

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF NOVEMBER 4, 2019
7:30 P.M.**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH
OPENING PRAYER: COUNCILMEMBER NICHOLAS L. PIDEK
PLEDGE OF ALLEGIANCE: MAYOR CHRISTOPHER T. EVELETH
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 item removed:

ITEMS OF BUSINESS

5. 21-Day Posting – Proposed Property Sale.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF OCTOBER 21, 2019

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of October 21, 2019 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

Proposed Brownfield Plan – District No. 21, 152 Howard Street Project

Property owner Susan Ludington was on hand to present the proposed plan for the property at 152 Howard Street.

A public hearing was conducted to receive citizen comment regarding the proposed Brownfield Redevelopment Plan District No. 21 – 152 Howard Street Project and consider approval of the proposed plan and reimbursement agreement.

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

Motion supported by Mayor Pro-Tem Osika to approve Brownfield Redevelopment Plan District No. 21 – 152 Howard Street Project as proposed and further approve the related reimbursement agreement as follows:

RESOLUTION NO. 161-2019

**APPROVING A BROWNFIELD PLAN
“DISTRICT #21, 152 HOWARD STREET PROJECT”
FOR THE CITY OF OWOSSO PURSUANT TO AND IN ACCORDANCE
WITH THE PROVISIONS OF ACT 381 OF
THE PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996, AS AMENDED**

WHEREAS, the Brownfield Redevelopment Authority (the “Authority”) of the City of Owosso, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the “Act”), has prepared and recommended for approval by the City of Owosso Council, a Brownfield Plan entitled “District #21, 152 Howard Street Project” (the “Plan”), pursuant to and in accordance with

Section 13 of the Act, to be carried out within the Brownfield Redevelopment Zone (the "Zone"), said zone being the entire City and with said District #21 described as:

Parcel #050-651-020-001-00

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

WHEREAS, the Owosso Brownfield Authority (BRA) held a public hearing for District #21 on October 9, 2019 at its regular meeting to provide notice to and fully informed all taxing jurisdictions which are affected by the Financing Plan (the "Taxing Jurisdictions") about the fiscal and economic implications of the proposed Financing Plan, and the BRA has previously provided to the Taxing Jurisdictions a reasonable opportunity to express their views and recommendations regarding the Financing Plan and in accordance with Sections 13 (10) and 14 (1) of the Act; and

WHEREAS, the Owosso City Council held a public hearing for District #21 on November 4, 2019 to provide notice to and fully inform all Taxing Jurisdictions which are affected by the Financing Plan about the fiscal and economic implications of the proposed Financing Plan, and the Council has previously provided to the Taxing Jurisdictions a reasonable opportunity to express their views and recommendations regarding the Financing Plan and in accordance with Sections 13 (10) and 14 (1) of the Act; and

WHEREAS, the Council has made the following determinations and findings:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;
3. The proposed method of financing the costs of the eligible activities, as described in the Plan is feasible and the Authority has the ability to arrange the financing;
4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act;
5. The amount of captured taxable value estimated to result from the adoption of the Plan is reasonable; and

WHEREAS, as a result of its review of the Plan and upon consideration of their views and recommendations of the Taxing Jurisdictions, the Council desires to proceed with approval of the Plan.

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 approve the Brownfield Plan for District #21 "152 Howard Street Project." Pursuant to the authority vested in the Council by the Act, and pursuant to and in accordance with the provisions of Section 14 of the Act, the Plan is hereby approved in the form considered by the Council on November 4, 2019, and maintained on file in the office of the City Clerk.

SECOND: Severability. Should any section, clause or phrase of this Resolution be declared by the Courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.

THIRD: Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: Councilmember Fear.

CITIZEN COMMENTS AND QUESTIONS

Mayor Eveleth noted there was on-going interest in the trash discussion, though the only trash related item on the agenda this evening was to set a time and place for the public forum.

Arnie Dunchock, 909 Marguerite Drive, commented on trash collection saying more competition is better for the public and the City would be interfering with competition if they move to a single hauler. He went on to say that the wear and tear on the streets caused by garbage trucks is not enough to warrant a change.

County Commissioner Marlene Webster updated the Council on pending items at the County including: the opening for emergency manager, proposed decommissioning plans for the solar project projected for the north of the county, and working on the 2020 budget.

Deborah Reynolds, 740 N. Dewey Street, said the people she knows with single hauler trash service do not like it, and personally neither does she. She feels trash haulers are not causing damage to the streets and she doesn't want to see them go out of business.

Tom Manke, 2910 W. M-21, said he was registering a formal complaint against the City Manager for alleged retaliation against him. He went on to say that he believes the cost to residents for a single hauler would be unequal and the City was headed toward socialism.

John Smith, 1215 N. Hickory Street, said he believes the trash trucks do not cause undue damage to the streets and the argument is ridiculous. He said if trucks are too heavy then enforcement of weight restrictions should be stepped up.

Mayor Eveleth clarified that the City Council had asked for the public forum on trash collection. He went on to note the upcoming Veteran's Day Parade in Durand at 6:00p.m. Lastly, he sadly noted that this will be the last year for the great Christmas tree on South M-52. The tree is diseased and will be taken down.

Councilmember Haber noted for the public that the Council has tabled the idea of going to a single trash hauler. They are still looking for input and will hold the public forum, but at this point trash collection is not changing.

CITY MANAGER REPORT

The Project Status Report was postponed until the November 18, 2019 meeting.

CONSENT AGENDA

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

Proposed Special Assessment District No. 2019-01 - Hazards and Nuisances.

Authorize Resolution No. 1 setting a public hearing for Monday, November 18, 2019 to receive citizen comment regarding proposed Special Assessment District No. 2019-01, Hazards and Nuisances, as it relates to unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances as follows:

RESOLUTION NO. 162-2019

SPECIAL ASSESSMENT DISTRICT NO. 2019-01 HAZARDS AND NUISANCES

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances more particularly hereinafter described to the properties specially benefited by said public improvement, and the same has been presented to the Council by the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll is hereby accepted and shall be filed in the office of the City Clerk for public examination.
2. The Council shall meet at the Owosso City Hall, Owosso, Michigan at 7:30 o'clock p.m., on Monday, November 18, 2019 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same.
3. The City Clerk is directed to publish the notice of said hearings once in *The Argus Press*, the official newspaper of the City of Owosso, not less than ten (10) days prior to said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of the property subject to assessment, as indicated by the records in the City Assessor's office as shown on the general tax rolls of the City, at least ten (10) days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.

The notice of said hearing to be published and mailed shall be in substantially the following form:

NOTICE OF HEARING TO REVIEW SPECIAL ASSESSMENT ROLL – HAZARDS AND NUISANCES CITY OF OWOSSO COUNTY OF SHIAWASSEE, MICHIGAN

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

TAKE NOTICE that a Special Assessment Roll-Hazards and Nuisances has been prepared for the purpose of defraying the unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances on the property listed below.

Parcel #	Address	Type of Nuisance	Balance
050-621-002-006-00	321 STATE ST	CLEAN UP	\$765.00
050-390-004-012-00	1260 ADAMS ST	MOWING	\$150.00
050-010-024-003-00	1210 CORUNNA AVE	CLEAN UP	\$170.67
050-010-024-003-00	1210 CORUNNA AVE	CLEAN UP	\$256.74
050-602-006-009-00	823 TRACY ST	CLEAN UP	\$495.33
050-602-017-004-00	1417 FREDERICK ST	METER REPLACEMENT	\$297.72
050-470-017-005-00	220 N PARK ST	METER REPLACEMENT	\$297.72
050-310-002-003-00	900 ADA ST	CLEAN UP	\$2,106.24
050-010-017-030-00	614 ALGER AVE	MOWING	\$150.00
050-240-003-020-00	652 N PARK ST	MOWING	\$170.00
050-390-004-012-00	1260 ADAMS ST	MOWING	\$150.00
050-010-018-007-00	740 WOODLAWN	MOWING	\$150.00
050-420-009-006-00	831 GRAND AVE	MOWING	\$170.00
050-660-011-011-00	216 N LANSING ST	MOWING	\$150.00
050-010-022-003-00	980 CORUNNA AVE	ORDINANCE VIOLATION	\$50.00
050-240-003-020-00	652 N PARK ST	MOWING	\$170.00
050-420-011-015-00	755 BROADWAY AVE	MOWING	\$170.00
050-390-004-012-00	1260 ADAMS ST	MOWING	\$150.00
050-390-004-012-00	1260 ADAMS ST	MOWING	\$150.00
050-050-000-039-00	118 S CEDAR ST	MOWING	\$150.00
050-420-011-015-00	755 BROADWAY AVE	MOWING	\$170.00
050-010-016-006-00	629 ALGER AVE	MOWING	\$170.00
050-710-001-012-00	915 CORUNNA AVE	MOWING	\$210.00
050-390-004-012-00	1260 ADAMS ST	MOWING	\$150.00
050-651-006-007-00	320 CASS ST	CLEAN UP	\$293.22
050-420-011-011-00	719 BROADWAY	CLEAN UP	\$502.96

\$7,815.60

TAKE NOTICE THAT ANY HAZARDS/NUISANCES INVOICES OR CHARGES REMAINING UNPAID AS OF THEIR DUE DATE WILL BE INCLUDED ON THIS ROLL.

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

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

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall, Owosso, Michigan at 7:30 p.m. on Monday, November 18, 2019 for the purpose of reviewing said Special Assessment Roll-Hazards and Nuisances and for the purpose of considering all objections to said roll submitted in writing. If you have questions regarding this notice, please contact the City Treasurer's Office at 725-0599.

Proposed Special Assessment Project – Gould Street. Authorize Resolution No. 1 for proposed Special Assessment District No. 2021-01 for Gould Street from Oliver Street to Moore Street for street rehabilitation as follows:

RESOLUTION NO. 163-2019

**GOULD STREET
FROM OLIVER STREET TO MOORE 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:

**Gould Street from Oliver Street to Moore Street:
Street Rehabilitation**

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.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

Land Sale & Development Agreement – 30 Acres Industrial Property

City Manager Henne noted that the 21-day posting period had expired and the City was not in receipt of any other bids for the property.

Motion by Councilmember Bailey to approve the sale of 30 acres of City-owned industrial property to BCC Agriculture, LLC in the amount of \$75,000.00 and further approve a development agreement spelling out the terms of the sale and development of the property as follows:

RESOLUTION NO. 164-2019

**RESOLUTION APPROVING A PROPERTY SALE AND DEVELOPMENT
AGREEMENT
BETWEEN THE CITY OF OWOSSO AND BCC AGRICULTURE, LLC
FOR 30 ACRES OF VACANT CITY-OWNED INDUSTRIAL PROPERTY**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, received an offer to purchase parcel # 050-549-000-002-00 for \$75,000 on September 30, 2019; and

WHEREAS, the City of Owosso published the offer for 21 days in accordance with City Charter provisions governing sale of City-owned real estate not being actively marketed; and

WHEREAS, the 21-day posting period has expired with no additional offers submitted; and

WHEREAS, the property is currently zoned General Industrial I-2; and

WHEREAS, BCC Agriculture, LLC desires to develop an industrial park in the City of Owosso at its expense and sell the individual parcels to third parties; and

WHEREAS, the City of Owosso desires to grant BCC Agriculture, LLC exclusive rights to develop said Industrial Park.

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

FIRST: The City of Owosso agrees to sell parcel #050-549-000-002-00 to BCC Agriculture, LLC for the sum of Seventy-Five Thousand Dollars (\$75,000.00), due at the time of closing.

SECOND: The City of Owosso hereby grants to BCC Agriculture, LLC the exclusive right to develop, market, and sell the industrial park located within the City of Owosso.

THIRD: Development of the site shall commence within 1 year or the City of Owosso has the option to repurchase the site for the purchase price of \$75,000.00.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

Lot Split Authorization – VL Industrial Drive

Motion by Mayor Pro-Tem Osika to authorize division of the following City lot under Michigan Subdivision Control Act for vacant platted lot Industrial Drive as detailed below:

Current Description:

Address	Status	Parcel #1
1450 E. South Street	Before Split	050-480-000-001-00
Description: THE EAST 100' LOT 1 OWOSSO SOUTHEAST INDUSTRIAL PARK		
Address	Status	Parcel #2
Parcel immediately west of 1555 Industrial Drive	Before Split	050-480-000-010-00
Description: THE E 1/2 LOT 2 OWOSSO SOUTHEAST INDUSTRIAL PARK		

Descriptions After Split:

Address	Status	Parcel #1
1450 E. South Street	After Split	050-480-000-001-00
Description: THE EAST 100' LOT 1 AND THE NORTH 25 FEET OF THE EAST ½ OF LOT 2 OWOSSO SOUTHEAST INDUSTRIAL PARK		
Address	Status	Parcel #2
Parcel immediately west of 1555 Industrial Drive	After Split	050-480-000-010-00
Description: THE E 1/2 LOT 2 EXCEPT THE NORTH 25 FEET OWOSSO SOUTHEAST INDUSTRIAL PARK		

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

Set Trash Hauler Public Forum

City Manager Henne explained the format for the forum noting that City Council, refuse haulers, and the public will have the opportunity to speak.

Councilmember Bailey inquired whether moving to a single trash hauler would be discussed. It was noted that discussion of moving to a single hauler would not be on the table, it will be geared toward exploring alternative solutions.

Motion by Councilmember Bailey setting a public forum for 6:30 p.m. Tuesday, November 12, 2019 in the Public Safety Department fire truck bay for the purpose of receiving input from citizens and local refuse haulers regarding possible changes to the City’s refuse collection ordinance, to be conducted in the format detailed below:

RESOLUTION NO. 165-2019

**SETTING SCHEDULE AND FORMAT FOR
LOCAL REFUSE HAULER AND CITY COUNCIL PUBLIC FORUM**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, set a goal in January 2019 to discuss improvements to the City's refuse collection ordinance; and

WHEREAS, the City of Owosso passed a resolution on October 21, 2019 to not consider a single hauler ordinance option until City staff could organize a public forum with City Council and the local refuse hauling organizations to hear their opinions.

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

- FIRST: the City of Owosso will hold a public forum for City Council to hear from the local refuse hauling organizations on possible changes to the City's refuse collection ordinance.
- SECOND: this public forum shall be held on Tuesday, November 12, 2019 at 6:30 p.m. in the Owosso Public Safety Building's fire truck bay, 202 S. Water Street.
- THIRD: The format shall be to allow council members the opportunity to state their opinion for a maximum of 5 minutes each, that representatives of the local refuse hauling organizations shall have the opportunity to state their opinions for a maximum of 5 minutes each, that members of the public shall have up to 3 minutes each to share their opinion(s) on possible changes to the refuse collection ordinance, and that the City's Public Relations consultant shall then lead a discussion period between City Council and representatives of the local refuse hauling organizations.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

Demolition Authorization & Contract Approval – 424 Grover Street

Council was in receipt of a letter from Frank Fisher requesting reconsideration of the bid.

Councilmember Bailey asked if the neighbors and City Council could be notified when a demolition date is established.

Motion by Mayor Pro-Tem Osika to authorize demolition of the structure at 424 Grover Street and approve bid award to SC Environmental LLC in the amount of \$11,219.00 as follows:

RESOLUTION NO. 166-2019

**AUTHORIZING THE EXECUTION OF A CONTRACT WITH
SC ENVIRONMENTAL, LLC FOR
THE DEMOLITION OF THE STRUCTURE AT 424 GROVER STREET**

WHEREAS, the home at 424 Grover Street incurred a fire in March of 2015; and

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that the remains of the house should be demolished to eliminate blight in the neighborhood; and

WHEREAS, the city of Owosso sought bids to demolish the structure at 424 Grover Street; a bid was received from SC Environmental, LLC and it is hereby determined that SC Environmental, LLC is qualified to provide such services and that it has submitted the lowest responsible and responsive bid.

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

- FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to demolish the structure located at 424 Grover Street.
- SECOND: The City of Owosso has further determined that it is advisable, necessary and in the public interest to employ SC Environmental, LLC for said demolition.

- THIRD: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Contract for Services Between the city of Owosso, Michigan and SC Environmental, LLC in the amount of \$11,555.57.
- FOURTH: The accounts payable department is authorized to pay SC Environmental, LLC for work satisfactorily completed on the project up to the bid amount.
- FIFTH: The above expenses shall be paid from the Capital Projects Fund 401-000-975-000.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

21-Day Posting – Proposed Property Sale (This item was removed from the agenda.)

Small Urban Program Resolution of Financial Assurance - Gould Street, Oliver to Moore

City Manager Henne explained how the Small Urban Program works and how the grant funding is awarded, noting that tonight’s action is the first step in participating in the program.

Mayor Pro-Tem Osika inquired why the proposed project was slated to end at Moore Street instead of extending to North Street. City Manager Henne said it was a simple funding issue.

Motion by Councilmember Fear to approve the following resolution of participation in the Small Urban Program and authorize commitment of City funds in the amount of \$225,000 plus the cost of project design engineering and construction administration as the City’s share of the cost to rehabilitate Gould Street from Oliver Street to Moore Street.

RESOLUTION NO. 167-2019

**AUTHORIZING FINANCIAL ASSURANCE FOR
THE PROPOSED RECONSTRUCTION PROJECT FOR
GOULD STREET FROM OLIVER STREET TO MOORE STREET**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Public Service Department recommends the reconstruction of Gould Street from Oliver Street north to Moore Street; and

WHEREAS, the Michigan Department of Transportation offers its portion of federal funds known as Small Urban Program funds for this work; and

WHEREAS, roadway improvements that are eligible for these funds must be located on the federal-aid highway system and within the federal urban area boundary, such as Gould Street in the City of Owosso; and

WHEREAS, the City of Owosso proposes to procure Small Urban Program funds for the purpose of providing a maximum of 80 percent (80%) with capped amount of \$375,000.00 as federal match to the City’s Major Street Funds or other funds as obligated; as outlined in MDOT’s FY2021 Small Urban Plan document.

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 proceed with the proposed roadway improvements.
- SECOND: That the City of Owosso is actively seeking Small Urban Program funds to partially fund the reconstruction of Gould Street from Oliver Street north to Moore Street and is willing to participate in this program.
- THIRD: That the proper city officials are authorized to obligate city funds as its match of the project cost.
- FOURTH: The city’s portion of costs shall be paid from the City’s Public Act 51 Major Streets Fund or other funds as obligated.

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

Closed Session

Motion by Councilmember Bailey to authorize holding closed session after the last period for Citizen Comments and Questions for the purpose of considering a periodic personnel evaluation of the City Manager and discussing collective bargaining negotiations.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

COMMUNICATIONS

Katherine R. Fagan, City Treasurer. Correction to summer tax bill for parcel 050-470-003-001-00.

Historical Commission. Minutes of September 23, 2019.

Mid-County WWTP Review Board. Minutes of October 22, 2019.

CITIZEN COMMENTS AND QUESTIONS

Bob Marble, 1435 Cleveland Street, said he couldn't understand why the Council would consider moving to a single trash hauler because it would irreparably damage local businesses.

Steven Goff, Nature's Releaf CFO, inquired when the Council planned on ending the moratorium on recreational marijuana facilities. He said his company is interested in building a recreational facility and end date of the moratorium would be helpful in their planning process.

Tom Manke, 2910 W. M-21, said he hoped that someone from the City would attend the upcoming Osburn Lakes HOA meeting. Particularly in light of the fact that the City is considered the developer of the subdivision and the HOA is suing a builder. He then asked why the Council scheduled a special meeting if moving to a single trash hauler is no longer going to be considered.

Pete Yerian, 1471 Jackson Drive, indicated the annual meeting of the Osburn Lakes HOA will be held at the Wrought Iron Grill at 1:00p.m. He indicated he would like to stop the lawsuit filed by the HOA so the planned houses can be built. He also noted his plans to file another recall petition for the HOA Board.

Mark Seamans, 1439 Pintail Court, inquired about the type of improvements that Council is looking for in regard to trash collection. He offered to help facilitate a web discussion if desired.

Councilmember Bailey announced that 40 cat shelters had been built at the Community Cats event last night. She thanked those in the community that participated.

Councilmember Fear announced that the Parks & Recreation Commission will be holding meeting/tours of the parks each Saturday this month to solicit public input on what people would like to see done.

Councilmember Law said he was concerned that Council appeared to be against local businesses with its passage of the new sign ordinance and discussion of a single trash hauler. He said the group needed to rethink things.

Councilmember Pidek asked if someone could put together a summary of the key issues and the goals they are trying to accomplish with the trash discussion.

The meeting recessed at 8:24 p.m. to prepare for closed session.

COUNCIL MOVED INTO CLOSED SESSION AT 8:31 P.M.

COUNCIL RETURNED FROM CLOSED SESSION AT 9:33 P.M.

APPROVAL OF THE MINUTES OF THE CLOSED SESSION OF MAY 20, 2019

Motion by Councilmember Pidek to approve the Closed Session of the Regular Meeting of May 20, 2019 as presented.

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

APPROVAL OF THE MINUTES OF THE CLOSED SESSION OF AUGUST 5, 2019

Motion by Councilmember Bailey to approve the Closed Session of the Regular Meeting of August 5, 2019 as presented.

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

COLLECTIVE BARGAINING AGREEMENT APPROVAL - AFSCME

Motion by Councilmember Bailey to approve the collective bargaining agreement with AFSCME Local 1059 for the period beginning November 4, 2019 and ending April 30, 2022.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

IAFF SETTLEMENT APPROVAL

Motion by Councilmember Law to approve the tentative settlement negotiated in response to Unfair Labor Practice case no. 19-H-1758-CE filed by International Association of Fire Fighters, Local 504.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

CITY MANAGER CONTRACT APPROVAL

Motion by Councilmember Bailey to approve the contract with Nathan R. Henne for City Manager services for a three-year period beginning November 4, 2019, and automatically renewing for subsequent three-year periods unless terminated by either party, as amended.

Motion supported by Councilmember Law.

Roll Call Vote.

AYES:

NAYS:

NEXT MEETING

Tuesday, November 12, 2019 – Public Forum, 6:30 p.m.

Monday, November 18, 2019 – Regular, 7:30 p.m.

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 – term expires December 31, 2019
Historical Commission – 2 terms expire December 31, 2020
Parks & Recreation Commission – term expires June 30, 2021
Planning Commission – term expires June 30, 2020
Planning Commission – term expires June 30, 2022
Shiawassee District Library – term expires June 30, 2023

ADJOURNMENT

Motion by Councilmember Pidek for adjournment at 9:37 p.m.

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

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk