

**CITY OF OWOSSO  
REGULAR VIRTUAL MEETING OF THE CITY COUNCIL  
MINUTES OF AUGUST 17, 2020  
7:30 P.M.**

**PRESIDING OFFICER:** MAYOR CHRISTOPHER T. EVELETH  
**OPENING PRAYER:** COUNCILMEMBER JEROME C. HABER  
**PLEDGE OF ALLEGIANCE:** MAYOR CHRISTOPHER T. EVELETH  
**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 Fear to approve the agenda with the following addition to the Consent Agenda:

9. Lebwosky Center Street Closure Permission.

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

**APPROVAL OF THE MINUTES OF REGULAR MEETING OF AUGUST 3, 2020**

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of August 3, 2020 as presented.

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

**PROCLAMATIONS / SPECIAL PRESENTATIONS**

None.

**PUBLIC HEARINGS**

None.

**CITIZEN COMMENTS AND QUESTIONS**

Eddie Urban, 601 Glenwood Avenue, said he had heard his neighbors complaining about the Corunna dam being taken out and wanted people to know that the City did what it did because they could not raise enough money to complete the full project as intended.

City Manager Nathan R. Henne said an application had been submitted for grant funding related to COVID supplies and services for the Public Safety Department. He also noted that the Federal government will be releasing census data in July 2021, the Planning Commission is continuing to discuss the latest master plan (comments are being sought), and the group is also looking at whether to allow back yard chickens within the City limits.

**CONSENT AGENDA**

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

**OMS/DDA RLF Loan Funding Approval – 108 E. Exchange Street.** Approve the application from 108 E. Exchange, Owosso, LLC requesting a loan from the OMS/DDA Revolving Loan Fund in the amount of \$1,500.00 for architectural services associated with the 1<sup>st</sup> and 2<sup>nd</sup> floor redevelopment of their property located at 108 E. Exchange Street as follows:

**RESOLUTION NO. 109-2020**

**RESOLUTION AUTHORIZING  
THE APPROVAL OF THE RELEASE OF OMS/DDA REVOLVING LOAN FUND LOAN TO  
108 E. EXCHANGE, OWOSSO, LLC.  
FOR ARCHITECTURAL WORK AT 108 E. EXCHANGE STREET, OWOSSO, MI 48867**

WHEREAS, in 1994 the city of Owosso established the Downtown Owosso Revolving (formerly UDAG/CDBG) Loan Program for projects within the Owosso Downtown Development Authority district; and

WHEREAS, on June 17, 2019 City Council approved the OMS/DDA Revolving Loan & Grant Program, giving stewardship of the loan and grant process to the Owosso Main Street/DDA Board.

WHEREAS, on August 3, 2020 City Council approved the 2020/2021 OMS/DDA Revolving Loan & Grant Program Manual.

WHEREAS, on July 17, 2020 a grant application was submitted to the OMS/DDA for a loan request from 108 E. Exchange, Owosso, LLC. for \$1,500.00 for architectural services associated with 1st and 2nd-floor redevelopment located at 108 E. Exchange Street. The proposed development will support a 1<sup>st</sup>-floor office space and a 2<sup>nd</sup>-floor residential unit.

WHEREAS, on August 6, 2020 the OMS/DDA Revolving Loan Committee reviewed and approved the application. The Committee determined the grant award for **\$1,500.00**.

WHEREAS, on August 11, 2020 the OMS/DDA Board of Directors approved the Revolving Loan Committee recommendations.

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

FIRST: The City of Owosso approves the grant of \$1,500.00 to 108 E. Exchange, Owosso, LLC. for architectural services associated with 1st and 2nd-floor redevelopment at 108 E. Exchange Street according to the terms & specifications determined by the OMS/DDA Loan & Grant Manual.

SECOND: The accounts payable department is authorized to release said funds to borrower.

**Boards and Commissions Appointment.** Approve the following Mayoral Boards and Commissions appointment:

Name	Board/Commission	Term Expires
Carol Smith	Parks & Recreation Commission	06-30-2022

**Contract Amendment – Groundwater Resource Evaluation Contract.** Consider Amendment No. 1 to Addendum No. 11, Groundwater Resource Evaluation Contract, with OHM Advisors adding \$15,340.00 for additional engineering services to expand the Hintz Road and Osburn Lakes wellfields, and authorize payment up to \$106, 340.00 as follows:

**RESOLUTION NO. 110-2020**

**AUTHORIZING THE EXECUTION OF AMENDMENT NO. 1 TO  
THE GROUND WATER RESOURCES 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 to provide Ground Water Resource Evaluations for new wellfield development, which was adopted by council Resolution 106-2019 on July 15, 2019; and

WHEREAS, the city and Director of Public Services & Utilities desires to expand the Ground Water Resources Agreement to include additional evaluations of the existing Osburn Lakes and Hintz Road Wellfield sites for new well development.

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 professional services agreement approved by Resolution 106-2019 on July 15, 2019 with Orchard, Hiltz & McCliment, Inc. d/b/a OHM Advisors to include additional engineering services in the amount of \$15,340.00 for providing groundwater resource evaluations to expand the Hintz Road Wellfield and Osburn Lakes Wellfield.

SECOND: The accounts payable department is authorized to submit payment to OHM Advisors, in the amount of \$91,000.00, plus \$15,340.00 as amendment No. 1 for a total of \$106,340.00.

THIRD: The above expenses shall be paid from FY2020-2021 Water Funds Account 591-901-972.000.

**Change Order – 2020 Street Patches Program.** Approve Change Order No. 1 to the contract with Smith Sand & Gravel for the 2020 Street Patches Program, adding \$25,761.20 for additional street patches due to water main breaks and sewer failures, and authorize payment up to the contract amount plus Change Order No. 1 upon satisfactory completion of the work or portion thereof as follows:

**RESOLUTION NO. 111-2020**

**AUTHORIZING CHANGE ORDER NO. 1  
TO THE CONTRACT BETWEEN THE CITY OF OWOSSO AND  
SMITH SAND & GRAVEL  
FOR THE 2020 STREET PATCHES PROGRAM**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, approved a contract with Smith Sand & Gravel, on June 1, 2020 for street patches on various streets throughout the city; and

WHEREAS, during the course of the spring and summer, water main breaks and sewer failures resulted in the need for additional street patches

WHEREAS, Smith Sand & Gravel has agreed to make these additional repairs and a change order is necessary to increase the contract amount.

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 amend the 2020 Street Patches Program contract with Smith Sand & Gravel to increase the contract amount to make additional street repairs.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in form attached as Change Order No. 1 in the amount of \$25,761.20; an increase to the Contract for Services between the city of Owosso and Smith Sand & Gravel, revising the total current contract amount from \$59,198.75 to \$84,959.95.
- THIRD: The accounts payable department is authorized to pay Smith Sand & Gravel for work satisfactorily completed up to the revised contract amount of \$84,959.95.
- FOURTH: The above expenses shall be paid from FY2020-2021 Major and Local Street Fund Accounts 202/203-463-818.000.

**Emergency Repair Authorization – North Clarifier Main Shaft Bearing.** Approve emergency repair and replacement of the main shaft bearings in the North Clarifier at the Water Treatment Plant in the amount of \$13,400.00, authorize a contingency amount of \$1,500.00, and further authorize payment to the vendor up to \$14,900.00 with prior written approval as follows:

**RESOLUTION NO. 112-2020**

**AUTHORIZING AGREEMENT FOR EMERGENCY MATERIAL AND LABOR SERVICES  
BETWEEN THE CITY OF OWOSSO AND WESTECH, INCORPORATED OF AMES, IOWA FOR  
REPAIR OF NORTH CLARIFIER AT THE WATER TREATMENT PLANT**

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

WHEREAS, the ability to treat and deliver potable on demand is compromised as result of an inoperable clarifier, and immediate action to make needed repairs are necessary to ensure treated water supply on demand, and

WHEREAS, the City Director of Public Services and Utilities has reviewed the proposal provided by WesTech Incorporated, and has verified the necessity of the materials and labor as indicated in the proposal to fully restore the North Clarifier to full operating condition, and recommends authorizing WesTech to provide these repair services in the amount of \$13,400.00.

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 WesTech, Incorporated of Ames, Iowa for emergency repair services of the North Clarifier located 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 WesTech, Incorporated in the amount not to exceed \$13,400.00, plus a contingency amount of \$1,500.00 with prior written approval, for a total of \$14,900.00.
- FOURTH: The above expenses shall be paid from water account No. 591-901-977.000.

**Bid Award – Test Well Drilling.** Authorize bid award to Northern Pump & Well, Inc. for well drilling services for two test wells in the amount of \$22,360.00, further authorize a contingency of \$2,500.00 to be utilized upon written consent, and approve payment of up to \$24,860.00 to the contractor upon satisfactory completion of the work as follows:

**RESOLUTION NO. 113-2020**

**AUTHORIZING SERVICE AGREEMENT AND PAYMENT TO  
NORTHERN PUMP AND WELL OF LANSING, MICHIGAN  
FOR TEST WELL DRILLING**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has an approved Well Head Protection Plan (WHPP), and received a 50% match WHPP Grant from the state of Michigan Department of Environment, Great Lakes & Energy for the fiscal year October 1, 2019 through September 30, 2020, and

WHEREAS, new well field exploration is being pursued in accordance with the WHPP Grant, as proposed sites to replace some existing ground water wells that are nearing their useful service life; and

WHEREAS, the City Director of Public Services & Utilities has reviewed recommendations from its geologist consultant, and requests authorizing Northern Pump & Well to construct up to two test wells for proposed future development of new well fields.

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 Northern Pump & Well for test well drilling services at not more than two locations.
- SECOND: The accounts payable department is authorized to submit payment to Northern Pump & Well an amount not to exceed \$22,360.00, plus contingency in the amount of \$2,500.00 with prior written authorization, for a total of \$24,860.00.
- THIRD: The above expenses shall be paid from account no. 591-553-818.000.

**Warrant No. 588.** Authorize Warrant No. 588 as follows:

Vendor	Description	Fund	Amount
Michigan Municipal League Workers' Compensation Fund	Workers' compensation contributions- 2 <sup>nd</sup> of 4 installments for FY 20/21	Various	\$23,110.00
Gould Law, PC	Professional services-7/14/20-8/10/20	General	\$11,570.69

**Check Register – July 2020.** Affirm check disbursements totaling \$1,511,124.77 for July 2020.

**Lebowsky Center Street Closure.** (This item was added to the agenda.) Approve application from the Lebowsky Center for the closure of the 100 block of South Park Street from 12:00 a.m. Thursday, September 10, 2020 through 12:00 p.m. Saturday, September 12, 2020 and authorize Traffic Control Order No. 1437 formalizing the action.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

**ITEMS OF BUSINESS**

**OMS/DDA RLF Loan Funding Approval – Electric Vehicle Charging Station Installation**

Significant discussion was held with a majority of Councilmembers expressing concern with the proposed location of the charging station.

Motion by Councilmember Pidek to approve the application from the OMS/DDA requesting a loan from the OMS/DDA Revolving Loan Fund in the amount of \$34,257.00 to serve as the match dollars for a PowerMIDrive grant to install an electric car charging station in the downtown, contingent on Council’s approval of any additional costs related to the location, as follows:

**RESOLUTION NO. 114-2020**

**RESOLUTION AUTHORIZING  
THE APPROVAL OF THE RELEASE OF OMS/DDA REVOLVING LOAN FUND LOAN TO  
OWOSSO MAIN STREET/DDA  
FOR CONSUMERS POWER POWERMIDRIVE GRANT**

WHEREAS, in 1994 the city of Owosso established the Downtown Owosso Revolving (formerly UDAG/CDBG) Loan Program for projects within the Owosso Downtown Development Authority district; and

WHEREAS, on June 17, 2019 City Council approved the new OMS/DDA Revolving Loan & Grant Program, giving stewardship of the loan and grant process to the Owosso Main Street/DDA Board.

WHEREAS, Main Street/DDA applied for; and was awarded a 2020 Consumers PowerMIDrive grant to install a DC Fast Charging Electric Vehicle Charging Station in a downtown public parking lot. This grant will cover over 80% of the purchase & installation cost. OMS/DDA requested to use the revolving loan to cover the remaining portion of the costs.

WHEREAS, on June 3, 2020 Board Meeting, the OMS/DDA Board of Directors approved a loan for \$34,357.00 to cover the remaining cost associated with the installation of the charging station.

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

- FIRST: The City of Owosso approves the loan of \$34,257.00 to the Owosso Main Street/DDA to use as local matching dollars associated with the Consumers Energy PowerMIDrive grant- according to the terms & specifications determined by the OMS/DDA Loan & Grant Manual, contingent on Council approval of any additional costs related to the location.
- SECOND: The accounts payable department is authorized to issue funds in the amount of \$34,257.00 to the OMS/DDA for said grant.

Motion supported by Councilmember Bailey.

Roll Call Vote.

AYES: Councilmembers Pidek, Haber, Fear, Bailey, and Mayor Eveleth.

NAYS: Councilmember Law and Mayor Pro-Tem Osika.

Motion passes.

**MML Annual Meeting Delegate**

Motion by Mayor Pro-Tem Osika to designate Councilmember Nicholas Pidek as the City’s official representative for the MML Annual Meeting.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

**5<sup>th</sup> Monday Meeting Agenda**

Council discussed their preferred format for the evaluation. It was determined there would not be enough time to conduct the usual 360° review in time for the August 31<sup>st</sup> meeting. As such the 5<sup>th</sup>

Monday meeting for August was considered canceled and the review scheduled to take place at the second meeting in September.

**Closed Session**

Motion by Councilmember Bailey to approve holding closed session after the conclusion of Communications for the purpose of consulting with an attorney regarding trial or settlement strategy in connection with specific pending litigation.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

**COMMUNICATIONS**

- James Woodworth, DDA/Main Street Board. Letter of resignation.
- N. Bradley Hissong, Building Official. July 2020 Building Department Report.
- N. Bradley Hissong Building Official. July 2020 Code Violations Report.
- N. Bradley Hissong Building Official. July 2020 Certificates Issued Report.
- N. Bradley Hissong Building Official. July 2020 Inspection Report.
- Kevin D. Lenkart, Public Safety Director. July 2020 Police Report.
- Kevin D. Lenkart, Public Safety Director. July 2020 Fire Report.
- Retirement Board. Minutes of April 22, 2020; May 5, 2020; May 12, 2020.
- Zoning Board of Appeals. Minutes of June 16, 2020.
- Downtown Development Authority/Owosso Main Street. Minutes of July 8, 2020.
- Parks & Recreation. Minutes of July 22, 2020.
- Planning Commission. Minutes of July 27, 2020.

**THE COUNCIL ADJOURNED TO CLOSED SESSION AT 8:23 P.M.**

**THE COUNCIL RETURNED FROM CLOSED SESSION AT 8:57 P.M.**

**APPROVAL OF THE MINUTES OF THE CLOSED SESSION OF NOVEMBER 4, 2019**

Motion by Councilmember Pidek to approve the Minutes of the Regular Meeting of November 4, 2019 as presented.

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

**NEXT MEETING**

Tuesday, September 08, 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
- Historical Commission – 2 terms expire December 31, 2020

**ADJOURNMENT**

Motion by Councilmember Fear for adjournment at 8:58 p.m.

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

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Christopher T. Eveleth, Mayor

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Amy K. Kirkland, City Clerk