

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF MAY 6, 2019
7:30 P.M.**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: CHAPLAIN DAVID DUMOND, VFW POST 9455

PLEDGE OF ALLEGIANCE: COUNCILMEMBER NICHOLAS L. PIDEK

PRESENT: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika, Councilmembers Loreen F. Bailey, Janae L. Fear, Jerome C. Haber, Daniel A. Law, and Nicholas L. Pidek.

ABSENT: None.

APPROVE AGENDA

Motion by Councilmember Bailey to approve the agenda with the following addition:

CONSENT AGENDA

10. Greater Lansing Food Bank Permission. Approve application of Jack Wing on behalf of the Greater Lansing Food Bank for use Comstock parking lot (southwest area – public lot), along Jerome Street between bowling alley and cinemas from 8:00 am to noon on Saturday, May 18, 2019 for the purpose of free food distribution and authorize Traffic Control Order No. 1415 formalizing the request.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF APRIL 15, 2019

Motion by Councilmember Bailey to approve the Minutes of the Regular Meeting of April 15, 2019 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

Buddy Poppy Sale Kickoff

Chaplain David Dumond, VFW Post 9455 spoke of the history of the poppies.

The 2019 Poppy Queen could not be present and Chaplain Dumond sold the ceremonial first Buddy Poppy to Mayor Eveleth.

Bennett Field Honors

Mayor Eveleth read aloud the following proclamation of the Mayor's Office renaming the Bennett Ball Field to the Rick Dibeau Diamond:

**A PROCLAMATION
OF THE MAYOR'S OFFICE
OF THE CITY OF OWOSSO, MICHIGAN**

**OFFICIALLY DEDICATING
THE RICK DIBEAN BALLFIELD**

WHEREAS, we are gathered to recognize Rick Dibeau for all of his contributions to the community through his directorship of the Owosso Girls Softball League; and

WHEREAS, in 1990 Rick stepped forward to lead the league, single-handedly running the operation for the last twenty-nine years; and

WHEREAS, Rick's dedication to the league has shown no bounds; signing up participants, finding coaches, setting practice and game schedules, purchasing equipment, drafting teams, conducting clean-up days at the field, holding pitching clinics, hiring umpires, conducting umpire clinics, finding sponsors, and having league t-shirts printed – all before the season even begins; and

WHEREAS, Rick's devotion continues throughout each and every softball season; mowing the fields, dragging and chalking the in-fields, overseeing field usage, and generally making sure everything runs smoothly; and

WHEREAS, over the course of the last three decades Rick has raised over \$90,000 for improvements at Bennett Field, including the construction of the scoring booth and storage building for the rear field;,, completing the work himself or overseeing the work that was done; and

WHEREAS, it is only fitting that such dedication and devotion be honored.

NOW, THEREFORE, BE IT PROCLAIMED that the rear ball diamond at Bennet Field be and is hereby dedicated as the Rick Dibeau Diamond in honor of Rick's decades-long dedication to the Owosso Girls Softball League and Bennett Field.

Proclaimed this 6th Day of May, 2019.

PUBLIC HEARINGS

Ordinance Amendment – Chapter 19, Offenses

A public hearing was conducted for the purpose of receiving citizen comment on the proposed amendment to Chapter 19, Offenses, Article VI, *Offenses against public morals*, Sections 19-110(4) and 19-111 to prohibit the consumption of marijuana in public places and update the ordinance to reflect changes in State law.

There were no citizen comments made on this subject.

Motion by Mayor Pro-Tem Osika to approve the following ordinance amendment:

ORDINANCE NO. 799

AMENDING TO SECTIONS 19-110(4) & 19-111 OF CHAPTER 19, NUISANCES, OF THE OWOSSO CITY CODE REGARDING POSSESSION AND CONSUMPTION OF MARIHUANA AND POSSESSION OF MARIHUANA RELATED PARAPHERNALIA

WHEREAS, Chapter 19, Nuisances, of the Code of Ordinances of the City of Owosso prohibits the possession of marihuana and marihuana related paraphernalia; and

WHEREAS, the laws of the State of Michigan have changed as the result of a citizen initiated effort to legalize the use of recreational marihuana; and

WHEREAS, Chapter 19, Nuisances, of the Code of Ordinances of the City of Owosso must be amended to reflect the changes in State law; and

WHEREAS, the City Council held a public hearing on May 6, 2019, heard all interested persons, and deliberated on the requested amendment.

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

SECTION 1. REPEAL. That Section 19-110(a)(4), *Drug paraphernalia – Marijuana or hashish pipe*, shall be repealed.

SECTION 2. REPEAL. That Section 19-111, *Possession and use of marihuana*, of Chapter 19, Nuisances, of the Code of Ordinances is hereby repealed in its entirety.

SECTION 3. REPLACE. That Section 19-111, *Possession and use of marihuana*, of Chapter 19, Nuisances, of the Code of Ordinances is hereby replaced to read as follows:

Sec. 19-111. - Possession and use of marihuana.

(a) A person shall not:

- (1) Possess, use, or deliver any controlled substance or a controlled substance analogue listed in Section 7212(d)(1) of the Public Health Code, or a prescription form, except as otherwise permitted by law or this section;
- (2) Transfer marihuana or marihuana accessories to a person under the age of 21;
- (3) If under the age of 21, possess, consume, purchase or otherwise obtain, cultivate, process, transport, or sell marihuana;

- (4) Separate plant resin by butane extraction or another method that utilizes a substance with a flashpoint below 100 degrees Fahrenheit in any public place, motor vehicle, or within the curtilage of any residential structure;
- (5) Consume marihuana, marihuana infused products or marihuana concentrates in public places, including but not limited to public streets, alleys, sidewalks, parks, buildings and publicly owned property;
- (6) Cultivate marihuana plants if the plants are visible from a public place without the use of binoculars, aircraft, or other optical aids or outside of an enclosed area equipped with locks or other functioning security devices that restrict access to the area;
- (7) Consume marihuana while operating, navigating, or being in physical control of any motor vehicle, aircraft, snowmobile, off-road recreational vehicle, or motorboat;
- (8) Smoke marihuana within the passenger area of a vehicle upon a public way;
- (9) Smoke marihuana where prohibited by the person who owns, occupies, or manages the property;
- (10) Possess or consume marihuana on the grounds of a public or private school where children attend classes in preschool programs, kindergarten programs, or grades 1 through 12, in a school bus, or on the grounds of any public or private school athletic event;

For a violation of subsection (10) by a person under the age of 17, the person shall be responsible for a municipal civil infraction punishable by a fine of \$100 and shall complete a drug awareness program approved by the police department.

- (11) Possess more than 2.5 ounces of marihuana within a person's place of residence unless the excess marihuana is stored in a container or area equipped with locks or other functioning security devices that restrict access to the contents of the container or area.
- (b) The following acts by a person 21 years of age or older are not unlawful, are not an offense, are not grounds for seizing or forfeiting property, are not grounds for arrest, prosecution, or penalty in any manner, are not grounds for search or inspection, and are not grounds to deny any other right or privilege:
- (1) Except as permitted by subsection (2), possessing, using or consuming, internally possessing, purchasing, transporting, or processing 2.5 ounces or less of marihuana, except that not more than 15 grams of marihuana may be in the form of marihuana concentrate;
 - (2) Within the person's residence, possessing, storing, and processing not more than 10 ounces of marihuana and any marihuana produced by marihuana plants cultivated on the premises and cultivating not more than 12 marihuana plants for personal use, provided that if more than 12 marihuana plants are possessed, cultivated, or processed on the premises at once, the person shall be guilty of a misdemeanor punishable as provided in Section 1-8 of the City Code and by forfeiture of the plants;
 - (3) Assisting another person who is 21 years of age or older in any of the acts described in this subsection; and
 - (4) Giving away or otherwise transferring without remuneration up to 2.5 ounces of marihuana, except that not more than 15 grams of marihuana may be in the form of marihuana concentrate, to a person 21 years of age or older, as long as the transfer is not advertised or promoted to the public, provided that a transfer for remuneration of any kind, overt or inferred, and a transfer that exceeds the limits set forth here or which is advertised or promoted to the public shall constitute a misdemeanor punishable as provided in Section 1-8 of the City Code and by forfeiture of the marihuana.
- (c) Except for a person who engaged in conduct described in subsections (a)(2), (3), (4), (7), (8), (10), or as otherwise provided in the Act, a person who possesses, cultivates, delivers without receiving any remuneration to a person who is at least 21 years of age, or possesses with intent to deliver not more than the amount of marihuana allowed by subsection (b) is responsible for a municipal civil infraction and may be punished by a fine of not more than \$100 and forfeiture of the marihuana.
- (d) Except for a person who engaged in conduct described in subsection (a), or as otherwise provided in the Act, a person who possesses, cultivates, delivers without receiving any remuneration to a person who is at least 21 years of age, or possesses with intent to deliver not more than twice the amount of marihuana allowed by subsection (b):
- (1) For a first violation, is responsible for a municipal civil infraction punishable by a fine of \$100 and forfeiture of the marihuana.
 - (2) For a second violation, is responsible for a municipal civil infraction punishable by a fine of \$250 and forfeiture of the marihuana.

- (3) For a third or subsequent violation, is guilty of a misdemeanor punishable by a fine of up to \$500 and forfeiture of the marihuana.
- (e) Except for a person who engaged in conduct described by subsections (a)(3), (6), (7), or as otherwise provided in the Act, a person under 21 years of age who possesses not more than 2.5 ounces of marihuana or who cultivates not more than 12 marihuana plants:
 - (1) For a first violation, is responsible for a municipal civil infraction punishable as follows:
 - (i) If the person is less than 18 years of age, by a fine of \$100 or community service, forfeiture of the marihuana, and completion of 4 hours of drug education or counseling.
 - (ii) If the person is at least 18 years of age, by a fine of \$100 and forfeiture of the marihuana.
 - (2) For a second violation, is responsible for a municipal civil infraction punishable as follows:
 - (i) If the person is less than 18 years of age, by a fine of \$500 or community service, forfeiture of the marihuana, and completion of 8 hours of drug education or counseling.
 - (ii) If the person is at least 18 years of age, by a fine of \$500 and forfeiture of the marihuana.
 - (3) For a third or subsequent violation committed by a person less than 18 years of age, is responsible for a municipal civil infraction punishable by a fine of \$1,000 and community service, forfeiture of the marihuana, and completion of 16 hours of drug education or counseling. For a third or subsequent violation committed by a person at least 18 years of age, is guilty of a misdemeanor punishable as set forth in § 1-10 of the City Code, community service, forfeiture of the marihuana, and completion of drug education or counseling ordered by the court.
- (f) Except for a person who engaged in conduct described by subsection (a), or as otherwise provided in the Act, a person who possesses, cultivates, or delivers without receiving any remuneration to a person who is at least 21 years of age more than twice the amount of marihuana allowed by subsection (b) shall be guilty of a misdemeanor punishable as follows:
 - (1) A fine up to \$500 if the violation was not habitual, willful, and for a commercial purpose, and the violation did not involve violence.
 - (2) A fine up to \$500 and up to 90 days in jail if the violation was habitual, willful, and for a commercial purpose, or if the violation involved violence.

SECTION 4. EFFECTIVE DATE. This amendment shall become effective May 27, 2019.

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 Bailey.

Roll Call Vote.

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

NAYS: None.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, editor of facebook.com/friendsandneighborsowosso, spoke of the downtown parking and a class action lawsuit is possibly coming to Owosso, as it is unconstitutional to collect revenue for parking tickets. Customers are leaving town to shop elsewhere as to avoid getting a ticket.

Eddie Urban, 601 Glenwood Avenue, suggested having a big garage sale to raise money for special things that are needed in the city.

Mayor Pro-Tem Osika thanked City Manager Nathan Henne on completing the Cargill signage.

Councilmember Law stated 2 hours of free parking is plenty enough. The ticket process is to keep people moving.

Councilmember Pidek stated the DDA reacted quickly and positively with comparatives to other communities and the city's parking needs and process work well to keep people moving.

CITY MANAGER REPORT

City Manager Henne briefly detailed the latest project status report.

CONSENT AGENDA

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

Special Assessment Resolution No. 1 for North Street. Authorize Resolution No. 1 for North Street Identifying the 2020 Street Program Special Assessment District for North Street from Hickory Street to Gould Street and direct the City Manager to estimate project costs and the amounts to be specially assessed, and determines the life of the proposed improvements as follows:

RESOLUTION NO. 71-2019

**NORTH STREET
FROM HICKORY STREET TO GOULD STREET
SPECIAL ASSESSMENT RESOLUTION NO. 1**

WHEREAS, the City Council of the City of Owosso deems it necessary to acquire and construct the following described improvement:

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The matter of making said public improvement is hereby referred to the City Manager, who shall prepare a report thereon, which shall include plans and detailed estimates of the cost thereof and a description of the special assessment district and such other pertinent information as will permit the City Council to decide the cost, extent and necessity of the public improvement and what proportion of the cost should be paid by the City at large.
2. The City Manager shall present said report to the City Council when same has been prepared.

Public Hearing for Steam Railroad Institute MDOT Grant Application Authorize Resolution No. setting a public hearing for May 20, 2019 for the SRI's MDOT TAP grant application for the 175-steam locomotive rebuild project as follows:

RESOLUTION NO. 72-2019

**SETTING PUBLIC HEARING FOR STEAM RAILROAD INSTITUTE
MDOT GRANT APPLICATION**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, wishes to support the efforts of the Owosso Steam Railroad Institute (SRI); and

WHEREAS, the City of Owosso seeks to partner with the Michigan Department of Transportation to apply for a Transportation Alternatives Program (TAP) grant on behalf of the SRI for the purpose of rebuilding the Chicago and North Western 175 steam locomotive; and

WHEREAS, the Michigan Department of Transportation's TAP requires that a Certified Local Government apply for grant funding; and

WHEREAS, the City of Owosso is a Certified Local Government; and

WHEREAS, the match for this grant will be provided by the SRI; and

WHEREAS, MDOT's TAP program requires documented public input for the grant application.

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 a public hearing for May 20, 2019 for the SRI's MDOT TAP grant application for the 175 steam locomotive rebuild project.

Boards and Commissions Appointments. Authorize the following Mayoral Boards and Commissions appointments:

Name	Board/Commission	Term Expires
Michael Bruff	Zoning Board of Appeals Alternate	06-30-2021
Robert Teich	Zoning Board of Appeals Alternate	06-30-2019

Fee Schedule Amendment One. Approve Amendment One to the Service Fee Schedule to reflect the Professional Services Agreement between City of Owosso, Michigan and SAFEbuilt Michigan, LLC as follows:

RESOLUTION NO. 73-2019

AUTHORIZING AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH SAFEbuilt

WHEREAS, the City of Owosso, Shiawassee County, Michigan, entered into a Professional Services Agreement with SAFEbuilt on June 13, 2017 for building, mechanical, and plumbing-related inspection and professional services; and

WHEREAS, SAFEbuilt is requesting an amendment to said agreement for increased fees for aforementioned 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 theretofore determined that it is advisable, necessary and in the public interest to amend the professional services agreement with SAFEbuilt, Michigan, LLC at:

426 E Lincoln Ave
Royal Oak, MI 48067

SECOND: The mayor is authorized to sign the document substantially in the form attached, Amendment One Professional Services Agreement between SAFEbuilt Michigan, LLC and City of Owosso.

**AMENDMENT ONE
PROFESSIONAL SERVICES AGREEMENT
BETWEEN CITY OF OWOSSO, MICHIGAN
AND SAFEbuilt MICHIGAN, LLC**

Amendment to the Professional Services Agreement effective June 13, 2017, between City of Owosso, Michigan, (Municipality) and SAFEbuilt Michigan, LLC, (Consultant). Municipality and the Consultant shall be jointly referred to as the "Parties".

AMENDMENT EFFECTIVE DATE: THIS AMENDMENT SHALL BE EFFECTIVE ON THE LATEST DATE FULLY EXECUTED BY BOTH PARTIES.

RECITALS AND REPRESENTATIONS: MUNICIPALITY AND CONSULTANT ENTERED INTO A PROFESSIONAL SERVICES AGREEMENT (AGREEMENT), BY WHICH BOTH PARTIES ESTABLISHED THE TERMS AND CONDITIONS FOR SERVICE DELIVERY ON JUNE 13, 2017; AND

THE PARTIES HERETO NOW DESIRE TO AMEND THE AGREEMENT AS SET FORTH HEREIN; AND

NOW, THEREFORE AGREEMENT IS HEREBY AMENDED AS SET FORTH BELOW:

- The following shall replace Agreement, Exhibit B – Fee Schedule for Services, 1. Fee Structure:

Service Fee Schedule:	
Building Official Services Building Plan Review Services Building Inspection Services Property Maintenance Services	Annual Rate: \$104,000.00 Monthly Rate: \$ 8,666.67 FLAT MONTHLY FEE (ALL INCLUSIVE)
Mechanical Plan Review Services Mechanical Inspection Services Plumbing Plan Review Services Plumbing Inspection Services	\$80.00 per hour – one (1) hour minimum \$75.00 per inspection – three (3) inspection minimum \$80.00 per hour – one (1) hour minimum \$75.00 per inspection – three (3) inspection minimum
After Hours/Emergency	\$100.00 per hour – two (2) hour minimum
Rates are all inclusive – no separate billing for mileage, vehicle expenses or material will be sent.	

Additional services available to the city if requested	
Electrical Plan Review Services	\$80.00 per hour – one (1) hour minimum
Electrical Inspection Services	\$75.00 per inspection- three (3) inspection minimum
Fire Plan Review Services	\$95.00 per hour – one (1) hour minimum
Review of changes to approved plans	\$100.00 per hour – one (1) hour minimum
Structural Engineering Plan Review	\$140.00 per hour – with prior approval from both parties
Beginning January 01, 2020 and annually thereafter, all rates listed above will be increased by 2%	

INVOICE & PAYMENT STRUCTURE

Consultant will invoice Municipality as SAFEbuilt, LLC, on a monthly basis and provide all necessary supporting documentation. All payments are due to Consultant within 30 days of Consultant’s invoice date. Payments owed to Consultant but not made within sixty (60) days of invoice date shall bear simple interest at the rate of one and one-half percent (1.5%) per month. If payment is not received within ninety (90) days of invoice date, Services will be discontinued until all invoices and interest are paid in full. Municipality may request, and Consultant shall provide, additional information before approving the invoice. When additional information is requested Municipality will identify specific disputed item(s) and give specific reasons for any request. Undisputed portions of any invoice shall be due within 30 days of Consultants invoice date, if additional information is requested, Municipality will submit payment within thirty (30) days of resolution of the dispute.

The original Agreement, Exhibits and terms shall remain in effect, to the extent not modified by this Amendment One.

Purchase Authorization - Emergency Standby Generator. Authorize the purchase of one diesel powered 800kW Standby Generator System and one 2000kVA Transformer from Consumers Energy for use at the Wastewater Treatment Facility as follows:

RESOLUTION NO. 74-2019

**AUTHORIZING PURCHASE AGREEMENT AND PAYMENT TO
CONSUMERS ENERGY FOR PROCUREMENT AND INSTALLATION SERVICES OF 800kW
GENERATOR AND 2000kVA TRANSFORMER
FOR USE AT THE WATER TREATMENT FACILITY**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has budgeted from the Wastewater Capital Fund, the acquisition and installation of an Emergency Standby Generator and Transformer, and

WHEREAS, the existing alternate electrical supply is not cost effective to maintain, and

WHEREAS, procurement and installation of a new Emergency Standby Generator and Transformer is the best long term option for an alternate electrical source of supply, and

WHEREAS, Consumers Energy has competitively Bid the acquisition and installation services for the Emergency Generator and Transformer, and the Director of Public Services & Utilities has reviewed the competitive Bid proposals, and recommends authorizing Consumers Energy to acquire and install the requested Emergency Generator and Transformer for use at the Wastewater Treatment Facility.

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 Consumers Energy for the purchase and installation of an 800kW generator system and a 1000kVA transformer.
- SECOND: The accounts payable department is authorized to submit payment to Consumers Energy purchase and installation of the new 800kW Cummins generator system and 2000kVA transformer in the amount of \$371,100.00, plus a contingency amount of \$7,000.00 with prior written approval, for a total of \$378,100.00.
- THIRD: The above expenses shall be paid from account no. 599-901-975.000.

Façade Grant Construction Contract Extension with First Contracting. Approve the extension of the Construction Contract with First Contracting, Inc. from July 15, 2019 to August 9, 2019 as follows:

RESOLUTION NO. 75-2019

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

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

WHEREAS, the city sought bids from general contractors to conduct the work on 114 N. Washington Street, 115 N. Washington Street, and 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 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, 115 N. Washington Street, and 114 W. Main Street.

SECOND The City of Owosso has heretofore determined that it is advisable to extend the construction contract with First Contracting, Inc. from July 15, 2019 to August 9, 2019.

Façade Grant Architectural Services Increase. Authorize the contractual increase of \$4,980 in architectural services for H2A architects as follows:

RESOLUTION NO. 76-2019

**TO APPROVE THE INCREASE OF PROFESSIONAL DESIGN SERVICES
FOR THE 2017-18 OWOSSO FAÇADE PROJECT**

WHEREAS, the City of Owosso recognizes the importance of its downtown as it relates to the economic and cultural development of the community, as well as the overall quality of life; and

WHEREAS, the Owosso Master Plan indicates that investment in the downtown structures so that they can sustain modern economic and residential functions in the new economy is essential to the community's future; and

WHEREAS, six properties received façade grant support from the Michigan Economic Development Corporation, with such properties listed as follows:

114 W. Main St.
114 N. Washington St.
115 N. Washington St.

WHEREAS, additional professional design services for construction documents and architectural service are required, with the description of such services attached as submitted by Jackie Hoist, AIA of H2A Architects, Inc.; and

WHEREAS, the city finds H2A Architects, Inc. to have the necessary qualifications to perform the work as well as competitive pricing given the uncertain nature of the project; and

WHEREAS, the property owners will be responsible for 100% the increases costs associated with their respective façade 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 theretofore determined that it is advisable, necessary and in the public interest to engage the services of H2A Architects, Inc. for the increase of professional architectural services for the Downtown Façade Improvements.

SECOND: The mayor and city clerk are instructed and authorized to sign the increase of professional services agreement between the city of Owosso, Michigan and H2A Architects, Inc. in the amount of \$4,980.00.

Warrant No. 568. Authorize Warrant No. 568 as follows:

Vendor	Description	Fund	Amount
Michigan Municipal League Workers' Compensation Fund	Workers' compensation insurance – 1 of 4 for FY 19/20	Various	\$27,947.00

Check Register – April 2019. Affirm check disbursements totaling \$1,225,801.66 for April.

Greater Lansing Food Bank Permission. Approve application of Jack Wing on behalf of the Greater Lansing Food Bank for use Comstock parking lot (southwest area – public lot), along Jerome Street between bowling alley and cinemas from 8:00 am to noon on Saturday, May 18, 2019 for the purpose of free food distribution and authorize Traffic Control Order No. 1415 formalizing the request. *This item was added to the Consent Agenda at the meeting*

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

Professional Services Agreement – Planning Consultant

Motion by Councilmember Bailey to authorize the professional services agreement with CIB Planning for planning services as follows:

RESOLUTION NO. 77-2019

AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH CIB PLANNING FOR PLANNING SERVICES

WHEREAS, the City of Owosso, Shiawassee County, Michigan, authorized a Request for Proposals for a planning consultant to serve as zoning administrator; and

WHEREAS, the City of Owosso received five (5) proposals from planning consultants to provide said service; and

WHEREAS, after review of all proposals, CIB Planning was recommended to provide said service;

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 award the planning services bid to CIB Planning, Inc. at:

17195 Silver Parkway, Ste #309
Fenton, MI 48430

SECOND: The mayor is authorized to sign the document substantially in the form attached, Professional Services Agreement for Planning Services.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

Fee Schedule Amendments

Motion by Mayor Pro-Tem Osika to authorize the changes to the fee schedule as follows:

RESOLUTION NO. 78-2019

AUTHORIZING CHANGES TO FEE SCHEDULE

WHEREAS, the City of Owosso, Shiawassee County, Michigan, adopts fees related to development and building related permitting and review costs; and

WHEREAS, the City seeks to pay for planning, review, and building code review costs by charging fees for these services; and

WHEREAS, PA 245 of 1999 requires that these fees be "reasonable" and bear a reasonable relationship" to the cost of operating the enforcing agency;

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 adopt the revised fee schedule.

SECOND: The mayor is authorized to sign the document substantially in the form attached, City of Owosso 2019 Fee Schedule.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

Closed Session

Motion by Mayor Pro-Tem Osika to approve the Closed Session after the last session of Citizen Comments and Questions for the purpose of considering the City Manager's performance evaluation (at the request of the employee).

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

COMMUNICATIONS

Downtown Development Authority/Main Street Minutes of April 3, 2019

Parks & Recreation Commission Minutes of April 3, 2019

Planning Commission Minutes of April 22, 2019

WWTP Review Board Minutes of April 23, 2019

CITIZEN COMMENTS AND QUESTIONS

Tom Manke asked about the recreational marijuana ordinance amendment. Spoke of the parking and is very much against parking tickets.

Justin Sprague, Vice-President of CIB Planning, gave a background of the company and his experience that he brings to the city.

Steve Burns, Vice-President of Safe built thanked the council for adopting the new contract and looking forward to a continued relationship with the city.

Councilmember Haber asked about marijuana paraphernalia and items like rolling papers and pipes that have always been sold in stores.

City Manager Henne stated the amendments are to ensure there is not any consumption of marijuana in public parking lots, ball fields, parks.

Councilmember Fear received a scholarship to attend the Michigan Recycling Convention to further address concerns of trash and recyclables in the city.

Mayor Eveleth reminded everyone to vote tomorrow. In addition, he stated that after the meeting adjourns tonight, he will have been with the council for 10 years and reflected on those years.

ADJOURNED TO CLOSED SESSION AT 8:20 P.M.

RE-OPENED THE REGULAR MEETING AT 8:59 P.M.

NEXT MEETING

Monday, May 20, 2019

BOARDS AND COMMISSIONS OPENINGS

Brownfield Redevelopment Authority – term expires June 30, 2022
Historical Commission – 2 terms expire December 31, 2021
Parks & Recreation Commission – term expires June 30, 2019
Planning Commission – term expires June 30, 2019
Zoning Board of Appeals - Alternate – 2 terms expire June 30, 2021

ADJOURNMENT

Motion by Councilmember Bailey for adjournment at 9:00 p.m.

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

Christopher T. Eveleth, Mayor

Tanya S. Buckelew, Recording Secretary