

**CITY OF OWOSSO  
REGULAR MEETING OF THE CITY COUNCIL  
MINUTES OF JULY 17, 2023  
7:30 P.M.  
VIRGINIA TEICH CITY COUNCIL CHAMBERS**

**PRESIDING OFFICER:** MAYOR ROBERT J. TEICH, JR.

**OPENING PRAYER:** PASTOR GARY BEAL  
CHURCH OF JUBILEE

**PLEDGE OF ALLEGIANCE:** MATTHEW BARTOW  
ARGUS-PRESS STAFF WRITER

**PRESENT:** Mayor Robert J. Teich, Jr., Mayor Pro-Tem Susan J. Osika,  
Councilmembers Janae L. Fear, Jerome C. Haber, Daniel A.  
Law, Emily S. Olson, and Nicholas L. Pidek.

**ABSENT:** None.

**APPROVE AGENDA**

Motion by Mayor Pro-Tem Osika to approve the agenda as presented.

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

**APPROVAL OF THE MINUTES OF REGULAR MEETING OF JULY 3, 2023**

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of July 3, 2023 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, presented the Mayor and other members of Council with copies of The Argus-Press that they have appeared in as well as acid-free plastic bags for storing them. He also commented about the possible closure of VA hospitals.

Patrice Martin, 615 N. Park Street, Owosso Pride board member, commented about what a great event Pride Weekend was this year and she read aloud several comments from participants supporting the event, what it stands for, and what it means to the LGBTQIA+ community.

Tom Manke, 2910 W. M-21, noted that work was beginning on the restoration of the Quaker Oats sign downtown. He also announced the 8<sup>th</sup> annual organic cruise will be taking place this Friday and Saturday downtown.

Cheryl Stevenson, 1216 Willow Street, Owosso Pride board member, read aloud several comments from Pride participants expressing their support for the event and the LGBTQIA+ community. She said it made her proud as a parent that kids in Owosso will know they are welcomed and loved and do not have to hide who they are.

Jeff Turner, 204 Oakwood Avenue, said he was recently almost hit by a Corunna police officer that ignored a stop sign while traveling through an intersection at an elevated speed without lights and sirens. He asked why a Corunna officer was responding to a police call in Owosso and why she didn't have her lights and sirens on.

Tyler Corbin, 4750 W. M-21, Owosso Pride board member, read aloud more positive comments about the recent Owosso Pride Weekend, highlighting a comment from a participant thanking the man giving out "Dad Hugs" that hugged him on what happened to be the anniversary of his father's death.

Don Fields, Calvary Baptist Church elder, said he appreciates the attention that Council gives to those making comments during the meeting. He went on to ask if the fortune telling ordinance really should be repealed, saying that it protects people from others that might want to defraud them. He asked the Council if they would welcome a tarot card reading at the beginning of their meetings instead of a prayer.

Geno Phillips, Oakley resident and member of Calvary Baptist Church, read aloud several passages from the Bible condemning fortune tellers. He requested that the Council take no action to repeal the City's fortune telling ordinance. He concluded by posing the question "Whose laws will you follow? God's or man's?"

Barbara Nees, co-owner of Barrister Brewing, told the Council and City Manager that she thinks the City has some pretty awesome people working for it. She said of all of the organizations she's dealt with in getting Barrister Brewing off the ground the City's personnel were the most helpful. She said that her general contractor even made a comment about how everyone at the City was so nice.

Pastor Gary Beal said he moved here from Texas seven years ago, and at that time a lady from Flint told him that Owosso was a hateful place with a long past. He was happy to report that he has not found Owosso to be that way, but he cautioned the Council not to become complacent and always be mindful of the direction the City is headed.

Councilmember Law announced that he has tickets for the Firefighter Memorial BBQ that will be held July 29<sup>th</sup> at the Conservation Club. There will be live bands, a 50/50 drawing, and a silent auction to raise money for the Firefighter's Memorial Fund (currently a little over \$47,000).

### **CONSENT AGENDA**

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

**First Reading & Set Public Hearing – Fortune Telling Ordinance Repeal.** Conduct first reading and set a public hearing for Monday, August 7, 2023 to receive citizen comment regarding the proposed repeal of Chapter 19, Offenses, Section 19-4, *Fortune telling*, of the Code of Ordinances of the City of Owosso, to comply with Michigan State Law as follows:

#### **RESOLUTION NO. 129-2023**

#### **AUTHORIZING FIRST READING & SETTING A PUBLIC HEARING REGARDING THE PROPOSAL TO REPEAL SEC. 19-4, FORTUNE TELLING, OF THE CODE OF ORDINANCES**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has a fortune telling ordinance that is no longer applicable as the State of Michigan long ago repealed the law banning said services; and

WHEREAS, the City desires to repeal the ordinance banning fortune telling within the City limits; and

WHEREAS, it is the long-standing practice of the City Council to hold a public hearing to receive citizen comment regarding any and all proposed ordinance amendments.

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

SECTION 1. AMENDMENT. That Chapter 19, Offenses, Article 1, Section 19-4, *Fortune telling*, of the Code of Ordinances of the City of Owosso be repealed in its entirety as follows:

~~**Sec. 19-4. – Fortune telling.** It shall be unlawful for any person to pretend for money or gain, to predict future events by cards, tokens, trances, the inspection of the hands or the conformation of the skull of any person, mind reading so-called, or by consulting the movements of the heavenly bodies.~~

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, August 7, 2023, at 7:30 p.m. for the purpose of hearing citizen comments regarding the proposed amendment to the Code of Ordinances.

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.

SECTION 4. EFFECTIVE DATE: This repeal shall become effective twenty days after passage.

**Traffic Control Order Request – Oat Fest.** Approve the request from Lizzie Fredrick, Owosso Main Street DDA Executive Director, for the closure of Main Street Plaza on Friday, July 28, 2023

from 3:00 p.m. – 10:00 p.m. for the Oat Fest event, and further approve Traffic Control Order No. 1502 formalizing the request.

Master Plan Implementation Goals: 4.2, 4.6, 5.9, 5.12

**Traffic Control Order – Vintage Motorcycle Days.** Approve the request from Lizzie Fredrick, Owosso Main Street DDA Executive Director, for the closure of Main Street Plaza, S. Washington St. from Main St. to Water St., and Comstock St. from Water St. to Park St. on Saturday, August 26, 2023 from 7:00 a.m. – 4:00 p.m. for the Vintage Motorcycle Days event, and further approve Traffic Control Order No. 1503 formalizing the request.

Master Plan Implementation Goals: 4.2, 4.6, 5.9, 5.12

**Contract Amendment No. 1 – Professional Services Agreement - Auditing Services Contract.** Approve Amendment No. 1 to the Professional Services Agreement - Auditing Services Contract with Berthiaume & Co. CPAS increasing the first year of the contract in an amount not to exceed \$2,500.00 for the correction of the City’s fixed assets depreciation schedules and authorize payment to the vendor upon satisfactory completion of the task as follows:

**RESOLUTION NO. 130-2023**

**AUTHORIZING AMENDMENT NO. 1 TO  
THE PROFESSIONAL SERVICES AGREEMENT – AUDIT SERVICES CONTRACT  
WITH BERTHIAUME & CO. CPAS**

WHEREAS, Owosso City Council approved a multiyear service contract with Berthiaume & Co. CPAS on May 1, 2023 for the provision of annual audit services; and

WHEREAS, in anticipation of this year’s audit, the firm has reviewed the City’s financial data and a discrepancy between the fixed asset depreciation schedules and the financial statements has been discovered; and

WHEREAS, additional work will be required to resolve the discrepancy, necessitating an amendment to the services agreement.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OWOSSO, SHIAWASSEE COUNTY, MICHIGAN:

- FIRST: the City of Owosso has heretofore determined that it is advisable and necessary and in the public interest to engage Berthiaume & Co. CPAS, certified public accountants, to improve and correct the depreciation schedules for the City of Owosso, Michigan.
- SECOND: that Amendment No. 1 to the Professional Services Agreement – Audit Services contract is hereby approved, increasing the first year of the contract in an amount not to exceed \$2,500.00, resulting in a first-year total of \$33,500.00.
- THIRD: the Mayor and City Clerk are hereby instructed and authorized to sign the amendment, substantially in the form attached.
- FOURTH: the Accounts Payable department is authorized to submit payment to Berthiaume & Co. CPAS in an amount not to exceed \$33,500.00 in the first year.
- FIFTH: the above expenses will be paid from various funds as budgeted.

**\*Bid Award – 2023 NEP Grant Construction Project – HDF-2023-37-NEP.** Accept the low bid of Keyes Quality Construction LLC for the 2023 NEP Grant Construction Project (HDF-2023-37-NEP) in the amount of \$70,000.00 and authorize payment to the contractor in accordance with NEP Grant guidelines as follows:

**RESOLUTION NO. 131-2023**

**AUTHORIZING AWARD OF  
THE 2023 NEP GRANT CONSTRUCTION PROJECT (HDF-2023-37-NEP) BID  
TO KEYES QUALITY CONSTRUCTION LLC**

WHEREAS, the Michigan State Housing Development Authority Neighborhood Enhancement Program (NEP) is designed to improve the livability and aesthetic of homes in economically disadvantaged neighborhoods through the funding of exterior improvements to homes/property; and

WHEREAS, the City of Owosso applied for and received an NEP grant totaling \$75,000; \$70,000 of which is assigned to assist willing property owners in funding exterior improvements to their homes, such as roof replacement, window replacement, and siding; the remaining \$5,000 is allocated for administrative expenses; and

WHEREAS, the beneficiaries of this grant include five (5) residents of the community needing exterior home improvements that meet the qualifications of the program; and

WHEREAS, the City of Owosso, as the named administrator for the grant, sought bids from contractors for performance of the necessary exterior home improvements; a bid was received from Keyes Quality Construction LLC and it is hereby determined that Keyes Quality Construction LLC is qualified to provide such services and that it has submitted the lowest responsible and responsive bid in the amount of \$70,533.75; and

WHEREAS, per the terms of the grant agreement construction costs cannot exceed \$70,000; City Staff will negotiate with the contractor to bring the total contract amount under this threshold.

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

- FIRST: The City of Owosso has heretofore determined that it is advisable, necessary, and in the public interest to employ Keyes Quality Construction LLC for exterior improvements to five residential homes as a part of the 2023 NEP Grant Construction Project (HDF-2023-37-NEP) in the amount of \$70,000.00.
- SECOND: The City Manager and the Planning & Building Director, having been previously designated as authorized signers for the grant, are instructed and authorized to sign the document substantially in the form attached, Homeowner and Contractor Contract, 2023 NEP Grant Construction Project (HDF-2023-37-NEP), with one contract signed for each home selected for participation in the program.
- THIRD: The Accounts Payable department is authorized to pay Keyes Quality Construction LLC for work satisfactorily completed on the project up to the contract amount, with prior approval from MSHDA.
- FOURTH: The above expenses shall be paid from the Housing & Redevelopment Fund 254-200-818.000.

**Purchase Authorization – Two Police Vehicles.** Waive competitive bidding requirements, authorize a joint purchase from Lunghamer Ford of Owosso, LLC for the purchase of two 2024 Ford Interceptor Police Utility vehicles in the amount of \$97,452.00 under the terms of State of Michigan Contract No. 071B7700180 / Macomb County Contract # 21-18, and further authorize payment to the vendor upon satisfactory delivery of the vehicles \$39,500.00 of which shall be reimbursed with USDA Rural Development grant funding as follows:

**RESOLUTION NO. 132-2023**

**AUTHORIZING THE PURCHASE OF TWO POLICE UTILITY VEHICLES FROM  
LUNGHAMER FORD OF OWOSSO, LLC  
VIA MACOMB COUNTY CONTRACT NO. 21-18**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has a police department requiring the use of police vehicles and said police vehicles must be periodically replaced; and

WHEREAS, the City of Owosso may waive competitive bidding requirements when purchasing equipment in coordination with another municipality; and

WHEREAS, the City of Owosso desires to purchase two new police utility vehicles from Lunghamer Ford of Owosso, LLC, holder of Macomb County Contract No. 21-18 for police vehicles; and it is hereby determined that Lunghamer Ford of Owosso, LLC is qualified to provide such vehicles and that it has submitted a 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 purchase two 2024 Ford Interceptor Police Utility Vehicles from Lunghamer Ford of Owosso, LLC utilizing the State of Michigan Contract No. 071B7700180/Macomb County Contract # 21-18, with a per vehicle cost to the City of Owosso of \$48,726.00, for a total cost of \$97,452.00.
- SECOND: The Finance Director and the Director of Public Safety are hereby instructed and authorized to sign documents necessary to complete the purchase.

- THIRD: Payment to Lunghamer Ford of Owosso, LLC in the amount of \$97,452.00 is authorized upon delivery of said police vehicles.
- FOURTH: On June 28, 2023, the City of Owosso was awarded a grant for \$39,500.00 through the USDA Rural Development Office to be used toward the purchase of the two police vehicles noted above.
- FIFTH: The above expenses shall be paid from the Police Division Capital Outlay fund 101-301-978.000.

**Master Plan Implementation Goals: 3.2**

**\*Professional Services Agreement – 2024 Bridge Maintenance Projects Engineering Services.** Waive competitive bidding requirements, approve a Professional Services Agreement with Spicer Group, Inc. for full design engineering and construction administration services the 2024 Bridge Maintenance Projects in the amount of \$58,477.00, and authorize payment to the engineer as terms of the contract are fulfilled as follows:

**RESOLUTION NO. 133-2023**

**AUTHORIZING THE EXECUTION OF AN AGREEMENT  
FOR PROFESSIONAL ENGINEERING SERVICES  
WITH SPICER GROUP, INC.  
FOR THE 2024 BRIDGE MAINTENANCE PROJECTS**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved a contract with Spicer Group, Inc. in 2022 for inspection of the Gould Street Bridge and Oakwood Pedestrian Bridge; and

WHEREAS, the City desires to make the necessary repairs recommended by Spicer Group, Inc. to its Gould Street Bridge and Oakwood Pedestrian Bridge; and

WHEREAS, this work requires the services of a professional engineering firm to perform design and construction engineering for the project; and

WHEREAS, Section 2-346 of the City of Owosso Code of Ordinances allows competitive bidding to be waived for professional services.

WHEREAS, the City has reviewed the proposal provided by Spicer Group, Inc. in the amount of \$58,477.00, and has determined that the scope of services proposed by Spicer Group, Inc. to be wholly appropriate and recommends approval of the same; 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 employ the firm of Spicer Group, Inc. to provide design and construction engineering services for the 2024 Bridge Maintenance Projects.
- SECOND: The Mayor and City Clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit A, Addendum No. 2023-02 to the FY2023-2024 General Engineering Services Agreement with Spicer Group, Inc., in an amount not to exceed \$58,477.00.
- THIRD: The Accounts Payable department is authorized to make payment up to the amount of \$58,477.00 to Spicer Group, Inc. upon successful completion of stated work.
- FOURTH: The above expenses shall be paid from Major Street Fund Acct No. 202-473-818.000 (\$31,227.00), Parks Fund Acct No. 101-751-974.000 (\$27,250.00), and other funds as appropriated.

**Master Plan Implementation Goals: 3.4**

**Warrant No. 630 – Correction.** Authorize correction to Warrant No. 630 as follows:

Vendor	Description	Fund	Amount
Waste Management	Service Period 06-01-2023 – 06/15/2023	WWTP	\$11,011.93

Caledonia Charter Township	Quarterly Payment per July 2006 water district agreement	Water	<b>\$47,942.90</b> <del>\$47,792.90</del>
Owosso Charter Township	Quarterly Payment per February 2011 water agreement	Water	\$18,926.33

Motion supported by Councilmember Olson.

Roll Call Vote.

AYES: Mayor Pro-Tem Osika, Councilmembers Law, Pidek, Olson, Fear, Haber, and Mayor Teich.

NAYS: None.

**ITEMS OF BUSINESS**

None.

**COMMUNICATIONS**

- Toni Marr, Downtown Development Authority. Letter of resignation.
- Tanya S. Buckelew, Planning & Building Director. June 2023 Building Department Report.
- Tanya S. Buckelew, Planning & Building Director. June 2023 Code Violations Report.
- Tanya S. Buckelew, Planning & Building Director. June 2023 Inspections Report.
- Tanya S. Buckelew, Planning & Building Director. June 2023 Certificates Issued Report.
- Kevin D. Lenkart, Public Safety Director. June 2023 Police Report.
- Kevin D. Lenkart, Public Safety Director. June 2023 Fire Report.
- Brownfield Redevelopment Authority. Minutes of June 14, 2023.
- Parks & Recreation Commission. Minutes of June 28, 2023.
- Owosso Historical Commission. Minutes of July 10, 2023.

**CITIZEN COMMENTS AND QUESTIONS**

Eddie Urban, 601 Glenwood Avenue, said he forgot to mention that he purchased matching Curwood Days mugs for Mayor Teich and his wife. He also told a tale about how God, on the eighth day, created the motorcycle.

Tom Manke, 2910 W. M-21, noted that the Summer Praise events are going on now and there are some great gospel artists that will be coming to town. He also asked if the City was planning to tear down the amphitheater and move it once the new owners of the old Middle School take control of the parking lot and remove all the ADA accessible parking for the theater.

Rebecca Runyan, 1115 N. Chipman Street, said she is grateful for this Council and thanked them for hearing her and making her feel welcome.

Joe Moore, 304 Michigan Avenue, thanked Councilmembers for the love they have for the City and its citizens.

Councilmember Fear noted that she and Councilmember Olson had recently toured parts of the city with a differently abled person who pointed out a myriad of areas that are not ADA accessible. City Manager Henne acknowledged the problem and noted that MDOT will be fixing the intersections along the state trunklines to be more accessible.

Ms. Fear went on to say that she is super excited about the refurbishment of the Quaker Oats mural downtown and announced the first ever Oat Fest July 28<sup>th</sup> from 6:00pm until 9:00pm. There will be kids' games, a facial hair contest, food trucks, and numerous vendors. Entry to the event is free and it promises to be Oatrageous! Mayor Teich thanked Councilmembers Fear and Olson, as well as DDA Director Lizzie Fredrick for working to put this event together in such a short period of time. He also noted that the DDA is looking for anyone interested in volunteering for the event.

Councilmember Law said he thought the City had an agreement in place to allow for the continued use of the old Middle School parking lot by those attending events at the amphitheater. City Manager Henne indicated he would look into the matter.

**NEXT MEETING**

Monday, August 07, 2023

**BOARDS AND COMMISSIONS OPENINGS**

Building Board of Appeals – Alternate - term expires June 30, 2024  
Building Board of Appeals – Alternate - term expires June 30, 2025  
Downtown Development Authority – Resident – term expires June 30, 2025  
Zoning Board of Appeals – Alternate – term expires June 30, 2024  
Zoning Board of Appeals – Alternate – term expires June 30, 2025

**ADJOURNMENT**

Motion by Councilmember Fear for adjournment at 8:21 p.m.

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

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Robert J. Teich, Jr., 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.