

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF OCTOBER 1, 2018
7:30 P.M.**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: THOMAS MANKE

PLEDGE OF ALLEGIANCE: ISABELLA GALLOW
STUDENT JOB SHADOW FOR THE MAYOR

PRESENT: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika, Councilmembers Loreen F. Bailey, Elaine M. Greenway, Daniel A. Law, Linda L. Robertson, and Robert J. Teich, Jr.

ABSENT: None.

APPROVE AGENDA

Motion by Councilmember Bailey to approve the agenda as presented.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF SEPTEMBER 17, 2018

Motion by Councilmember Greenway to approve the Minutes of the Regular Meeting of September 17, 2018 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

Swearing in Ceremony – Public Safety Department Firefighter

Mayor Eveleth presided over a ceremony to swear in the City's newest firefighter: Tim Chon. Mr. Chon's father, Tim Chon, pinned on his badge.

Swearing in Ceremony – Public Safety Department Police Officer

Mayor Eveleth presided over a ceremony to swear in the City's newest police officer: Ryan Gracz. Mr. Gracz's mother, Sherrie Gracz, pinned on his badge.

Community Leadership Proclamation / Proclamation to Name the City Council Chambers

Mayor Eveleth stood before the group and asked for a suspension of the rules of procedure so that he could surprise Councilmember Teich and his brother with a proclamation.

Motion by Mayor Pro-Tem Osika to officially rename the City Hall Council Chambers.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

Mayor Eveleth then read aloud the following proclamation declaring the City Hall Council Chambers to be the Virginia "Jo" Teich City Council Chambers from this day forward.

**A PROCLAMATION
OF THE MAYOR'S OFFICE OF THE CITY OF OWOSSO, MICHIGAN
NAMING THE OWOSSO CITY COUNCIL CHAMBERS IN HONOR OF
VIRGINIA "JO" TEICH**

WHEREAS, Virginia "Jo" Teich was born in Clinton County, Michigan on December 21st, 1923; and

WHEREAS, she worked for the Young Women's Christian Association as their Adult Program Director from 1968-1974 and a real estate broker from 1975-1997; and

WHEREAS, in her adult life, she dedicated much of her time to serving the community through her involvement in several organizations and activities including: the Shiawassee County Genealogical Society, the Shiawassee County Art Association, the Shiawassee County Council on Aging, the Michigan Municipal League, the Shiawassee County Historical Society, and helping to organize the Owosso Historical Homes Tour; and

WHEREAS, on top of raising a family and volunteering her time with the above-named community organizations, she sought and successfully won election to office as a public servant, once as a Shiawassee County Commissioner, and most notably becoming the first woman to be elected to the Owosso City Council in the 1970's, making state news, and serving in that role for 7 years.

NOW THEREFORE, I, Christopher T. Eveleth, Mayor of the City of Owosso, in unanimous concurrence with my fellow City Councilmembers, do hereby proclaim that the Owosso City Council Chambers shall from here forward be named the Virginia "Jo" Teich City Council Chambers.

Proclaimed this 1st day of October, 2018.

Councilmember Teich expressed his shock and surprise at the gesture honoring his late mother, saying she would have been so pleased to be recognized.

Pictures were then taken of Councilmember Teich and his brother Steve Teich, along with the masterminds of the honor State Representative Ben Frederick and Mayor Christopher Eveleth.

PUBLIC HEARINGS

Special Assessment District No. 2019-12 – Summit Street

A public hearing was conducted to receive citizen comment regarding proposed Special Assessment District No. 2019-12 for Summit Street from Abbott Street to Rubelman Drive for street resurfacing.

The following people commented in regard to the proposed special assessment project:

Ken Rednower, 1026 Summit Street, said he was new to Owosso and was not familiar with the special assessment process. He wanted to know if the decision to undertake the project was already a foregone conclusion and how the interest rate was determined.

Cheryl Bradac, 436 Brandon Street, said a special assessment would be a hardship for her as she is disabled as is her son, who lives with her. She said she has PTSD and a long term construction project will cause her anxiety to flare. She went on to express her concern with bus traffic on the street and inquired why her street was chosen for resurfacing and if there were grants available for the project. Utilities Director Glenn M. Chinavare indicated there were currently no grant funds available for a project of this type.

Mary Adams, 1001 Summit Street, asked if her property assessment would go up as a result of the street being redone. City Manager Nathan R. Henne responded that having the street redone will not raise tax assessments.

In response to Mr. Rednower and Ms. Bradac's questions Mayor Eveleth said that payment of the assessment can be spread out over a period of 10 years and the interest rate (currently 6%) was set high to encourage people to seek their own financing. He went on to note that there is an option for residents that are disabled. Lastly, he indicated that streets are selected for inclusion in the program based on what is economical to fix and whether there is a need to replace underground utilities.

The following people registered their comments prior to the meeting:

Charles and Barbara Robertson, 1035 Summit Street, via letter. The couple expressed their support for the project and its associated assessments. They expressed a hope that the replacement of all underground utilities would be conducted as a part of the project. They further expressed an interest in having their water service line replaced if the water main is replaced.

Cheryl Bradac, 436 Brandon Street, via telephone. Ms. Bradac expressed her concern as to whether she would be able to pay off the entire assessment in one year. Staff explained to her that payment of a special assessment for street resurfacing could be made over the course of a number of years.

Larry Sullivan, 446 Abbott Street, via telephone. Mr. Sullivan inquired why his property was being included in the special assessment district for Summit Street. Staff explained that the intersection of Summit and Abbott Streets are a part of the proposed project and his property abuts the intersection. Mr. Sullivan expressed his displeasure in being specially assessed for the work being done.

Motion by Councilmember Bailey to approve the following resolution:

RESOLUTION NO. 153-2018

**AUTHORIZING SPECIAL ASSESSMENT RESOLUTION NO. 3
ESTABLISHING SPECIAL ASSESSMENT DISTRICT NO. 2019-12
SUMMIT STREET, FROM ABBOTT STREET TO RUBELMAN DRIVE
FOR STREET RESURFACING**

WHEREAS, the City Council, after due and legal notice, has met and having heard all persons to be affected by the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited:

SUMMIT STREET, A PUBLIC STREET, FROM ABBOTT STREET TO RUBELMAN DRIVE
STREET RESURFACING

2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be \$516,567.30 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.
3. The City Council determines that of said total estimated cost, the sum of \$103,005.82 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied:

Summit Street, a Public Street, from Abbott Street to Rubelman Drive
For street resurfacing.
5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.
6. When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

Motion supported by Councilmember Robertson.

Roll Call Vote.

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

NAYS: None.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 2910 W. M21, inquired why the City specially assesses residents for street projects when other municipalities do not. He also asked why people in the City cannot have their own wells but must connect to the City system for water. It was indicated that the use of special assessments is a long-standing practice utilized that can be utilized by any municipality in the state.

Marlene Webster of Alliance for Drug Free Shiawassee detailed some of the efforts the organization has undertaken to create a drug-free environment for local youth. The organization meets the 1st Thursday of each month at the Shiawassee RESD and everyone is welcome to attend.

Burton Fox, Firemen's Memorial Steering Committee Chairman, gave a detailed update on the progress of the Committee, reporting that the truck had been moved from Baker College to a new barn located on the property of a former fireman. He then asked that two new members be added to the group to help with their efforts.

Eddie Urban, 601 Glenwood Avenue, spoke about his recent 50th class reunion. Becky Hamilton, member of the Durand Lions Club, invited all interested parties to attend a meeting October 24th to explore the possibility of resurrecting the Owosso club.

Councilmember Bailey said she was very happy the Council Chambers had been renamed for such a great lady.

Councilmember Law invited everyone to attend the next meeting of the Firemen's Memorial Steering Committee and share any ideas they have.

Motion by Councilmember Bailey to add two seats to the Firemen's Memorial Steering Committee, appoint Ross Stanley and Sarah Moorodian to the Committee, and have Councilmember Law provide updates on the Committee's progress in the future.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

CITY MANAGER REPORT

City Manager Henne distributed information requested at the September 17th meeting regarding the interest rate for unpaid special assessment balances. Mayor Eveleth asked that an item be placed on the next agenda for discussion and possible action to change the special assessment interest rate.

The City Manager then went on to detail the latest Project Status Report.

Councilmember Bailey inquired about whether recent changes in tax law would alter the City's approach to medical marijuana facilities. City Manager Henne indicated that it would be up to City Council and suggested this topic be an item of discussion at the next meeting.

Utilities Director Chinavare updated the Council on the progress of the Pilot Grant saying that approximately 100 addresses so far appear to qualify for water line replacement and six replacements have already been completed.

Councilmember Robertson asked when the City plans to purchase the software necessary to allow customers to check their water usage. City Manager Henne said he wants to hold off on the purchase until the issues with the meter change-over are corrected. In the meantime staff will monitor usage and notify residents if they observe a large increase in usage.

CONSENT AGENDA

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

Special Assessment District No. 2019-09 – Palmer Avenue. Authorize Resolution No. 2 setting a public hearing for Monday, October 15, 2018 for proposed Special Assessment District No. 2019-09 for Palmer Avenue from Gute Street to Prindle Street for street resurfacing as follows:

RESOLUTION NO. 154-2018
PALMER AVENUE
FROM GUTE STREET TO PRINDLE STREET
SPECIAL ASSESSMENT RESOLUTION NO. 2

WHEREAS, the City Council has ordered the City Manager to prepare a report for public improvement, more particularly hereinafter described; and

PALMER AVENUE, A PUBLIC STREET, FROM GUTE STREET TO PRINDLE STREET;
STREET RESURFACING

WHEREAS, the City Manager prepared said report and the same has been filed with the City Council as required by the Special Assessment Ordinance of the City of Owosso and the Council has reviewed said report.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The plans and estimate of cost and the report of the City Manager for said public improvement shall be filed in the office of the City Clerk and shall be available for public examination.
2. The City Council hereby determines that the Public Improvement hereinafter set forth may be necessary.
3. The City Council hereby approves the estimate of cost of said public improvement to be \$75,686.22 and determines that \$17,109.51 thereof shall be paid by special assessment imposed on the lots and parcels of land more particularly hereinafter set forth, which lots and parcels of land are hereby designated to be all of the lots and parcels of land to be benefited by said improvements and determines that \$58,576.71 of the cost thereof shall be paid by the City at large because of benefit to the City at large.
4. The City Council hereby determines that the portion of the cost of said public improvement to be specially assessed shall be assessed in accordance with the benefits to be received.
5. The City Council shall meet at the Owosso City Hall Council Chambers on Monday, October 15, 2018 for the purpose of hearing all persons to be affected by the proposed public improvement.
6. The City Clerk is hereby directed to cause notice of the time and place of the hearing to be published once in The Argus Press, the official newspaper of the City of Owosso, not less than seven (7) days prior to the date of said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of property subject to assessment, as indicated by the records in the City Assessor's Office as shown on the general tax roll of the City, at least (10) full days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.
7. The notice of said hearing to be published and mailed shall be in substantially the following form:

NOTICE OF SPECIAL ASSESSMENT HEARING
CITY OF OWOSSO, MICHIGAN

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

TAKE NOTICE that the City Council intends to acquire and construct the following described public improvement:

**Palmer Avenue, a Public Street, from Gute Street to Prindle Street
Street Resurfacing**

The City Council intends to defray apart or all of the cost of the above-described public improvement by special assessment against the above described property.

TAKE FURTHER NOTICE that City Council has caused plans and an estimate of the cost and report for the above described public improvement to be prepared and made by the City Manager and the same is on file with the City Clerk and available for public examination.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall Council Chambers, Owosso, Michigan at 7:30 o'clock p.m. on Monday, October 15, 2018 for the purpose of hearing any person to be affected by the proposed public improvement.

Special Assessment District No. 2019-13 – S. Washington Street. Authorize Resolution No. 2 setting a public hearing for Monday, October 15, 2018 for proposed Special Assessment District No. 2019-13 for Washington Street from Gute Street to Corunna Avenue for street reconstruction as detailed below:

RESOLUTION NO. 155-2018

**SOUTH WASHINGTON STREET
FROM GUTE STREET TO CORUNNA AVENUE
SPECIAL ASSESSMENT RESOLUTION NO. 2**

WHEREAS, the City Council has ordered the City Manager to prepare a report for public improvement, more particularly hereinafter described; and

**Washington Street, Public Street, from Gute Street to M-71 (Corunna Avenue)
Street Reconstruction**

WHEREAS, the City Manager prepared said report and the same has been filed with the City Council as required by the Special Assessment Ordinance of the City of Owosso and the Council has reviewed said report.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The plans and estimate of cost and the report of the City Manager for said public improvement shall be filed in the office of the City Clerk and shall be available for public examination.
2. The City Council hereby determines that the Public Improvement hereinafter set forth may be necessary.
3. The City Council hereby approves the estimate of cost of said public improvement to be \$1,226,820.89 and determines that \$147,532.43 thereof shall be paid by special assessment imposed on the lots and parcels of land more particularly hereinafter set forth, which lots and parcels of land are hereby designated to be all of the lots and parcels of land to be benefited by said improvements and determines that \$1,079,288.46 of the cost thereof shall be paid by the City at large because of benefit to the City at large.
4. The City Council hereby determines that the portion of the cost of said public improvement to be specially assessed shall be assessed in accordance with the benefits to be received.
5. The City Council shall meet at the Owosso City Hall Council Chambers on Monday, October 15, 2018 for the purpose of hearing all persons to be affected by the proposed public improvement.
6. The City Clerk is hereby directed to cause notice of the time and place of the hearing to be published once in The Argus Press, the official newspaper of the City of Owosso, not less than seven (7) days prior to the date of said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of property subject to assessment, as indicated by the records in the City Assessor's Office as shown on the general tax roll of the City, at least (10) full days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.
7. The notice of said hearing to be published and mailed shall be in substantially the following form:

**NOTICE OF SPECIAL ASSESSMENT HEARING
CITY OF OWOSSO, MICHIGAN**

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

TAKE NOTICE that the City Council intends to acquire and construct the following described public improvement:

**Washington Street, a Public Street, from Gute Street to M-71 (Corunna Avenue)
Street Reconstruction**

The City Council intends to defray part or all of the cost of the above-described public improvement by special assessment against the above described property.

TAKE FURTHER NOTICE that City Council has caused plans and an estimate of the cost and report for the above described public improvement to be prepared and made by the City Manager and the same is on file with the City Clerk and available for public examination.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall Council Chambers, Owosso, Michigan at 7:30 o'clock p.m. on Monday, October 15, 2018 for the purpose of hearing any person to be affected by the proposed public improvement.

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

Name	Board/Commission	Term Expires
Linda Robertson	Employees' Retirement System Board of Trustees filling unexpired term of B. Fox	11-13-2018
Paul Rogers	Historical Commission	12-31-2020

Contract Extension Amendment – Preferred Ambulance Service Provider. Approve the amended 3-year extension of the contract with The Memorial Hospital naming the City of Owosso as its preferred ambulance provider as follows:

RESOLUTION NO. 156-2018

**RESOLUTION AUTHORIZING AMENDMENT TO
THE PREFERRED AMBULANCE PROVIDER CONTRACT
WITH THE MEMORIAL HOSPITAL**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has a Public Safety Department that maintains an ambulance service with Advanced Life Support (ALS) and Basic Life Support (BLS) capabilities; and

WHEREAS, the City of Owosso and The Memorial Hospital negotiated an agreement extending the City of Owosso's contract as the preferred ambulance provider for The Memorial Hospital; and

WHEREAS, The Memorial Hospital legal team has requested changes to the verbiage of the agreement since it was originally approved August 20, 2018, to which the City is agreeable.

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 with The Memorial Hospital approved by Resolution No. 135-2018 on August 20, 2018 to include the verbiage requested by The Memorial Hospital.
- SECOND: The Mayor and the City Clerk are instructed and authorized to sign the document substantially in the form attached, Ambulance Service Agreement, as Amended between the City of Owosso, Michigan and The Memorial Hospital.
- THIRD: The contract shall become effective October 1, 2018.

Bid Award – Sale of Used Ambulance. Approve bid award to Ryan Roe for the purchase of one 2003 Ford Ambulance, VIN# 1FDXE45F93HA06336, in the amount of \$4,150.00 as detailed:

RESOLUTION NO. 157-2018

**RESOLUTION AUTHORIZING THE EXECUTION OF THE SALE
OF ONE RETIRED 2003 FORD AMBULANCE
TO RYAN ROE**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, established a purchasing cycle to maintain a healthy ambulance fleet; and

WHEREAS, as part of this purchasing cycle older vehicles are retired and sold to the highest bidder; and

WHEREAS, bid solicitations were advertised and the most responsive bid was received from Ryan Roe.

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 sell one 2003 Ford ambulance, last six digits of the VIN# reading: A06336, in the amount of \$4,150.00.
- SECOND: The city clerk is instructed and authorized to complete the necessary paperwork to transfer ownership to Ryan Roe upon the remittance of \$4,150.00.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

None.

COMMUNICATIONS

Downtown Development Authority/Main Street. Minutes of September 5, 2018.
Historical Commission. Minutes of September 10, 2018.
Zoning Board of Appeals. Minutes of September 18, 2018.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 2910 W. M-21, inquired why the property owners participating in the Façade Grant Program have to pay prevailing wages when the law was recently changed to remove this requirement. City Manager Henne explained that the money for the Façade Grant comes from the Federal government which is still subject to the prevailing wage requirement; the recent change in the law took place at the state level.

Eddie Urban, 601 Glenwood Avenue, said he was enjoying the new road surface on Monroe Street and was happy that he could report he hadn't run the new stop sign.

Dale Frasier, owner of D&L Auto Sales on Corunna Avenue, said he had received a letter from the City that the flags at his business are no longer permitted. He said he'd been displaying the flags for 15 years and did not see why he shouldn't be able to continue. He distributed to Council a picture of his car lot showing the offending flags. City Manager Henne said the City was stepping up enforcement of sign regulations and Mr. Frasier's signs were not permitted.

NEXT MEETING

Monday, October 15, 2018

BOARDS AND COMMISSIONS OPENINGS

Building Board of Appeals – Alternate - term expires June 30, 2019
Building Board of Appeals – Alternate - term expires June 30, 2021
Historical Commission – term expires December 31, 2020
Historical Commission – term expires December 31, 2021
Zoning Board of Appeals - Alternate – term expires June 30, 2021

ADJOURNMENT

Motion by Councilmember Bailey for adjournment at 8:39 p.m.

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

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk