

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF MARCH 2, 2020
7:30 P.M.**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: PASTOR GARY BEAL
CHURCH OF JUBILEE

PLEDGE OF ALLEGIANCE: COUNCILMEMBER JANA L. FEAR

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

ABSENT: None.

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 2, 2020

Motion by Councilmember Bailey to approve the Minutes of the Regular Meeting of March 2, 2020 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

2020 Street Bond Question – Informational Presentation

City Manager Nathan R. Henne gave a presentation imparting information on the Street Bond Question that will be on the March 10, 2020 ballot.

PUBLIC HEARINGS

Ordinance Amendment – Chapter 29, Streets, Sidewalks and Other Public Places

The proposed amendment would remove the cash deposit option in lieu of a performance bond as it applies to the granting of permits to approve work taking place in the City right-of-way.

A public hearing was conducted to receive citizen comment regarding the proposed amendment to Chapter 29, Streets, Sidewalks and Other Public Places, Article II, Streets, Division 2, Permits, Sec. 29-48, *Performance bond*, of the Code of Ordinances of the City of Owosso.

The following people commented in regard to the proposed amendment:

Gary Burk, Owosso Township resident and former Utilities Director, via email, asked how the proposed change would apply to property owners seeking a permit in their name for work not involving a street cut. He suggested the Council consider allowing a property owner/permittee to sign an agreement consenting to the placement of a lien on the property for the cost of any outstanding work governed by the permit that must be performed by the City, with said charges collected in a manner similar to that of unpaid utility bills.

Tom Manke, Owosso Township resident and former contractor, said he thought that 90% of contractors would not be able to obtain a performance bond and approving the proposed change will effectively cut small contractors from the list of bidders for City work.

The public hearing was closed.

After hearing all interested parties the Council discussed whether Mr. Burk's idea of allowing permit holders to sign an agreement to restore the right-of-way should be added to the ordinance.

Motion by Councilmember Bailey to amend the proposed ordinance to allow applicants to obtain a performance bond or sign an agreement allowing the City to place a lien on the property for the cost of any uncompleted work required by the permit, with said amendment to be brought for first reading at the next meeting.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, Owosso Township resident, expressed his anger believing the Council had voted to approve the ordinance amendment as proposed. It was explained to him that the proposed ordinance would be amended and brought back for first reading at the next meeting.

Eddie Urban, 601 Glenwood Avenue, noted that you need to do your homework before making comments at a meeting.

Mayor Pro-Tem Osika welcomed the students from the local high school to the meeting, noting they are dually enrolled in college classes as well.

CITY MANAGER REPORT

The latest Project Status Report was distributed to Council.

CONSENT AGENDA

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

Emergency Repair Authorization – Tertiary Tower Back-up Pump. Approve emergency repair and overhaul of the back-up pump for the tertiary towers at the WWTP in an amount not to exceed \$12,180.00 and authorize payment to the Professional Pump, Inc. upon satisfactory repair and installation of said unit as follows:

RESOLUTION NO. 36-2020

AUTHORIZING EMERGENCY REPAIR SERVICES OF THE BACK-UP TERTIARY PUMP AT THE WWTP BY PROFESSIONAL PUMP, INC. OF BELLEVILLE, MICHIGAN

WHEREAS, the City of Owosso, Shiawassee County, Michigan, is required to provide biological treatment of wastewater for the city and regional customers in compliance with the NPDES discharge permit issued by the state of Michigan, and

WHEREAS, the ability to pump and treat wastewater on demand is compromised when specialized process equipment becomes inoperable, and

WHEREAS, the City Director of Public Services and Utilities has reviewed the necessity for the repair of the back-up tertiary pump for the WWTP, and has verified the necessity to restore the pump to full and reliable operating condition, and recommends authorizing Professional Pump, Inc. to provide this repair, rebuild service in the amount of \$12,180.00.

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

- FIRST: The city of Owosso has heretofore determined that it is advisable, necessary and in the public interest to enter into a purchased services agreement with Professional Pump, Inc. of Belleville, Michigan for a repair of the tertiary pump, and to waive the competitive solicitation process as normally required by the city purchasing policy.
- SECOND: The accounts payable department is authorized to submit payment to Professional Pump, Inc. in the amount of \$12,180.00 upon satisfactory delivery of the rebuilt pump.
- THIRD: The above expenses shall be paid from account no. 599-548-833.000.

Automatic Meter Reading System Upgrade. Approve upgrade of the Automatic Water Meter Reading System to the Aclara ONE System in the amount of \$19,500.00 and approve payment to the vendor upon satisfactory upgrade of the system as detailed:

RESOLUTION NO. 37-2020

**APPROVAL OF PROPOSAL PROVIDED BY ACLARA OF ST. LOUIS, MISSOURI
TO UPGRADE THE WATER METER READING SYSTEM TO ACLARA ONE
FOR USE IN THE WATER BILLING DEPARTMENT**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, entered into a contract for the installation of an automatic meter reading (AMR) Fixed Network Administrator system with Aclara by the adoption of Resolution 37-2017 on March 20, 2017; and

WHEREAS, the city and Director of Public Services & Utilities desires to upgrade the AMR system to Aclara ONE to avoid obsolescence of system support and to enhance management reporting tools and metered account troubleshooting capabilities not currently available in the existing NCC/STAR AMR system.

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 upgrade the existing NCC/STAR AMR Fixed Network Administrator system to the Aclara ONE AMR system in the amount of \$19,500.00.
- SECOND: The accounts payable department is authorized to submit payment to Aclara of St. Louis, Missouri in the amount not to exceed \$19,500.00.
- THIRD: The above expenses shall be paid from the FY2019-2020 Water Fund and Sewer Fund.

Purchase Authorization - DPW Fleet Pickup Trucks. Waive competitive bidding requirements, authorize the purchase of one Ford F150 4x2 pickup and one Ford F250 4x4 pickup truck for the DPW fleet from Signature Ford Lincoln Mercury in the amount of \$53,842.00 utilizing State Contract No. 071 B7700180/Macomb County Contracts 71-15 & 21-18, approve a contingency of \$2,000.00 for estimated shipping and handling and unplanned configuration changes, and further authorize payment to the vendor upon satisfactory delivery of said vehicles as shown below:

RESOLUTION NO. 38-2020

**AUTHORIZING PURCHASE AGREEMENTS TO
SIGNATURE FORD OF OWOSSO, MICHIGAN TO PROCURE TWO FORD F250 PICKUP
TRUCKS FOR USE IN THE FLEET MOTOR POOL**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has budgeted from the Fleet Motor Pool Replacement Fund for the replacement of a pickup trucks used for the maintenance of streets and other community public works services, and

WHEREAS, the existing pickup trucks #303 and #304 are at end of their useful service life and, no longer cost efficient to maintain, and

WHEREAS, the City of Owosso Director of Public Services & Utilities has reviewed the replacement equipment on the State of Michigan MiDeal Contract as priced by Owosso Motors, Inc. d/b/a Signature Ford Lincoln Mercury of Owosso, Michigan, and recommends authorizing a purchase agreement between the city of Owosso and Signature Ford for the acquisition of two (2) 2020 Ford F250 pickup trucks, on State of Michigan MiDeal Contract No. 071B7700180, in the amount of \$53,842.00.

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

- FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to contract with Owosso Motors, Inc. d/b/a Signature Ford Lincoln Mercury for the purchase of two (2) 2020 Ford F250 pickup trucks, on State of Michigan MiDeal Contract No. 071B7700180, for use in the Fleet Motor Pool, in the amount of \$53,842.00.
- SECOND: The accounts payable department is authorized to submit payment to Owosso Motors, Inc. d/b/a Signature Ford Lincoln Mercury of Owosso, Michigan in the amount of \$53,842.00, plus contingency funds in the amount of \$2,000.00 for transportation & delivery expenses and unplanned configuration changes for a total of \$55,842.00 upon satisfactory delivery of said vehicles.

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, Bailey, Law, Pidek, and Mayor Eveleth.

NAYS: None.

ITEMS OF BUSINESS

None.

COMMUNICATIONS

Nathan R. Henne, City Manager. 2019 Planning Commission Annual Report.

Cheryl A. Grice, Finance Director. Revenue & Expenditure Report – January 2020.

Joshua D. Adams, DDA/Main Street Director. Executive Director Report – as of February 19, 2020.

Downtown Development Authority/Main Street. Minutes of February 5, 2020.

CITIZEN COMMENTS AND QUESTIONS

JoAnn Goodson said she is appalled that the City seems to be pinning its future on a dangerous drug like marijuana. She the City should have never allowed such businesses and that substances like marijuana can cause schizophrenia and damage a young person's brain.

Emily, Owosso High School student, said that people's brains are done developing in their early 20's and marijuana cannot legally be sold to anyone under the age of 21. She said she doesn't think it's a bad thing.

Tom Manke, Owosso Township resident, noted the high volume of likes and comments on his recent article about Lume, saying no negative reviews were posted.

Eddie Urban, 601 Glenwood Avenue, said he went into the service so that each person can have their say, just like they are doing here today.

Mackenzie, Owosso High School student, said she feels that allowing marijuana sales could really help with the condition of the streets and that she has always heard that it helps some people.

Matilda, Owosso High School student, said she and her grandmother had a conversation about marijuana, coming to the conclusion that you can use it if you want or you can leave it if you don't approve. She asked how the City plans to handle the smell associated with marijuana businesses.

Mayor Eveleth noted that the ordinance governing the operation of marijuana related businesses requires installation of a ventilation system.

Councilmember Law defended his actions saying he voted to allow marijuana businesses because 58% of the people in town voted to approve its legalization and if had been 58% against he would have voted against it. He said the City is not hinging its growth on marijuana, Lume is just one store among many in the downtown. Lastly, he noted that he believes that bringing marijuana sales into the light of day was the right thing to do.

Councilmember Fear indicated that she had recently attended the MML's Elected Officials Academy, the topic of which was budget and finance. She said she received lots of great information and had good interactions with other elected officials. One thing of note she wanted to relay is that the City of Owosso has lost approximately \$10 million in revenue sharing since 2002 thanks to Headlee/Proposal A.

City Manager Henne announced that he had signed a letter of intent today for the sale of the seven remaining lots in the Osburn Lakes subdivision to WJH!

Mayor Eveleth commended Shannon Howansky for the great job she has done selling the lots.

NEXT MEETING

Monday, March 16, 2020

BOARDS AND COMMISSIONS OPENINGS

Brownfield Redevelopment Authority – County Representative – term expires 06-30-2020
Building Board of Appeals – Alternate - term expires June 30, 2022
Building Board of Appeals – Alternate - term expires June 30, 2021
Brownfield Redevelopment Authority – term expires June 30, 2022
Downtown Loan Committee – Bank Representative - term expires June 30, 2021
Historical Commission – 2 terms expire December 31, 2020
Planning Commission – term expires June 30, 2020

ADJOURNMENT

Motion by Councilmember Bailey for adjournment at 8:19 p.m.

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

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk