

**CITY OF OWOSSO  
REGULAR MEETING OF THE CITY COUNCIL  
MINUTES OF FEBRUARY 16, 2016  
6:30 P.M.  
SPECIAL START TIME**

**PRESIDING OFFICER:** MAYOR BENJAMIN R. FREDERICK

**OPENING PRAYER:** CAMERON BRADY  
SHIAWASSEE COUNTY HABITAT FOR HUMANITY

**PLEDGE OF ALLEGIANCE:** 2016 LEADERSHIP SHIAWASSEE REPRESENTATIVES

**PRESENT:** Mayor Benjamin R. Frederick, Mayor Pro-Tem Christopher T. Eveleth, Councilpersons Burton D. Fox, Elaine M. Greenway, Michael J. O'Leary, and Robert J. Teich, Jr.

**ABSENT:** Councilperson Loreen F. Bailey.

**APPROVE AGENDA**

Motion by Mayor Pro-Tem Eveleth to approve the agenda as presented.

Motion supported by Councilperson Fox and concurred in by unanimous vote.

**APPROVAL OF THE MINUTES OF REGULAR MEETING OF FEBRUARY 1, 2016**

Motion by Councilperson Fox to approve the Minutes of the Regular Meeting of February 1, 2016 as presented.

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

**DISCUSSION**

**Cargill Project – Next Steps**

City Manager Donald D. Crawford gave a presentation on the necessary steps to accomplish the property deal with Cargill, Inc. which could potentially include amendment(s) to the Brownfield Plan for the site, State financial assistance, and bonding to finance infrastructure improvements. Council reacted favorably to the project and its demands on the City.

The meeting recessed briefly from 7:18 p.m. until 7:20 p.m. to allow the room to be returned to its normal state.

Upon returning from recess Mayor Frederick asked if the Council would consider suspending the rules of order to consider an amendment to the Consent Agenda. Staff was requesting the removal of Consent Agenda 1. Special Assessment District No. 2016-01 be removed to allow opportunity to negotiate and potentially lower the proposed special assessments.

Motion by Mayor Pro-Tem Eveleth to suspend the rules of order to consider an amendment to the Consent Agenda.

Motion supported by Councilperson Fox and concurred in by unanimous vote.

Motion by Mayor Pro-Tem Eveleth to remove Consent Agenda 1. Special Assessment District No. 2016-01.

Motion supported by Councilperson Fox and concurred in by unanimous vote.

**STUDENT REPRESENTATIVE REPORT**

**Lincoln High School**

Lincoln High School student representatives Elaina, Cole & Mackenzie provided an update on recent events at the school

**PROCLAMATIONS / SPECIAL PRESENTATIONS**

None.

**PUBLIC HEARINGS**

None.

**CITIZEN COMMENTS AND QUESTIONS**

There were no citizen comments at this time.

There were no Council comments at this time.

**CITY MANAGER REPORT**

City Manager Donald Crawford provided an update on the Shiawassee Sanitary Landfill Remediation Project. He noted that bids have been received for the work and negotiations are underway with the other members of the landfill group to develop a written contract for the work.

**CONSENT AGENDA**

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

**Special Assessment District No. 2016-01.** (This item was removed from the agenda.)

**Traffic Control Order No. 1345.** Approve Traffic Control Order No. 1345 establishing a “No Parking” zone on the west side of Ada Street between Oliver and Lee Street from 3:00pm - 4:00pm on school days.

**Mid-Michigan Custom Car Show Permission.** Consider 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 8:00am to 6:00pm on Sunday, May 15, 2016 for the Mid-Michigan Custom Car Show and authorize Traffic Control Order No. 1346 formalizing the request.

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

<b>Name</b>	<b>Board/Commission</b>	<b>Term Expires</b>
Kevin Maurer	Building Board of Appeals – Alternate	06-30-2018
Vince Gonyou*	Downtown Historic District Commission	06-30-2019
Lance Omer*	Downtown Historic District Commission	06-30-2019
Tracey Peltier*	Historical Commission	12-31-2018
John Horvath*	LDFA/Brownfield Redevelopment Authority	06-30-2016
Richard Williams*	LDFA/Brownfield Redevelopment Authority	06-30-2020
Michael Espich*	Parks & Recreation Commission	06-30-2018
Shane Nelson*	Parks & Recreation Commission	06-30-2018
Rosemary Schultz*	Shiawassee District Library Board	06-30-2020
John Horvath*	Zoning Board of Appeals – Alternate	06-30-2019

**\*Flexible Spending Account Terms Adoption.** Authorize acceptance of the terms governing the Flexible Spending Accounts available to City employees, with a retroactive effective date of January 1, 2016 as follows:

**RESOLUTION NO. 08-2016**

**ADOPTING THE CITY OF OWOSSO FLEXIBLE SPENDING PLAN**

WHEREAS, the City of Owosso, a Michigan municipal corporation, provides a cafeteria plan for its employees; and

WHEREAS, under the tax laws of the United States of America the city council must adopt a resolution for the calendar year effective January 1, 2016 and subsequent years.

NOW THEREFORE, the city council of the City of Owosso, Michigan (the Employer) resolves:

FIRST: that the form of Cafeteria Plan including a Dependent Care Flexible Spending Account and Health Flexible Spending Account effective January 1, 2016 presented and attached is approved and adopted and that the duly authorized agents of the city are hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

SECOND: that the Administrator is instructed to take such actions that they deem necessary and proper to implement the Plan, and to set up adequate accounting and administrative procedures to provide benefits under the Plan.

THIRD: that the duly authorized agent of the Employer (the human resources director) shall act as soon as possible to notify city employees of the Cafeteria Plan's adoption by delivering to each employee a copy of the attached *Summary Plan Description*, which is hereby approved.

FOURTH: the undersigned certifies that attached as Exhibits A and B, respectively, are true copies of the *City of Owosso Flexible Spending Plan* and the *Summary Plan Description* approved and adopted in this resolution.

FIFTH: that all prior resolutions and documents for the *City of Owosso Flexible Spending Plan* are rescinded as of January 1, 2016.

**\*Periodic Restatement of Defined Contribution Retirement Plan.** Consider resolution authorizing restatement of the defined contribution retirement plan for City employees with ICMA Retirement Corporation and further authorizing the City Manager to execute appropriate documents as outlined by ICMA as follows:

### RESOLUTION NO. 09-2016

#### APPROVING THE ICMA-RC RESTATEMENT

WHEREAS, the City of Owosso has employees rendering valuable services; and

WHEREAS, the City of Owosso has established a qualified retirement plan for such employees that serves the interest of the city by enabling it to provide reasonable retirement security for its employees, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

WHEREAS, the City of Owosso has determined that the continuance of the qualified retirement plan will serve these objectives; and

NOW THEREFORE BE IT RESOLVED that the City of Owosso hereby amends and restates the qualified retirement plan (the "Plan") in the form of The ICMA Retirement Corporation Governmental Money Purchase Plan & Trust.

BE IT FURTHER RESOLVED that the assets of the Plan shall be held in trust, with the City of Owosso serving as trustee ("Trustee"), for the exclusive benefit of Plan participants and their beneficiaries, and the assets shall not be diverted to any other purpose. The Trustee's beneficial ownership of Plan assets held in VantageTrust shall be held for the further exclusive benefit of the Plan participants and their beneficiaries;

BE IT FURTHER RESOLVED that the employer hereby agrees to serve as Trustee under the Plan.

BE IT FURTHER RESOLVED that the City Manager shall continue to be the coordinator for the Plan; shall receive reports, notices, etc., from the ICMA Retirement Corporation or the Vantage Trust; and shall cast, on behalf of the City, any required votes under the Vantage Trust; and may delegate any administrative duties relating to the Plan to appropriate departments; and

BE IT FURTHER RESOLVED that the City of Owosso hereby authorizes the City Manager to execute all necessary agreements with the ICMA Retirement Corporation incidental to the administration of the Plan.

**Warrant No. 518.** Authorize Warrant No. 518 as follows:

Vendor	Description	Fund	Amount
William C. Brown, P.C.	Professional Services- January 12, 2016-February, 8, 2016	General	\$ 8,947.72
Logicalis, Inc.	Networking engineering- January 2016	General	\$ 5,488.00

**\*Check Register – January 2016.** Affirm check disbursements totaling \$1,887,904.74 for the month of January 2016.

Motion supported by Councilperson Fox.

Roll Call Vote.

AYES: Mayor Pro-Tem Eveleth, Councilpersons Fox, O'Leary, Greenway, Teich, and Mayor Frederick.

NAYS: None.

ABSENT: Councilperson Bailey.

**ITEMS OF BUSINESS**

**I-69 International Trade Corridor Board Appointments**

Motion by Mayor Pro-Tem Eveleth to reappoint City Manager Donald D. Crawford as the City's representative to the I-69 Corridor Board and grant the City Manager authority to appoint alternate board member(s) as follows:

**RESOLUTION NO. 10-2016**

**APPOINTING CORPORATION BOARD MEMBER AND ALTERNATE TO  
THE I-69 INTERNATIONAL TRADE CORRIDOR NEXT MICHIGAN DEVELOPMENT  
CORPORATION**

WHEREAS, the city of Owosso is a member of the I-69 International Trade Corridor next Michigan Development Corporation; and

WHEREAS, as long as the city of Owosso remains a member of the I-69 International Trade Corridor Next Michigan Development Corporation the city is entitled to one board member and an alternate to be appointed by the appointing authority under the *Interlocal Agreement creating the I-69 International Trade Corridor next Michigan Development Corporation*; executed December 22, 2011; and

WHEREAS, the *Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation* provides that the tenure of any board member shall not exceed four years, that any member may resign anytime and/or may be removed anytime by the appointing authority.

NOW THEREFORE BE IT RESOLVED by the city council of the city of Owosso, Michigan as the appointing authority that:

FIRST: Donald D. Crawford is appointed as the board member representing the city of Owosso.

SECOND: The City Manager may appoint an alternate board member(s) to represent the city of Owosso in his stead.

Motion supported by Councilperson O'Leary.

Roll Call Vote.

AYES: Councilpersons Teich, Fox, Mayor Pro-Tem Eveleth, Councilpersons Greenway, O'Leary, and Mayor Frederick.

NAYS: None.

ABSENT: Councilperson Bailey.

**\*OHM Professional Engineering Services Contract Addendum No. 2**

Motion by Mayor Pro-Tem Eveleth to authorize execution of Addendum No. 2 to the contract with Orchard, Hiltz & McCliment d/b/a OHM Advisors for Professional Engineering Services adding the development of a Water Reliability Study and General Plan Support Services in an amount not to exceed \$50,000.00, and further authorize payment up to the Addendum amount upon satisfactory receipt of deliverables as follows:

**RESOLUTION NO. 11-2016**

**AUTHORIZING THE EXECUTION OF ADDENDUM NO. 2 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 & McCliment, Inc. d/b/a OHM Advisors by the adoption of Resolution 26-2015 on April 6, 2015; and

WHEREAS, the city and engineer desires to expand the contract to include a water reliability study and general plan as outlined in the attached Addendum 2.

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 26-2015 on April 6, 2015 with Orchard, Hiltz & McCliment, Inc. d/b/a OHM Advisors to include a water reliability study and general plan as outlined in the attached Addendum 2.

SECOND The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Addendum No. 2, Water Reliability Study & General Plan Support Services with Orchard, Hiltz & McCliment, Inc. d/b/a OHM Advisors in an amount not to exceed \$50,000.

THIRD: The above expenses shall be paid from the water fund.

Motion supported by Councilperson Teich.

Roll Call Vote.

AYES: Councilperson Fox, Mayor Pro-Tem Eveleth, Councilpersons O'Leary, Greenway, Teich, and Mayor Frederick.

NAYS: None.

ABSENT: Councilperson Bailey.

### **COMMUNICATIONS**

Building Official. January 2016 Building Department Report.  
Building Official. January 2016 Code Enforcement Report.  
Public Safety Director. January 2016 Police Report.  
Public Safety Director. January 2016 Fire & Ambulance Report.  
Historical Commission. Minutes of January 11, 2016.  
Parks & Recreation Commission. Minutes of January 11, 2016.  
Parks & Recreation Commission. Minutes of January 25, 2016.  
DDA/Main Street Board. Minutes of February 3, 2016.

### **CITIZEN COMMENTS AND QUESTIONS**

There were no citizen comments at this time.

Councilperson Greenway commented that it was nice to see the sushi restaurant had finally opened.

### **NEXT MEETING**

Special Meeting: Saturday, February 20, 2016 at 9:00 a.m.  
Regular Meeting: Monday, March 07, 2016 at 7:30 p.m.

### **BOARDS AND COMMISSIONS OPENINGS**

Board of Review – term expires December 31, 2020  
Building Board of Appeals – Alternate - term expires June 30, 2018  
Downtown Historic District Commission – term expires June 30, 2016  
Historical Commission – term expires December 31, 2016

### **ADJOURNMENT**

Motion by Mayor Pro-Tem Eveleth for adjournment at 7:28 p.m.

Motion supported by Councilperson Teich and concurred in by unanimous vote.

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Benjamin R. Frederick, Mayor

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Amy K. Kirkland, City Clerk

\*Due to their length, text of marked items is not included in the minutes. Full text of these documents is on file in the Clerk's Office.