractor upon satisfactory completion of the additional work or portion thereof as detailed:

RESOLUTION NO. 128-2017

AUTHORIZING SERVICE AGREEMENT CHANGE ORDER NO. 2 AND PAYMENT TO SAFEWAY TRANSPORT, INC. OF ROMULUS, MICHIGAN FOR CLEANING OF SANITARY SEWERS

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, televising, and PACP structural condition coding of sanitary 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 detailed documentation provided by the CCTV contractor RedZone Robotics, and

WHEREAS, the City Director of Public Services & Utilities has reviewed the incomplete CCTV pipe segment documentation of RedZone Robotics, and verified the necessity to clean said pipes, and recommends authorizing Safeway Transport, Inc. to perform additional services for the cleaning, televising & PACP structural condition coding in the amount of \$30,000.00.

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 Safeway Transport, Inc. for the cleaning, televising and PACP structural condition coding of an estimated additional 21,882 linear feet of sanitary sewer main.
- SECOND: The accounts payable department is authorized to submit payment to Safeway Transport, Inc. in accordance with their bid amount of \$61,539.28, plus Change Order No.1 in the amount of \$30,000.00, and Change Order No.2 in the amount of \$30,000.00, Addendum No. 1 in the amount of \$24,835.46, and Change Order No. 1 to Addendum No. 1 in the amount of \$28,600.00, for a total of \$174,974.74, upon satisfactory completion of work.
- THIRD: The above expenses shall be paid from account no. 590-549-818.000 SAWGrantSwr.

Purchase Authorization — Road Salt. Waived competitive bidding requirements, authorized purchase order with The Detroit Salt Company, LLC, via State of Michigan Contract No. 071B1300339, for early delivery of 200 tons of road salt, plus an additional quantity of 1,400 tons at \$34.42/ton and a contingency of 200 tons at \$34.42/ton, and further authorized payment up to \$61,956.00 upon satisfactory receipt of the product as detailed below:

RESOLUTION NO. 129-2017

AUTHORIZING THE EXECUTION OF A PURCHASE ORDER WITH THE DETROIT SALT COMPANY, LLC FOR THE WINTER SUPPLY OF ROAD SALT

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has a responsibility to keep its streets safe during the winter months, and that this winter ice control maintenance is advisable, necessary and in the public interest; and

WHEREAS, the most efficient way to remove ice from the streets is the application of road salt onto the icy pavements; and

WHEREAS, in order to obtain the best price for road salt material, it is in the best interest of the city of Owosso to waive competitive bidding requirements and utilize the state wide contract number 071B300339 held by The Detroit Salt Company, LLC for the purchase of road salt at \$34.42 per ton.

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 purchase 1,600 tons of road salt from The Detroit Salt Company, LLC in the amount of \$55,072.00.
- SECOND: The contract between the City and The Detroit Salt Company, LLC shall be in the form of a Purchase Order, with reference to State of Michigan Contract No. 071B1300339.
- THIRD: The accounts payable department is authorized to pay The Detroit Salt Company, LLC

for road salt satisfactorily received, up to \$55,072.00, plus 200 ton contingency in the amount of \$6,884.00, for a total of \$61,956.00.

FOURTH: The above expenses shall be paid from Local and Major Street Fund and State Trunk-line accounts 202/203.478.728.000 and 202.497.728.000.

Bid Award – Curwood Castle Park Renovations. Approved bid award to Sumbera Excavating, Inc. for the Curwood Castle Park Renovations bid in the amount of \$76,305.00 and authorized payment to the contractor upon satisfactory completion of the work or a portion thereof as follows:

RESOLUTION NO. 130-2017
AUTHORIZING BID AWARD TO
SUMBERA EXCAVATING, INC.
FOR CURWOOD CASTLE PARK RENOVATION

WHEREAS, the city of Owosso, Shiawassee County, Michigan, owns parcel # 050-120-002-008-00, commonly known as Curwood Castle Park; and

WHEREAS, the city deems it necessary to upgrade existing pathways within the park and installation of bus parking on Curwood Castle Drive; and

WHEREAS, the city was awarded a recreation passport grant from the Michigan Department of Natural Resources (MDNR) in the amount of \$45,000 toward the costs of said renovations; and

WHEREAS, bids for the renovation project of said improvements were advertised on the city website and through Michigan Inter-Governmental Trade Network through August 15, 2017; and

WHEREAS, one bid was received from Sumbera Excavating, Inc. for said project; and

WHEREAS, staff recommends awarding of the contract to Sumbera Excavating, Inc..

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

FIRST: The city of Owosso has determined that it is advisable, necessary and in the public interest to contract with Sumbera Excavating, Inc. for the above renovation project as outlined in the grant.

SECOND: The accounts payable department is authorized to submit payment to Sumbera Excavating, Inc. in an amount not to exceed \$76,305.00, based upon unit pricing, upon satisfactory completion of the project.

Warrant No. 548. Authorized Warrant No. 548 as follows:

Vendor	Description	Fund	Amount
Safebuilt Inc	Building department services- June 2017	General	\$10,506.67
Safebuilt Inc	Building department services- July 2017	General	\$10,546.67
B S & A Software	Annual service and support for ten modules-8/1/17-8/1/18	Various	\$11,814.00

Motion supported by Councilmember Fox.

Roll Call Vote.

AYES: Councilmembers Fox, Greenway, Mayor Pro-Tem Osika, Councilmembers Teich, Law, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Bailey.

ITEMS OF BUSINESS

SEDP Contribution

This item was postponed until the September 5, 2017 meeting.

Set Medical Marijuana Workshops

After some discussion the Council decided it would like staff to prepare a proposal to establish a place to start the discussion, the proposal would then be forwarded to the Planning Commission for vetting.

Closed Session

Motion by Councilmember Teich to approve holding closed session after the last session of Citizen Comments and Questions for the purpose of consulting with an attorney regarding trial or settlement strategy in connection with specific pending litigation.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

AYES: Councilmembers Fox, Greenway, Teich, Law, Mayor Pro-Tem Osika, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Bailey.

COMMUNICATIONS

N. Bradley Hissong, Building Official. July 2017 Building Department Report.

N. Bradley Hissong Building Official. July 2017 Code Violations Report.

Kevin D. Lenkart, Public Safety Director. July 2017 Police Report.

Kevin D. Lenkart, Public Safety Director. July 2017 Fire Report.

Downtown Development Authority/Main Street. Minutes of August 2, 2017.

Planning Commission. Minutes of July 24, 2017.

Parks & Recreation Commission. Minutes of July 25, 2017.

CITIZEN COMMENTS AND QUESTIONS

There were no citizen comments.

Mayor Pro-Tem Osika announced that the Chamber of Commerce would be closed for one week while they move to the Exchange Building where they will be for approximately six to seven months while the Armory is being renovated for their use.

CLOSED SESSION

ADJOURNED TO CLOSED SESSION AT 8:00 P.M.

RETURNED TO OPEN SESSION AT 8:14 P.M.

APPROVAL OF THE MINUTES OF CLOSED SESSION OF JANUARY 3, 2017

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Closed Session of January 3, 2017 as presented.

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

APPROVAL OF THE MINUTES OF CLOSED SESSION OF AUGUST 7, 2017

Motion by Councilmember Fox to approve the Minutes of the Closed Session of August 7, 2017 as presented.

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

ACTION AS A RESULT OF CLOSED SESSION

Motion by Councilmember Greenway to accept the recommendation of legal counsel as it relates to Levitski vs. the City of Owosso.

Motion supported by Councilmember Fox.

Roll Call Vote.

AYES: Councilmembers Law, Greenway, Fox, Teich, Mayor Pro-Tem Osika, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Bailey.

NEXT MEETING

Saturday, August 26, 2017, 8:00am - Special Meeting
Tuesday, September 5, 2017, 7:30pm – Regular Meeting

BOARDS AND COMMISSIONS OPENINGS

Board of Review – term expires December 31, 2019
Brownfield Redevelopment Authority/LDFA – term expires June 30, 2018
Brownfield Redevelopment Authority/LDFA – term expires June 30, 2020
Building Board of Appeals - term expires June 30, 2019
Building Board of Appeals – Alternate - term expires June 30, 2018

Historical Commission – term expires December 31, 2019

ADJOURNMENT

Motion by Councilmember Teich for adjournment at 8:17 p.m.

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

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk