

**CITY OF OWOSSO  
REGULAR MEETING OF THE CITY COUNCIL  
MINUTES OF SEPTEMBER 17, 2018  
7:30 P.M.**

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

**OPENING PRAYER:** THOMAS MANKE

**PLEDGE OF ALLEGIANCE:** MAYOR PRO-TEM SUSAN J. OSIKA

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

**ABSENT:** None.

**APPROVE AGENDA**

Motion by Councilmember Teich to approve the agenda as presented.

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

**APPROVAL OF THE MINUTES OF REGULAR MEETING OF SEPTEMBER 4, 2018**

Motion by Councilmember Bailey to approve the Minutes of the Regular Meeting of September 4, 2018 as presented.

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

**PROCLAMATIONS / SPECIAL PRESENTATIONS**

**Munetrix Presentation**

Munetrix Co-founder & COO Buzz Brown and Vice President for Municipal Services Katrina Powell presented an overview of the financial reporting, management and forecasting tools available through the company. The firm's web-based system is preloaded with information from every municipal jurisdiction in the state allowing comparison between similar communities, information can be downloaded from the City's current financial administration software to allow for easy analysis of the City's finances, as well as the generation of a citizen dashboard report that can be embedded in the City's website.

**PUBLIC HEARINGS**

**Ordinance Amendment – Chapter 33, Traffic and Motor Vehicles**

The proposed amendment would clarify the ordinance to indicate that parking fines are set by resolution.

A public hearing was conducted to receive citizen comment regarding the proposed amendment to Section 33-53, *Schedule of fines*, of Chapter 33, Traffic and Motor Vehicles, Article III, *Parking, Stopping and Standing*, Division 2, Parking Violations Bureau, of the Code of Ordinances.

The following person commented regarding the proposed amendment:

Tom Manke, Owosso Township resident, inquired whether the DDA/Main Street Board approved of the changes. Main Street Director Josh Adams indicated they had.

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

**ORDINANCE NO. 794**

**AN ORDINANCE AMENDING SECTION 33-53, SCHEDULE OF FINES,  
OF THE CODE OF ORDINANCES TO CLARIFY  
PARKING FINES ARE SET BY RESOLUTION**

WHEREAS, the City of Owosso adopted the 2018 Fee Schedule on June 6, 2018, which, in part, establishes fines for various parking violations; and

WHEREAS, the City of Owosso also has an ordinance on its books establishing fines for parking violations, leading to confusion; and

WHEREAS, City of Owosso staff recommends the ordinance be changed to clarify the fines are set by resolution.

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

SECTION 1. AMENDMENT. That Section 33-53, *Schedule of fines*, of Chapter 33, *Traffic and Motor Vehicles*, Article III, *Parking, Stopping and Standing*, Division 2, *Parking Violations Bureau*, of the Code of Ordinances is hereby amended to read:

**Sec. 33-53. - Schedule of fines.**

Fines for the following violations shall be established by resolution and paid to the parking violations bureau. An additional penalty may be assigned if it is necessary to issue a warrant for the alleged violator's arrest.

<b>Violation No.</b>
(1) (This violation has been removed.)
(2) Parking over legal limit in areas other than business districts defined in section 33-37
(3) Parking over legal limit in business districts defined in section 33-37
(4) Moving to evade time limitations
(5) Parking in prohibited zone
(6) Parking in loading zone
(7) Parking on sidewalk or crosswalk
(8) Parking at yellow curb
(9) Overtime parking in 3:00 a.m. to 6:00 a.m. zone
(10) Parking within fifteen (15) feet of fire hydrant
(11) Parking in handicapped zone
(12) Double parking
(13) Parked facing wrong way
(14) Blocking driveway
(15) Across parking line
(16) Blocking alley
(17) Blocking traffic
(18) Parking over twelve (12) inches from curb
(19) Abandoned car
(20) Parking of a truck or commercial vehicle with a gross weight in excess of five (5) tons or in excess of twenty-two (22) feet in length in violation of the provisions of section 5.61 of the Uniform Traffic Code
(21) Other parking violation
(22) Fifth violation of any above violation within a thirty-day period

SECTION 2. EFFECTIVE DATE. This amendment shall become effective October 8, 2018.

SECTION 3. 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 Robertson.

Roll Call Vote.

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

NAYS: None.

**Special Assessment District No. 2019-14 – Williams Street**

A public hearing was conducted to receive citizen comment regarding proposed Special Assessment District No. 2019-14 for Williams Street from Shiawassee Street to Washington Avenue for street rehabilitation (this district was formerly known as District No. 2018-08 when it was originally introduced in March 2018).

The following people commented in regard to the proposed special assessment project:

Charles Kremski, 501 W. Williams Street, spoke in favor of the proposed project. (He also spoke with City staff prior to the meeting via telephone inquiring whether the street could be widened to allow for more parking as a part of the current project. He was told that property owners benefitting from the additional work would be specially assessed for 100% of the additional cost.)

Kirk Rheame, Congregational Church Council president, inquired about the details of the project asking what work would be performed. He said he was a little shocked to receive a notice that the church may be specially assessed if the project moves forward saying they are a tax exempt entity.

Johnny Zawacki, 409 W. Williams Street, objected to the project saying there are other streets in greater need of repair. He asked that if Council insisted on moving forward with the project they consider repairs to only the sections that need it most.

Nick Pidek, 308 E. Oliver Street, asked how the interest rate on special assessments is determined and whether it was possible to adjust it.

Stephen Gill, owner at 210 W. Williams Street, via email, inquired whether the project was truly necessary at this time noting there were other streets in the City in far worse shape. Mr. Gill's question was addressed by staff prior to the meeting via telephone.

In response to Mr. Rheame's question Mayor Eveleth indicated that special assessments work differently from taxes and tax-exempt entities are not exempt from special assessments.

Mayor Eveleth went on to address Mr. Pidek's question about the interest rate saying historically the rate had been 8% until it was lowered to 6% in 2009. He acknowledged the current rate is still high, but the state strongly discourages cities from functioning like a bank so the rate is set above average to provide incentive for residents to seek other funding sources to finance their portion of a special assessment project.

Utilities Director Glenn M. Chinavare responded to Mr. Zawacki's question noting there are serious storm drainage issues that the City aims to fix with this project, necessitating work along the entire length of the street.

Mayor Eveleth reminded all parties present that payments for special assessments can be made over a period of years and that qualified individuals can also apply for a deferment.

Motion by Councilmember Bailey that the following resolution be adopted:

**RESOLUTION NO. 141-2018**

**WILLIAMS STREET  
FROM SHIAWASSEE STREET TO WASHINGTON STREET  
STREET REHABILITATION  
SPECIAL ASSESSMENT RESOLUTION NO. 3**

WHEREAS, the City Council, after due and legal notice, has met and having heard all 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:

WILLIAMS STREET, A PUBLIC STREET, FROM SHIAWASSEE STREET TO WASHINGTON STREET FOR STREET REHABILITATION

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 \$684,826.26 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 \$104,923.90 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:  
  
Williams Street, a Public Street, from Shiawassee Street to Washington Street for Street Rehabilitation
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.
6. 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 Greenway.

Roll Call Vote.

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

NAYS: None.

### **CITIZEN COMMENTS AND QUESTIONS**

Danny Miller, 2450 Wellington Drive, introduced himself as a candidate for County Commissioner District 1 and listed his credentials for the position. He said he has a record of proven leadership and wants to work with people.

District 2 County Commissioner Dan McMaster provided a quick update on things at the county level including the upcoming jail feasibility study, switching to BS&A administrative software, the new public defender's office, and working with MERS and the Central Dispatch Board on funding issues. He also indicated he would like to speak with the City Manager and the Mayor regarding the homeless shelter proposed for the downtown.

Tom Manke, Owosso Township resident, said he was very happy with all the amazing things happening around the county, he endorsed the purchase of financial management software, criticized the City for shutting off the water of a local restaurant during the lunch hour, and inquired how far away employees can live from the city.

Owosso High School students Maya Manuel and Lily Pirochta invited everyone to the Walk and Paw-a-Thon fundraiser to be held October 6<sup>th</sup> from 10:00am until 6:00pm at the High School track benefitting the Shiawassee Humane Society. There will be games, music, activity stations, and a 50/50 raffle.

Randy Woodworth, local commercial real estate broker, cautioned Council on delaying the application window for medical marijuana provisioning centers. He said he knows of approximately 15 storefronts that are tied up with candidates that are hoping to win one of the 4 dispensary licenses the City will be issuing. He expressed his concern that a delay in the lottery will hold up development.

City Manager Henne responded to Mr. Manke's inquiry as to how far employees can live from the City saying that case law allows the City to require essential personnel live within 20 miles, but no closer. City Attorney Gould offered to provide more information on the issue at a subsequent meeting.

### **CONSENT AGENDA**

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

**Special Assessment District No. 2019-12 – Summit Street.** Authorize Resolution No. 2 setting a public hearing for Monday, October 1, 2018 for proposed Special Assessment District No. 2019-12 for Summit Street from Abbott Street to Rubelman Drive for street resurfacing as follows:

#### **RESOLUTION NO. 142-2018**

#### **SUMMIT STREET FROM ABBOTT STREET TO RUBELMAN DRIVE**

**FOR STREET RESURFACING  
SPECIAL ASSESSMENT RESOLUTION NO. 2**

WHEREAS, the City Council has ordered the City Manager to prepare a report for public improvement, more particularly hereinafter described; and

SUMMIT STREET, A PUBLIC STREET, FROM ABBOTT STREET TO RUBELMAN  
DRIVE  
FOR STREET RESURFACING

WHEREAS, the City Manager prepared said report and the same has been filed with the City Council as required by the Special Assessment Ordinance of the City of Owosso and the Council has reviewed said report.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The plans and estimate of cost and the report of the City Manager for said public improvement shall be filed in the office of the City Clerk and shall be available for public examination.
2. The City Council hereby determines that the Public Improvement hereinafter set forth may be necessary.
3. The City Council hereby approves the estimate of cost of said public improvement to be \$516,567.30 and determines that \$103,005.82 thereof shall be paid by special assessment imposed on the lots and parcels of land more particularly hereinafter set forth, which lots and parcels of land are hereby designated to be all of the lots and parcels of land to be benefited by said improvements and determines that \$413,561.48 of the cost thereof shall be paid by the City at large because of benefit to the City at large.
4. The City Council hereby determines that the portion of the cost of said public improvement to be specially assessed shall be assessed in accordance with the benefits to be received.
5. The City Council shall meet at the Owosso City Hall Council Chambers on Monday, October 1, 2018 at 7:30 p.m. for the purpose of hearing all persons to be affected by the proposed public improvement.
6. The City Clerk is hereby directed to cause notice of the time and place of the hearing to be published once in The Argus Press, the official newspaper of the City of Owosso, not less than seven (7) days prior to the date of said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of property subject to assessment, as indicated by the records in the City Assessor's Office as shown on the general tax roll of the City, at least (10) full days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.
7. The notice of said hearing to be published and mailed shall be in substantially the following form:

NOTICE OF SPECIAL ASSESSMENT HEARING  
CITY OF OWOSSO, MICHIGAN

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

TAKE NOTICE that the City Council intends to acquire and construct the following described public improvement:

Summit Street, a Public Street, from Abbott Street to Rubelman Drive  
Street Resurfacing

The City Council intends to defray apart or all of the cost of the above-described public improvement by special assessment against the above described property.

TAKE FURTHER NOTICE that City Council has caused plans and an estimate of the cost and report for the above described public improvement to be prepared and made by the City Manager and the same is on file with the City Clerk and available for public examination.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall Council Chambers, Owosso, Michigan at 7:30 o'clock p.m. on Monday, October 1, 2018 for the purpose of hearing any person to be affected by the proposed public improvement.

**Resolution Amendment – Resolution No. 136-2018.** Amend Resolution No. 136-2018 authorizing a bid award for the renovation of downtown building facades to remove the contingency allotments for each building as shown below:

**RESOLUTION NO. 136.1-2018  
AMENDMENT TO RESOLUTION NO. 136-2018**

**AUTHORIZING THE MEDC/CDBG FACADE GRANT CONSTRUCTION CONTRACT  
WITH FIRST CONTRACTING, INC.  
FOR FAÇADE RENOVATION AT 114 N. WASHINGTON STREET, 115 N. WASHINGTON  
STREET, AND 216-218 W. MAIN STREET**

WHEREAS, the city of Owosso, Shiawassee County, Michigan requires general contract and construction services for the implementation of the MEDC Facade Grant; and

WHEREAS, the city sought bids from general contractors to conduct the work on 114 N. Washington Street, 115 N. Washington Street, and 216-218 W. Main Street proposed by H2A Architects of Davison, Michigan for the purpose of facade renovation; and

WHEREAS, it is hereby determined that First Contracting, Inc. of Ovid, Michigan is qualified to provide such services and have submitted the lowest responsible and responsive bid; 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 heretofore determined that it is advisable, necessary and in the public interest to award the facade renovation of 114 N. Washington Street to First Contracting, Inc. in the amount of \$90,460, with a provision for an additional \$12,400 for 100% re-pointing of the brick should it be necessary. ~~plus a contingency amount of 20% of the contract.~~
- SECOND The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to award the facade renovation of 115 N. Washington Street to First Contracting, Inc. in the amount of \$112,500.00. ~~with a contingency amount of 20% of the contract.~~
- THIRD: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to award the facade renovation of 216-218 W. Main Street to First Contracting, Inc. in the amount of \$172,950.00. ~~with a contingency amount of 20% of the contract.~~
- FOURTH: 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 First Contracting, Inc. in the amount of \$375,910.00, with a provision for an additional \$12,400 for further re-pointing of brick should it be necessary.
- FIFTH: The accounts payable department is authorized to pay First Contracting, Inc. up to the total bid amount of \$388,310.00, plus a contingency amount not to exceed ~~\$77,662.00~~ **\$37,691.00** for field adjustments/change orders upon written authorization of the City.
- SIXTH: 50% of the above expenses shall be paid from State of Michigan MEDC/CDBG Funds. The other 50% will be paid by the property/building owners. Private dollars will be placed in an escrow account before construction begins.

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

Name	Board/Commission	Term Expires
Linda Morovitz*	Shiawassee Area Transportation Agency Board of Directors	10-01-2021

\* Indicates reappointment

**Food Distribution Permission.** Approve the application from the United Methodist Care Network for use of a portion of the southwest corner of the Comstock Parking Lot on September 22, 2018 from 8:00am – 12:00noon to conduct a free food distribution, waive the insurance requirement, and authorize Traffic Control Order No. 1405 formalizing the action.

**Oktoberfest Permission.** Approve request from the Shiawassee Regional Chamber of Commerce for use of the Ball/Exchange Parking Lot (Lot#5) and various downtown streets at various times from October 11, 2018 at 5:00am through October 14, 2018 at 5:00pm for Oktoberfest 2018 and approve Traffic Control Order No. 1406 formalizing the request.

**Contract Addendum No. 6 – OHM Professional Engineering Services.** \* Authorize Addendum No. 6 to the contract with Orchard, Hiltz & McClement d/b/a OHM Advisors for Professional Engineering Services originally approved May 15, 2017, for assessment and analysis of the structural condition of 759 manholes in the amount of \$67,900.00, and further authorize payment up to the contract amount, including Addendum Nos. 1-6, as amended, upon satisfactory receipt of deliverables as follows:

**RESOLUTION NO. 143-2018**

**AUTHORIZING THE EXECUTION OF ADDENDUM NO. 6 TO  
AN 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 & McClement, Inc. d/b/a OHM Advisors by the adoption of Resolution 69-2017 on May 15, 2017; and

WHEREAS, the city and Director of Public Services & Utilities desires to expand the contract to include additional services for performing sanitary sewer manhole structural analysis, to complete program assessments for this underground utility for compliance with Asset Management Plan requirements.

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 contract approved by Resolution 69-2017 on May 15, 2017 with Orchard, Hiltz & McClement, Inc. d/b/a OHM Advisors to include additional services for structural assessments of 759 remaining sanitary sewer manholes in the city of Owosso collection system.
- SECOND: The accounts payable department is authorized to submit payment to OHM Advisors in an amount not to exceed \$67,900.00 for such engineering services.
- THIRD: The above expenses shall be paid for from the wastewater fund account 590-549-818.000.

**Purchase Authorization - Road Salt.** \* Waive competitive bidding requirements, authorize purchase order with The Detroit Salt Company, LLC, via State of Michigan Contract No. 171-180000000768, in the amount of \$23,336.00 for early delivery of 400 tons of road salt at \$58.34/ton, plus an additional quantity of 1,400 tons in the amount of \$73,486.00 at \$52.49/ton to be delivered as needed during the 2018-19 contract period, and further authorize payment up to \$96,822.00 upon satisfactory receipt of the product as detailed below:

**RESOLUTION NO. 144-2018**

**AUTHORIZING THE EXECUTION OF A PURCHASE ORDER WITH  
THE DETROIT SALT COMPANY, LLC  
FOR THE WINTER SUPPLY OF ROAD SALT**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has a responsibility to keep its streets safe during the winter months, and that this winter ice control maintenance is advisable, necessary and in the public interest; and

WHEREAS, the most efficient way to remove ice from the streets is the application of road salt onto the icy pavements; and

WHEREAS, in order to obtain the best price for road salt material, it is in the best interest of the city of Owosso to waive competitive bidding requirements and utilize the State of Michigan Contract No. 171-180000000768 effective September 1, 2018, provided by The Detroit Salt Company, LLC for the purchase of road salt at \$58.34 per ton for early delivery and \$52.49 per ton for as needed bulk.

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 purchase 1,800 tons of road salt from The Detroit Salt Company, LLC.
- SECOND: The contract between the City and The Detroit Salt Company, LLC shall be in the form of a Purchase Order, with reference to State of Michigan Contract No. 171-180000000768.

THIRD: The accounts payable department is authorized to pay The Detroit Salt Company, LLC for road salt satisfactorily received, in the amount of \$23,336.00 for early delivery of up to 400/ton, and \$73,486.00 for as needed bulk up to 1,400/ton, for a total of \$96,822.00.

FOURTH: The above expenses shall be paid from Local and Major Street Fund and State Trunk-line accounts 202/203.478.728.000 and 202.497.728.000.

**Purchase Authorization – Trickling Filter Distribution System Components.**\* Waive competitive bidding requirements and authorize the sole source purchase of repair components for the three trickling filter towers at the Waste Water Treatment Plant from Walker Process Equipment in the amount of \$10,615.00, and further authorize payment to the vendor upon satisfactory delivery of the components as follows:

**RESOLUTION NO. 145-2018**

**AUTHORIZING PURCHASE OF COMPONENTS AND PAYMENT TO WALKER PROCESS EQUIPMENT FOR REPAIR OF TRICKLING FILTERS AT THE WASTEWATER TREATMENT PLANT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has budgeted from the Wastewater Plant Replacement Fund for the repair and replacement of components for the biological process trickling filter/s distribution piping, and

WHEREAS, the existing distribution system nozzles and other attaching components are corroded, and determined to require replacement with original equipment manufacturer (OEM) parts. OEM Walker Process Equipment has provided pricing and availability of the required components at a cost of \$10,115.00, and

WHEREAS, the City Director of Public Services & Utilities has reviewed the necessity of replacement and the pricing provided from Walker Process Equipment, and has verified the replacement parts needed to restore the trickling filter distribution systems full operating condition, and recommends authorizing Walker Process Equipment to provide the required components an amount not to exceed \$10,115.00.

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 Walker Process Equipment of Aurora, Illinois for the purchase of repair components for the trickling filter towers at the Wastewater Treatment Plant.

SECOND: The accounts payable department is authorized to submit payment to Walker Process Equipment in an amount of \$10,115.00 upon delivery of the required components, plus estimated shipping fees of \$500.00 for a total of \$10,615.00.

THIRD: The above expenses shall be paid from account no. 599-901-977.000.

**Purchase Authorization – Financial Management Software.**\* Waive competitive bidding requirements, authorize the purchase of financial management software from Munetrix for an annual fee of \$5,571.70, with half of that cost covered by a grant from the State Treasurer's Office, and further authorize payment to the vendor upon satisfactory installation of the product and conduct of staff training as detailed:

**RESOLUTION NO. 146-2018**

**AUTHORIZING PURCHASE OF FINANCIAL MANAGEMENT SOFTWARE FROM MUNETRIX LLC**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Finance Department wishes to enter into an agreement with Munetrix LLC for financial planning and tracking software and services; and

WHEREAS, the City of Owosso is in need of the aforementioned software and services to supplement its current operations and financial systems for the purpose of expanding transparency and further ensuring the security of the its fiscal health and security; and

WHEREAS, the City of Owosso is eligible for a fifty percent (50%) matching grant for this service, and

WHEREAS, this is a budgeted item from 101.171.818.000



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 enter into an agreement with Munetrix LLC for the provision of financial planning and tracking software and services at a cost to the City of Owosso of \$5,571.20 per year.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Agreement for Services between the City of Owosso, Michigan and Munetrix LLC up to the amount of \$5,571.20.
- THIRD: The above expenses shall be paid from General Fund account 101-299-818.000.

**Contract Authorization - Skate Park Construction**\* Waive competitive bidding requirements, authorize a contract with Artisan Concrete Services, Inc. d/b/a Artisan Skateparks for the construction of a new skatepark at the Grove Holman pool site in an amount not to exceed \$106,420.17, and further authorize payment to the contractor upon satisfactory completion of the project or portion thereof as follows:

**RESOLUTION NO. 147-2018**

**RESOLUTION AUTHORIZING CONSTRUCTION OF A SKATEPARK  
IN GROVE HOLMAN PARK**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, wishes to enter into a construction contract with Artisan Concrete Services, Inc. d/b/a Artisan Skateparks for construction of a skate park; and

WHEREAS, the City of Owosso has planned to construct a new skatepark on the former Holman Pool site; and

WHEREAS, the Owosso Parks and Recreation Commission has raised \$106,420.17 in donations for the project; and

WHEREAS, this is a budgeted item from account 101.756.818.000.

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 enter into a contract with Artisan Concrete Services, Inc. d/b/a Artisan Skateparks in an amount not to exceed \$106,420.17 for the purpose of constructing a skatepark in Grove Holman Park.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Holman Skatepark Construction Contract between the City of Owosso, Michigan and Artisan Concrete Services, Inc. d/b/a Artisan Skateparks.
- THIRD: The City's purchasing agent is hereby authorized to pay a 10% down payment for the project and to disperse the remaining funds according to the contract.
- FOURTH: The above expenses shall be paid from the General Fund account 101.756.818.000.

**Bid Award – Water Service Lines Investigation**\* Authorize bid award to Greenscape General Contracting, L.L.C. for survey and identification of lead and galvanized water service lines in the amount of \$23,550.00 as part of the Pilot Drinking Water Infrastructure Grant, further authorize a contingency amount of \$5,000.00, and further authorize payment to the contractor upon satisfactory completion of the work or portion thereof as shown below:

**RESOLUTION NO. 148-2018**

**AUTHORIZATION TO ENTER INTO AN AGREEMENT  
WITH GREENSCAPE GENERAL CONTRACTING, L.L.C.  
FOR SURVEY AND IDENTIFICATION SERVICES OF LEAD AND GALVANIZED WATER  
SERVICE LINES AS PART OF THE PILOT DRINKING WATER INFRASTRUCTURE GRANT**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, entered into an agreement with the Michigan Department of Environment Quality (MDEQ) on April 2, 2018 to implement a Pilot Drinking Water Infrastructure Grant for the purpose of identifying lead and galvanized water service lines in the city of Owosso water distribution system; and

WHEREAS, the city and Director of Public Services & Utilities desires to enter into an agreement with Greenscape General Contracting, L.L.C. for the survey and identification of lead and galvanized water service lines, in accordance with MDEQ Pilot Drinking Water Grant compliance guidelines.

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

- FIRST: The city of Owosso has heretofore determined that it is advisable, necessary and in the public interest to enter into an agreement with Greenscape General Contracting, L.L.C. for providing survey and identification services of lead and galvanized water service lines in accordance with MDEQ Pilot Drinking Water Grant compliance guidelines.
- SECOND: The accounts payable department is authorized to submit payment to Greenscape General Contracting, L.L.C. in an amount not to exceed \$23,550.00 for surveying services, plus an additional contingency amount of \$5,000.00 for a total of \$28,550.00.
- THIRD: The above expenses shall be paid for from the wastewater fund account 591-901-972.000.

**Bid Award – Downtown Façade Rehabilitation, Part 2.\*** Authorize bid award for renovation of the façade at 114 W. Main Street, and approve payment to the contractor upon satisfactory completion of the work or portion thereof as follows:

**RESOLUTION NO. 149-2018**

**AUTHORIZING AN MEDC/CDBG FACADE GRANT CONSTRUCTION CONTRACT  
WITH FIRST CONTRACTING, INC.  
FOR FAÇADE RENOVATION AT 114 W. MAIN STREET**

WHEREAS, the city of Owosso, Shiawassee County, Michigan requires general contract and construction services for the implementation of the MEDC Facade Grant; and

WHEREAS, the city sought bids from general contractors to conduct the work on 114 W. Main Street proposed by H2A Architects of Davison, Michigan for the purpose of facade renovation; and

WHEREAS, it is hereby determined that First Contracting, Inc. of Ovid, Michigan is qualified to provide such services and has submitted the lowest responsible and responsive bid; 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 heretofore determined that it is advisable, necessary and in the public interest to award the facade renovation of 114 W. Main Street to First Contracting, Inc. in the amount of \$403,855.00.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as, contract for services between the City of Owosso, Michigan and First Contracting, Inc. in the amount of \$403,855.00.
- THIRD: 50% of the above expenses shall be paid from State of Michigan MEDC/CDBG Funds. The other 50% will be paid by the property/building owners. Private dollars will be placed in an escrow account before construction begins.
- FOURTH: The accounts payable department is authorized to pay First Contracting, Inc. up to the total bid amount of \$403,855.00 plus a contingency amount not to exceed \$40,385.50 for field adjustments/change orders upon written authorization of the City.

**Warrant No. 562.** Authorize Warrant No. 5625 as follows:

Vendor	Description	Fund	Amount
Michigan Municipal Risk Management Authority	Building & property insurance – 2 <sup>nd</sup> of 3 installments for FY 18-19	Various	\$63,726.00

**Check Register – August 2018.\*** Affirm check disbursements totaling \$2,277,391.56 for August 2018.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

**ITEMS OF BUSINESS**

**Purchase Agreement – 1415 & 1419 W. South Street\***

City Manager Henne noted that the end of the 21-day posting period had arrived and there were no comments, objections, or counteroffers received on the proposed land sale.

Motion by Mayor Pro-Tem Osika to approve the purchase agreement with Chad White for vacant property along South Street, commonly known as 1415 & 1419 W. South Street, and authorize the Mayor and City Clerk to execute appropriate documents as follows:

**RESOLUTION NO. 150-2018**

**AUTHORIZING EXECUTION OF  
PURCHASE AGREEMENT FOR THE SALE OF  
CITY-OWNED PROPERTY AT 1415 & 1419 W. SOUTH STREET**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, owns parcels 050-350-000-006-00 and 050-350-000-007-00, constituting lots 6 and 7 of the Kingswood Plat; and

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has received an offer to purchase said parcels for two thousand five hundred dollars (\$2,500.00) each; and

WHEREAS, the City of Owosso has no immediate or long-term utility for said parcels; and

WHEREAS, the Owosso City Council authorized the 21-day public inspection period set forth in Section 14.3(2) of the Owosso City Charter beginning August 21, 2018; and

WHEREAS, no objections and/or counteroffers for the property have been received to date.

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 sell the aforementioned parcels to Mr. Chad White in the amount of \$5,000.00.

SECOND: The mayor and city clerk are instructed and authorized to execute the appropriate documents for the sale of said property.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

**Amendment No. 1 - Caledonia Charter Township Water District Agreement\***

City Manager Henne explained that the proposed amendment would extend the agreement for 40 years so the township will be eligible for USDA funding.

Councilmember Robertson noted that the city’s relationship with the township is important and assisting them in their efforts is critical.

Motion by Councilmember Bailey to approve Amendment No. 1 to the Water District Agreement with Caledonia Charter Township extending the agreement for forty years to comply with the requirements of the USDA-RD grant received by Caledonia Charter Township for water main improvements to District No. II of the water agreement service area as detailed below:

**RESOLUTION NO. 151-2018**

**AUTHORIZATION FOR AMENDMENT NO. 1 TO THE WATER DISTRICT AGREEMENT DATED JULY 1, 2006 BETWEEN CITY OF OWOSSO AND CALEDONIA CHARTER TOWNSHIP**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, entered into an agreement with Caledonia Charter Township on July 1, 2006 to provide water supply and related maintenance services to Caledonia Charter Township, Shiawassee County for 20 years; and

WHEREAS, Caledonia Charter Township, Shiawassee County requests an extension of this agreement for a period of 40 years to comply with United States Department of Agriculture (USDA) requirements to secure loan financing for water distribution system infrastructure improvements within the Middletown area.

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 approve Amendment No. 1 to the Water District Agreement with Caledonia Charter Township to extend the contract forty years until 2058.

SECOND: Amendment No.1 to the Water District Agreement will become effective the date of approval by city council for a period of forty (40) years, or until December 31, 2058, whichever is the latter.

Motion supported by Councilmember Greenway.

Roll Call Vote.

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

NAYS: None.

**Medical Marijuana Distribution Center Application Window & Lottery**

There was discussion regarding the reasons for delaying the application window and corresponding lottery, rumors going around saying the City's proposed lottery is illegal, whether the rules regarding medical marijuana may potentially conflict with the rules governing recreational marijuana if the voter initiative passes in November, and whether passage of the November initiative may potentially delay the application window and lottery further. City Manager Henne responded to Council's questions and concerns saying he was confident the City's proposed lottery is well within the law, and that he didn't think recreational marijuana would conflict with medical marijuana as they would be at two totally different points in the implementation process. He went further saying he has a feeling that the implementation of recreational marijuana, if it is passed in November, will be much like the implementation of medical marijuana after it was first approved by voters in 2008.

Motion by Councilmember Law to authorize delaying the medical marihuana provisioning center application window from October to December 2018 to allow more time for candidate prequalification and the installation of new administrative software, and to further allow the Clerk's Office to concentrate solely on the upcoming Gubernatorial Election, and approve setting the date of the lottery for January 4, 2019 as follows:

**RESOLUTION NO. 152-2018**

**AUTHORIZING DELAY OF THE CITY'S MEDICAL MARIHUANA PROVISIONING CENTER LICENSE APPLICATION WINDOW AND LOTTERY**

WHEREAS, the Owosso City Council authorized Resolution No. 114-2018 setting the application window and approving the process for conduct of its medical marihuana provisioning center license lottery; and

WHEREAS, Resolution No. 114-2018 stipulated that the Council re-examine the timing of the application window to determine whether the backlog of medical marihuana facilities applications at the State had been sufficiently processed so as to allow the maximum number of interested parties to participate in the City's lottery; and

WHEREAS, to date the State has approved only sixteen licenses; and

WHEREAS, a delay in the application window and corresponding lottery will allow the State more time to process applications, as well as to allow the City time for the installation of software to administer the medical marihuana program and to allow the Clerk's Office staff to concentrate solely on the upcoming Gubernatorial election; and

WHEREAS, it is recommended the application window be set for December 1, 2018 through December 30, 2018 to accommodate said needs; and

WHEREAS, it is further recommended that the Michigan Daily 3 and Daily 4 drawings utilized to conduct the provisioning center lottery be the evening drawings on January 4, 2019; and

WHEREAS, it is recommended all other conditions and terms of the lottery remain as stated in Resolution No. 114-2018.

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 set the medical marihuana provisioning center license application window for December 1, 2018 through December 30, 2018.
- SECOND: The Michigan Daily 3 and Daily 4 evening drawings to be held on January 4, 2019 shall be utilized to facilitate the provisioning center license lottery.
- THIRD: all other terms and conditions for the lottery remain as stated in Resolution No. 114-2018.
- FOURTH: The building official is instructed and authorized to sign the local provisioning center license award letter.
- FIFTH: The revenue from license applications shall be paid to a General Fund revenue account for medical marijuana license fees to be created by the Finance Director.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

### **COMMUNICATIONS**

R. E. Brockway-Doran, Historical Commission. Letter of resignation.  
N. Bradley Hissong, Building Official. August 2018 Building Department Report.  
N. Bradley Hissong Building Official. August 2018 Code Violations Report.  
Kevin D. Lenkart, Public Safety Director. August 2018 Police Report.  
Kevin D. Lenkart, Public Safety Director. August 2018 Fire Report.  
Downtown Development Authority/Main Street. Minutes of August 1, 2018.  
Planning Commission. Minutes of August 27, 2018.  
Parks & Recreation Commission. Minutes of August 22, 2018.

### **CITIZEN COMMENTS AND QUESTIONS**

Danny Miller, 2450 Wellington Drive, picked up where he left off in the first segment of citizen comments saying that true leadership is a constant effort and he will bring his ability to lead to the Commission if elected.

John Horvath, candidate for County Commissioner District 2, announced that September is Suicide Prevention Month and he encouraged people to participate in the walk that will be held Wednesday, September 19<sup>th</sup>.

Tom Manke, Owosso Township resident, read aloud the ballot language for the recreational marijuana proposal on the November 2018 ballot.

County Commissioner Dan McMaster said that while he's not an expert on marihuana he believes the City Manager is correct in his assessment that recreational marijuana should not conflict with the current regulations for medical marihuana. He said he expected recreational marijuana to follow a path similar to that of medical marihuana.

Councilmember Teich inquired when the report on the second phase of the Osburn Lakes subdivision would be available. City Manager Henne noted that staff has reached out to the engineering firm that did the original plats for Phase 1 to see if they have any information on the land to be used for Phase 2. He said he was unsure when the full report would be ready as he had never platted an entirely new neighborhood before.

Councilmember Teich then inquired about the effects on the City of lowering the special assessment interest rate, specifically if the rate was reduced from 6% to 4%.

Councilmember Robertson also expressed a desire to explore changing the interest rate on special assessments suggesting a graduated interest rate.

Councilmember Law announced the first meeting of the Firemen's Memorial Steering Committee will be held this Saturday.

**NEXT MEETING**

Monday, October 01, 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 – 2 terms, expiring December 31, 2020

Historical Commission – term expires December 31, 2021

Zoning Board of Appeals - Alternate – term expires June 30, 2021

**ADJOURNMENT**

Motion by Councilmember Robertson for adjournment at 8:55 p.m.

Motion supported by Councilmember Law 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.