

**CITY OF OWOSSO  
REGULAR MEETING OF THE CITY COUNCIL  
MINUTES OF JANUARY 22, 2019  
7:30 P.M.**

**PRESIDING OFFICER:** MAYOR PRO-TEM SUSAN J. OSIKA

**OPENING PRAYER:** PASTOR MARK GREEN  
OWOSSO FIRST CHURCH OF THE NAZARENE

**PLEDGE OF ALLEGIANCE:** TOM MANKE

**PRESENT:** Mayor Pro-Tem Susan J. Osika, Councilmembers Loreen F. Bailey, Janae L. Fear, Jerome C. Haber, Daniel A. Law, and Nicholas L. Pidek.

**ABSENT:** Mayor Christopher T. Eveleth.

A moment of silence was held in observance of the tragic death of James Stewart, son of Circuit Court Judge Matthew Stewart.

**APPROVE AGENDA**

Motion by Councilmember Haber to approve the agenda with the following change:

Add one Special Presentation.

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

**APPROVAL OF THE MINUTES OF REGULAR MEETING OF JANUARY 7, 2019**

Motion by Councilmember Bailey to approve the Minutes of the Regular Meeting of January 7, 2019 as presented.

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

**PROCLAMATIONS / SPECIAL PRESENTATIONS**

**Enjoy Award Presentation** (This item was added to the agenda.)

City Manager Nathan R. Henne noted that the Friends of the Shiawassee River was holding their Annual Meeting & Celebration this evening and there were at least five people that couldn't attend because of their commitment to be here for the City Council meeting. , on behalf of the Friends of the Shiawassee River, presented City Clerk Amy K. Kirkland with the Enjoy Award recognizing her efforts during Friends' events that allow others to enjoy themselves. Clerk Kirkland said she was surprised and honored. She thanked the Friends of the River for the award.

**PUBLIC HEARINGS**

None.

**CITIZEN COMMENTS AND QUESTIONS**

Tom Manke, 2910 W. M-21, spoke about human trafficking activity in town and what he thought were efforts by police in the county to keep the problem from the public.

Dan Smith, 1210 Corunna Avenue, indicated he owns a small business on Corunna Avenue and has had the City clean up and bill him for trash removal twice now. He accepted responsibility for one but not the other because he was not notified ahead of time. City Manager Henne agreed to meet with Mr. Smith to talk about the situation and see what sort of resolution could be reached.

County Commissioner John Horvath, District 2, updated the Council on discussions at the county level, specifically noting his reservations about increasing the emergency manager's hours to full time.

**CONSENT AGENDA**

Mayor Pro-Tem Osika asked that the Council remove Consent 3. Boards & Commissions Appointments from the Consent Agenda.

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

**Proposed Special Assessment Project – Ryan Street.** Authorize Resolution No. 2 setting a public hearing for Monday, February 4, 2019 for proposed Special Assessment District No. 2019-10 for Ryan Street from Chipman Street to Cedar Street for street reconstruction as follows:

**RESOLUTION NO. 06-2019**

**RYAN STREET  
FROM CHIPMAN STREET TO CEDAR 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

**RYAN STREET, A PUBLIC STREET, FROM CHIPMAN STREET TO CEDAR STREET;  
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 \$530,810.40 and determines that \$107,385.96 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 \$423,424.44 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, February 4, 2019 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:

**Ryan Street, a Public Street, from Chipman Street to Cedar Street  
Street Reconstruction**

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, February 4, 2019 for the purpose of hearing any person to be affected by the proposed public improvement.

**Property Lease – Tillable Acreage - Twenty One-Day Posting.** Authorize twenty-one (21) day posting period for the lease of approximately 10 acres of city owned tillable land near Hopkins Lake to Shawnee Creek Farms for \$500.00 for the 2019 farming season as detailed below:

**RESOLUTION NO. 07-2019**

**AUTHORIZING 21-DAY POSTING FOR  
A CROP FARMING CASH RENT AGREEMENT  
WITH MATT DUTCHER AND KEVIN DUTCHER D/B/A SHAWNEE CREEK FARMS**

WHEREAS, the city of Owosso, Michigan ("City") is a municipal corporation organized under the provisions of the Home Rule City Act, Public Act 279 of 1909, as amended, and is governed by the provisions of the Owosso City Charter adopted April 6, 1964, as amended ("Charter"); and

WHEREAS, the city owns certain tillable acreage near Hopkins Lake that would be suitable for farming; and

WHEREAS, the city is not currently utilizing the land and desires to lease the land for farming purposes; and

WHEREAS, Matt and Kevin Dutcher, doing-business-as Shawnee Creek Farms, have expressed an interest in leasing the land for a one-year period; and

WHEREAS, Charter Section 14.3 (b)(2) provides for a twenty one day posting period to allow public inspection of the proposed lease.

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 as owner of property that is suitable for farming that a cash rent agreement has been proposed for such land be leased to Matt Dutcher and Kevin Dutcher d/b/a Shawnee Creek Farms which farms adjacent land.

SECOND: the city council approves the posting of said agreement for a period of at least 21-days to allow for public inspection.

**Boards and Commissions Appointments.** (This item was removed from the agenda.)

**Memorial Healthcare Gala Permission.** Approve request from Owosso Community Players for the closure of South Park Street from Comstock Street to Main Street on Saturday, February 2, 2019, and the first Saturday in February hereafter, from 5:00 p.m. until 11:00 p.m. for handicap and valet parking for the annual Memorial Healthcare Gala, waive the insurance requirement, and approve Traffic Control Order No. 1411 formalizing the request.

**Contract Amendment - 2018 Street Program Engineering Services Contract.** Approve Amendment No. 6 to the 2018 Street Program Engineering Services Contract with Fleis & Vandenbrink Engineering, Inc. adding \$20,400.00 for additional construction monitoring and administration services for wrap-up of the Hanover and Harding Street projects, and authorize payment to the contractor up to the contract amount, including Amendment Nos. 1-6 as follows:

**RESOLUTION NO. 08-2019**

**AUTHORIZING CHANGE ORDER NO. 6 TO ADDENDUM NO. 4  
TO THE CONTRACT FOR ENGINEERING SERVICES WITH  
FLEIS & VANDENBRINK ENGINEERING, INC. FOR  
THE 2018 STREET PROGRAM ENGINEERING SERVICES CONTRACT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved a Contract with Fleis & Vandenbrink Engineering Inc. on July 3, 2017 for Engineering Survey and Design Services for the 2018 Street Program in the amount of \$251,000.00; and

WHEREAS, City Council approved Amendments No 1 thru 5 totaling \$188,835.00 to the Contract with Fleis & Vandenbrink Engineering, Inc. for additional engineering services and making the current Contract amount \$439,835.00; and

WHEREAS, the city requests additional services of the consultant in the amount of \$20,400.00 to provide construction engineering and administration services for the City's 2018 Street Resurfacing Program-Contract 1, that are beyond the original contractual scope of services; and

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 amend the contract with Fleis & Vandenbrink Engineering Inc. for a cost to the city of Owosso of \$20,400.00 as outlined within its proposal.
- SECOND: The mayor and city clerk are requested and authorized to sign Contract Change Order No. 6 to Addendum No. 4 to the Contract between the City of Owosso, Michigan and Fleis & Vandenbrink Engineering, Inc.
- THIRD: The Accounts Payable department is authorized to make payment up to the amended amount of \$460,235.00 to Fleis & Vandenbrink Engineering, Inc. upon successful completion of stated work.
- FOURTH: The above expenses shall be paid from the 2016 Unlimited Obligation Bond Proceeds Account No. 202-451-818.000.

**Change Order – 2017 Street Resurfacing Program Contract.** Authorize Change Order No. 3 to the 2017 Street Resurfacing Program Contract with Malley Construction, Inc. adding \$12,920.00 to the total contract amount to correct line item quantities and additions that were not correctly posted to reflect the additional work completed, and further authorize payment to the contractor as detailed:

**RESOLUTION NO. 09-2019**

**AUTHORIZING CHANGE ORDER NO. 3  
TO THE CONTRACT BETWEEN THE CITY OF OWOSSO AND  
MALLEY CONSTRUCTION INCORPORATED  
FOR 2017 STREET RESURFACING PROGRAM CONTRACT**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, approved a contract with Malley Construction, Inc. on August 7, 2017 for street, watermain, and storm sewer improvements for various streets; altogether part of the 2017 Street Resurfacing Program; and

WHEREAS, during the course of the contract the City requested changes in work from Malley Construction, Inc. formalized in Change Order Nos. 1 & 2; and

WHEREAS, errors in the unit price extensions were discovered in Change Order No. 2, resulting in Malley Construction, Inc. being underpaid for the work performed; and

WHEREAS, proposed Change Order No. 3 formally corrects the errors and authorizes payment to the contractor according to unit prices.

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

- FIRST: It is advisable, necessary and in the public interest to approve Change Order No. 3 amending the 2017 Street Resurfacing Program Contract with Malley Construction Inc. to correct mathematical errors discovered in Change Order No. 2.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in form attached as Exhibit B, Contract Change Order No. 3 (Final) in the amount of \$12,920.00; a net increase to the Contract revising the current total contract amount from \$2,967,984.93 to \$2,980,904.93.
- THIRD: The accounts payable department is authorized to pay Malley Construction, Inc. for work satisfactorily completed up to the revised amount of the Contract, including Change Order No. 3, in the total amount of \$2,980,904.93.
- FOURTH: The above additional expenses in the amount of \$12,920.00 shall be paid from the Water Fund Account No. 591-901-972.000.

**Change Order – Survey & Identification of Lead and Galvanized Water Service Lines Contract.** Authorize Change Order No. 1 to the contract with Greenscape General Contracting, LLC for the Survey & Identification of Lead and Galvanized Water Service Lines (part of the Pilot Drinking Water Grant project) increasing the amount by \$14,100.00 for additional site inspections required to complete the contract and further authorize payment to the contractor for the contract amount, including Change Order No. 1 as follows:

**RESOLUTION NO. 10-2019**

**APPROVAL OF CHANGE ORDER NO.1 TO AGREEMENT BETWEEN THE CITY OF OWOSSO AND GREENSCAPE GENERAL CONTRACTING FOR SURVEY AND IDENTIFICATION OF LEAD AND GALVANIZED WATER SERVICE LINES**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, entered into an agreement with the Michigan Department of Environment Quality (MDEQ) on April 2, 2018 to implement a Pilot Drinking Water Infrastructure Grant for the purpose of identifying lead and galvanized water service lines in the city of Owosso water distribution system; and

WHEREAS, the city of Owosso entered into a services agreement with Greenscape General Contracting as approved at its regularly scheduled council meeting of September 17, 2018 for the survey and identification of lead and galvanized water service lines; and

WHEREAS, the Director of Public Services & Utilities added additional locations for the survey and identification of lead and galvanized water service lines, which increased the contract level of effort for site investigation and site restoration services.

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

- FIRST: The city of Owosso has heretofore determined that it is advisable, necessary and in the public interest to enter into change order No.1 in the amount of \$14,100.00 with Greenscape General Contracting for providing additional survey and identification services of lead and galvanized water service lines in accordance with MDEQ Pilot Drinking Water Grant compliance guidelines.
- SECOND: The accounts payable department is authorized to submit payment to Greenscape General Contracting in an amount of \$23,550.00 plus change order No.1 in the amount of \$14,100.00 for a total not to exceed \$37,650.00.
- THIRD: The above expenses shall be paid for from the waster fund account 591-901-972.000.

**Change Orders – 2018 Street Resurfacing Program, Contract No. 1.** Authorize Change Order Nos. 2 & 3 to 2018 Street Resurfacing Program, Contract No. 1 with Rhode Brothers Excavating, Inc. decreasing the amount of the contract by \$158,583.61 for reductions in the unit quantities used and penalties for exceeding completion deadlines as shown below:

**RESOLUTION NO. 11-2019**

**AUTHORIZING CHANGE ORDER NOS. 2 & 3  
TO THE CONTRACT BETWEEN THE CITY OF OWOSSO AND  
ROHDE BROS. EXCAVATING, INC.  
FOR 2018 STREET RESURFACING PROGRAM-CONTRACT NO. 1**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, approved a contract with Rohde Bros. Excavating, Inc. on May 7, 2018 for resurfacing various streets of the 2018 Street Resurfacing Program-Contract No. 1; and

WHEREAS, the City has requested changes in work from Rohde Bros. Excavating, Inc. with regards to its water main and road construction as described within Change Order Nos. 2 & 3; and

WHEREAS, Rohde Bros. Excavating, Inc. agrees to the work item quantities and pricing of both change orders, and the final contract amount as set forth in Change Order No.3.

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 it is advisable, necessary and in the public interest to amend the 2018 Street Resurfacing Program Contract No. 1 with Rohde Bros. Excavating, Inc. as described within Change Order Nos. 2 & 3.
- SECOND: The mayor and city clerk are instructed and authorized to sign the documents substantially in form attached as Exhibits B and C, Contract Change Order Nos. 2 & 3 in the amount of (\$158,583.61), a net decrease revising the total Contract amount from \$1,292,405.00 to \$1,133,821.39.
- THIRD: The accounts payable department is authorized to pay Rohde Bros. Excavating, Inc. for work satisfactorily completed up to the revised Contract amount that includes Change Order Nos. 2 & 3 in the amount of \$1,133,821.39.

FOURTH: The projected expenses paid from the 2016 Unlimited Obligation Bond Proceeds Account (\$101,617.11) and City Water Main & Hydrants Account No. 591-901-972.000 (\$56,966.50), shall be decreased by these amounts.

**Change Order – Gould House Ceiling Repair – Electrical Contract.** Authorize Change Order No. 1 to the Gould House Ceiling Repair Project – Electrical Contract with Ludington Electric, Inc. increasing the amount of the contract by \$800.00 for revisions to the lighting system, and further authorize payment to the contractor up to the revised contract amount of \$3,612.00 as follows:

**RESOLUTION NO. 12-2019**

**AUTHORIZING CHANGE ORDER NO. 1  
TO THE CONTRACT BETWEEN THE CITY OF OWOSSO - HISTORICAL COMMISSION  
AND LUDINGTON ELECTRIC, INC.  
FOR THE GOULD HOUSE CEILING REPAIR PROJECT – ELECTRICAL  
CONTRACT**

WHEREAS, the City Council, at the recommendation of the Owosso Historical Commission, Shiawassee County, Michigan, approved a contract with Ludington Electric, Inc. for electrical work in the Great Room of the Amos Gould House; and

WHEREAS, upon further examination of the ceiling it became evident that a different lighting system was needed in order to maintain the structural integrity of the ceiling; and

WHEREAS, Ludington Electric, Inc. has since provided a recommendation for another lighting system that is more in alignment with the historical nature of the home at an additional cost.

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

- FIRST: It is advisable, necessary and in the public interest to amend the Gould House Ceiling Repair Project – Electrical Contract with Ludington Electric, Inc. as described in Change Order No. 1.
- SECOND: The mayor and city clerk are instructed and authorized to approve the document attached as Change Order No. 1 in the amount of \$800; revising the total contract amount from \$2,812.00 to \$3,612.00.
- THIRD: The accounts payable department is authorized to pay Ludington Electric, Inc. for work satisfactorily completed up to the revised contract amount of \$3,612.00.
- FOURTH: A special thank you is given to Ludington Electric, Inc. for their donation of \$1,000 of in-kind services for this project.

**Change Order – Parking Ticket Management System Service Agreement.** Authorize Change Order No. 1 to the Parking Ticket Management System Service Agreement with Complus Data Innovations, Inc. changing the terms of authorization from an annual allocation to a fee per ticket issued of \$2.41 and further authorize the accounts payable department to pay the vendor for actual quantities required as detailed below:

**RESOLUTION NO. 13-2019**

**AUTHORIZING CHANGE ORDER NO. 1  
TO THE SERVICE AGREEMENT WITH COMPLUS DATA INNOVATIONS, INC.  
FOR THE PARKING TICKET MANAGEMENT SYSTEM SERVICE AGREEMENT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan approve a service agreement with Complus Data Innovations, Inc. on July 16, 2018 for the provision of a parking ticket management system; and

WHEREAS, since its implementation the City has seen a significant increase in the number of parking tickets issued; and

WHEREAS, due to the number of tickets issued the annual allocation for this system is anticipated to be exhausted by the end of February making a change order to increase the contract amount necessary; and

WHEREAS, the City desires to avoid a similar situation in the future, recommending a change in the way the contract and payment for services rendered are authorized from an annual allocation to a per ticket issued fee.

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

- FIRST: It is advisable, necessary and in the public interest to approve Change Order No. 1 amending Council's terms of authorization from an annual allocation of \$6,025.00 to a fee per ticket issued of \$2.41.
- SECOND: Passage of this resolution shall serve as documentation of said change and shall apply to the contract retroactive to its start.
- THIRD: The accounts payable department is authorized to pay Complus Data Innovations, Inc. in accordance with the contract unit price of \$2.41 per ticket issued for actual quantities required.

**Bid Rejection – Tree & Stump Removal Services Bid.** Reject the bids received for the Tree & Stump Removal Services Bid as none of the responses were within budget parameters as detailed:

**RESOLUTION NO. 14-2019**

**AUTHORIZATION TO REJECT ALL BIDS RECEIVED FOR TREE AND STUMP REMOVAL SERVICES**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, advertised for competitive tree and stump removal services; and

WHEREAS, all dollar amounts for bids received were higher than FY2018-2019 funding parameters could support; and

WHEREAS, it is the recommendation of the Director of Public Services & Utilities to reject all bids for lack of available funding.

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

- FIRST: It is advisable, necessary and in the public interest to reject all bids received for the 2019 tree and stump removal services bid.

**Bid Award – Lead & Galvanized Water Service Line Replacement Contract.** Approve bid award to Green Tech Systems, LLC for the replacement of lead and galvanized water service lines in the amount of \$257,904.00, authorize a contingency amount of \$25,000, and further authorize payment to the contractor up to the contract amount plus the contingency (with prior written approval) upon satisfactory completion of the work or a portion thereof as follows:

**RESOLUTION NO. 15-2019**

**AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH GREEN TECH SYSTEMS, LLC OF KAWKAWLIN, MICHIGAN FOR REPLACEMENT OF LEAD & GALVANIZED WATER SERVICE LINES**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, entered into an agreement with the Michigan Department of Environment Quality (MDEQ) on April 2, 2018 to implement a Pilot Drinking Water Infrastructure Grant for the purpose of identifying and replacing lead and galvanized water service lines in the city of Owosso water distribution system; and

WHEREAS, the city and Director of Public Services & Utilities desires to enter into an agreement with Green Tech Systems, LLC for the replacement of lead and galvanized water service lines, in accordance with MDEQ Pilot Drinking Water Grant compliance guidelines.

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 Green Tech Systems, LLC for providing construction replacement services of lead and galvanized water service lines in accordance with MDEQ Pilot Drinking Water Grant compliance guidelines.
- SECOND: The accounts payable department is authorized to submit payment to Green Tech Systems, LLC in an amount not to exceed \$257,904.00 for construction replacement services, plus an additional contingency amount of \$25,000.00 with prior authorization, for a total of \$282,904.00.
- THIRD: The above expenses shall be paid for from the Water Fund account 591-901-972.000 pending 100% reimbursement from MDEQ Grant funds.

**Bid Award – Sanitary & Storm Sewer Rehabilitation Contract**. Approve bid award to Inland Waters Pollution Control, Inc. for the repair and rehabilitation of severely deteriorated sanitary sewer and storm sewer lines involved in the 2019 Street Resurfacing Program in the amount of 769,005.50, authorize a contingency amount of \$60,000.00, and further authorize payment to the contractor up to the contract amount plus the contingency (with prior written approval) upon satisfactory completion of the work or a portion thereof as follows:

**RESOLUTION NO. 16-2019**

**AUTHORIZATION TO ENTER INTO A SERVICES CONTRACT  
WITH INLAND WATERS POLLUTION CONTROL, INC OF DETROIT, MICHIGAN  
FOR SANITARY AND STORM SEWER REHABILITATION SERVICES**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, entered into an agreement with Orchard, Hiltz & McClement, Inc. d/b/a OHM Advisors by the adoption of Resolution 95-2018 on June, 18, 2018, for development of bid specifications and providing construction management of critical sanitary and storm sewer piping repairs; and

WHEREAS, the city and OHM Advisors advertised and received competitive bids for critical sanitary and storm sewer piping repairs, and have received qualified bids from several contractors; and

WHEREAS, the Director of Public Services & Utilities has reviewed the bids received and the recommendation provided by OHM Advisors, and has determined that Inland Waters Pollution Control, Inc. of Detroit, Michigan has provided the lowest, responsive, and responsible bid for performing sanitary and storm sewer rehabilitation construction services for the city of Owosso.

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 Inland Waters Pollution Control, Inc. of Detroit, Michigan for the provision of sanitary and storm sewer rehabilitation services to coincide with the 2019 Street Rehabilitation Program.
- SECOND: The accounts payable department is authorized to submit payment to Inland Waters Pollution Control Inc. in an amount not to exceed \$769,005.50, plus contingency of \$60,000.00, for a total of \$829,005.50.
- THIRD: The above expenses shall be paid for from the Wastewater Fund, 2016 Street Bond Fund, and the Street Maintenance Fund.

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

**ITEMS OF BUSINESS**

**MDEQ Sewer Revolving Fund Project Application – Sanitary Sewer Retention Basin & Lift Station**

Utilities Director Glenn M. Chinavare noted that such applications are competitive in nature and require significant documentation, hence the recommendation to contract for professional services. He went on to say that the applications that will be developed will cast a wide net in regard to the projects submitted for funding, the intent being to avoid the need to start the process over should the scope of a project change slightly. The City may not take on all, or any, of the projects that are approved for funding by the MDEQ depending on which projects are approved and whether other funding is available. Any projects that are tapped to receive funding will be presented to Council for approval of the scope and cost.

Motion by Councilmember Pidek to approve Addendum No. 10 to the Professional Engineering Services Contract with Orchard, Hiltz, & McCliment, Inc. for the development and submission of an MDEQ Sewer Revolving Fund Project Application for a sanitary sewer retention basin and lift station in the amount of \$30,000.00, and authorize payment up to the addendum amount upon satisfactory submission of deliverables as formalized below:

**RESOLUTION NO. 17-2019**

**AUTHORIZING THE EXECUTION OF ADDENDUM NO. 10 TO  
AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES  
WITH ORCHARD, HILTZ & MCCLIMENT, INC. D/B/A OHM ADVISORS**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, entered into an agreement with Orchard, Hiltz & McClement, Inc. d/b/a OHM Advisors by the adoption of Resolution No. 69-2017 on May 15, 2017; and



WHEREAS, the city and Director of Public Services & Utilities recommends making application to the Michigan Department of Environmental Quality (MDEQ) for a Sewer Revolving Fund (SRF) loan to secure financing for construction of a 1.0 million gallon retention basin; and

WHEREAS, OHM Advisors has provided a proposal for developing a project application for submission to the MDEQ in the amount of \$30,000.00; and

WHEREAS, the Director of Public Services has reviewed the proposal and has determined that the project proposal is fair and reasonable, and necessary for securing SRF funding for construction of a 1.0 million retention basin, in order to pursue compliance with a Michigan Department of Environmental Quality (MDEQ) Consent Order regarding Sanitary Sewer Overflows (SSO's).

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

FIRST: The city of Owosso has heretofore determined that it is advisable, necessary and in the public interest to expand the contract approved by Resolution No. 69-2017 on May 15, 2017 with Orchard, Hiltz & McClement, Inc. d/b/a OHM Advisors to include engineering services for the development and submission of a MDEQ SRF Project Application to secure funding for the engineering design and construction of a retention basin at 1000 Bradley Street and a and pump station located at 1122 Beehler Street.

SECOND: The accounts payable department is authorized to submit payment to OHM Advisors in an amount not to exceed \$30,000.00 for said engineering services.

THIRD: The above expenses shall be paid for from the Wastewater Fund Account.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

ABSENT: Mayor Eveleth.

### **MDEQ Sewer Revolving Fund Project Application – WWTP Process Equipment Upgrades**

It was noted that the following item is similar to the last but concentrates on the processes at the Wastewater Treatment Plant. Recommended projects were determined utilizing the asset management plan that came about as a result of the SAW Grant.

Motion by Councilmember Bailey to approve Addendum No. 5 to the SAW Grant Preparation Contract with Capital Consultants, Inc. d/b/a c2ae for the development and submission of an MDEQ Sewer Revolving Fund Project Application for process equipment upgrades at the Waste Water Treatment Plant in the amount of \$70,000.00, and authorize payment up to the addendum amount upon satisfactory submission of deliverables as detailed below:

#### **RESOLUTION NO. 18-2019**

#### **AUTHORIZING ADDENDUM NO. 5 TO THE AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES WITH CAPITAL CONSULTANTS, INC. D/B/A C2AE**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, entered into an agreement with Capital Consultants, Inc. d/b/a C2AE by the adoption of Resolution No. 115-2013 on October 21, 2013; and

WHEREAS, the city and Director of Public Services & Utilities recommends making application to the Michigan Department of Environmental Quality (MDEQ) for a Sewer Revolving Fund (SRF) loan to secure financing for various capital process equipment upgrades at the Wastewater Treatment Plant; and

WHEREAS, C2AE has provided a proposal for developing a project application for submission to the MDEQ in the amount of \$70,000.00; and

WHEREAS, the Director of Public Services has reviewed the proposal and has determined that the project proposal is fair and reasonable, and necessary for securing SRF funding for Phase I and Phase II of process equipment replacements as identified in the Wastewater Treatment Plant Asset Management Plan.

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 Capital Consultants, Inc. d/b/a C2AE for engineering services to develop and submit a project plan to the MDEQ to secure low interest SRF loan financing for various capital process equipment replacements as identified in the Wastewater Treatment Plant Asset Management Plan.

SECOND: The accounts payable department is authorized to submit payment to Capital Consultants, Inc. d/b/a C2AE in the amount not to exceed \$70,000.00.

THIRD: The above expenses shall be paid from the Wastewater Fund Account.

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

ABSENT: Mayor Eveleth.

### **Contract Extension – IT/Network Engineering Services**

The next two items were postponed from the January 7, 2019 meeting at the request of Councilmember Pidek.

In response to Councilmember Pidek's concerns City Manager Henne indicated he had looked into how other communities handle their IT services. Most comparable cities have full time IT on staff, while smaller communities contract for services. Currently the City pays significantly less for its IT services than other communities. He said he would be happy to look into including funding in the upcoming budget for an IT audit or exploring a change in services once this contract has expired. Going so far as to suggest including a discussion of the City's IT services at the upcoming special meeting.

Councilmember Pidek indicated that all of his questions had been answered and he was OK with moving forward.

Councilmember Law noted that as someone that works in the IT industry he found the price quoted to be very reasonable.

Councilmember Fear said that in the future she would like to explore whether a local company could provide the services required.

Motion by Councilmember Law to authorize extension of the contract with Logicalis, Inc. for the provision of network administrator services for the 2019 calendar year in an amount not to exceed \$90,000.00, and further authorize payment to the vendor for services rendered up to the contract amount as follows:

### **RESOLUTION NO. 19-2019**

#### **ADOPTING THE LOGICALIS, INC. PROJECT CHANGE REQUEST FOR JEFF KISH**

WHEREAS, the city of Owosso, a Michigan municipal corporation, utilizes a sophisticated network of computers to facilitate day-to-day operations; and

WHEREAS, said network requires the services of a skilled professional to continue to function properly; and

WHEREAS, the city contracts with Logicalis, Inc. for the provision of network administrator services; and

WHEREAS, the city council must adopt a resolution authorizing the terms of the contract for the calendar year effective January 1, 2019 through December 31, 2019.

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 it is advisable, necessary and in the public interest to continue the contract with Logicalis, Inc. for network administrator services for the year beginning January 1, 2019.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in form attached as Project Change Request between the City of Owosso and Logicalis, Inc.

THIRD: The accounts payable department is authorized to pay Logicalis, Inc. for work satisfactorily performed in an amount not to exceed \$90,000.00.

FOURTH: The above expenses shall be paid from Account No. 101-258-818000.

FIFTH: All prior resolutions and documents for the *Logicalis Network Administrator Services and/or Staffing SOW* are rescinded as of January 1, 2019.

Motion supported by Councilmember Bailey.

Roll Call Vote.

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

NAYS: None.

ABSENT: Mayor Eveleth.

### **Contract Authorization - Firewall Upgrade**

Motion by Councilmember Bailey to waive competitive bidding requirements and approve contract with Logicalis, Inc. for hardware, software, and professional services required to update the City's IT firewall in the amount of \$13,765.83, and further approve payment upon satisfactory completion of the project or portion thereof as follows:

#### **RESOLUTION NO. 20-2019**

#### **ADOPTING THE LOGICALIS, INC. ASA UPGRADE OPTION QUOTATION # 2018-27783V2 FOR UPGRADE OF THE CITY'S IT FIREWALL**

WHEREAS, the city of Owosso, a Michigan municipal corporation, utilizes a sophisticated network of computers to facilitate day-to-day operations; and

WHEREAS, said network is protected by a firewall designed to shield it from cyber-attacks and threats; and

WHEREAS, said firewall requires updating from time-to-time to ensure it is capable of protecting the network from the latest threats; and

WHEREAS, the Code of Ordinances of the City of Owosso provides an exception to the competitive bidding requirements when professional services are sought; and

WHEREAS, the city obtained a quote from its network engineering provider, Logicalis, Inc., for a firewall upgrade; and

WHEREAS, city staff has found the quotation to be reasonable and appropriate.

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 it is advisable, necessary and in the public interest to waive the competitive bidding requirements and upgrade the city's current IT firewall system to ensure it remains able to defend the city network from the latest cyber-threats.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in form attached as ASA Upgrade Option Quotation # 2018-27783v2 between the City of Owosso and Logicalis, Inc.

THIRD: The accounts payable department is authorized to pay Logicalis, Inc. for work satisfactorily performed in an amount not to exceed \$13,765.83.

FOURTH: The above expenses shall be paid from Account No. 401-000-980.100.

Motion supported by Councilmember Haber.

Roll Call Vote.

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

NAYS: None.

ABSENT: Mayor Eveleth.

### **Set Council Retreat**

City Manager Henne indicated this special meeting will be the Council's opportunity to set policy goals for the coming year. He said he would like to start holding a similar retreat each year to develop goals that will direct the budget and provide clear objectives for staff.

Motion by Councilmember Bailey to schedule a special Council meeting for Tuesday, January 29, 2019 at 5:30 p.m. in the Armory Conference Room for the purpose of conducting a goal setting session.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

ABSENT: Mayor Eveleth.

### **COMMUNICATIONS**

N. Bradley Hissong, Building Official. December 2018 Building Department Report.

N. Bradley Hissong Building Official. December 2018 Code Violations Report.

N. Bradley Hissong Building Official. December 2018 Certificates Issued Report.

N. Bradley Hissong Building Official. December 2018 Inspections Report.

Kevin D. Lenkart, Public Safety Director. December 2018 Police Report.

Kevin D. Lenkart, Public Safety Director. December 2018 Fire Report.

Historical Commission. Minutes of December 10, 2018.

Shiawassee Firefighter Memorial Board. Minutes of December 15, 2018.

### **CITIZEN COMMENTS AND QUESTIONS**

Tom Manke, 2910 W. M-21, commented on the BBC's recent visit to the area, citizen sentiment that the economy has improved, and the hire of a part time individual to collect fees owed to the County by former prisoners.

Councilmember Bailey thanked the City for serving as the fiduciary for Community Cats since its inception and announced that the organization would now be functioning under the Shiawassee Humane Society. She again expressed her thanks saying the organization would never have gotten off the ground without the help of the City and City staff.

### **NEXT MEETING**

Monday, February 04, 2019

### **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 – 2 terms expire 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 Bailey for adjournment at 8:14 p.m.

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

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Susan J. Osika, Mayor Pro-Tem

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Amy K. Kirkland, City Clerk