

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF NOVEMBER 19, 2018
7:30 P.M.**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: PASTOR DAVID ROSS
OWOSSO CHURCH OF GOD (SEVENTH DAY)

PLEDGE OF ALLEGIANCE: TRACEY PELTIER, MARKET MASTER
OWOSSO DOWNTOWN FARMERS' MARKET

PRESENT: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika,
Councilmembers Janae L. Fear, Jerome C. Haber, Daniel A.
Law, and Nicholas L. Pidek.

ABSENT: Councilmember Loreen F. Bailey.

APPROVE AGENDA

Motion by Councilmember Pidek to approve the agenda with the addition of a proclamation for Giving Tuesday.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF NOVEMBER 5, 2018

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of November 5, 2018 with a correction to the traffic control order for the New Year's Eve Block Party adjusting the start time from 8:00 p.m. to 10:00 p.m.

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

APPROVAL OF THE MINUTES OF ORGANIZATIONAL MEETING OF NOVEMBER 15, 2018

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Organizational Meeting of November 15, 2018 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

Giving Tuesday/Raise Up Shiawassee Proclamation

Mayor Eveleth read aloud the following proclamation declaring Tuesday, November 27, 2018 as Giving Tuesday in the City of Owosso.

**A PROCLAMATION
OF THE MAYOR'S OFFICE OF THE CITY OF OWOSSO, MICHIGAN
PROCLAIMING TUESDAY, NOVEMBER 27, 2018 AS
"GIVING TUESDAY/RAISE UP SHIAWASSEE" DAY IN THE CITY OF OWOSSO**

WHEREAS, Giving Tuesday was established as an international day of giving on the Tuesday following Thanksgiving; and

WHEREAS, Giving Tuesday is a celebration of philanthropy and volunteerism where people give whatever they are able to give; and

WHEREAS, Giving Tuesday is a day where citizens work together to share commitments, rally for favorite causes, build stronger communities, and think about other people; and

WHEREAS, locally Giving Tuesday has been given the name "Raise Up Shiawassee" to encompass all community efforts in Shiawassee County, including the participation of 17 nonprofit organizations; and

WHEREAS, the 17 local nonprofit organizations include: Arc Shiawassee, Child Advocacy Center, DeVries Nature Conservancy, Downtown Owosso Farmers Market, Durand Union Station, Friends of the Shiawassee River, Girls on the Run,

Shiawassee Humane Society, Memorial Healthcare Foundation, Owosso Community Players, Respite Volunteers of Shiawassee, SafeCenter, Shiawassee Arts Council, Shiawassee Community Foundation, Shiawassee Council on Aging, Shiawassee Family YMCA, and Shiawassee Hope; and

WHEREAS, it is fitting and proper on Giving Tuesday/Raise Up Shiawassee Day, and on every day, to recognize the tremendous impact of philanthropy, volunteerism, and community service in the City of Owosso and the greater Shiawassee County area; and

WHEREAS, Giving Tuesday is an opportunity to encourage citizens to “Raise Up Shiawassee” by serving others throughout this holiday season and throughout the year.

NOW, THEREFORE, I, Christopher T. Eveleth, Mayor of the City of Owosso, do hereby proclaim November 27, 2018 as Giving Tuesday/Raise Up Shiawassee Day in the City of Owosso, and encourage all citizens to join together to give back to the community in any way that is personally meaningful.

Proclaimed this 19th day of November, 2018.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Eddie Urban, 601 Glenwood Avenue, passed along information on a health scan that is available to veterans free of charge.

Mayor Eveleth offered his sincere thanks to everyone that helped with the recent train derailment. He said he was amazed at all the people that came together so quickly to help the 900 passengers stranded outside of town on the Polar Express and said their efforts and attitude painted Owosso in a good light despite the unexpected event.

Councilmember Fear thanked the employees of the Clerk’s Office for their work on November election. She also thanked City Manager Henne and all the City staff for taking the time to give her a tour of City facilities and educate her on City operations.

City Manager Henne noted that the train derailment itself didn’t damage any City infrastructure but the equipment used in the cleanup process had damaged the curbs. He said he was planning to talk to the railroad to see about getting them repaired and would report back.

CONSENT AGENDA

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

Proposed Special Assessment Project - North Street – Amended Resolution. Authorize amendment to Resolution No. 2 setting a public hearing for Monday, December 3, 2018 for proposed Special Assessment District No. 2019-08 for North Street, from Chipman Street to the west city limits as follows:

RESOLUTION NO. 168.1-2018

NORTH STREET FROM THE WEST CITY LIMITS TO CHIPMAN STREET SPECIAL ASSESSMENT RESOLUTION NO. 2 - AMENDED

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

**NORTH STREET, A PUBLIC STREET, FROM THE WEST CITY LIMITS TO CHIPMAN 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 \$238,802.34 and determines that \$30,898.57 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 \$207,903.77 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, ~~November 19, 2018~~ **December 3, 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:

North Street, a Public Street, from the west city limits to Chipman 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, ~~November 19, 2018~~ **December 3, 2018** for the purpose of hearing any person to be affected by the proposed public improvement.

Proposed Special Assessment Project - Allendale Avenue – Amended Resolution.

Authorize amendment to Resolution No. 2 setting a public hearing for Monday, December 3, 2018 for proposed Special Assessment District No. 2019-02 for Allendale Avenue, from Gould Street to the east city limits as shown below:

RESOLUTION NO. 169.1-2018

**ALLENDALE AVENUE
FROM GOULD STREET TO THE EAST CITY LIMITS
SPECIAL ASSESSMENT RESOLUTION NO. 2 - AMENDED**

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

ALLENDALE AVENUE, A PUBLIC STREET, FROM GOULD STREET TO EAST CITY LIMITS
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 \$151,218.36 and determines that \$17,481.45 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 \$133,736.91 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, ~~November 15, 2018~~ **December 3, 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:

Allendale Avenue, a Public Street, from Gould Street to east city limits
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, ~~November 15, 2018~~ **December 3, 2018** for the purpose of hearing any person to be affected by the proposed public improvement.

Proposed Special Assessment District No. 2018-01 – Hazards and Nuisances. Authorize Resolution No. 1 setting a public hearing for Monday, December 3, 2018 to receive citizen comment regarding proposed Special Assessment District No. 2018-01, Hazards and Nuisances, as it relates to unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances as detailed below:

RESOLUTION NO. 174-2018

**SPECIAL ASSESSMENT DISTRICT NO. 2018-01
HAZARDS AND NUISANCES**

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances more particularly hereinafter described to the properties specially benefited by said public improvement, and the same has been presented to the Council by the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll is hereby accepted and shall be filed in the office of the City Clerk for public examination.
2. The Council shall meet at the Owosso City Hall, Owosso, Michigan at 7:30 o'clock p.m., on Monday, December 3, 2018 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same.
3. The City Clerk is directed to publish the notice of said hearings once in *The Argus Press*, the official newspaper of the City of Owosso, not less than ten (10) days prior to said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of the property subject to assessment, as indicated by the records in the City Assessor's office as shown on the general tax rolls of the City, at least ten (10) days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.

The notice of said hearing to be published and mailed shall be in substantially the following form:

**NOTICE OF HEARING TO REVIEW
SPECIAL ASSESSMENT ROLL – HAZARDS AND NUISANCES
CITY OF OWOSSO
COUNTY OF SHIAWASSEE, MICHIGAN**

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

TAKE NOTICE that a Special Assessment Roll-Hazards and Nuisances has been prepared for the purpose of defraying the unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances on the property listed below.

| Parcel # | Address | Type of Nuisance | Balance |
|--------------------|---------------------|----------------------|-------------|
| 050-010-017-024-00 | 621 WOODLAWN AVE | PROPERTY CLEAN UP | \$ 495.69 |
| 050-111-009-009-00 | 918 E OLIVER ST | CLEAR ICE/SNOW | \$ 177.97 |
| 050-113-004-004-00 | 910 MILWAUKEE ST | MOW TALL GRASS/WEEDS | \$ 170.00 |
| 050-114-001-010-00 | 900 STATE ST | PROPERTY CLEAN UP | \$ 260.96 |
| 050-114-002-004-00 | 821 STATE ST | MOW TALL GRASS/WEEDS | \$ 170.00 |
| 050-240-002-015-00 | 631 N HICKORY | MOW TALL GRASS/WEEDS | \$ 180.10 |
| 050-390-004-012-00 | 1260 ADAMS ST | MOW TALL GRASS/WEEDS | \$ 221.96 |
| 050-390-004-012-00 | 1260 ADAMS ST | MOW TALL GRASS/WEEDS | \$ 150.00 |
| 050-390-004-012-00 | 1260 ADAMS ST | MOW TALL GRASS/WEEDS | \$ 150.00 |
| 050-390-004-012-00 | 1260 ADAMS ST | MOW TALL GRASS/WEEDS | \$ 150.00 |
| 050-420-010-006-00 | 825 LINGLE AV | MOW TALL GRASS/WEEDS | \$ 150.00 |
| 050-440-000-012-00 | 921 DINGWALL DR | MOW TALL GRASS/WEEDS | \$ 310.53 |
| 050-537-000-042-00 | 1302 W MAIN | CLEAR ICE/SNOW | \$ 216.60 |
| 050-580-000-054-00 | 316 OAKWOOD AV | PROPERTY CLEAN UP | \$ 1,376.12 |
| 050-602-017-004-00 | 1417 FREDERICK ST | MOW TALL GRASS/WEEDS | \$ 170.00 |
| 050-651-006-007-00 | 320 CASS ST | PROPERTY CLEAN UP | \$ 293.51 |
| 050-651-006-007-00 | 320 CASS ST | PROPERTY CLEAN UP | \$ 200.00 |
| 050-660-007-011-00 | 1014 BEEHLER ST | MOW TALL GRASS/WEEDS | \$ 150.00 |
| 050-660-009-002-00 | 911 BEEHLER ST | PROPERTY CLEAN UP | \$ 298.82 |
| 050-660-018-011-00 | 726 CLINTON ST | PROPERTY CLEAN UP | \$ 199.98 |
| 050-660-025-001-00 | 302 S SHIAWASSEE ST | CLEAR ICE/SNOW | \$ 216.60 |
| 050-673-003-010-00 | 526 FLETCHER ST | MOW TALL GRASS/WEEDS | \$ 212.19 |
| 050-710-001-012-00 | 915 CORUNNA AV | MOW TALL GRASS/WEEDS | \$ 210.00 |
| 050-710-001-012-00 | 915 CORUNNA AV | MOW TALL GRASS/WEEDS | \$ 210.00 |
| 050-710-001-012-00 | 915 CORUNNA AV | MOW TALL GRASS/WEEDS | \$ 210.00 |
| | | | \$ 6,551.03 |

TAKE NOTICE THAT ANY HAZARDS/NUISANCES INVOICES OR CHARGES REMAINING UNPAID AS OF THEIR DUE DATE WILL BE INCLUDED ON THIS ROLL.

The said Special Assessment Roll-Hazards and Nuisances is on file for public examination with the City Clerk and any objections to said Special Assessment Roll-Hazards and Nuisances must be filed in writing with the City Clerk prior to the close of the hearing to review said Special Assessment Roll-Hazards and Nuisances.

TAKE FURTHER NOTICE that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be

desired. A property owner or party in interest, his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter and his or her personal appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessment may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall, Owosso, Michigan at 7:30 p.m. on Monday, December 3, 2018 for the purpose of reviewing said Special Assessment Roll-Hazards and Nuisances and for the purpose of considering all objections to said roll submitted in writing. If you have questions regarding this notice, please contact the City Treasurer's Office at 725-0599.

Change Order - Emergency Repair Authorization – Oliver Street Sanitary Sewer. Approve Change Order No. 1 to the June 18, 2018 purchase order with Monchilov Sewer Service LLC for emergency sanitary sewer repair on East Oliver Street to reflect the fact that similar repairs were necessary and authorized on Olmstead Street, and authorize payment of up to the original contract price of \$33,600.00 upon satisfactory completion of said repairs as follows:

RESOLUTION NO. 175-2018

AUTHORIZATION TO APPROVE CHANGE ORDER NO. 1 TO PURCHASED SERVICES AGREEMENT WITH MONCHILOV SEWER SERVICES, LLC FOR EMERGENCY REPAIR OF SANITARY SEWER PIPE ON OLMSTEAD STREET

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has budgeted from the Wastewater Collection Replacement Fund for the repair of sanitary sewer collection system piping, and

WHEREAS, the 8 inch sanitary sewer main located on Olmstead Street between West and N. Chipman Streets are in need of cleaning/televising/repair services, as delineated in the quoted price dated June 14, 2018 provided by Monchilov Sewer Services in the amount of \$33,600.00; and

WHEREAS, the City Director of Public Services & Utilities has reviewed the quote and verified the repairs as necessary to restore the sanitary sewer main to original structural operating condition, and recommends adding Olmstead Street to the purchase services agreement as Change Order No.1, where Olmstead Street was previously omitted, not to exceed the original quoted price of \$33,600.00.

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 add Olmstead Street to the purchase services agreement with Monchilov Sewer Services, LLC for sanitary sewer main repairs on the 8 inch sewer main located on Olmstead Street between West and N. Chipman Streets.
- SECOND: The accounts payable department is authorized to submit payment to Monchilov Sewer Services LLC, in an amount not to exceed \$33,600.00, upon completion of these repair services on E. Oliver and Olmstead Streets.
- THIRD: The above expenses shall be paid from account no. 590-901-973.000.

Check Register – October 2018.* Affirm check disbursements totaling \$1,509,256.77 for October 2018.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Bailey.

ITEMS OF BUSINESS

None.

COMMUNICATIONS

Nathan R. Henne, City Manager. Purchase agreement due diligence extension.
Katherine R. Fagan, City Treasurer. Information regarding unpaid special assessment installments.
N. Bradley Hissong, Building Official. October 2018 Building Department Report.
N. Bradley Hissong Building Official. October 2018 Code Violations Report.
Kevin D. Lenkart, Public Safety Director. October 2018 Police Report.
Kevin D. Lenkart, Public Safety Director. October 2018 Fire Report.
Parks & Recreation Commission. Minutes of September 26, 2018.
Historical Commission. Minutes of October 8, 2018.
Shiawassee Firefighter Memorial Board. Minutes of October 20, 2018.
Shiawassee Firefighter Memorial Board. Minutes of November 3, 2018.

CITIZEN COMMENTS AND QUESTIONS

There were no citizen comments or Council comments.

City Manager Henne went over some of the charges on the check register for the benefit of the new members.

NEXT MEETING

Monday, December 03, 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
Brownfield Redevelopment Authority – term expires June 30, 2022
Historical Commission – term expires December 31, 2020
Historical Commission – term expires December 31, 2021
Parks & Recreation Commission – term expires June 30, 2019
Zoning Board of Appeals - Alternate – term expires June 30, 2021

ADJOURNMENT

Motion by Councilmember Fear for adjournment at 7:47 p.m.

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

Christopher T. Eveleth, 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.