

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF JUNE 3, 2019
7:30 P.M.**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: PASTOR MARLENE WEBSTER
OWOSSO CITY CHURCH

PLEDGE OF ALLEGIANCE: COUNCILMEMBER LOREEN F. BAILEY

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

ABSENT: Councilmember Daniel A. Law.

APPROVE AGENDA

Motion by Councilmember Pidek to approve the agenda with the addition of the following appointment to Consent Item 1. Boards and Commissions Appointments.

Name	Board/Commission	Term Expires
Pete Yerian	Planning Commission	06-30-2022

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF MAY 20, 2019

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of May 20, 2019 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

Budget Hearing

A Public Hearing was conducted pursuant to Chapter 8, Section 4 of the City Charter to receive citizen comments regarding proposed 2019-20 Budget.

There were no citizen comments received prior to, or during the meeting.

Mayor Eveleth indicated that per policy only the public hearing would be conducted this evening, there will be no move to adopt the budget tonight.

MDEQ Sewer Revolving Fund Project Submittal

A public hearing was conducted to receive citizen comment regarding the project plan proposed for submission to the MDEQ State Revolving Fund for improvements to the City's sanitary sewer collection system.

The following people commented in regard to the proposed project submittal:

OHM Engineer Matthew Kennedy gave a PowerPoint presentation detailing the current conditions and the plan devised to resolve them. The City must reduce sanitary sewer overflows per an administrative order from the State of Michigan. The plan proposed this evening involves two distinct projects: construction of a detention tank and the repair/rehabilitation of sewer lines and manhole structures. The cost for both projects is estimated at \$4,900,000 and would be financed with a 20-year low interest loan from the Revolving Fund. Quarterly residential sewer rates are predicted to increase approximately \$11.41 if both projects move forward as proposed.

City Manager Henne noted that the City is planning on tackling some projects similar to those mentioned on a pay-as-you-go basis this coming fiscal year. The projects detailed in the

application will be in addition to the pay-as-you-go projects. He also noted that the City is not considered a disadvantaged community for the purposes of this particular loan.

There were no citizen comments received prior to, or during the hearing.

The City Council sought clarification on how quickly the proposed rate hike would be instituted. They also inquired about the following items: the locations that typically overflow, whether the City gets fined for overflows, if identification of infiltrations from private properties would resolve the problem, the size and frequency of overflows, whether the tank could be located underground, if the Planning Commission considered the best use of the land where the tank is proposed to be located, and whether the Master Plan prescribed a different usage for the property.

The hearing was closed at 7:59 p.m.

Motion by Councilmember Bailey to approve the proposed project plan and designate an authorized signer as detailed below:

RESOLUTION NO. 84-2019

**ADOPTING A FINAL PROJECT PLAN
FOR WASTEWATER COLLECTION SYSTEM IMPROVEMENTS AND
DESIGNATING AN AUTHORIZED PROJECT REPRESENTATIVE**

WHEREAS, the City of Owosso recognizes the need to make improvements to its existing wastewater treatment and collection system and its existing NPS pollution control system; and

WHEREAS, the City of Owosso authorized OHM Advisors to prepare a Project Plan, which recommends the rehabilitation of structurally deficient wastewater collection system components as well as construction of a new sanitary sewer overflow detention tank to address sanitary sewer overflows; and

WHEREAS, said Project Plan was presented at a Public Hearing held on June 3rd, 2019 and all public comments have been considered and addressed;

NOW THEREFORE BE IT RESOLVED, that the City of Owosso formally adopts said Project Plan and agrees to implement the selected alternatives "Rehabilitation of Sanitary Sewer Pipe and Manholes" and "Sanitary Sewer Overflow Detention Tank".

BE IT FURTHER RESOLVED, that the Director of Public Utilities, a position currently held by Glenn Chinavare, is designated as the authorized representative for all activities associated with the project referenced above, including the submittal of said Project Plan as the first step in applying to the State of Michigan for a Revolving Fund Loan to assist in the implementation of the selected alternative.

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Law.

CITIZEN COMMENTS AND QUESTIONS

Eddie Urban, 601 Glenwood Avenue, asked what lime residuals could be used for.

Gary Burk, Owosso Township resident and former Utilities Director, said he felt that a time-of-sale ordinance would help the City resolve the problem with private infiltrations to the sanitary sewer system. He said the City has worked to reduce the number of overflows and the size of each overflow in the past several years. He expressed concern that the retention tank being proposed will not be large enough. He further noted that it was his opinion that the pumps at the WWTP are the cause of the bottleneck at the plant, not the size of the pipes leading to the plant. He encouraged the City to target elicit connections and conduct inspections on an on-going basis.

Mayor Eveleth reminded everyone that the annual Curwood Festival would be going on this weekend.

Mayor Pro-Tem Osika apologized for forgetting to bring Pete Yerian's appointment to the attention of the Mayor.

CITY MANAGER REPORT

City Manager Nathan R. Henne detailed the latest Project Status Report for Council.

Mayor Eveleth inquired how much money the 9-lot sale at Osburn Lakes brought in. City Manager Henne indicated he would check and report back.

Councilmember Fear asked how many lead service lines would be left after the current replacement project is completed. Utilities Director Chinavare indicated that the survey for lead lines should be completed by September 30th.

Councilmember Pidek asked if there was any way to speed up the identification process, such as educating citizens to identify the type of service line they have. Mr. Chinavare agreed that another outreach effort would be appropriate, but he cautioned that it may be difficult for residents to identify exactly what type of material their service line is made of.

CONSENT AGENDA

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

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

Name	Board/Commission	Term Expires
Cheryl Grice	Building Authority filling unexpired term of K. Ruddy	06-30-2020
Treena Chick	Local Development Finance Authority / Brownfield Redevelopment Authority filling unexpired term of L. Cook	06-30-2023
Robert Teich*	Zoning Board of Appeals	06-30-2022
Brent Mowinski*	Downtown Loan Committee	06-30-2021
Bradley Kirkland*	Downtown Loan Committee	06-30-2021
Pete Yerian ¹	Planning Commission	06-30-2022

* Indicates reappointment ¹ Appointment was added to the agenda.

80's Summer Street Party Permission. Approve application of Pete Yerian, owner of Niche Bar and Lounge, for closure of N. Washington Street from Main Street to Exchange Street from 2:00 p.m. on Saturday, June 29, 2019 until 2:00 a.m. on Sunday, June 30, 2019 for an 80's Summer Street Party and authorize Traffic Control Order No. 1416 formalizing the request.

Salem Lutheran Church 5K Walk/Run Permission. Approve application of Timothy Norder, race coordinator, for closure of Williams Street from Park Street to Adams Street and Jerome Avenue from Himburg Drive to Oakwood Avenue from 8:30 a.m. until 10:30 a.m. on Sunday, July 14, 2019 for the Salem Lutheran Church 5K Walk/Run, waive the insurance requirement, and authorize Traffic Control Order No. 1417 formalizing the request.

Change Order – Lead & Galvanized Water Service Line Replacement Contract. Authorize Change Order No. 1 to the Lead & Galvanized Water Service Line Replacement Contract with Green Tech Systems, LLC increasing the amount by \$52,898.74 for additional expenses associated with difficult internal plumbing configurations inside resident homes and further authorize payment to the contract for the contract amount, including Change Order No. 1 as follows:

RESOLUTION NO. 85-2019

APPROVAL OF CHANGE ORDER NO. 1 TO THE AGREEMENT BETWEEN THE CITY OF OWOSSO AND GREEN TECH SYSTEMS, LLC OF KAWKAWLIN, MICHIGAN FOR REPLACEMENT 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 Green Tech Systems, LLC as approved at its regularly scheduled council meeting of January 22, 2019 for the verification and replacement of lead and galvanized water service lines; and

WHEREAS, the Director of Public Services & Utilities has reviewed the scope of work as provided in Change Order No.1, and approves of this additional work required to complete the replacement of water service lines in accordance with MDEQ regulations.

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 approve change order No.1 in the amount of \$52,898.74 to the Lead & Galvanized Water Service Line Replacement Contract with Green Tech Systems, LLC for providing additional services for the replacement of lead and galvanized water service lines.
- SECOND: The accounts payable department is authorized to submit payment to Green Tech Systems in the amount of \$257,904.00, plus change order No.1 in the amount of \$52,898.74, for a total not to exceed \$310,802.74.
- THIRD: The above expenses shall be paid for from the water fund account 591-901-972.000.

Services Agreement – Clarifier Transfer Pipe Cleaning. Waive competitive bidding requirements, authorize a Services Agreement in the amount of \$51,046.80 with SET Environmental, Inc. for the immediate cleaning of the clarifier transfer pipe at the Water Filtration Plant, and further authorize payment to the service provider upon satisfactory completion of the project as detailed below:

RESOLUTION NO. 86-2019

**AUTHORIZING MAINTENANCE SERVICES AGREEMENT BETWEEN THE CITY OF
OWOSSO AND SET ENVIRONMENTAL, INC. OF GRAND RAPIDS
FOR EMERGENCY PIPE CLEANING AT THE WATER TREATMENT PLANT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, is required to maintain a constant supply of water to its city and regional customers in accordance with state and federal regulatory requirements, and

WHEREAS, the ability to pump and deliver treated water during peak demands is compromised as result of a clarifier effluent pipe restriction, and it is determined to require immediate professional cleaning services to remove the restriction limiting the Water Treatment Plant from pumping and delivering water supply at operational capacity, and

WHEREAS, the City Director of Public Services and Utilities has reviewed the necessity for the proposed cleaning services, researched qualified contractors, and determined that SET Environmental, Inc. is the firm best qualified to perform the necessary services because they understand the circumstances under which the services must be performed and they have worked with staff to prepare work plans to accomplish the task; and

WHEREAS, the City Director of Public Services and Utilities recommends authorizing SET Environmental, Inc. to provide said cleaning services in the amount of \$51,046.80.

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 SET Environmental, Inc. of Grand Rapids, Michigan for emergency pipe cleaning services at the Water Treatment Plant, and to waive the competitive solicitation process as normally required by the city purchasing policy.
- SECOND: The mayor and/or city clerk are instructed and authorized to sign the purchase services agreement as prepared by the city clerk.
- THIRD: The accounts payable department is authorized to submit payment to SET Environmental, Inc. in an amount not to exceed \$51,046.80 upon satisfactory completion of the work or portion thereof.
- FOURTH: The above expenses shall be paid from account no. 591-553-833.000.

Bid Award - Lime Residuals Removal/Reuse. Authorize three-year contract with Prolime Corporation for the removal/re-use of Water Treatment Plant lime residuals at \$20.20 per cubic yard in years 1 and 2 and \$20.81 per cubic yard in year 3, with a total amount not to exceed \$299,990.00, and further authorize payment according to unit prices upon successful completion of the work or a portion thereof as follows:

RESOLUTION NO. 87-2019

**AUTHORIZING CONTRACT WITH
PROLIME CORPORATION OF WASHINGTON, MICHIGAN
FOR REMOVAL OF LIME RESIDUAL MATERIAL AT THE WATER TREATMENT PLANT**

WHEREAS, the city has determined it necessary to remove lime residual material at its water treatment plant lagoons to gain lagoon capacity; and

WHEREAS, the city of Owosso sought bids for the removal of lime residuals at the water treatment plant; and

WHEREAS, Prolime Corporation of Washington, Michigan is hereby determined to be the qualified, responsible, and low bidder to provide such 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 heretofore determined that it is advisable, necessary and in the public interest to employ Prolime Corporation to remove spent lime in the approximate quantities of 6,400 cubic yards at \$20.20/CY for fiscal year 2019-2020, 3,300 cubic yards at \$20.20/CY for fiscal year 2020-2021, and 5,000 cubic yards at \$20.81/CY for fiscal year 2021-2022.
- SECOND: The mayor and city clerk are instructed and authorized to sign the Contract for Services between the city of Owosso, Michigan and Prolime Corporation as prepared by the city clerk in the amount of \$299,990.00 covering the period of July 1, 2019 through June 30, 2022.
- THIRD: The accounts payable department is authorized to pay Prolime Corporation according to unit prices up to the contract amount for work satisfactorily completed and certified correct by the Director of Public Services or his designee.
- FOURTH: The above expenses shall be paid from the Water Fund Account 591-553-834.000

Bid Award -2019 Street Patches Program. Authorize bid award to L & L Excavating, LLC as the low bidder for the 2019 Street Patches Program in the amount of \$91,774.10 and further authorize payment up to the bid amount upon satisfactory completion of the work or a portion thereof as follows:

RESOLUTION NO. 88-2019

**AUTHORIZING THE EXECUTION OF A CONTRACT FOR
THE 2019 STREET PATCHES PROGRAM
WITH L & L EXCAVATING, LLC OF REESE, MICHIGAN**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that the temporary street patches in many of the streets in the city need to be permanently repaired with a hot mixed asphalt to prevent water from getting into the sub base of the street, accelerating the deterioration of the street pavement, and that this pavement maintenance is advisable, necessary and in the public interest; and

WHEREAS, the city of Owosso sought bids to permanently patch said areas; and

WHEREAS, L & L Excavating, LLC submitted the low and responsible bid, and it is hereby determined that L & L Excavating, LLC is qualified to provide such 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 employ L & L Excavating, LLC for pavement patching as required for the 2019 Street Patches Program.
- SECOND: The mayor and city clerk are instructed and authorized to sign the contract service agreement between the city of Owosso and L & L Excavating, LLC, in an amount not to exceed \$91,744.10.
- THIRD: The accounts payable department is authorized to pay L & L Excavating, LLC for work satisfactorily completed in the amount of \$91,744.10.
- FOURTH: The above expenses shall be paid from FY2019-2020 Major and Local Street Fund Accounts 202/203-463-818.000.

Motion supported by Councilmember Haber.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Law.

ITEMS OF BUSINESS

2018-19 City Budget Amendment

Motion by Mayor Pro-Tem Osika to adopt the 2018-2019 Amended Budget as detailed below:

RESOLUTION NO. 89-2019

**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 Projected Ending 6/30/19 To be Approved 6/3/19**

General Fund To reflect spending, collections and labor changes

	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	CURRENT BUDGET	INCREASE (DECREASE)	AMENDED BUDGET
1	101-000-600.642	Cable Television Franchise Fees	145,000	(26,000)	119,000
-	101-000-695.699	Appropriation of Fund Balance	130,000	26,000	156,000
2	101-101-978.860	City Council Education and Training	600	4,500	5,100
-	101-171-978.860	City Manager Health Insurance	17,970	(4,500)	13,470
-	101-201-702.100	Finance Salaries	176,627	5,500	182,127
-	101-209-716.100	Assessing Health Insurance	18,799	(13,250)	5,549
-	101-215-702.100	Clerk Salaries	106,916	5,500	112,416
-	101-215-718.000	Clerk Retirement	50,539	12,000	62,539
-	101-226-718.000	Human Resources Retirement	27,044	1,700	28,744
-	101-253-702.100	Treasury Salaries	92,856	(1,000)	91,856
-	101-258-818.000	Contractual Services	86,695	(16,150)	70,545
-	110-265-718.000	Building and Grounds Retirement	18,373	4,000	22,373
-	101-265-702.200	Building and Grounds Wages	38,869	6,700	45,569
-	101-265-716.000	Building and Grounds Fringes	950	4,000	4,950
-	101-299-850.000	Bad Debt Expense	90,000	16,000	106,000
-	101-300-716.100	Police Health Insurance	255,919	(10,000)	245,919
-	101-300-860.000	Police Education and Training	16,410	(5,000)	11,410
	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	CURRENT BUDGET	INCREASE (DECREASE)	AMENDED BUDGET

-	101-335-702.300	Fire Overtime	125,000	(5,000)	120,000
-	101-335-728.100	Fire Supplies	30,000	(5,000)	25,000
-	101-335-718.000	Fire Retirement	213,961	(17,500)	196,461
-	101-370-702.100	Building and Safety Wages	59,779	5,500	65,279
-	101-441-702.200	Public Works Wages	59,477	15,000	74,477
-	101-528-843.000	Leaf and Brush Collection Equipment Rental	120,000	(8,000)	112,000
-	101-728-702.100	Community Development Salaries	81,227	(20,000)	61,227
-	101-728-716.100	Community Development Contractual Services	67,268	(5,000)	62,268
-	101-756-974.000	Land Improvements-Skatepark	111,420	27,000	138,420
-	101-966-999.731	Retirement Transfer	157,000	3,000	160,000
		Overall Change	2,298,699	-	2,298,699

Motion supported by Councilmember Bailey.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Law.

MERS Hybrid Plan- Future Fire Department Members

Motion by Councilmember Bailey to authorize approval of the MERS Hybrid Plan Adoption Agreement governing Fire Department employees hired after May 1, 2019 as follows:

RESOLUTION NO. 90-2019

**ADOPTING THE MERS HYBRID PLAN FOR
FIRE DEPARTMENT EMPLOYEES HIRED AFTER MAY 1, 2019**

WHEREAS, the participating entity desires to adopt the MERS Hybrid Plan for its designated employees;

WHEREAS, the participating entity has furnished MERS with required data regarding each eligible employee and retiree, and, for employees, MERS' actuary has computed the liabilities for benefits payable and which may become payable (on account of service already, and to be, rendered) with respect to the defined benefit portion of the MERS Hybrid Plan, and the participating entity has furnished MERS with required data regarding each eligible employee and retiree with respect to the defined contribution portion of the MERS Hybrid Plan;

WHEREAS, as a condition of MERS membership, and pursuant to the MERS Retirement Board's power as plan administrator and trustee under Plan Document Section 71 and MCL 38.1536, as each may be amended, it is appropriate and necessary to enter into a binding agreement providing for the administration of the Hybrid Plan, the reporting of wages, and the payment of the required contributions of a participating entity and withholding of employee contributions; now, therefore,

IT IS HEREBY RESOLVED:

On behalf of the participating entity, the governing body of the City of Owosso adopts the MERS Hybrid Plan in accordance with Plan Section 4 for its eligible employees as described in the MERS Hybrid Adoption Agreement, subject to the MERS Plan Document and as authorized by 1996 PA 220, as both may be amended.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Law.

Emergency Ordinance Amendment – Chapter 19, Nuisances

City Manager Henne explained that we don't do emergency ordinances very often but he felt it was necessary to have this amendment in place by July 4th. He went on to explain that the amendment reduces the days and times that fireworks are allowed in the City.

Motion by Councilmember Bailey to approve the emergency amendment of Section 19-127 of Chapter 19, Nuisances, of the Code of Ordinances of the City of Owosso, Michigan to update the fireworks ordinance in time for the upcoming July 4th holiday as shown below:

ORDINANCE NO. 800

AN EMERGENCY ORDINANCE TO AMEND SECTION 19-127 OF CHAPTER 19, NUISANCES, OF THE CODE OF THE CITY OF OWOSSO TO UPDATE THE FIREWORKS ORDINANCE TO REFLECT CHANGES IN STATE LAW

WHEREAS, in 2013 the State of Michigan restricted the ability of municipalities to regulate the use of fireworks within their jurisdiction on and around legal holidays; and

WHEREAS, due to significant push-back from municipalities that were unable to respond to citizen complaints of disturbance of the peace related to the use of fireworks, the State has seen fit to amend the law to reduce the number of days in which municipalities are prohibited from regulating fireworks use; and

WHEREAS, the City also wishes to simplify its ordinance by referring to the State law for the definition of terms related to fireworks; and

WHEREAS, there is insufficient time prior to July 4th to amend the fireworks ordinance using normal procedures this ordinance shall be declared emergent in nature.

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

SECTION 1. REPEAL. That Section 19-127, Discharge of fireworks or explosives, of Chapter 19, Nuisances, of Article VII, *Offenses Against Public Safety*, of the Code of Ordinance is hereby repealed.

SECTION 2. REPLACE. That Section 19-127, Discharge of fireworks or explosives, of Chapter 19, Nuisances, of Article VII, *Offenses Against Public Safety*, of the Code of Ordinance is hereby replaced to read as follows:

Section 19-127- Consumer Fireworks:

- (a) No person shall ignite, discharge or use consumer fireworks except after 11:00 a.m. on the following days:
 - (1) December 31 until 1 a.m. January 1.
 - (2) The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m.
 - (3) June 29 to July 4 until 11:45 p.m. on each of those days.
 - (4) July 5, if that date is a Friday or Saturday, until 11:45 p.m.
 - (5) The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.
- (b) For purposes of this section, "consumer fireworks" has the same meaning as that term is defined in section 2 of the Michigan Fireworks Safety Act, being MCL 28.452.
- (c) A violation of this section is a civil infraction with a fine of \$1,000.00 for each violation. Each consumer firework discharged in violation of this section shall constitute a separate offense. \$500.00 of each fine collected pursuant to this section shall be remitted to the Owosso Public Safety Department.

SECTION 3. EMERGENT NATURE. This ordinance amendment is declared emergent in nature and as such shall be approved by no less than five members of the City Council.

SECTION 4. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

SECTION 5. EFFECTIVE DATE. This amendment shall become effective immediately upon adoption on June 3, 2019.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Law.

COMMUNICATIONS

Historical Commission. Minutes of April 8, 2019.
Parks & Recreation Commission. Minutes of April 24, 2019.
Downtown Development Authority/Main Street. Minutes of May 1, 2019.
Zoning Board of Appeals. Minutes of May 21, 2019.

CITIZEN COMMENTS AND QUESTIONS

Marlene Webster, County Commissioner District 1, said the County is looking for a new CFO and they have several boards and commissions openings available. She went on to note the items of biggest concern had to do with the MERS system. They have unfunded pension liability they need to figure out how to fund and they may be required by the State to replace \$458,000 that was taken from the 911 millage fund and given to MERS.

Eddie Urban, 601 Glenwood Avenue, thanked Council for mentioning that veterans are sometimes bothered by fireworks and the 4th of July.

Mayor Eveleth invited the public to attend his state of the City address at 6:00pm next Tuesday at Foster Coffee.

City Manager Henne indicated he is very happy to see that his county commissioner is involved in fixing the retirement issues at the County.

UPCOMING MEETINGS

Downtown Development Authority – June 5, 2019, 7:30 a.m.
Historical Commission – June 10, 2019, 6:00 p.m.

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
Planning Commission – term expires June 30, 2019
~~Shiawassee Airport Board – term expires December 31, 2019~~

ADJOURNMENT

Motion by Councilmember Bailey for adjournment at 8:27 p.m.

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

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk