

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF APRIL 1, 2019
7:30 P.M.**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: FORMER COUNCILMEMBER BURTON D. FOX

PLEDGE OF ALLEGIANCE: SHIAWASSEE COUNTY SHERIFF BRIAN BEGOLE

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 as presented.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF MARCH 18, 2019

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of March 18, 2019 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

Swearing In Ceremony - Fire Department Employees

Mayor Eveleth led a ceremony to swear in the City's newest firefighters: Logan Finkbeiner and Adam Mazur-Baker.

Logan's badge will be pinned by his wife Korrine Finkbeiner. Also in attendance this evening are his mother, father, and step-mother.

Adam's badge will be pinned by his fiancée Brittany Clarke. Also in attendance to witness the event are his mother and his three children.

Parkinson's Awareness Month Proclamation

Mayor Eveleth read aloud the following proclamation of the Mayor's Office declaring the month of April 2019 as Parkinson's Awareness Month in the City of Owosso:

**A PROCLAMATION
OF THE MAYOR'S OFFICE OF THE CITY OF OWOSSO, MICHIGAN
PROCLAIMING APRIL 2019 AS
PARKINSON'S AWARENESS MONTH IN THE CITY OF OWOSSO**

WHEREAS, Parkinson's disease is a chronic, progressive neurological disease that causes motor system disorders; and

WHEREAS, a 2018 study estimates that Parkinson's disease affects over 25,000 people in the State of Michigan and its prevalence continues to rise significantly with the increasing age of the Baby Boom generation; and

WHEREAS, a local support group, the Owosso Parkinson's Support Group, has been meeting for over twenty-eight years in an effort to provide education, support and fellowship to those affected by this frustrating disease.

NOW, THEREFORE, I, Christopher T. Eveleth, Mayor of the City of Owosso, Michigan, do hereby proclaim the month of April 2019 as Parkinson's Awareness Month in the City of Owosso, Michigan and do hereby encourage all citizens of this community to acknowledge and support the Owosso Parkinson's Support Group and their activities to inform and serve the citizens of our community because their services make a difference.

Proclaimed this 1st day of April, 2019.

Proposal for New Jail

Shiawassee County Sheriff Brian BeGole gave a PowerPoint presentation providing information regarding the ballot proposal for a new county jail.

PUBLIC HEARINGS

Prior to the public hearing City Manager Nathan R. Henne described the City’s process for how streets are selected for maintenance and how individual special assessments are determined. He also detailed the project that is proposed for S. Washington Street.

Special Assessment District No. 2019-13 **S. Washington Street, from Gute to M71**

A public hearing was conducted to receive citizen comment regarding authorization of Resolution No. 5 for Special Assessment District No. 2019-13 for S. Washington Street from Gute Street to Corunna Avenue for street reconstruction.

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

Tom Manke, editor of facebook.com/friendsandneighborsowosso, asked if the new street would be marked for bike lanes. City Manager Henne indicated he was unsure whether the street would include markings for bike lanes.

Cindy Elson, 708 S. Washington Street, inquired whether residents would be assessed for the new sewer lines. City Manager Henne indicated that no one is specially assessed for underground utilities.

Andy Heney, 702 S. Washington Street, asked whether the sewer project and the road project will be coordinated. It was indicated they would.

Clarification was sought on how the project to replace lead and galvanized water lines coordinates with the street improvement program.

Motion by Mayor Pro-Tem Osika to approve the following resolution:

RESOLUTION NO. 51-2019

**DISTRICT NO. 2019-13
WASHINGTON STREET FROM GUTE STREET TO M-71 (CORUNNA AVENUE)
SPECIAL ASSESSMENT RESOLUTION NO. 5**

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district’s share of the following described public improvement:

WASHINGTON STREET FROM GUTE STREET TO M-71 (CORUNNA AVENUE)
STREET RECONSTRUCTION

and

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$66,758.77 is hereby confirmed and shall be known as Special Assessment Roll No. 2019-13.
2. Said special assessment roll shall be divided into ten installments, the first of which shall be due and payable on September 1, 2019, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by November 1, 2019.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2019 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Bailey.

CITIZEN COMMENTS AND QUESTIONS

A moment of silence was held in memory of County Commissioner John Horvath who passed away Friday, March 29, 2019. It was said he was always wonderful to work with.

County Commissioner Marlene Webster said she was saddened at the loss of her fellow Commissioner and encouraged everyone to support his family at this time. Moving on, she noted that she is heading up a Complete the Count Committee for the 2020 Census. She said it is vitally important for everyone to be counted and this committee will be set up to assist in that effort.

Tom Manke, editor of facebook.com/friendsandneighborsowosso, expressed his outrage at the Governor for her denial of a request for emergency funding for damage in the Vernon area caused by a recent tornado. He said it was a partisan decision.

Eddie Urban, 601 Glenwood Avenue, spoke about visiting the travelling Vietnam Veterans Wall last month in Saginaw.

Burton Fox, 2016 East Oliver Street, said he was happy to be back home after spending the winter in Arizona. Now that he is back in town he hopes to dedicate time to seeing his idea to use the City's 1921 LaFrance pumper truck as a memorial to local firefighters come to fruition. He asked for Council's support for the project.

State Representative Ben Frederick made an appearance to detail two different efforts his office is working on. He said that in response to the numerous school closings experienced this winter he had introduced legislation to allow required school days to be waived when a state of emergency has been declared. The intent of the legislation would be to negate the need to make up those days pushing school well into the heat of summer. Next he spoke about the efforts his office has made, in conjunction with Senator Barrett's office, to try to secure an emergency declaration and access to emergency funding to assist with the damage caused by area tornados. He said he was disappointed with the Governor's decision to deny the emergency declaration, but that wouldn't mark the end of his efforts to help those affected. His office will continue to work with other departments at the State to access the help that is available.

Mike Espich, Parks & Recreation Commission Chairman, thanked Council for approving the Recreation Passport Grant application at the March 18, 2019 meeting. He went on to explain that the Plunge for Parks had been cancelled for 2019 because only two people committed to jumping. Despite this setback the fundraising efforts will continue with a corn hole tournament planned in Corunna.

Councilmember Law announced that the Firemen's Memorial Committee had recently gained 501(c)3 status in support of their mission to build a local firemen's memorial. He said the group was making good progress as of late with decisions on what the building should look like and where it should be located.

CITY MANAGER REPORT

Project Status Report (This item was postponed until the April 15, 2019 meeting.)

CONSENT AGENDA

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

Special Assessment District No. 2019-10. Authorize Resolution No. 4 setting a public hearing for Monday, April 15, 2019 to receive citizen comment regarding Special Assessment District No. 2019-10 for Ryan Street, from Chipman Street to Cedar Street for reconstruction as follows:

RESOLUTION NO. 52-2019

**RYAN STREET
FROM CHIPMAN STREET TO CEDAR STREET
SPECIAL ASSESSMENT RESOLUTION NO. 4**

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements 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, April 15, 2019 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.
4. 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
CITY OF OWOSSO, COUNTY OF SHIAWASSEE, MICHIGAN**

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

RYAN STREET, A PUBLIC STREET, FROM CHIPMAN STREET TO CEDAR STREET

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described improvements:

STREET RECONSTRUCTION

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

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 assessments 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, April 15, 2019 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

Special Assessment District No. 2019-11. Authorize Resolution No. 4 setting a public hearing for Monday, April 15, 2019 to receive citizen comment regarding Special Assessment District No. 2019-11 for Seventh Street, from Oliver Street to King Street for street resurfacing as detailed below:

RESOLUTION NO. 53-2019

**SEVENTH STREET
FROM OLIVER STREET TO KING STREET
SPECIAL ASSESSMENT RESOLUTION NO. 4**

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements 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, April 15, 2019 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.
4. 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
CITY OF OWOSSO, COUNTY OF SHIAWASSEE, MICHIGAN**

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

SEVENTH STREET, A PUBLIC STREET, FROM OLIVER STREET TO KING STREET

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described improvements:

STREET RESURFACING

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

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 assessments 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, April 15, 2019 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

Set Public Hearing – MDEQ Drinking Water Revolving Fund Project Submittal. Set a public hearing to receive citizen comment regarding the project plan proposed for submission to the MDEQ Drinking Water Revolving Fund for improvements to City's water distribution, storage, & treatment facilities as detailed:

RESOLUTION NO. 54-2019

**SETTING A PUBLIC HEARING TO RECEIVE COMMENT ON THE PROPOSED
MDEQ DRINKING WATER REVOLVING FUND PROJECT PLAN**

WHEREAS, the City of Owosso has proposed a plan to make improvements to the City's water distribution, storage, and treatment facilities, at an estimated cost of \$15,300,000.00; and

WHEREAS, these improvements are required to comply with regulatory requirements and to increase the reliability of service to residents and customers, and

WHEREAS, the City of Owosso wishes to apply to the Michigan Department of Environmental Quality Drinking Water Revolving Fund for a low interest loan to fund the project; and

WHEREAS, the City is required, as a part of the application process, to hold a public hearing to receive citizen comment regarding the necessity of the improvements and the proposed plan to execute them.

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 set a public hearing for Monday, April 15, 2019 on or about 7:30 p.m. in the City Hall Council Chambers, 301 West Main Street, Owosso, Michigan to receive citizen comment regarding the proposed MDEQ Drinking Water Revolving Fund Project Plan.

First Reading & Set Public Hearing – Bed & Breakfast Operations. Conduct first reading and set a public hearing for Monday, April 15, 2019 to receive citizen comment on the proposed amendments to several sections in Chapter 7, Bed and Breakfast Operations, Article I, In General, updating the regulations for the operation of bed and breakfast businesses as follows:

RESOLUTION NO. 55-2019

**SETTING A PUBLIC HEARING TO CONSIDER AMENDING VARIOUS SECTIONS OF
CHAPTER 7, BED AND BREAKFAST OPERATIONS,
OF THE CODE OF THE CITY OF OWOSSO
UPDATING REGULATIONS FOR BED AND BREAKFAST OPERATIONS**

WHEREAS, Chapter 7, Bed and Breakfast Operations, of the Code of the City of Owosso establishes rules and regulations for the operation of bed & breakfast businesses; and

WHEREAS, the State of Michigan has updated its law regulating Bed and Breakfast Operations in 1996; and

WHEREAS, Chapter 7 was last updated in 1984; and

WHEREAS, City Staff recommends adoption of the following amendments to the Bed and Breakfast Operations ordinance; and

WHEREAS, the City Council must hold a public hearing to hear all interested persons regarding any and all proposed ordinance amendments.

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

SECTION 1. AMENDMENT. That Section 7-5, Minimum specifications, of Chapter 7, Bed and Breakfast Operations, Article I, *In General*, of the Code of Ordinances is hereby amended to read:

Sec. 7-5. - Minimum specifications.

No premises shall be utilized for a bed and breakfast operation unless there are at least two (2) exits to the outdoors from such premises. Rooms utilized for sleeping shall have a minimum size of ~~one hundred (100) square feet for two (2) occupants with an additional thirty (30) square feet for each additional occupant to a maximum of four (4) occupants per room.~~ Each sleeping room used for the bed and breakfast operation shall have a separate smoke detector alarm as required in the building code. Lavatories and bathing facilities shall be available to all persons using any bed and breakfast operation. **as required by the (MRC) Michigan Residential Building Code, Section R-304 Minimum Room Areas Subsection R-304.1 through R-305.1 of the(MRC) Michigan Residential Building Code. Each sleeping room used for the bed and breakfast operation shall have a separate smoke detector alarm. Lavatories and bathing facilities shall be available to all persons using any bed and breakfast operation.**

SECTION 2. AMENDMENT. That Sections 7-8 and 7-9 of Chapter 7, Bed and Breakfast Operations, Article I, *In General*, of the Code of Ordinances are hereby amended to read:

Sec. 7-8. - Residence of ~~operator/owner~~ innkeeper and/or owner.

~~The dwelling unit in which the bed and breakfast operation takes place shall be the principal residence of the operator/owner. The operator/owner shall live on the premises while the bed and breakfast operation is active.~~

The dwelling unit in which the bed and breakfast operation takes place shall be the principle residence of the innkeeper and/or owner. The innkeeper and/or owner shall live on the premises while the bed and breakfast operation is active.

Sec. 7-9. - Residential status of structure.

The structure utilized in a bed and breakfast operation shall remain a residential structure. ~~i.e. the kitchen shall not be remodeled into a commercial kitchen.~~

SECTION 3. AMENDMENT. That Section 7-13, Maximum space to be used in operation, of Chapter 7, Bed and Breakfast Operations, Article I, *In General*, of the Code of Ordinances is hereby amended to read:

Sec. 7-13. - ~~Maximum space to be used in operation.~~ Floor Plan

~~The bed and breakfast room(s) shall occupy no more than a total of twenty-five (25) percent of the dwelling unit floor space.~~ **The bed and breakfast floor plan shall be in full compliance with the (MRC) Michigan Residential Building current edition.**

SECTION 4. PUBLIC HEARING. A public hearing is set for Monday, April 15, 2019 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendments.

SECTION 5. EFFECTIVE DATE. This amendment shall become effective twenty days after passage.

SECTION 6. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

Mid-Michigan Custom Car Show Permission. Approve application of Andy Genovese on behalf of the Mid-Michigan Custom Car Show for use of Washington Street from Main Street to Mason Street and Exchange Street from Water Street to Park Street from 7:00am to 6:00pm on Sunday, May 19, 2019 for the Mid-Michigan Custom Car Show and authorize Traffic Control Order No. 1413 formalizing the request.

Authorization of Application for Transportation Economic Development Funds. Approve resolution supporting the application to seek Transportation Economic Development Fund-Category F funds for the reconstruction of North Chipman Street from Main Street to Beehler Street and authorize the obligation of City funds for the project per the terms of the TED-F Program match requirement as detailed below:

RESOLUTION NO. 56-2019

**AUTHORIZING APPLICATION FOR
TRANSPORTATION ECONOMIC DEVELOPMENT FUND, CATEGORY F FOR
NORTH CHIPMAN STREET FROM M-21 (MAIN STREET) TO BEEHLER STREET**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Public Service Department recommends the reconstruction of North Chipman Street from M-21 (Main Street) northerly to Beehler Street; and

WHEREAS, the Michigan Department of Transportation offers its portion of state funds known as Transportation Economic Development Fund, Category F, for this work; and

WHEREAS, roadway improvements that are eligible for these funds must be located on the federal-aid highway system and within the federal urban area boundary, such as North Chipman Street in the City of Owosso; and

WHEREAS, the City of Owosso proposes to procure Transportation Economic Development Funds, Category F, for the purpose of providing a maximum of 80 percent (80%) MDOT match to the City's Major Street Funds, or other funds as obligated; as outlined in its application.

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 proceed with the proposed roadway improvements.
- SECOND: That the City of Owosso is actively seeking Transportation Economic Development Funds, Category F, to partially fund the reconstruction of North Chipman Street from M-21 (Main Street) northerly to Beehler Street and is willing to participate in this program.
- THIRD: That the proper city officials are authorized to sign the application documents and staff is authorized to obligate city funds as its match of the project cost.
- FOURTH: The city's portion of costs shall be paid from the City's Public Act 51 Major Streets Fund or other funds as obligated.

Purchase Authorization Amendment - Road Salt. Authorize amendment to the purchase order with The Detroit Salt Company, LLC adding \$22,045.80 for delivery of an additional 420 tons of road salt at \$52.49/ton, and further authorize payment up to \$96,822.00 upon satisfactory receipt of the product as shown below:

RESOLUTION NO. 57-2019

**AUTHORIZING THE EXECUTION OF AMENDMENT NO. 1 WITH
THE DETROIT SALT COMPANY, LLC
FOR THE BULK SUPPLY OF ROAD SALT**

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

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

WHEREAS, the city of Owosso desires to procure an additional 420 tons of bulk road salt from Detroit Salt, LLC on MiDeal State of Michigan Contract 171-18000000768, at the price of \$52.49 per ton, and to exercise its option for procuring the maximum tonnage allowed for the 2018/2019 contract period.

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

- FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to purchase 420 additional tons of road salt from The Detroit Salt Company, LLC per the terms of State of Michigan Contract No. 171-18000000768.
- SECOND: Purchase Requisition #62372 is hereby amended, increasing the total amount by \$22,045.80 for a total of \$95,531.80.
- THIRD: The accounts payable department is authorized to pay The Detroit Salt Company, LLC for road salt satisfactorily received up to the amount of \$95,531.80.
- FOURTH: The above expenses shall be paid from Local and Major Street Fund and State Trunk-line accounts 202/203.478.728.000 and 202.497.728.000.

Bid Award – Claw Bucket. Approve bid award to D & G Equipment, Inc. for the purchase of one TINK Model 720 claw bucket in the amount of \$14,821.70 and authorize payment to the vendor upon satisfactory delivery of said equipment as follows:

RESOLUTION NO. 58-2019

**AUTHORIZING A PURCHASE AGREEMENT FOR ONE CLAW BUCKET
FROM D&G EQUIPMENT, INC. OF CORUNNA, MICHIGAN
FOR USE IN THE FLEET MOTOR POOL**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has budgeted from the Fleet Motor Pool Fund for the replacement of a claw bucket for the maintenance of streets and grounds, and

WHEREAS, the existing claw bucket has expended its useful service life, and

WHEREAS, the City of Owosso Director of Public Services & Utilities has reviewed the replacement equipment as priced by D&G Equipment, Inc., and recommends authorizing a purchase order between the city of Owosso and D&G Equipment, Inc. for the replacement claw bucket.

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 a purchase order with D&G Equipment, Inc. of Corunna, Michigan for the acquisition of one (1) TINK model 720 claw bucket for use in the Fleet Motor Pool, in the amount of \$14,821.70.
- SECOND: The accounts payable department is authorized to submit payment to D&G Equipment, Inc. in the amount of \$14,821.70 upon delivery and satisfactory installation of the claw bucket.
- THIRD: The above expenses shall be paid from account no. 661-901-979.000.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Bailey.

ITEMS OF BUSINESS

Unpaid Utility Charges

Responding to a question that Councilmember Pidek had posed before the meeting City Manager Henne detailed what portion of the properties listed were rentals vs. owner-occupied (74% vs. 26%).

Motion by Councilmember Pidek to authorize the annual notice for the collection of unpaid utility charges and the intent to lien therefore in compliance with Chapter 15, Section 15.4(c) of the Owosso City Charter.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Bailey.

2018-19 City Budget Amendment

Motion by Mayor Pro-Tem Osika to approve the following resolution amending the 2018-19 budget incorporating adjustments made from the start of the current fiscal year to March 31, 2019:

RESOLUTION NO. 59-2019

**CITY OF OWOSSO
ADOPTION OF AMENDED 2018-2019 BUDGET**

WHEREAS, the City Council of Owosso has adopted The General Appropriations Act Budget for 2018-2019 by Resolution, and

WHEREAS, Section 9 of the General Appropriations Act requires a departmental budget which stipulates that no transfers of departmental appropriations shall be made without prior approval of the Council, and

WHEREAS, MCL 141.437 states that the local legislative body of the local unit shall amend the general appropriations act as soon as it becomes apparent that a deviation from the original general appropriations act is necessary, and

WHEREAS, the Finance Director has made recommendations that include proposals for measures necessary to provide revenues sufficient to meet expenditures of the fund or both, and

WHEREAS, the City Council of Owosso has determined these changes in the 2018-2019 Owosso Budget (Act) is needed and necessary to monitor the financial operations of the City and to ensure the appropriations do not exceed the expenditures.

NOW THEREFORE BE IT RESOLVED that the City Council of Owosso hereby adopts the amended revenues and expenditures listed below to be reflected in the 2018-2019 Amended Annual Budget (Act).

**CITY OF OWOSSO BUDGET AMENDMENTS
Period Ending 03/31/19**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	CURRENT BUDGET	REQUESTED INCREASE (DECREASE)	AMENDED BUDGET	REASON FOR AMENDMENTS
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	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	CURRENT BUDGET	REQUESTED INCREASE (DECREASE)	AMENDED BUDGET	REASON FOR AMENDMENTS
<u>General Fund</u>						
1	101-756-974.000SKATE18	System Improvements	-	108,920	108,920	To record amount reserved to build SkatePark
	101-000-671.694	Miscellaneous Revenue	20,000	2,500	17,500	additional FY19 donation.
	101-000-366.000	Restricted Fund Balance	162,182	(106,420)	55,762	
<u>Transportation Fund</u>						
2	101-966-999.588	Transfer to Sata	26,000	(26,000)	-	To reverse transfer to SATA from General Fund. SATA levy was not approved prior to start of FY19. Approved August 2018. Levied Dec 2018.
	101-000-695.699	Appropriation of Fund Balance	156,000	(26,000)	130,000	
<u>Street Funds</u>						
3	588-000-695.101	General Fund Transfer	24,547	(24,547)	-	
	588-000-695.699	Appropriation of Fund Balance	52,831	(24,547)	28,284	
4	202-000-501.506	Grant-Federal	0	320,000	320,000	To record partial Washington St grant and Oliver II Grant
	202-000-539.569	Gas & Weight Tax	913,000	56,664	969,664	and adjust to Act 51 funds projected.
	202-000-695.675	Special Assessments	100,956	300,000	400,956	Record expected current portion of special assessments levied.
	202-000-695.411	Transfer From Street Program	1,691,800	575,000	2,266,800	Adjust construction costs projected during FY19.
	202-451-818.000	Contractual Services	1,691,800	1,251,664	2,943,464	
5	203-000-539.556	State Sources-Pa207	0	187,320	187,320	Record PA 207 distribution of State funds.
	203-000-539.569	Gas & Weight Tax	333,125	82,000	415,125	Adjust to Act 51 funds projected and
	203-000-695.675	Special Assessments	61,000	50,680	111,680	record expected portion of special assessments levied.
	203-000-695.411	Transfer From Capital Projects	921,500	500,000	1,421,500	Adjust construction costs projected during FY19.
	203-451-818.000	Contractual Services	921,500	820,000	1,741,500	
<u>Historical Fund</u>						
6	297-000-671.675	Donations-Private	25,000	17,200	42,200	To record request from Department Head.
	297-799-831.000	Building Maintenance	2,500	15,000	17,500	
	297-799-831.200	Bldg Maintenance-Rental	500	2,200	2,700	

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Bailey.

Special Assessment Resolutions Amendments

City Manager Henne explained that the action before the Council this evening would amend the named resolutions to reflect the terms that are used in the actual billing of these districts.

Motion by Councilmember Pidek to amend Special Assessment Resolution Nos. 121-2017, 123-2017, and 124-2017 correcting the term for each special assessment district to 20 years, and further amend Special Assessment Resolution No. 125-2017 correcting the term for the district to 10 years as follows:

RESOLUTION NO. 121-2017 - AMENDED

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$154,550.12 is hereby confirmed and shall be known as Special Assessment Roll No. 2017-03.
2. Said special assessment roll shall be divided into twenty installments, the first of which shall be due and payable on December 1, 2017, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by December 1, 2017.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2017 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

RESOLUTION NO. 123-2017 - AMENDED

**DISTRICT NO. 2017-06
N. CHIPMAN STREET FROM OLIVER STREET TO KING STREET
SPECIAL ASSESSMENT RESOLUTION NO. 5**

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$25,790.16 is hereby confirmed and shall be known as Special Assessment Roll No. 2017-06.
2. Said special assessment roll shall be divided into twenty installments, the first of which shall be due and payable on December 1, 2017, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by December 1, 2017.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2017 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

RESOLUTION NO. 124-2017 - AMENDED

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$25,435.67 is hereby confirmed and shall be known as Special Assessment Roll No. 2017-07.
2. Said special assessment roll shall be divided into twenty installments, the first of which shall be due and payable on December 1, 2017, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by December 1, 2017.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2017 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

RESOLUTION NO. 125-2017 - AMENDED

DISTRICT NO. 2017-09

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$25,117.76 is hereby confirmed and shall be known as Special Assessment Roll No. 2017-09.
2. Said special assessment roll shall be divided into ten installments, the first of which shall be due and payable on December 1, 2017, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by December 1, 2017.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2017 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Bailey.

City Manager Evaluation Discussion

There was discussion regarding the format of the City Manager's performance review, how it has been handled in the past, conducting a 360° review, and updating the content of the current format.

Mayor Eveleth suggested Councilmembers contact Human Resources Director Jessica B. Unangst with any changes they would like to see and have Ms. Unangst present the final draft for approval at the April 15th meeting.

COMMUNICATIONS

- M. Lafferty, Planning Commission. Letter of Resignation.
- Cheryl A. Grice, Finance Director. Revenue & Expenditure Report – February 2019.
- Historical Commission. Minutes of February 11, 2019.
- Downtown Historic District Commission. Minutes of February 20, 2019.
- Parks & Recreation Commission. Minutes of February 27, 2019.
- WWTP Review Board. Minutes of March 26, 2019.

CITIZEN COMMENTS AND QUESTIONS

Mike Espich, Parks & Recreation Commission Chairman, said he had recently seen some pictures online showing homeless encampments along the Miner River Trail. He asked that the trash and items left behind be cleaned up.

Steven Goff, property owner at 1370 W. South Street, inquired whether the Council would be voting to set a medical marijuana license lottery this evening as reported on the web site. It was noted they would not.

Pete Yerian, property owner at 112 N. Washington Street, said he thinks that City Manager Henne has done a great job, from the perspective of a resident and a business owner. He said he appreciates all he does.

Eddie Urban, 601 Glenwood Avenue, spoke about receiving one of his Purple Hearts.

Councilmember Pidek explained his rationale for asking for a breakdown of the number of rental units and owner-occupied units on the unpaid utilities list, saying he would like to collect similar information so that the Council can help address local issues.

City Manager Henne announced that he will be holding a coffee hour this Wednesday at 8:00am at Foster Coffee. Anyone is welcome to attend.

Mayor Eveleth noted that Foster Coffee had recently been named as having the best coffee in Michigan by Food & Wine magazine.

NEXT MEETING

Monday, April 15, 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 – 2 terms expire December 31, 2021
- Parks & Recreation Commission – term expires June 30, 2019
- Planning Commission – term expires June 30, 2019
- Zoning Board of Appeals - Alternate – term expires June 30, 2021

ADJOURNMENT

Motion by Councilmember Fear for adjournment at 9:23 p.m.

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

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk