

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF JANUARY 2, 2018
7:30 P.M.**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: REVEREND RAY STRAWSER
MEMORIAL HEALTHCARE CHAPLAIN

PLEDGE OF ALLEGIANCE: EDDIE URBAN

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 Councilmember Fox 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 DECEMBER 18, 2017

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of December 18, 2017 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

CDBG Grant Application – 2017-18 Façade Grant Project

A public hearing was conducted to receive citizen comment regarding the proposal to apply for CDBG grant funding for the 2017-18 Façade Grant Project in the amount of \$442,907.00, designate the Mayor as the certifying officer, and commit the City to a \$12,500.00 match.

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 Councilmember Fox that the following resolution be adopted:

RESOLUTION NO. 01-2018

**A RESOLUTION TO APPROVE THE FINAL CDBG GRANT APPLICATION AND
DESIGNATE A CERTIFYING OFFICER
FOR THE 2017-18 OWOSSO FAÇADE PROJECT**

WHEREAS, the City of Owosso recognizes the importance of its downtown as it relates to the economic and cultural development of the community, as well as the overall quality of life; and

WHEREAS, the Owosso Master Plan indicates that investment in the downtown structures so that they can sustain modern economic and residential functions in the new economy is essential to the community's future; and

WHEREAS, the Owosso Downtown Development Authority/Main Street Board has been working with city staff to secure façade designs and a Community Development Block Grant towards assisting building owners in the downtown towards such ends; and

WHEREAS, five properties have been selected by state and local processes for inclusion in an application to receive façade grant support from the Michigan Economic Development Corporation, with such properties listed as follows:

114 N. Washington Street
115 N. Washington Street

116 N. Washington Street
114 W. Main Street (both front and rear facades)
216 & 218 W. Main Street (both front and rear facades)

WHEREAS, the beneficiaries of this project would include all residents in the community, and the city has been identified as being greater than 51% low and moderate income persons; and

WHEREAS, the total project cost of the project is \$898,314, with \$442,907 requested from the MEDC, \$442,907 expected to be supported by the said property owners, and \$12,500 to be provided by the City of Owosso as outlined in the grant application; and

WHEREAS, this plan is consistent with the community's development plans as outlined in the grant application; and

WHEREAS, city staff is currently completing the Part 2 Application, the environmental review, and other required elements of the CDBG application process; and

WHEREAS, a public hearing was held on this project on Tuesday, January 2, 2018 in which no comments were received; and

WHEREAS, no project costs (CDBG or non-CDBG) can be incurred prior to a formal grant award, completion of the environmental review procedures and formal, written authorization to incur costs has been provided by the city's CDBG Project Manager.

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 authorize city staff to submit the completed Part 2 Application for façade improvements to the MEDC and further commits to funding the project in the amount of \$12,500.

SECOND: The same council hereby designates Mayor Christopher T. Eveleth as the certifying officer and authorizes him to sign and execute the Part 2 Application and all attachments, as well as the grant agreement and payment requests.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Bailey.

CITIZEN COMMENTS AND QUESTIONS

Eddie Urban, 601 Glenwood Avenue, inquired how to find Council member information for after-hours calls.

Mayor Eveleth said the first New Year's Eve Ball Drop event was awesome. He estimated several hundred people attended and it was a great display of community. He thanked those that put the event together. Mayor Pro-Tem Osika said it was really nice to see all the stores open that night. Councilmember Greenway said she watched the fireworks from her house.

CITY MANAGER REPORT

City Manager Donald D. Crawford detailed the latest Project Status Report.

Councilmember Fox expressed frustration that lots in the Osburn Lakes subdivision were not being sold faster. He suggested maybe finding a new developer that would buy all the lots and put them back on the tax roll. Councilmember Teich spoke up saying there may be a perception out there that building a home is required within a certain amount of time.

CONSENT AGENDA

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

OHM Contract Services Amendment – Stormwater Geodatabase Development. Approve Amendment No. 1 to Addendum No. 6, GIS Database Maintenance Services, of the contract for Asset Management Program Development with OHM Advisors for the development of a stormwater geodatabase and collection system map in the amount of \$100,736.00, and further approve payment to the engineer upon satisfactory completion of the work or a portion thereof as detailed below:

RESOLUTION NO. 02-2018

**AUTHORIZING THE EXECUTION OF
AMENDMENT NO. 1, STORMWATER GEODATABASE DEVELOPMENT,
TO ADDENDUM NO. 6, GIS DATABASE MAPPING & MAINTENANCE SERVICES,
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, has budgeted funds for the development of a Stormwater Geodatabase and Mapping System; and

WHEREAS, the existing stormwater collection system map is obsolete and insufficient for regulatory compliance and maintenance management use, and OHM Advisors has provided a proposal for the development of a stormwater geodatabase and collection system map at a cost of \$100,736.00, and

WHEREAS, the Director of Public Services & Utilities has reviewed the proposal provided by OHM Advisors, and has determined that these services are necessary for regulatory compliance and collection system maintenance management, and recommends authorizing OHM Advisors to provide these database and mapping services in the amount of \$100,736.00.

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 enter into an agreement with OHM Advisors for development of a stormwater geodatabase and collections system map, formalized in Amendment No. 1 to Addendum No. 6, GIS Database Mapping & Maintenance Services, of the contract for Asset Management Plan Development.

SECOND: The accounts payable department is authorized to submit payment to OHM Advisors in the amount of \$100,736.00, for these stormwater database development services.

THIRD: The above expenses shall be paid from the following accounts: 202/203-463-818.000, 101-441-831.000 and 590-549-818.000.

First Reading & Set Public Hearing - 2015 International Property Maintenance Code Adoption. Conduct first reading and set a public hearing for Tuesday, January 16, 2018 to receive citizen comment regarding the proposal to amend Sections 8-141 & 142 of Article VI, *Property Maintenance Code*, of Chapter 8, Buildings and Building Regulations, of the Code of Ordinances of the City of Owosso to adopt the 2015 International Property Maintenance Code and replace former editions as follows:

RESOLUTION NO. 03-2018

**SETTING A PUBLIC HEARING FOR AN ORDINANCE ADOPTING
THE INTERNATIONAL PROPERTY MAINTENANCE CODE (2015)**

WHEREAS the city of Owosso, Michigan (city) desires to enhance the protection of life and property in the City by regulating the condition and maintenance of properties within the city by providing the standards and requirements for utilities, facilities and physical conditions essential to ensure that such structures are safe, sanitary and fit for occupation, and by providing for issuance of permits and collection of fees and permits as may be required; and

WHEREAS the *International Property Maintenance Code (2015)* is a comprehensive uniform code that provides standards and requirements for safe and sanitary conditions of residential structures; and

WHEREAS the city finds that the standards and requirements of *International Property Maintenance Code* are suitable for properties in the city; and

WHEREAS the *International Property Maintenance Code (2015)* coordinates well with existing codes applicable to the city, including the *Michigan Residential, Building, Plumbing, and Mechanical Code*, the *State Electrical Code*, and the *International Fire Code*, and is intended to be consistent with existing ordinances; and

WHEREAS the city desires to repeal all other ordinances or parts of ordinances conflicting with this ordinance.

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

SECTION 1. REPLACE. That Sec. 8-141, International Property Maintenance Code, of Chapter 8, Buildings and Building Regulations, Article VI, *Property Maintenance Code*, shall be amended to replace "*International Property Maintenance Code, 2009*" with "*International Property Maintenance Code, 2015*".

SECTION 2. REPLACE. That Sec. 8-142, Changes in Code, shall be amended to replace "*International Property Maintenance Code, 2009*" with "*International Property Maintenance Code, 2015*".

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this article is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this article. The city hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 4. PUBLIC HEARING. A public hearing is set for Tuesday, January 16, 2018 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed amendment to Chapter 8, Buildings and Building Regulations, of the Code of Ordinances of the City of Owosso.

SECTION 5. 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 6. EFFECTIVE DATE. This amendment shall become effective 20 days after approval.

First Reading & Set Public Hearing - 2015 International Fire Code Adoption. Conduct first reading and set a public hearing for Tuesday, January 16, 2018 to receive citizen comment regarding the proposal to amend Section 13-7, *Flammable liquids regulations*, and Section 13-36, *Code adopted*, of Chapter 13, Fire Prevention and Protection, of the Code of Ordinances of the City of Owosso to adopt the 2015 International Fire Code and replace former editions as detailed:

RESOLUTION NO. 04-2018

SETTING A PUBLIC HEARING FOR AN ORDINANCE ADOPTING THE INTERNATIONAL FIRE CODE (2015)

WHEREAS the city of Owosso, Michigan (city) desires to enhance the protection of life and property in the City by regulating the condition and maintenance of properties from fire and explosion within the city by providing the standards and requirements; and

WHEREAS the *International Fire Code (2015)* is a comprehensive uniform code that provides standards and requirements for the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises; and

WHEREAS the city finds that the standards and requirements of *International Fire Code* are suitable for properties in the city; and

WHEREAS the *International Fire (2015)* coordinates well with existing codes applicable to the city, including the *Michigan Residential, Building, Plumbing, and Mechanical Code*, the *State Electrical Code*, and the *International Property Maintenance Code*, and is intended to be consistent with existing ordinances; and

WHEREAS the city desires to repeal all other ordinances or parts of ordinances conflicting with this ordinance.

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

SECTION 1. AMENDMENT. That Sec. 13-7, Flammable liquids regulations, of Article I, *In General*, of Chapter 13, Fire Prevention and Protection, shall amended to read as follows:

The use, storage and processing of flammable liquids shall conform to the flammable liquids regulations of the state fire marshal, adopted November 29, 1955, effective February 15, 1956 **and the current rules and regulations issued by the Michigan Department of Licensing and Regulatory Affairs**. Any person violating any of said regulations or failing to comply therewith, shall be guilty of a violation of this Code.

SECTION 2. REPLACE. That Sec. 13-36, Code adopted, of Article II, *Fire Prevention Code*, of Chapter 13, Fire Prevention and Protection, shall be amended to replace “*International Fire Code, 2000 Edition*” with “*International Fire Code, 2015 Edition*”.

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this article is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this article. The city hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 4. PUBLIC HEARING. A public hearing is set for Tuesday, January 16, 2018 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed amendment to Chapter 8, Buildings and Building Regulations, of the Code of Ordinances of the City of Owosso.

SECTION 5. 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 6. EFFECTIVE DATE. This amendment shall become effective 20 days after approval.

Motion supported by Councilmember Greenway.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Bailey.

ITEMS OF BUSINESS

Set Special Meeting

Councilmember Fox sought clarification as to what the format for the interviews would be. Mayor Eveleth indicated that each Councilmember would be allowed to ask questions of the candidates until they were content.

Motion by Councilmember Teich to set a special meeting for Saturday, January 20, 2018 at 10:00 a.m. for the purpose of conducting second interviews for the City Manager position.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Bailey.

COMMUNICATIONS

Historical Commission. Minutes of December 18, 2017.

Planning Commission. Minutes of December 11, 2017.

J. Steele-Elkins, Historical Commission. Letter of Resignation.

CITIZEN COMMENTS AND QUESTIONS

Eddie Urban, 601 Glenwood Avenue, said the New Year's Eve Ball Drop event was very nice and lifted his spirits.

Mayor Eveleth reminded everyone that he will not be present for the January 16th meeting as he will be in Arizona.

Councilmember Greenway, liaison to the Historical Commission, explained to the Council that the Commission just wants to understand exactly how the painting restorations are being paid for.

NEXT MEETING

Tuesday, January 16, 2018

BOARDS AND COMMISSIONS OPENINGS

Board of Review – term expires December 31, 2019
Brownfield Redevelopment Authority/LDFA – term expires June 30, 2018
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
Historical Commission – term expires December 31, 2020

ADJOURNMENT

Motion by Councilmember Teich for adjournment at 8:05 p.m.

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

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk