

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

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: PASTOR DAVID RICE
OWOSSO FIRST CHURCH OF THE NAZARENE

PLEDGE OF ALLEGIANCE: JUSTIN HORVATH, SEDP

PRESENT: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika,
Councilmembers Loreen F. Bailey, Burton D. Fox, Elaine M.
Greenway.

ABSENT: Councilmembers Daniel A. Law and Robert J. Teich, Jr.

APPROVE AGENDA

Motion by Councilmember Fox to approve the agenda as presented with the addition of Items of Business #2 City Manager Resumes and Discuss the Selection Process.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF OCTOBER 16, 2017

Motion by Councilmember Bailey to approve the Minutes of the Regular Meeting of October 16, 2017 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

Swearing In Ceremony- Fire Department Employee

Mayor Eveleth presided over a ceremony to swear in the City's newest firefighter: Dave Munro.

Firefighter Promotion Ceremony

Mayor Eveleth led a ceremony recognizing the promotion of Lieutenant Rick Brewbaker to Captain and Firefighter Brian Matthies to Lieutenant.

PUBLIC HEARINGS

Rezoning - 912 S. Washington Street

A public hearing was conducted to receive citizen comment regarding the proposal to rezone the parcel located at 912 S. Washington Street from R-1 Single Family Residential District, R-2 Two Family Residential, and B-1 Local Business District to B-1 Local Business District.

The following people commented regarding the proposed rezoning:
Kendra Nichols spoke on behalf of Elite Early Learning Center saying the building and the property area has been used as childcare for 20 years.

Justin Horvath, 818 S. Washington Street, is a neighbor and is ok with this.

Councilmember Fox said this change would make the parcel more appropriate for future expansion.

Motion by Councilmember Fox to approve the rezoning of 912 S. Washington Street as follows:

ORDINANCE NO. 789

**AMENDING CHAPTER 38 ZONING OF THE CODE OF ORDINANCES
TO REZONE THE PARCEL OF REAL PROPERTY
AT 912 S. WASHINGTON STREET
AND AMEND THE ZONING MAP**

WHEREAS, the city of Owosso received a petition from a land owner of real property identified as 912 S. Washington Street, parcel 050-651-039-006-00, LOTS 6 & 7 PART OF LOT 9 BEG 15' W

OF SE COR LOT 9 TH E 15' N 30' SW'LY TO POB LOTS 10 11 12 & 13 BLK 39 A L WILLIAMS ADD, INCL VAC N-S ALLEY FROM N LN GUTE ST TO CENTER OF LOTS 9 & 10 to rezone the entire parcel to a B-1 Local Business District, which will eliminate multiple zoning designations of R-1 Single Family Residential District, R-2 Two Family Residential, and B-1 Local Business District currently attached to this parcel; and

WHEREAS, the planning commission published the request, held a public hearing on the request, and deliberated on the request; and

WHEREAS, the city staff and planning commission recommend, without reservations or conditions, the rezoning of parcel 050-651-039-006-00, 912 S. Washington Street from R-1 Single Family Residential District, R-2 Two Family Residential, and B-1 Local Business District to a single zoning designation of B-1 Local Business District; and

WHEREAS, the City Council held a public hearing on the request November 6, 2017, heard all interested persons, and deliberated on the request; and

WHEREAS, the City Council finds that the zoning petition meets the intent and criteria for a zoning map amendment, specifically as it relates to the requirements of Section 38-555 of the Code of Ordinances of the City of Owosso; and

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

SECTION 1. OFFICIAL ZONING MAP AMENDMENT. That Chapter 38, Zoning Code of the City of Owosso Sec. 38-27, *Zoning Districts and Map*, reflect the following change to be noted on the official map and filed with the city clerk:

Indicate a zoning classification of B-1 Local Business District for 912 S. Washington Street, parcel 050-651-039-006-00.

SECTION 2. 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 3. EFFECTIVE DATE. This amendment shall become effective November 27, 2017.

Motion supported by Councilmember Bailey.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmembers Law and Teich.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, Owosso Township resident, spoke of the bad water report submitted to the State 4 years ago.

Christina Rosenberger-Barron spoke about PFLAG (Parents & Friends of Lesbians and Gays). She explained the program and the support for lesbians and gays.

Eddie Urban, 601 Glenwood Avenue, wanted to publicly thank Councilmember Fox for his letter in the paper regarding the school bond issue.

Shiawassee County Commissioner Dan McMaster gave updates on the dispatch center and plans to move in January 1. Cosmetic work on the jail is being completed and the heating issue is being investigated. Budget workshops are now in progress and a new director of the Veteran's Affairs Office will be coming in soon.

Justin Horvath, president of the SEDP, said they were working on the assembly of a county-wide grant for \$300,000 to identify and test for potential brownfield redevelopment opportunities and funds for cleanup. He indicated they had received an MDOT grant for \$325,000 for the industrial park and two jobs fairs will be held on November 18th for Cargill and Midwest Bus.

In response to Mr. Manke's comments about the water Director of Public Services Glenn Chinavare stated the City is waiting on the DEQ for results of more recent tests.

Councilmember Fox asked Mr. Chinavare about Oliver St. and traffic counts. Mr. Chinavare stated they are still being tested and programmed. No date at this time.

CITY MANAGER REPORT

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

Councilmember Fox asked if there were going to be bike paths on Oliver Street from Adams to Gould. Mr. Crawford stated that is being analyzed at this time.

CONSENT AGENDA

Motion by Councilmember Bailey to approve the Consent Agenda as follows:

Set Public Hearing-Alley Closure. Set a public hearing for November 20, 2017 to receive citizen comment regarding request to close public alley south of the south line of Allendale Avenue, east of Lots 38-64 and west of Lots 9-37, George T. Abrey’s Woodlawn Park Addition, City of Owosso, Shiawassee County, Michigan (alley south of Allendale Avenue between Frazer Avenue and Abrey Avenue) as follows:

RESOLUTION NO. 155-2017

**SETTING A PUBLIC HEARING
TO GATHER CITIZEN COMMENT REGARDING
THE CLOSURE OF THE ALLEY SOUTH OF ALLENDALE AVENUE
BETWEEN FRAZER AVENUE AND ABREY AVENUE**

Whereas, The Owosso City Council has determined it advisable to consider the necessity of vacating, discontinuing, and abolishing the public alley described as follows, to wit:

NORTH SOUTH ALLEY IN BLOCK 32, GEORGE T. ABREYS WOODLAWN PARK
ADDITION CONTIGUOUS TO LOTS 9 – 64.

Pursuant to the provisions of Section 29-154 of the 1988 Owosso City Code and Act 288, Public Acts of 1967, as amended, the Owosso City Council does hereby establish 7:30 p.m., Monday, November 20, 2017 in the Owosso City Hall Council Chambers as the time and place to hold a Public Hearing to hear all objections to said proposed alley closure and hereby directs the City Clerk to cause a notice of said Public Hearing to be published in the Owosso Argus Press at least seven days prior to the date of said hearing.

Kindness Event Permission. Approve request from Kindness.org for use of the alley between the Nail Boutique and Main Street Plaza for a Kindness Event Monday, November 13, 2017 from 8:00am until 2:00pm, waive the insurance requirement, and authorize Traffic Control Order No. 1383 formalizing the action.

Change Order Nos. 1 & 2 – 2018 Street Program Engineering Services Contract. Approve Change Order Nos. 1 & 2 to 2018 Street Program Engineering Services Contract with Fleis & Vandenbrink Engineering, Inc. adding \$32,500.00 for the survey of streets for the 2019 Street Program, adding \$5,000.00 for additional design services for the rehabilitation of Williams Street, and authorizing payment to the contractor upon satisfactory completion of the work or a portion thereof as detailed below:

RESOLUTION NO. 156-2017

**AUTHORIZING CHANGE ORDER #1 AND #2 TO THE CONTRACT WITH
FLEIS & VANDENBRINK ENGINEERING, INC. FOR
ADDITIONAL ENGINEERING SERVICES FOR
THE 2018 STREET PROGRAM ENGINEERING SERVICES CONTRACT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved a contract with Fleis & Vandenbrink Engineering Inc. on July 3, 2017 for Engineering Survey and Design Services for the 2018 Street Program in the amount of \$251,000.00; and

WHEREAS the city requests additional services of the consultant to provide preliminary survey and design services beyond the original contractual scope of 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 theretofore determined that it is advisable, necessary and in the public interest to amend the contract with Fleis & Vandenbrink Engineering Inc. for a cost to the City of Owosso of \$32,500.00 for surveying of proposed 2019 Street Rehabilitation projects, and \$5,000.00 for additional design services to extend the 2018 rehabilitation of Williams Street from N. Water to N. Washington Street.

- SECOND: The mayor and city clerk are requested and authorized to sign the amended contract between the City of Owosso, Michigan and Fleis & Vandenbrink, Inc.
- THIRD: The Accounts Payable department is authorized to make payment up to the amended amount of \$288,500.00 to Fleis & Vandenbrink Engineering, Inc. upon successful completion of stated work.
- FOURTH: The above expenses shall be paid from the Major Street Construction Account No. 202-451-818.000.

Payment Authorization – Critical Care Paramedic Training. Authorize payment to Michiana Healthcare Education Center Inc for the provision of critical care paramedic training for the City's paramedics in the amount of \$15,780.48 as follows:

RESOLUTION NO. 157-2017

AUTHORIZING PAYMENT TO MICHIANA HEALTHCARE EDUCATION CENTER INC.

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has a fire department that has planned to initiate Critical Care Paramedic Training, and

WHEREAS, Michiana Healthcare Education Center Inc is capable of providing the training to Owosso Fire Paramedics at Memorial Hospital; and

WHEREAS, the City Public Safety Chief has recommended that payment be authorized to Michiana Healthcare Education Center Inc to provide Critical Care Paramedic Training.

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 authorize payment to Michiana Healthcare Education Center Inc for the provision of critical care paramedic training.
- SECOND: The accounts payable department is authorized to submit payment to Michiana Healthcare Education Center Inc in an amount not to exceed \$15,780.48.
- THIRD: The above expenses shall be paid from account no. 101-335-860.000.

Bid Award – Water Distribution Storage Tank Pump Assembly. Approve bid award to Peerless Midwest, Inc. for a new pump, motor, and variable frequency drive for the water distribution standpipe in the amount of \$19,030.00 (including contingency of \$1,730.00), and further approve payment to the vendor upon satisfactory delivery of said equipment as detailed:

RESOLUTION NO. 158-2017

AUTHORIZING PURCHASE SERVICES AGREEMENT AND PAYMENT TO PEERLESS MIDWEST, INC. OF IONIA, MICHIGAN FOR PROVIDING EQUIPMENT AND INSTALLATION SERVICES AT THE WATER DISTRIBUTION STANDPIPE

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has budgeted from the Water Replacement Fund for the replacement of a turn-key Pump/Motor/Variable Frequency Drive (VFD) unit/s, and

WHEREAS, the existing Pump/Motor/VFD turn-key units has expired their useful service life, and determined to require replacement with more efficient and properly sized unit equipment, and

WHEREAS, the City of Owosso Director of Public Services and Utilities has reviewed the Bid proposals and verified the required replacement of the Pump/Motor/VFD units needed to replace the existing aged and inefficient units, and recommends authorizing Peerless Midwest, Inc. of Ionia, Michigan to provide and install the replacement Pump/Motor/VFD units in an amount not to exceed \$17,300.00, plus contingency installation and modification expenses with prior written approval, in the amount of \$1,730.00.

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 Peerless Midwest, Inc. for the purchase and installation of Pump/Motor/VFD units for use at the Water Distribution Standpipe.
- SECOND: The accounts payable department is authorized to submit payment to Peerless Midwest, Inc. for the purchased and installation of the new Pump/Motor/VFD units in an amount of \$17,300.00, plus a contingency amount of \$1,730.00 with prior written approval, for a total of \$19,030.00.
- THIRD: The above expenses shall be paid from account no. 591-901-972.000.

Bid Award – Industrial Park Connector Project Engineering Services. Approve the bid of OHM Advisors for engineering design and construction administration services for the Industrial Park Connector Project in the amount of \$145,995.00 and authorize payment to the contractor upon satisfactory completion of the project or portion thereof as follows:

RESOLUTION NO. 159-2017

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT
FOR PROFESSIONAL ENGINEERING SERVICES WITH
ORCHARD, HILTZ & MCCLIMENT, INC. DBA OHM ADVISORS
FOR THE INDUSTRIAL PARK CONNECTOR PROJECT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, is considering the necessary resurfacing of various streets as outlined within its RFP for professional engineering services; and

WHEREAS, this project requires the services of a professional engineering firm; and

WHEREAS, the City sought proposals from its QBS list of firms to perform such work; and

WHEREAS, OHM Advisors is selected as the most qualified firm to perform such work and offers to complete full design and construction administration services of said project in return for compensation in an amount not to exceed of \$145,995.00.

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

FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to employ the firm of Orchard, Hiltz & McCliment, Inc. DBA OHM Advisors to provide professional engineering services for the Industrial Park Connector Project.

SECOND: The mayor and city clerk are instructed and authorized to sign the necessary documents as Addendum No. 1 to an Agreement for Professional Engineering Services between the City of Owosso, Michigan and OHM Advisors dated May 15, 2017.

THIRD: The Accounts Payable department is authorized to make payment up to the amount of \$145,995.00 to OHM Advisors upon successful completion of stated work.

FOURTH: The above expenses shall be paid from the 2016 Unlimited Obligation Bond Proceeds and other funds as appropriated.

Warrant No. 551. Authorize Warrant No. 551 as follows:

Vendor	Description	Fund	Amount
Caledonia Charter Township	Caledonia Utility Fund payment-7/1/17-9/30/17	Water	\$28,403.58
Owosso Charter Township	Owosso Charter Township 2011 Water Agreement-7/1/17-9/30/17	Water	\$12167.66

Check Register – October 2017. Affirm check disbursements totaling \$1,913,795.36 for October 2017.

Motion supported by Councilmember Greenway.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmembers Law and Teich.

ITEMS OF BUSINESS

2017 Emergency Operations Support Plan

Motion by Mayor Pro-Tem Osika to approve the City of Owosso 2017 Emergency Operations Plan supporting the Shiawassee County Emergency Operations Plan as detailed below:

RESOLUTION NO. 160-2017

**RESOLUTION AUTHORIZING THE APPROVAL OF
THE 2017 EMERGENCY OPERATIONS SUPPORT PLAN**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has a Public Safety Department; and

WHEREAS, the City of Owosso Public Safety Department has opted to participate in the Shiawassee County Emergency Management Program; and

WHEREAS, State law requires municipalities with a population of 10,000 or more to maintain and file with the County a plan of support that is in accordance with the County's Emergency Action Guidelines at least every four years.

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

FIRST: The City of Owosso has elected to participate in the Shiawassee County Emergency Management Program.

SECOND: The attached City of Owosso 2017 Emergency Operations Plan provides a framework for the City to use in performing emergency functions before, during, and after emergent situations and is hereby approved.

Motion supported by Councilmember Fox.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmembers Law and Teich.

City Manager Resumes and Discuss the Selection Process

City Manager Crawford stated by Michigan law a candidate for the City Manager position can request to remain confidential through the selection process. Twenty-four resumes have been received and they have been separated by those requesting confidentiality and those who choose to have their information public. Council will receive the resumes after the meeting and a meeting will be scheduled to review resumes.

COMMUNICATIONS

B. Smith, Planning Commission. Letter of resignation.
Historical Commission. Minutes of September 11, 2017.
Historical Commission. Minutes of October 2, 2017.
Planning Commission. Minutes of October 23, 2017.

Councilmember Fox asked about the red lettering in the Historical Commission minutes. Mr. Crawford stated that the issue was probably in reference to the General Fund paying for the restoration of paintings at Curwood Castle (current accounting shows the Historical Commission paying for the restoration work). Mr. Crawford offered that all were in agreement that the money was intended to come from the General Fund. Mayor Eveleth asked that action be taken in the coming week to reimburse the Historical Commission for said work.

CITIZEN COMMENTS AND QUESTIONS

Eddie Urban, 601 Glenwood Avenue, spoke about truth in advertising and that he knew fake veterans. He stated there is a fake in the room, pointing at the Recording Secretary, he stated she is not the City Clerk Amy K. Kirkland. Everyone laughed.

Tom Manke, Owosso Township resident, stated to vote Tuesday and vote yes for the school millage.

Randy Walter, 526 Mason St. stated his girlfriend was ticketed for having ducks. He commented about his neighbor's comments from the last council meeting. He will have to go to court.

Councilmember Fox asked City Attorney William C. Brown if he has come up with anything for a therapy animal ordinance. Mr. Brown stated he will wait until the court proceedings are completed.

NEXT MEETING

Monday, November 20, 2017

BOARDS AND COMMISSIONS OPENINGS

Board of Review – term expires December 31, 2019
Brownfield Redevelopment Authority/LDFA – term expires June 30, 2018
Building Board of Appeals - term expires June 30, 2019
Building Board of Appeals – Alternate - term expires June 30, 2018
Historical Commission – term expires December 31, 2019
Planning Commission – term expires June 30, 2020

ADJOURNMENT

Motion by Mayor Pro-Tem Osika for adjournment at 8:16 p.m.

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

Christopher T. Eveleth, Mayor

Tanya S. Buckelew, Recording Secretary