

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF FEBRUARY 6, 2017
7:30 P.M.**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: PASTOR MARLENE WEBSTER
CITY CHURCH

PLEDGE OF ALLEGIANCE: AMANDA, LEADERSHIP SHIAWASSEE CANDIDATE

PRESENT: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika, Councilmembers Burton D. Fox, Elaine M. Greenway, Daniel A. Law, and Robert J. Teich, Jr.

ABSENT: Councilmember Loreen F. Bailey.

APPROVE AGENDA

Motion by Councilmember Fox to approve the agenda as presented.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF JANUARY 17, 2017

Motion by Councilmember Greenway to approve the Minutes of the Regular Meeting of January 17, 2017 as presented.

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

APPROVAL OF THE MINUTES OF 5th MONDAY MEETING OF JANUARY 30, 2017

Motion by Councilmember Fox to approve the Minutes of the 5th Monday Meeting of January 30, 2017 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

Special Assessment District No. 2017-01 - Oliver Street from Washington Street to Oak Street

A public hearing was conducted to receive citizen comment regarding Resolution No. 3 for Special Assessment District No. 2017-01 for the proposed reconstruction of Oliver Street from Washington Street to Oak Street.

There were no citizen comments received prior to the meeting.

The following person addressed the Council during the hearing regarding the proposed project:

Cheryl Paez, 503 E. Oliver Street, had questions about the changes being proposed for the street as well as what was happening with the street bond. City Engineer Randy J. Chesney indicated the street will be widened slightly to accommodate the addition of bike lanes and the existing watermain will be moved from under the street to the right-of-way necessitating new sidewalks. The new street will be built according to the MDOT guidelines for streets with similar traffic flows. He went on to say that despite the extensive work being proposed residents along the street will only be assessed approximately 40% of the cost of the top four inches of pavement to keep the assessments in line with that of other assessments for residential streets.

Mayor Eveleth expanded on Mr. Chesney's comments saying that the City would typically cover 60% of the cost but because this is an arterial street residents are charged less than the full 40%, in this case much less. He went on to say that the funds raised by the recent bond approval will be used to cover the city portion of street projects.

Councilmember Fox indicated it has been some time since major work has been done to the street and said he will be happy to accept his assessment in exchange for the new street.

Motion by Councilmember Fox to approve the following resolution authorizing the City to proceed with Special Assessment District No. 2017-01, Oliver Street from Washington Street to Oak Street for street reconstruction:

RESOLUTION NO. 17-2017

**ESTABLISHING SPECIAL ASSESSMENT DISTRICT NO. 2017-01
AND AUTHORIZING THE PROJECT TO RECONSTRUCT OLIVER STREET,
FROM WASHINGTON STREET TO OAK STREET**

WHEREAS, the City Council, after due and legal notice, has met and having heard all interested persons to be affected by the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited: Oliver Street, Public Street, from Washington Street to Oak Street
2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be \$1,405,600.00 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.
3. The City Council determines that of said total estimated cost, the sum of \$97,051.68 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied: Oliver Street, Public Street, from Washington Street to Oak Street for street reconstruction.
5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.

When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

Motion supported by Councilmember Teich.

Roll Call Vote.

AYES: Councilmembers Greenway, Law, Mayor Pro-Tem Osika, Councilmembers Fox, Teich, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Bailey.

CITIZEN COMMENTS AND QUESTIONS

Sheriff Brian BeGole introduced himself to the Council and detailed the recent activities of his office including efforts to establish better working relationships with county and local governments, finalizing the design of the new 911 dispatch center, sharing resources with local municipalities, and resuming animal control services to cities. Mayor Eveleth thanked the Sheriff for the great spirit of cooperation.

County Commissioner Dan McMaster updated the Council on recent activities at the County, saying the Planning Commission is currently reviewing the County's zoning ordinances as they relate to the installation and operation of wind turbines, debate over the cost of the proposed 911 dispatch center, and the new spirit of cooperation at the county level. Mayor Eveleth and Councilmember Fox inquired about the sources of funding for the proposed dispatch center. Commissioner McMaster indicated he hoped such questions would be answered next week.

Eddie Urban, 601 Glenwood Avenue, said he likes the new sheriff.

Gordon Pennington, 417 E. Oliver Street, commented on his concerns with the changes to Oliver Street that will be made when the street is reconstructed, saying it will increase speeding. He asked Council to look into whether the street should be widened.

Councilmember Fox said he would like to hold a joint meeting with neighboring jurisdictions to discuss possible areas of cooperation. He asked the City Manager to reach out to neighboring jurisdictions and determine a date and time for the meeting. City Manager Crawford indicated that such meetings used to be held regularly in the past and something similar could be done again.

CITY MANAGER REPORT

City Manager Donald D. Crawford detailed the latest Project Status Report for the Council.

Councilmember Fox asked for an update on the status of the skate park. Assistant City Manager Montenegro said a meeting to develop a fund raising strategy will be held tomorrow night.

Councilmember Fox left the meeting at 8:17 p.m. due to a family emergency. Councilmember Law inquired about the I69 Corridor Authority and its relationship with and cost to the City. City Manager Crawford noted that it was created to assist economic development and the cost of participation is covered by the SEDP.

City Manager Crawford addressed a question raised by Councilmember Fox a while back regarding a \$200 filing fee to appeal an inspection saying he had been given only a portion of the pertinent information.

CONSENT AGENDA

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

Change Order No. 1 — Former Eastside Cleaners Vapor Barrier Installation Contract.*

Approve Change Order No. 1 to the Former Eastside Cleaners Vapor Barrier Installation Contract with TSP Services, Inc. dba TSP Environmental for heated transport of the vapor barrier for the future Qdoba site in the amount of \$595.00, and approve payment up to the contract amount including Change Order No. 1 as detailed below:

RESOLUTION NO. 18-2017

AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT WITH TSP SERVICES, INC., D/B/A TSP ENVIRONMENTAL FOR THE FORMER EASTSIDE CLEANERS VAPOR BARRIER INSTALLATION

WHEREAS, the city of Owosso, Shiawassee County, Michigan, approved a contract with TSP Services, Inc., dba TSP Environmental on October 3, 2016 for vapor barrier installation at the former Eastside Cleaners site; and

WHEREAS, TSP Services, Inc., dba TSP Environmental has requested a change order to cover the cost of insulated transportation of the vapor barrier; and

WHEREAS, the City has entered into a contract with the Michigan Department of Environmental Quality (MDEQ) and will use grant and loan funds in connection with the established District # 16 Qdoba Brownfield plan to cover the additional expense.

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

FIRST: The City of Owosso amends the contract with TSP Services, Inc., dba TSP Environmental to include charges for the insulated transportation of the vapor barrier.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in form attached as Exhibit B, Contract Change Order No. 1 to the Contract for Services between the City of Owosso and TSP Services, Inc., dba TSP Environmental, increasing the total amount by \$595.00.

THIRD: The accounts payable department is authorized to pay TSP Services, Inc., dba TSP Environmental for work satisfactorily completed up to the amount of the contract including Change Order No. 1.

FOURTH: The above expenses shall be paid from a combination of MDEQ grant and loan funds, account No. 276-901-965.000 and 276-000-120.040 as appropriated.

Change Order No. 2 — Former Eastside Cleaners Excavation Shoring Installation Contract.*

Approve Change Order No. 2 to the Former Eastside Cleaners Excavation Shoring Installation Contract with ASI Environmental Technologies for additional remediation work performed at the future Qdoba site in the amount of \$143,500.86, and approve payment up to the contract amount including Change Order Nos. 1 & 2 as follows:

RESOLUTION NO. 19-2017

**AUTHORIZING CHANGE ORDER NO. 2
TO THE CONTRACT WITH
ENVIRONMENTAL ADVISORY SERVICES, INC., D/B/A ASI ENVIRONMENTAL TECHNOLOGIES
FOR THE FORMER EASTSIDE CLEANERS EXCAVATION SHORING INSTALLATION**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, approved a contract with Environmental Advisory Services, Inc. dba ASI Environmental Technologies on May 16, 2016 for shoring and excavation installation at the former Eastside Cleaners site; and

WHEREAS, the City approved Change Order No. 1 to the contract on December 19, 2016; and

WHEREAS, the City has requested additional work from ASI Environmental Technologies due to conditions found in the field; and

WHEREAS, the City has entered into a contract with the Michigan Department of Environmental Quality (MDEQ) and will use grant and loan funds in connection with the established District # 16 Qdoba Brownfield plan to cover the additional costs.

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

- FIRST: The City of Owosso amends the Former Eastside Cleaners Excavation Shoring Installation contract with Environmental Advisory Services, Inc. dba ASI Environmental Technologies to include additional work.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in form attached as Exhibit B, Contract Change Order No. 2 to the Contract for Services between the City of Owosso and Environmental Advisory Services, Inc. ASI Environmental Technologies, increasing the total amount by \$143,500.86.
- THIRD: The accounts payable department is authorized to pay ASI Environmental Technologies for work satisfactorily completed up to the amount of the contract including Change Order Nos. 1 & 2.
- FOURTH: The above expenses shall be paid from a combination of MDEQ grant and loan funds, account No. 276-901-965.000 and 276-000-120.040 as appropriated.

MDOT Cost Agreement No. 16-5565 for Oliver Street Reconstruction, Phase 1.* Authorize execution of MDOT Cost Agreement No. 16-5565 for the reconstruction of Oliver Street from Washington Street to Oak Street as detailed:

RESOLUTION NO. 20-2017

**RESOLUTION AUTHORIZING EXECUTION OF MDOT COST AGREEMENT
FOR THE RECONSTRUCTION OF OLIVER STREET
FROM WASHINGTON STREET EASTERLY TO OAK STREET**

WHEREAS, Oliver Street, from Washington Street to Oak Street, is a part of the National Functional Classification Road system; and

WHEREAS, the City is required to provide a safe and expedient road system for users which requires proper maintenance of the roadway; and

WHEREAS, this maintenance is costly and requires additional sources of funds beyond the state of Michigan's regular allocation of Public Act 51 funds; and

WHEREAS, the City is approved to receive Federal Small Urban Program Funds, administered by the Michigan Department of Transportation, to assist in the reconstruction of this road; and

WHEREAS, after review, City staff recommends approval of MDOT Cost Agreement No. 16-5565 for the proposed work along Oliver Street from Washington Street easterly to Oak Street; including hot mix asphalt paving, intersection improvements, storm drainage, concrete curb and gutter, concrete sidewalk and ramp, permanent signing, and pavement marking work all together with necessary related work (referred to as the "project"); and

WHEREAS, the Michigan Department of Transportation requires the City of Owosso adopt a resolution further indicating its willingness to participate in the project as set forth in the agreement.

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 approve MDOT Contract No. 16-5565 for the proposed improvements to Oliver Street, from Washington Street easterly to Oak Street.
- SECOND: The City of Owosso is willing to participate in the project and cost as illustrated within said contract.
- THIRD: The Mayor and City Clerk are hereby authorized to sign the Agreement as attached.
- FOURTH: The City Council hereby directs staff to allocate \$1,030,600.00 from the 2016 Unlimited Obligation Bond Proceeds Fund, Water Fund, and other funds as appropriate; and approves payment for services upon completion, or as otherwise request by the State, in accordance with the contract.
- FIFTH: the City Manager is directed to proceed with the project.

Warrant No. 537. Authorize Warrant No. 537 as follows:

Vendor	Description	Fund	Amount
Huron & Eastern Railway Company Inc	Annual maintenance of active traffic control devises	Major Streets	\$ 8,254.00

Motion supported by Councilmember Greenway.

Roll Call Vote.

- AYES: Councilmembers Teich, Greenway, Law, Mayor Pro-Tem Osika, and Mayor Eveleth.
- NAYS: None.
- ABSENT: Councilmembers Bailey and Fox.

ITEMS OF BUSINESS

Water and Wastewater Systems Overview

Director of Public Services Chinavare distributed information to Council and presented an overview of both the water and wastewater systems. On the water side he noted the need to improve the output of the City's wells and to replace the old water metering system. The wastewater system has some more serious concerns requiring adjustments to the treatment process and plant as well as a comprehensive effort to reduce sanitary sewer overflows into the river during heavy rain events.

Mayor Eveleth noted that the water and sewer systems were the City's most vital infrastructures and it was essential they be maintained. He inquired about the funding required for the noted fixes. Mr. Chinavare indicated that there were sufficient reserves and contingency funds but the new water metering system would probably require some debt to purchase.

COMMUNICATIONS

- K. Woodbury, Parks & Recreation Commission. Letter of Resignation.
- Historical Commission. Minutes of November 14, 2016.
- Downtown Development Authority/Main Street. Minutes of January 4, 2017.
- Zoning Board of Appeals. Minutes of January 11, 2017.

CITIZEN COMMENTS AND QUESTIONS

Eddie Urban, 601 Glenwood Avenue, commented on the idea of getting a group of residents together to attend meetings.

Gordon Pennington, 417 E. Oliver Street, greeted the Council on behalf of Representative John Moolenaar. Mr. Pennington had recently spent time with the Representative and his staff in Washington, DC during which Rep. Moolenaar sent his greetings and invited the Council to visit his office and tour of the capital.

NEXT MEETING

Tuesday, February 21, 2017

BOARDS AND COMMISSIONS OPENINGS

Building Board of Appeals – Alternate - term expires June 30, 2018
Parks & Recreation Commission – term expires June 30, 2017
Parks & Recreation Commission – term expires June 30, 2018

ADJOURNMENT

Motion by Councilmember Greenway for adjournment at 8:51 p.m.

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

Christopher T. Eveleth, Mayor

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.