

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF AUGUST 19, 2019
7:30 P.M.**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: COUNCILMAN NICHOLAS L. PIDEK

PLEDGE OF ALLEGIANCE: CITY ATTORNEY SCOTT J. GOULD

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 change:

ITEMS OF BUSINESS

1. Designate MML Delegate & Alternate. Insert Councilmember Janae L. Fear as the alternate, instead of City Manager Nathan R. Henne.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF AUGUST 5, 2019

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of August 5, 2019 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Eddie Urban, 601 Glenwood Avenue, commented that he saw a City truck watering plants in the downtown on Sunday.

City Manager Henne thanked Parks & Recreation Chairman Mike Espich and local business owner Tim Law for all of the work they did to clean up and improve the disc golf course last week.

CONSENT AGENDA

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

Set Public Hearing – OPRA District – 152 E. Howard Street. Set a public hearing for Tuesday, September 3, 2019 to receive citizen comment regarding the application from Howard Street Development, LLC to establish an Obsolete Property Rehabilitation District for the property located at 152 E. Howard Street as follows:

RESOLUTION NO. 110-2019

**SETTING A PUBLIC HEARING TO CONSIDER ESTABLISHING
AN OBSOLETE PROPERTY REHABILITATION DISTRICT
FOR THE PROPERTY LOCATED AT 152 E. HOWARD STREET**

WHEREAS, a request was received July 24, 2019 along with an Application for Tax Abatement from Susan Ludington of Howard Street Development, LLC to create an Obsolete Property Rehabilitation District, described as:

COM 90.6' S OF NE COR BLK 20 AL WILLIAMS ADD TH N 90.6' TH NW'LY ALG N LN LOT 1 122' TH S 124.60' TH E'LY 117' TO POB; and

WHEREAS, the Obsolete Property Rehabilitation Act, Act 146 of 2000, is available to the city of Owosso; and

WHEREAS, the act permits the city of Owosso to establish an Obsolete Property Rehabilitation District if certain requirements are met; and

WHEREAS, an Obsolete Property Rehabilitation District may consist of one or more parcels of land; and

WHEREAS, it must be determined that the district consists of obsolete commercial property or commercial housing property as defined in 125.2782, Section 2 (h) of Act 146 of 2000; and

WHEREAS, it must be determined that establishing the district would be beneficial to the city of Owosso, as well as local and regional economy.

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

FIRST: the Owosso City Council sets public hearing for Tuesday, September 3, 2019 on or about 7:30 p.m. in the council chambers for the purpose of hearing comments from those within the proposed district, and any other resident or taxpayer, of the city of Owosso; and

SECOND: the city clerk gives the notifications as required by law; and

THIRD: the city staff is directed to investigate and determine if the qualifications of the act are satisfied and report findings at the hearing.

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

Name	Board/Commission	Term Expires
Ron Dankert	Board of Review	12-31-2024
Glenn Chinavare	Mid-County Wastewater Treatment Plant Review Board	N/A

Special Assessment Resolution Amendment. Authorize amendment of Resolution No. 44-2019 correcting the amount of the special assessment roll to reflect the fact that the City cannot specially assess properties on the north side of North Street because they are outside the jurisdiction as shown below:

AMENDED RESOLUTION NO. 44.1-2019

**DISTRICT NO. 2019-08
NORTH STREET FROM WEST CITY LIMITS 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:

NORTH STREET FROM WEST CITY LIMITS 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 ~~\$62,349.69~~ **\$29,643.93** is hereby confirmed and shall be known as Special Assessment Roll No. 2019-08.
2. Said special assessment roll shall be divided into ten installments, the first of which shall be due and payable on September 1, 2019, 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, 2019.

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, 2019 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.

Contract Addendum – 2017 General Engineering Services Contract-OHM. Authorize an amendment to the professional service agreement with Orchard, Hiltz, and McClement (OHM) of Livonia, Michigan as Addendum No. 13 to the 2017 General Engineering Services Contract-OHM for the development of bid specifications and construction oversight for sewer structural deficiencies, in an amount not to exceed \$132,000.00 as detailed below:

RESOLUTION NO. 111-2019

**AUTHORIZING THE EXECUTION OF ADDENDUM NO. 13 TO
THE 2017 AGREEMENT FOR GENERAL 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 No. 69-2017 on May 15, 2017; and

WHEREAS, the city and Director of Public Services & Utilities desire to expand the contract to include additional services for sanitary sewer rehabilitation specification development and construction oversight, to make necessary structural repairs identified during the State of Michigan funded SAW Grant and subsequent investigations and evaluations from 2016 through 2019 ; and

WHEREAS, the Director of Public Services & Utilities has reviewed the proposal as provided from OHM Advisors in the amount of \$132,000.00, and has determined that the scope of services as submitted for bid specification development and construction oversight for the construction and rehabilitation of sanitary sewer pipe and manholes is acceptable and recommends approval of the same.

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 No. 69-2017 on May 15, 2017 with Orchard, Hiltz & McClement, Inc. d/b/a OHM Advisors, to include additional services for sanitary sewer and manhole rehabilitation specification development and construction oversight for correcting structural defects in the sewer collection system.
- SECOND: The mayor and city clerk are instructed and authorized to sign Addendum No. 13 to the 2017 General Engineering Services Contract between the City of Owosso, Michigan and Orchard, Hiltz & McClement, Inc. d/b/a OHM Advisors in an amount not to exceed \$132,000.00, attached as Exhibit A.
- THIRD: The accounts payable department is authorized to submit payment to OHM Advisors in an amount not to exceed \$132,000.00 for said engineering services.
- FOURTH: The above expenses shall be paid for from the wastewater capital fund account 590-901-973.000.

Contract Extension - Façade Grant Construction Contract. Authorize extension of the Construction Contract with First Contracting, Inc. for the 2018-19 Façade Grant Project from August 9, 2019 to September 16, 2019 due to delays in the delivery of construction materials as follows:

RESOLUTION NO. 112-2019

**AUTHORIZING EXTENSION OF
THE 2018-19 MEDC/CDBG FAÇADE GRANT CONSTRUCTION CONTRACT
WITH FIRST CONTRACTING, INC.
FOR FAÇADE RENOVATION AT
114 N. WASHINGTON STREET, 115 N. WASHINGTON STREET, AND 114 W. MAIN STREET**

WHEREAS, the city awarded a bid for construction services for the implementation of the 2018-2019 MEDC Façade Grant to First Contracting, Inc. of Ovid, Michigan in August 2018; and

WHEREAS, due to circumstances outside the contractor's control there was a delay in the delivery of certain renovation materials causing a setback in the progress of the project; and

WHEREAS, the completion date of the contract must be adjusted to accommodate the delay.

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 extend the construction contract with First Contracting, Inc. from August 9, 2019 to September 16, 2019.

SECOND: The Mayor and City Clerk are instructed and authorized to sign appropriate documents formalizing the change.

Change Order - Façade Grant Architectural Services Contract. Authorize Change Order No. 2 to the contract for Architectural Services with H2A Architects for the 2018-19 Façade Grant Project increasing the total contract amount \$3,790.00 due to delays in the construction portion of the project as detailed:

RESOLUTION NO. 113-2019

TO APPROVE THE INCREASE OF PROFESSIONAL DESIGN SERVICES FOR THE 2018-19 OWOSSO FAÇADE PROJECT

WHEREAS, the city approved a contract with H2A Architects, Inc. for design services for the 2018-19 Façade Project on March 5, 2018; and

WHEREAS, additional professional design services have been required due to delays and changes to the individual facade projects; and

WHEREAS, the additional work and delays have resulted in an increase to the contract of \$3,790.00, detailed on the attached as submitted by Jackie Hoist, AIA of H2A Architects, Inc.; and

WHEREAS, the property owners will be responsible for 100% the increased 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 amend the 2018-19 Façade Grant Architectural Services Contract, increasing the amount by \$3,790.00 for additional services required.

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 \$3,790.00.

Bid Award – Chest Compression System. Authorize bid award to Physio-Control Inc. for the purchase of one Lucas 3, v3.1 Chest Compression System and accessories in the amount of \$16,221.77 and further authorize payment to the vendor upon satisfactory receipt of equipment as detailed below:

RESOLUTION NO. 114-2019

RESOLUTION AUTHORIZING THE PURCHASE OF AN AUTOMATIC CHEST COMPRESSION SYSTEM FROM PHYSIO-CONTROL INC.

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has a fire department that would benefit from the purchase of an automatic chest compression system; and

WHEREAS, bids were received from five (5) vendors with Physio-Control Inc. submitting the only bid that met all bid specifications.

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 purchase one (1) Lucas 3, v 3.1 Chest Compression System at a price of \$16,221.77 from Physio-Control Inc.

SECOND: Said equipment will be purchased using a City of Owosso purchase order in the amount of \$16,221.77.

THIRD: The above expenses shall be paid from the Fire Division Equipment fund 101-335-978.000.

FOURTH: Payment to Physio-Control Inc. is authorized in the amount of \$16,221.77 upon delivery of the Automatic Chest Compression System.

Warrant No. 573. Authorize Warrant No. 573 as follows:

Vendor	Description	Fund	Amount
Caledonia Charter Township	Caledonia Utility Fund payment-4/1/19-6/30/19	Water	\$32,750.62
Owosso Charter Township	Owosso Charter Township 2011 Water Agreement payment-4/1/19 - 6/30/19	Water	\$13,499.53
Michigan Municipal League Workers' Compensation fund Inc.	Worker's Compensation Insurance-2 of 4 installments for FY 19/20	Various	\$27,947.00
B S & A Software	Annual service and support for 10 modules-8/1/19-8/1/20	Various	\$12,353.00
Gould Law, P.C.	Professional services-7/9/19-8/12/19	General	\$10,579.92

Check Register – July 2019.* Affirm check disbursements totaling \$944,288.46 for July 2019.

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

Designate MML Delegate & Alternate

Motion by Councilmember Bailey to designate Councilmember Susan J. Osika as the City Representative and Councilmember Janae L. Fear as the alternate to cast the vote of municipality at the Michigan Municipal League annual business meeting on September 25, 2019.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

Easement Acceptance - James Miner River Walk

City Manager Henne indicated this item had been taken up by the City and the Schools in anticipation of the sale of the Middle School property at some point in the near future.

Motion by Councilmember Bailey to approve acceptance of the following easement from the Owosso Public Schools for the portion of the James S. Miner River Walk located on the current Middle School property for continued access, maintenance and recreation in the amount of \$1.00.

RESOLUTION NO. 115-2019

REQUESTING DEED OF EASEMENT FOR THE PORTION OF THE JAMES S. MINER RIVER WALK LOCATED ON THE PROPERTY AT 219 N. WATER STREET

WHEREAS, the City of Owosso, Shiawassee County, Michigan, maintains a portion of the James S. Miner River Walk; and

WHEREAS, the City of Owosso does not own, nor does it have a recorded easement to, the portion of the James S. Miner River Walk located on the current Middle School property at 219 North Water Street; and

WHEREAS, it is in the City's interest to secure ownership or easement to said river trail property to allow continued access, maintenance, and use of the trail by the public; and

WHEREAS, the Owosso Public Schools, property owner, is willing to grant said permanent easement to the City of Owosso for the sum of \$1.00.

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

FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to agree to the terms set forth in the attached Deed of Easement for the James S. Miner River Walk from the Owosso Public Schools.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Deed of Easement between the City of Owosso, Michigan and Owosso Public Schools, in the amount of \$1.00.

THIRD: The city clerk is instructed to file said easement with the Shiawassee County Register of Deeds.

FOURTH: The above expenses shall be paid from the General Fund, 101.756.974.000.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

COMMUNICATIONS

N. Bradley Hissong, Building Official. July 2019 Building Department Report.
N. Bradley Hissong Building Official. July 2019 Code Violations Report.
N. Bradley Hissong, Building Official. July 2019 Certificates Issued Report.
N. Bradley Hissong, Building Official. July 2019 Inspections Report.
Kevin D. Lenkart, Public Safety Director. July 2019 Police Report.
Kevin D. Lenkart, Public Safety Director. July 2019 Fire Report.
Parks and Recreation Commission. Minutes of June 26, 2019.

CITIZEN COMMENTS AND QUESTIONS

There were no citizen comments.

Mayor Eveleth invited everyone to attend the dedication of the elementary school additions on Wednesday as well as the fund raiser at the Oakwood Avenue Bridge for Owosso Community Players on Friday.

Councilmember Bailey announced the Shiawassee Humane Society will be holding a garage sale at the Farmers' Market on Saturday. They will have cats available for adoption as well.

Councilmember Fear congratulated Historic Director Doran and the OHC for being named one of the top museums in the state by Detroit Local Channel Four's Vote 4 the Best Contest. She said she was looking forward to the OHC's upcoming home tour in September. She also took the opportunity to clear the air surrounding City Council compensation saying that the City Charter sets Council pay at \$10 per meeting with the Mayor receiving an extra \$240 per year for the additional services required to perform his/her job. These terms cannot be changed without a vote of the people. She asked that people try to be understanding that all Councilmembers are serving out of a personal sense of responsibility.

NEXT MEETING

Tuesday, September 03, 2019

BOARDS AND COMMISSIONS OPENINGS

Building Board of Appeals – Alternate - term expires June 30, 2019
Building Board of Appeals – Alternate - term expires June 30, 2021
Brownfield Redevelopment Authority – term expires June 30, 2022
Historical Commission – 2 terms expire December 31, 2021
Planning Commission – term expires June 30, 2019
SATA Board of Directors – term expires October 1, 2022

ADJOURNMENT

Motion by Councilmember Bailey for adjournment at 7:43 p.m.

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

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk

*Due to their length, text of marked items is not included in the minutes. Full text of these documents is on file in the Clerk's Office.