

**CITY OF OWOSSO  
REGULAR MEETING OF THE CITY COUNCIL  
MINUTES OF MAY 7, 2018  
7:30 P.M.**

**PRESIDING OFFICER:** MAYOR CHRISTOPHER T. EVELETH

**OPENING PRAYER:** CHAPLAIN DAVID DUMOND  
VFW POST 9455

**PLEDGE OF ALLEGIANCE:** LARRY D. COOK, FORMER CITY ASSESSOR

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

**ABSENT:** None.

**APPROVE AGENDA**

Motion by Councilmember Bailey 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 APRIL 16, 2018**

Motion by Councilmember Bailey to approve the Minutes of the Regular Meeting of April 16, 2018 with the following correction:

Insert the word “not” in the last phrase of the comments by Tom Manke shown on page 10.

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

**APPROVAL OF THE MINUTES OF SPECIAL MEETING OF APRIL 30, 2018**

Motion by Councilmember Fox to approve the Minutes of the Special Meeting of April 30, 2018 as presented.

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

**APPROVAL OF THE MINUTES OF SPECIAL MEETING OF MAY 1, 2018**

Motion by Councilmember Bailey to approve the Minutes of the Special Meeting of April 30, 2018 as presented.

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

**PROCLAMATIONS / SPECIAL PRESENTATIONS**

**2018 Poppy Queen - Buddy Poppy Sale Kickoff**

2018 Poppy Queen Aspen Mills sold the ceremonial first Buddy Poppy to Mayor Christopher T. Eveleth marking the start of the annual Buddy Poppy Sale in Owosso. Many of those present also donated to the cause and received their poppies.

**Retirement Proclamation – Larry Cook**

Mayor Eveleth read aloud the following Mayoral Proclamation recognizing Assessor Larry Cook for his years of service to the City of Owosso on the occasion of his retirement:

**A PROCLAMATION  
OF THE MAYOR’S OFFICE OF THE CITY OF OWOSSO, MICHIGAN  
RECOGNIZING THE DISTINGUISHED PUBLIC SERVICE OF  
LARRY D. COOK**

WHEREAS, Larry Cook has been a life-long civil servant, working for the City of Laingsburg and for Shiawassee County for close to 20 years prior to beginning his service to the City of Owosso as the Assessor in 2001; and

WHEREAS, Larry was a sincere, dedicated employee that truly enjoyed helping people; always going above and beyond to assist and advise customers as they navigated their way through the various stages of property ownership; and

WHEREAS, Larry strove to ensure that property owners were well informed, taking great care to provide accurate information and to educate people on the options available to them, recognizing that for many people owning property would be the biggest investment of their lives; and

WHEREAS, Larry attended countless hours of classes over the years, constantly updating and adding to his extensive knowledge base, ensuring that property valuations in the City were solid and accurate; and

WHEREAS, Larry's diligence and care were highlighted when his department underwent a fourteen point review by the State of Michigan, receiving the score of 97 out of 100, which is almost unheard of; and

WHEREAS, Larry's leadership skills were obvious, resulting in his being asked to take on the position of Interim City Manager in 2007; Larry is credited with providing the City with a virtually seamless transition of power during an otherwise tumultuous time; and

WHEREAS, Larry always served quietly, never asking for attention or recognition; and

WHEREAS, Larry's constant, reassuring presence will be sorely missed; and

WHEREAS, it is fitting that such service be honored and it is the intent of this Office that Larry's Dedicated and Distinguished Public Service be recognized.

NOW, THEREFORE, BE IT PROCLAIMED that I, Christopher T. Eveleth, Mayor of the City of Owosso, on behalf of the citizens of Owosso, hereby recognize and thank Larry for his 17 years of tireless and dedicated service to the Owosso community and further express our sincere wishes to Larry and his family for a long, healthy and happy retirement.

Proclaimed this 7<sup>th</sup> day of May, 2018.

After the proclamation was presented Mr. Cook commented that it was exactly 17 years ago this evening that he was introduced to the Council as the new City Assessor. He thanked the citizens, community members, and staff for allowing him to serve.

**Retirement Proclamation – M. George Scanlon**

Mayor Eveleth read aloud the following Mayoral Proclamation recognizing Engineering Aide M. George Scanlon for his years of service to the City of Owosso on the occasion of his retirement:

**A PROCLAMATION  
OF THE MAYOR'S OFFICE OF THE CITY OF OWOSSO, MICHIGAN  
RECOGNIZING THE DISTINGUISHED PUBLIC SERVICE OF  
M. GEORGE SCANLON**

WHEREAS, George Scanlon began his service to the City of Owosso as an Engineering Aide on February 13, 1980; and

WHEREAS, George gave 38 years of his time to the City, quietly going about his work without fanfare; and

WHEREAS, he was known as a hard worker that was reliable, level-headed and calm; and

WHEREAS, while he maintained the same title throughout his career he worked wherever he was needed and amassed a wide range of knowledge over the years, completing courses in traffic engineering, soil erosion and sedimentation control, and the use of nuclear testing equipment; and

WHEREAS, he is credited with successfully administering the City's GIS program since its inception, diligently adding and updating the information in the program, building a rock-solid foundation of data from which the City can function for years to come; and

WHEREAS, George's memory is renowned throughout the organization, recalling the minute details of decades old projects or reciting the employee roster from years gone by; and

WHEREAS, George was also extremely organized, what he couldn't recall he always knew just where to find, no matter how old or obscure the information; and

WHEREAS, the nature of George's position with the City offered little in public accolades as much of his work was done behind the scenes but his presence will be sorely missed; and

WHEREAS, it is the intent of this Office that George's Honorable and Distinguished Public Service be recognized.

NOW, THEREFORE, BE IT PROCLAIMED that I, Christopher T. Eveleth, Mayor of the City of Owosso, on behalf of the citizens of Owosso, hereby recognize and thank George for his many years of dedicated service to the City of Owosso and further express our sincere wishes to George and his family for a long, healthy and happy retirement (with lots of opportunities to golf).

Proclaimed this 7<sup>th</sup> day of May, 2018.

After the proclamation was read aloud Mr. Scanlon thanked the City for keeping him for 38 years. He said he had the opportunity to meet many great people along the way, he worked with all five of the City's Managers, and said he had fun and enjoyed himself.

### **PUBLIC HEARINGS**

#### **Special Assessment District No. 2018-02 Hanover Street, from Harding to the north end**

A public hearing to receive citizen comment regarding authorization of Resolution No. 5 for Special Assessment District No. 2018-02 for Hanover Street, from Harding Avenue to the north end for street resurfacing.

The following person commented prior to the meeting regarding the proposed special assessment roll:

Tom Armstrong, 1202 Hanover Street, via telephone, inquired when the project would start and how much his payments would be each year.

There were no citizen comments received on this topic during the meeting.

Whereas, the Council, after due and legal notice, has met and having heard all interested parties, motion by Councilmember Fox that the following resolution be adopted:

#### **RESOLUTION NO. 61-2018**

#### **DISTRICT NO. 2018-02 HANOVER STREET FROM HARDING AVENUE TO NORTH END OF STREET SPECIAL ASSESSMENT RESOLUTION NO. 5**

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement:

HANOVER STREET FROM HARDING AVENUE TO NORTH END OF STREET  
STREET RESURFACING

and

WHEREAS, all interested parties were heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$53,970.02 is hereby confirmed and shall be known as Special Assessment Roll No. 2018-02.
2. Said special assessment roll shall be divided into ten installments, the first of which shall be due and payable on September 1, 2018, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by November 1, 2018.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2018 and shall be paid annually on each installment due date.

4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

Motion supported by Councilmember Bailey.

Roll Call Vote.

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

NAYS: None.

**Special Assessment District No. 2018-03      Harding Avenue from Chipman to Hanover**

A public hearing was conducted to receive citizen comment regarding authorization of Resolution No. 5 for Special Assessment District No. 2018-03 for Harding Avenue, from Chipman Street to Hanover Street for street rehabilitation.

The following person commented prior to the meeting regarding the proposed special assessment roll:

Charles Poag, 1207 Harding Avenue, via email, objected to the amount of his special assessment as it would create additional hardship for his family.

There were no citizen comments received on this topic during the meeting.

Whereas, the Council, after due and legal notice, has met and having heard all interested parties, motion by Mayor Pro-Tem Osika that the following resolution be adopted:

**RESOLUTION NO. 62-2018**

**DISTRICT NO. 2018-03  
HARDING AVENUE FROM CHIPMAN STREET TO HANOVER STREET  
SPECIAL ASSESSMENT RESOLUTION NO. 5**

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement:

HARDING AVENUE FROM CHIPMAN STREET TO HANOVER STREET  
STREET REHABILITATION

and

WHEREAS, all interested parties were heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$40,943.60 is hereby confirmed and shall be known as Special Assessment Roll No. 2018-03.
2. Said special assessment roll shall be divided into ten annual installments, the first of which shall be due and payable on September 1, 2018, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by November 1, 2018.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2018 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

Motion supported by Councilmember Fox.

Roll Call Vote.

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

NAYS: None.

**Special Assessment District No. 2018-05      **Olmstead Street from West to Chipman****

A public hearing was conducted to receive citizen comment regarding authorization of Resolution No. 5 for Special Assessment District No. 2018-05 for Olmstead Street, from West Street to Chipman Street for street resurfacing.

There were no comments received prior to, or during the meeting.

Whereas, the Council, after due and legal notice, has met and having heard all interested parties, motion by Councilmember Fox that the following resolution be adopted:

**RESOLUTION NO. 63-2018**

**DISTRICT NO. 2018-05  
OLMSTEAD STREET FROM WEST STREET TO CHIPMAN STREET  
SPECIAL ASSESSMENT RESOLUTION NO. 5**

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement:

OLMSTEAD STREET FROM WEST STREET TO CHIPMAN STREET  
STREET RESURFACING

and

WHEREAS, all interested parties were heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$47,667.35 is hereby confirmed and shall be known as Special Assessment Roll No. 2018-05.
2. Said special assessment roll shall be divided into ten installments, the first of which shall be due and payable on September 1, 2018, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by November 1, 2018.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2018 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

Motion supported by Councilmember Bailey.

Roll Call Vote.

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

NAYS: None.

**2018-19 Proposed City Budget**

A Public Hearing was conducted to receive citizen comment regard the proposed 2018-19 City Budget.

There were no citizen comments received prior to, or during the meeting.

The proposed City Budget will be considered for formal adoption at the May 21, 2018 meeting.

**Ordinance Amendment – Chapter 26, Signs**

A public hearing was conducted to receive citizen comment on the proposal to amend Chapter 26, Signs, Article IV, *General Provisions*, Section 26-19, General standards for permitted signs, subsection 1a, *Sign setbacks*, of the Code of Ordinances of the City of Owosso to correct an error related to the permitted setback for signs.

There were no citizen comments received prior to, or during the meeting.

Whereas, the Council, after due and legal notice, has met and there being no one to be heard, motion by Councilmember Bailey that the following ordinance be adopted:

**ORDINANCE NO. 792**

**TO AMEND SECTION 26-19(1)a  
OF THE CODE OF THE CITY OF OWOSSO  
TO REDUCE SIGN SETBACKS**

WHEREAS, subsection 1a. *Sign setbacks*, of Section 26-19, General standards for permitted signs, outlines specific regulations regarding signage and setback requirements; and

WHEREAS, the setback requirements pertaining to public right-of-ways require modification to correct an error made when the ordinance was repealed and replaced in May 2017; and

WHEREAS, the planning commission held a public workshop at their March 26, 2018 regularly scheduled meeting regarding the proposed amendment to Section 26-19, General standards for permitted signs, subsection 1a. *Sign setbacks* in which no citizen comments were voiced or received; and

WHEREAS, the planning commission recommends amending Section 26-19 (1)a to correct the error.

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

SECTION 1. AMENDMENT. That subsection a. *Sign setbacks* of Section 26-19(1). General standards for permitted signs of the Owosso City Code be amended to read:

**Sec. 26-19. - General standards for permitted signs.**

Signs which are permitted as accessory uses serving a commercial or informational purpose may be permitted subject to the requirements of this article; provided, that no such sign shall be erected or altered until approved by the building official/zoning administrator and until a sign permit has been issued pursuant to chapter 26 of the City of Owosso Code of Ordinances.

(1) Sign setbacks.

- a. All signs, unless otherwise provided for, shall be set back a minimum of five (5) feet from any public or private street right-of-way line or access drive in all districts. This distance shall be measured from the nearest edge of the sign, measured at a vertical line perpendicular to the ground to the right-of-way.

SECTION 2. SEVERABILITY. The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of this Ordinance as a whole or any section or provision of this Ordinance other than the section or provision so declared to be unconstitutional or invalid.

SECTION 3. INCONSISTENT ORDINANCES. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are repealed.

SECTION 4. EFFECTIVE DATE. This amendment shall become effective May 27, 2018.

SECTION 5. 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.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

**CITIZEN COMMENTS AND QUESTIONS**

Tom Manke, Owosso Township resident, said he would miss Mr. Cook and Mr. Scanlon. He said he hated seeing all that knowledge leave the organization.

Tom and Patricia Cords, members of the Michigan Wood Carvers Association, presented Councilmember Fox with a hand-carved Patriot Cane honoring him for his military service during the Korean War and the Vietnam War. Councilmember Fox thanked the Cords saying the honor means a lot and the cane will become a family keepsake. He also thanked his wife for her hard work while he was away serving. Mayor Eveleth thanked Councilmember Fox for his years of service to the military and the community.

Mayor Eveleth announced that the Downtown Farmers' Market was official opened for the season attracting the biggest opening crowd ever.

**CITY MANAGER REPORT**

City Manager Nathan R. Henne highlighted the latest Project Status Report for the Council. As a part of his report he noted that security and signage around the Curwood statue would be improved to prevent future vandalism, but the fishing pole would not be replaced until those changes have been made.

Councilmember Fox inquired whether the RFP for real estate broker services for the Osburn Lakes subdivision had gone out. City Manager Henne indicated it had and efforts were being made to forward it to numerous developers and realtors.

**CONSENT AGENDA**

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

**Special Assessment District No. 2018-09 – Industrial Park Connector.** Authorize Resolution No. 4 setting a public hearing for Monday, May 7, 2018 to receive citizen comment regarding Special Assessment District No. 2018-02 for the Industrial Park Connector Project for street resurfacing/ reconstruction as follows:

**RESOLUTION NO. 64-2018**

**SPECIAL ASSESSMENT RESOLUTION NO. 4  
SETTING A PUBLIC HEARING  
TO RECEIVE COMMENT REGARDING  
SPECIAL ASSESSMENT DISTRICT NO. 2018-09**

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements more particularly hereinafter described to the properties specially benefited by said public improvement, and the same has been presented to the Council by the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll is hereby accepted and shall be filed in the office of the City Clerk for public examination.
2. The Council shall meet at the Owosso City Hall, Owosso, Michigan at 7:30 o'clock p.m., on Monday, May 21, 2018 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same.
3. The City Clerk is directed to publish the notice of said hearings once in the *Argus Press*, the official newspaper of the City of Owosso, not less than ten (10) days prior to said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of the property subject to assessment, as indicated by the records in the City Assessor's office as shown on the general tax rolls of the City, at least ten (10) days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.
4. The notice of said hearing to be published and mailed shall be in substantially the following form:

**NOTICE OF HEARING  
TO REVIEW SPECIAL ASSESSMENT ROLL  
CITY OF OWOSSO, COUNTY OF SHIAWASSEE, MICHIGAN**

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

**Gould Street, Public Street, from Monroe Street to Corunna Avenue  
 Monroe Street, Public Street, from Gould Street to McMillan Avenue  
 McMillan Avenue, Public Street, from Monroe Street to south end of street  
 Industrial Drive, Public Street, from McMillan Avenue to Aiken Road  
 South Street, Public Street, from McMillan Avenue to Aiken Road**

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described improvements:

**Infrastructure and Access Enhancements**

The said Special Assessment roll is on file for public examination with the City Clerk and any objections to said Special Assessment roll must be filed in writing with the City Clerk prior to the close of the hearing to review said Special Assessment roll.

TAKE FURTHER NOTICE that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter and his or her personal appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessments may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall, Owosso, Michigan at 7:30 p.m. on Monday, May 21, 2018 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

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

Name	Board/Commission	Term Expires
Treena Chick	Building Authority filling unexpired term of L. Cook	06-30-2021
Brent Wesley*	Airport Board	12-31-2019
Ed Van Strate*	Building Board of Appeals	06-30-2021
Kevin Maurer*	Building Board of Appeals	06-30-2021
David Acton*	Downtown Development Authority / Owosso Main Street Board	06-30-2022
James Woodworth*	Downtown Development Authority / Owosso Main Street Board	06-30-2022
Gary Wilson*	Downtown Historic District Commission	06-30-2021
Philip Hathaway*	Downtown Historic District Commission	06-30-2021
Robert J. Teich, Jr.*	Shiawassee District Library Board	06-30-2021
Susan J. Osika*	Local Development Finance Authority / Brownfield Redevelopment Authority	06-30-2022
Loreen F. Bailey*	Local Development Finance Authority / Brownfield Redevelopment Authority	06-30-2022
Nick Seabasty*	Parks and Recreation Commission	06-30-2020
Francis Livingston*	Planning Commission	06-30-2021
William Wascher*	Planning Commission	06-30-2021
Thomas Taylor*	Zoning Board of Appeals	06-30-2021
Matthew Grubb*	Zoning Board of Appeals	06-30-2021

\* Indicates reappointment

**Chemical Bank Account Signatories.** Approve resolution designating authorized signers on City accounts at Chemical Bank as detailed below:

**RESOLUTION NO. 65-2018**

**NAMING THOSE AUTHORIZED TO SIGN  
 ON BEHALF OF THE CITY OF OWOSSO  
 FOR ACCOUNTS HELD AT CHEMICAL BANK**

WHEREAS, the City of Owosso is required by law to declare an official depository for city funds; and

WHEREAS, the City Charter dictates the City Clerk, or the Clerk's Deputy, sign checks drawn on City accounts; and

WHEREAS, the State of Michigan requires the City Treasurer, or the Treasurer's Deputy, counter-signature on said checks as a means of further security; and



WHEREAS, from time to time the City must update the list of authorized signers to ensure it is current.

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

- FIRST: Chemical Bank, 100 East Main Street, Owosso, Michigan 48867 be and is hereby designated as a depository of the funds of the City of Owosso, and that the said funds be subject to withdrawal upon checks, notes, drafts, bills of exchange, acceptances, undertakings or other orders for the payment of money when signed by the City Clerk, or the Clerk's Deputy, and countersigned by the City Treasurer, or the Treasurer's Deputy.
- SECOND: that the above named Chemical Bank is authorized to pay any such checks, notes, drafts, bills of exchange, acceptances, undertakings or other orders; and also to receive the same for the credit of or in payment from the payee or any other holder without injury as to the circumstances of issue of the disposition of the proceeds thereof, whether such instruments are payable, individually or otherwise, to the order of any person signing and/or counter-signing such instruments, or to the order of any of the other officers of the City, and whether such checks or other instruments are deposited to the individual credit of any person signing and/or counter-signing such instruments, or to the individual credit of any of the other officers of the City.
- THIRD: that any and all endorsements for or on behalf of the City of Owosso upon checks, drafts, notes or instruments for deposit or collection made with the said Chemical Bank may be written or stamped endorsements of the City of Owosso without any designation of the person making such endorsements.
- FOURTH: that said Chemical Bank be promptly notified in writing by the City Clerk of the City of Owosso of any change in this resolution and that until it has actually received such notice in writing said Chemical Bank is authorized to act in pursuance of this resolution.
- FIFTH: that all of the above designated officers are hereby authorized to execute on behalf of the City signature cards, or other documents, containing the rules and regulations of the Bank and the conditions under which deposits are accepted, and to agree on behalf of this City to those rules, regulations, and conditions.
- SIXTH: it is further certified that this resolution is within the power of the City as provided in the Charter and Ordinances of this City.

**Phone System Upgrade Contract.** Waive competitive bidding requirements and approve contract with Logicalis, Inc. for hardware, software, and professional services required to update the City's phone system in the amount of \$22,595.86, and further approve payment upon satisfactory completion of the project or portion thereof as follows:

#### **RESOLUTION NO. 66-2018**

#### **ADOPTING THE LOGICALIS, INC. CALL MANAGER UPGRADE HARDWARE AND INSTALLATION CONTRACT**

WHEREAS, the city of Owosso, a Michigan municipal corporation, contracts with Logicalis, Inc. for network administrator services;

WHEREAS, the city's phone system is outdated and needs to be upgraded;

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

- FIRST: that the Call Manager Upgrade Hardware and Installation contract dated April 25, 2018 presented and attached is approved and adopted and that the duly authorized agents of the city are hereby authorized and directed to execute and accept the service agreement.
- SECOND: that the Project Sponsor is instructed to take such actions that they deem necessary and proper to implement the agreement, and to set up adequate accounting and administrative procedures oversee the agreement.
- THIRD: the undersigned certifies that attached, are true copies of the Call Manager Upgrade Hardware and Installation contract approved and adopted in this resolution.

**Bid Award - 2018 Street Patches Program.** Authorize bid award to A-1 Asphalt Sealing and Repair, Inc. d/b/a A-1 Asphalt, Inc. as the low bidder for the 2018 Street Patches Program in the amount of \$19,896.00, approve a contingency amount of \$8,000.00, and further authorize payment up to the bid amount plus the contingency (with prior written approval) upon satisfactory completion of the work or a portion thereof as detailed below:

**RESOLUTION NO. 67-2018**

**AUTHORIZING THE EXECUTION OF A CONTRACT FOR  
THE 2018 STREET PATCHES PROGRAM  
WITH A-1 ASPHALT OF WAYLAND, MICHIGAN**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that the temporary street patches in many of the streets in the city need to be permanently repaired with a hot mixed asphalt to prevent water from getting into the sub base of the street, accelerating the deterioration of the street pavement, and that this pavement maintenance is advisable, necessary and in the public interest; and

WHEREAS, the city of Owosso sought bids to permanently patch said areas; a low and responsible bid was received from A-1 Asphalt Sealing and Repair, Inc. d/b/a A-1 Asphalt, Inc., and it is hereby determined that A-1 Asphalt, Inc. is qualified and has good references to provide such services.

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 employ A-1 Asphalt Sealing and Repair, Inc. d/b/a A-1 Asphalt, Inc. for pavement patching as part of the 2018 Street Patches Program.
- SECOND: The mayor and city clerk are instructed and authorized to sign the contract document/s for Services Between the city of Owosso, Michigan and A-1 Asphalt, Inc. in the amount not to exceed \$19,896.00.
- THIRD: The accounts payable department is authorized to pay A-1 Asphalt, Inc. for work satisfactorily completed in the amount of \$19,896.00, plus contingency work in the amount of \$8,000.00 with prior written approval, for a total of \$27,896.00.
- FOURTH: The above expenses shall be paid from account 591-552-833.300 and 591-552-833.200 Water Maintenance Fund, 590-549-833.200 Sewer Maintenance Fund, and 203/202-463-818.000 Local and Major Maintenance Fund.

**Bid Award – 2018 Street Program – Contract No. 1.** Approve the low bid of Rohde Brothers Excavating, Inc. for the 2018 Street Program – Contract No. 1 in the amount of \$1,258,445.00 and further approve payment up to the contract amount upon satisfactory completion of the work or portion thereof as follows:

**RESOLUTION NO. 68-2018**

**AUTHORIZING THE EXECUTION OF A CONTRACT WITH  
ROHDE BROS. EXCAVATING, INC. FOR  
THE 2018 STREET RESURFACING PROGRAM-CONTRACT NO. 1**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that it is in the best interest of the public to replace water main and perform pavement improvements along portions of Olmstead Street, Harding Avenue, and Hanover Street as set forth in the contract documents; and

WHEREAS, the city has sufficient funds to perform said improvements from its water funds and 2016 Unlimited Obligation Bond Proceeds funds to facilitate undertaking of the project; and

WHEREAS, the city of Owosso sought bids for the 2018 Street Resurfacing Program-Contract No. 1 and a bid was received from Rohde Bros. Excavating, Inc. and it is hereby determined that Rohde Bros. Excavating, Inc. is qualified to provide such services and that it has submitted the lowest responsible and responsive bid.

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 employ Rohde Bros. Excavating, Inc. for the 2018 Street Resurfacing Program-Contract No. 1.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit A, Contract for Services Between the city of Owosso, Michigan and Rohde Bros. Excavating, Inc. in the amount of \$1,258,445.00.
- THIRD: The accounts payable department is authorized to pay Rohde Bros. Excavating, Inc. for work satisfactorily completed on the project up to the bid Contract amount of \$1,258,445.00, plus a contingency amount not to exceed \$50,000.00 for city field staff adjustments.

FOURTH: The above expenses shall be paid from the 2016 Unlimited Obligation Bond Proceeds Account (\$857,082.00), City Water Main & Hydrants Account No. 591-901-972.000 (\$401,363.00), and other funds as appropriated.

**Check Register – April 2018**\* Affirm check disbursements totaling \$ 1,136,498.61 for April 2018.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

### **ITEMS OF BUSINESS**

None.

### **COMMUNICATIONS**

Tom Cook, Planning Commission. Letter of resignation.  
City Attorney Scott J. Gould. Memorandum re: Osburn Lakes Bylaws.  
Downtown Development Authority/Main Street. Minutes of April 4, 2018.  
Planning Commission. Minutes of April 23, 2018.

Councilmember Bailey thanked Tom Cook for his work on the Planning Commission saying she was sad to see his expertise go and he would be missed as a city resident.

City Manager Henne thanked Assistant City Manager Montenegro and the Planning Commission for all of their hard work on the medical marijuana ordinance.

### **CITIZEN COMMENTS AND QUESTIONS**

Tom Manke, Owosso Township resident, said the designers of the Curwood statue expected the statue to be vandalized and designed the fishing pole to be easily replaced. He said the City was given several extra poles and they should continue replacing the fishing pole each time it gets broken.

Roger Snyder, 211 N. Washington Street, questioned how the streets involved in this year's street program were chosen, saying the City should fix streets that are used frequently. He also said he would like to see all the landlord regulations repealed as they are too oppressive. Mayor Eveleth explained to Mr. Snyder that the City had conducted research to determine the best way to stretch the street bond money as far as possible and that information was used in the selection of streets.

Councilmember Bailey inquired how the City plans on communicating to residents about the lead/galvanized service line grant. Utilities Director Chinavare indicated he was working on the details of the grant program now.

Councilmember Greenway commented on how beautiful Councilmember Fox's cane is.

Mayor Pro-Tem Osika announced that ABC 12's Marc Jacobson will be at the High School on Friday at 5:00am to announce the winner of the annual food drive.

### **NEXT MEETING**

Monday, May 21, 2018

### **BOARDS AND COMMISSIONS OPENINGS**

Building Board of Appeals – Alternate - term expires June 30, 2019  
Building Board of Appeals – Alternate - term expires June 30, 2021  
Historical Commission – term expires December 31, 2020  
Planning Commission – term expires June 30, 2019  
Zoning Board of Appeals – term expires June 30, 2021

### **ADJOURNMENT**

Motion by Councilmember Bailey for adjournment at 8:17 p.m.

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

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Christopher T. Eveleth, 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.