

**CITY OF OWOSSO  
REGULAR MEETING OF THE CITY COUNCIL  
MINUTES OF MAY 18, 2020  
7:30 P.M.  
VIRTUAL MEETING**

**Mayor Christopher T. Eveleth called the meeting to order and announced the meeting would be held as a Virtual Meeting due to the COVID-19 pandemic, under the authority of Executive Order No. 2020-15 of the Office of the Governor of the State of Michigan.** He also noted the process for making comments during the Public Hearing and Citizen Comments and Questions periods and indicated those wishing to comment must sign up by 7:35 p.m.

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

**OPENING PRAYER:** COUNCILMEMBER JEROME C. HABER

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

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

**APPROVAL OF THE MINUTES OF REGULAR MEETING OF MAY 4, 2020**

Motion by Councilmember Pidek to approve the Minutes of the Regular Meeting of May 4, 2020 as presented.

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

**APPROVAL OF THE MINUTES OF SPECIAL MEETING OF MAY 12, 2020**

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Special Meeting of May 12, 2020 as presented.

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

**PROCLAMATIONS / SPECIAL PRESENTATIONS**

None.

Mayor Eveleth announced the public hearing for the proposed budget and once again noted the process citizens should use to indicate they would like to speak.

**PUBLIC HEARINGS**

**2020-21 Budget Hearing**

City Manager Nathan R. Henne noted that a budget workshop had been held May 12<sup>th</sup> and there were no changes to the budget proposed at this time. He also updated the Council on the funding status in light of the information given out at the recent revenue expectation conference, saying that the budget decreases that are being proposed are within the range they had predicted. That being said he indicated that he felt that keeping the budget balanced would be a moving target until the lock-down ends.

A Public Hearing was conducted pursuant to Chapter 8, Section 4 of the City Charter to receive citizen comments regarding proposed 2020-21 Budget.

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

The Council will consider adoption of the proposed budget at the June 1, 2020 meeting.

Mayor Eveleth repeated the instructions for making citizen comments.

**CITIZEN COMMENTS AND QUESTIONS**

Michael Erfourth, 801 W. Oliver Street, said he has been frustrated with the Consumers Energy project that has been taking place in his front yard for the last three weeks. He said he received no communication from them regarding the project and it was very possible they damaged the tree in his front yard as well as the stone fence. He said the City authorized the work and should be at least partially responsible for helping him ensure his property is returned to its original state or he is compensated.

Eddie Urban, 601 Glenwood Avenue, spoke about the recent flooding along the river and the fact that his new sidewalk still holds water. He asked that everyone keep up the good work and be careful to stay healthy.

Councilmember Bailey expressed her frustration with the protesters at Karl Manke's barber shop that sometimes impede traffic saying they were causing a liability in doing so.

Councilmember Pidek said he understands Mr. Erfourth's concerns as he has had his own frustrations with Consumers Energy. He said that Consumers certainly bears more responsibility for communicating with their customers in a better fashion.

**CONSENT AGENDA**

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

**Change Order – Manhole Inspection & Analysis Contract.**\* Approve Change Order No. 1 to Addendum No. 6, Manhole Inspection & Analysis Contract, adding additional services in the amount of \$8,400.00, and authorize payment to the engineer upon satisfactory completion of the work or portion thereof, as follows:

**RESOLUTION NO. 81-2020**

**AUTHORIZING CHANGE ORDER NO. 1 TO ADDENDUM NO. 6 BETWEEN CITY OF OWOSSO AND ORCHARD, HILTZ & MCCLIMENT, INC. D/B/A OHM ADVISORS, FOR MACP CODING/MANHOLE CONDITION ASSESSMENTS**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, entered into an agreement with Orchard, Hiltz & McClement, Inc. d/b/a OHM Advisors for manhole condition assessments and MACP coding by the adoption of Resolution No. 143-2018 on September 17, 2018; and

WHEREAS, the Director of Public Services & Utilities desires to increase funding to provide additional services for completing the sanitary sewer manhole MACP coding and structural condition assessments, for compliance with Asset Management Plan regulatory requirements.

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

- FIRST: The city of Owosso has heretofore determined that it is advisable, necessary and in the public interest to authorize Amendment No. 1 to Addendum No. 6 to increase funding to cover additional services necessary to complete manhole MACP coding and structural condition assessments for remaining manhole structures.
- SECOND: The accounts payable department is authorized to submit payment to OHM Advisors in an amount not to exceed \$67,900.00 plus \$8,400.00 for a total of \$76,300.00.
- THIRD: The above expenses shall be paid for from the wastewater fund account 590-549-818.000.

**Emergency Repair Authorization – Fire Department Tower 1.** Authorize payment to Front Line Services, Inc. for emergency repair and replacement of parts on Fire Department Tower 1 in the amount of \$11,574.69 as follows:

**RESOLUTION NO. 82-2020**

**AUTHORIZING PAYMENT TO FRONT LINE SERVICES, INC. FOR EMERGENCY REPAIR OF OWOSSO FIRE DEPARTMENT, TOWER 1**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has a fire department vehicle, Tower 1, that required an emergency repair of the vehicle, and

WHEREAS, the City directed Front Line Services, Inc., to proceed and make the emergency repair, which subsequently totaled \$11,574.69, and

WHEREAS, the Public Safety Director has reviewed the detailed billing from Front Line Services, Inc. for the cost of the repair and recommends payment in the amount of \$11,574.69 for the work that was satisfactorily completed.

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 was necessary and in the public interest to contract with Front Line Services, Inc. for the emergency repairs to Owosso Fire Department vehicle Tower 1.

SECOND: The accounts payable department is authorized to submit payment to Front Line Services, Inc. in the amount up to \$11,574.69 as authorized by Council this 18th day of May, 2020.

THIRD: The above expenses shall be paid from the Fire Department vehicle repair fund.

**Check Register – April 2020**\* Affirm check disbursements totaling \$395,015.83 for April 2020.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

### **ITEMS OF BUSINESS**

#### **Amendments to Personnel Policy Manual\***

City Manager Henne introduced the item saying that there are numerous items proposed for amendment, but it is important to consider adoption this evening because some of the changes involve the transfer of the remaining employees to the MERS retirement system. He went on to say that further changes can be expected down the road.

There was discussion among Council regarding the provision requiring the City to contribute 4% to an employees' retirement account regardless of if the employee contributes, why raises aren't tied to performance reviews, and updating the harassment policy to include gender identity and sexual orientation. Council asked that the performance review item be revisited in the future and that a review process of some sort be instituted.

Motion by Mayor Pro-Tem Osika to approve the proposed amendments to the Personnel Policy Manual as noted, with the addition of an amendment to the harassment policy to include sexual orientation and gender identity as protected classes:

#### **RESOLUTION NO. 83-2020**

#### **APPROVING THE UPDATED PERSONNEL POLICY MANUAL FOR THE CITY OF OWOSSO**

WHEREAS, the City Council, previously adopted the City of Owosso Personnel Policy Manual on September 22, 2009; and

WHEREAS, the Director of Human Resources has presented the City Council the revised Personnel Policy Manual; and

WHEREAS, the City Council has reviewed the revised Manual and finds it in the best interest of the City and its employees to adopt the revisions; and

WHEREAS, the City Council finds that the proposed revisions will serve to further inform employees of City personnel policies and that current and sound personnel policies are an essential part of recruiting and retaining excellent employees and extending high quality services to the public; and

WHEREAS, the City Council wishes to see sexual orientation and gender identity as classes protected from harassment.

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

FIRST: The City of Owosso Personnel Policy Manual updated May 18, 2020 is hereby approved and adopted by the City Council, with the addition of sexual orientation and gender identity as classes protected from harassment.

SECOND: This Resolution and the Manual shall take effect immediately, on May 18, 2020. All employees of the City shall be provided a copy of such Employee Handbook and shall sign an acknowledgement and receipt.

THIRD: The Mayor and Councilmembers approve this resolution.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

**Retirement System Funds Transfer - AFSCME**

Motion by Councilmember Pidek to direct the transfer of the American Federation of State, County, and Municipal Employees (AFSCME), Local No. 1059 and its corresponding retirees to the MERS System in an amount to be determined as follows:

**RESOLUTION NO. 84-2020**

**ADOPTING THE MUNICIPAL EMPLOYEES RETIREMENT SYSTEM PLAN FOR THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, LOCAL NO. 1059 OF MICHIGAN COUNCIL #25**

WHEREAS, the City of Owosso, a Michigan municipal corporation, currently administers its own independent retirement system known as the City of Owosso Employees' Retirement System (COERS); and

WHEREAS, the City of Owosso is also a member of the Municipal Employees Retirement System (MERS); and

WHEREAS, recently enacted changes in the labor contract for the American Federation of State, County, and Municipal Employees (AFSCME), Local No. 1059 modified certain pension benefits; and

WHEREAS, it is necessary to provide formal notice to the COERS Board of Trustees of the intention to transfer the current AFSCME members and retirees to the MERS plan; and

WHEREAS, the City Council must adopt a resolution authorizing the transfer of funds associated with the AFSCME members and retirees from COERS to MERS.

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

FIRST: The City of Owosso has determined it is advisable, necessary and in the public interest to move the AFSCME unit and its retirees to the MERS system.

SECOND: The Mayor and City Clerk are instructed and authorized to sign any documents as required between the City of Owosso and MERS to make this transfer happen.

THIRD: That this resolution serves as formal notification to all involved parties to execute said transfer.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

**Retirement System Funds Transfer – Fire Union**

Motion by Councilmember Pidek to direct the transfer of the International Association of Fire Fighters (IAFF), Local 504 and its corresponding retirees to the MERS System in an amount to be determined as follows:

**RESOLUTION NO. 85-2020**

**ADOPTING THE MUNICIPAL EMPLOYEES RETIREMENT SYSTEM PLAN  
FOR THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 504**

WHEREAS, the City of Owosso, a Michigan municipal corporation, currently administers its own independent retirement system known as the City of Owosso Employees' Retirement System (COERS); and

WHEREAS, the City of Owosso is also a member of the Municipal Employees Retirement System (MERS); and

WHEREAS, recently enacted changes in the labor contract for the International Association of Fire Fighters (IAFF), Local 504 modified certain pension benefits; and

WHEREAS, it is necessary to provide formal notice to the COERS Board of Trustees of the intention to transfer the current IAFF members and retirees to the MERS plan; and

WHEREAS, the City Council must adopt a resolution authorizing the transfer of funds associated with the IAFF members and retirees from COERS to MERS.

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

- FIRST: The City of Owosso has determined it is advisable, necessary and in the public interest to move the IAFF unit and its retirees to the MERS plan.
- SECOND: The Mayor and City Clerk are instructed and authorized to sign any documents as required between the City of Owosso and MERS to make this transfer happen.
- THIRD: That this resolution serves as formal notification to all involved parties to execute said transfer.

Motion supported by Councilmember Haber.

Roll Call Vote.

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

NAYS: None.

**Retirement System Funds Transfer – General City Non-Union**

Motion by Councilmember Bailey to direct the transfer of the current General City non-union members and its corresponding retirees to the MERS System in an amount to be determined as follows:

**RESOLUTION NO. 86-2020**

**ADOPTING THE MUNICIPAL EMPLOYEES RETIREMENT SYSTEM PLAN  
FOR OWOSSO GENERAL CITY NON-UNION EMPLOYEES**

WHEREAS, the City of Owosso, a Michigan municipal corporation, currently administers its own independent retirement system known as the City of Owosso Employees' Retirement System (COERS); and

WHEREAS, the City of Owosso is also a member of the Municipal Employees Retirement System (MERS); and

WHEREAS, it has been determined to be beneficial to the financial health of the City to move the General City non-union employees and retirees to the MERS system (similarly to the union employees); and

WHEREAS, it is necessary to provide formal notice to the COERS Board of Trustees of the intention to transfer the current General City non-union members and retirees to the MERS plan; and

WHEREAS, the City Council must adopt a resolution authorizing this transfer of funds associated with the General City Non-Union members and retirees from COERS to MERS.

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

- FIRST: The City of Owosso has determined it is advisable, necessary and in the public interest to move the General City non-union employees and corresponding retirees to the MERS system.
- SECOND: The Mayor and City Clerk are instructed and authorized to sign any documents as required between the City of Owosso and MERS to make this transfer happen.
- THIRD: That this resolution serves as formal notification to all involved parties to execute said transfer.

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

**COMMUNICATIONS**

- Glenn M. Chinavare, Utilities Director. 2019 Annual Water Consumer Confidence Report (formerly: Annual Water Quality Report)
- N. Bradley Hissong, Building Official. April 2020 Building Report.
- Kevin D. Lenkart, Public Safety Director. April 2020 Fire & Ambulance Report.
- Downtown Development Authority/Main Street. Minutes of April 14, 2020.
- Downtown Development Authority/Main Street. Minutes of April 28, 2020.

**NEXT MEETING**

Monday, June 01, 2020

**BOARDS AND COMMISSIONS OPENINGS**

- Brownfield Redevelopment Authority – County Representative – term expires 06-30-2020
- Building Board of Appeals – Alternate - term expires June 30, 2022
- 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, 2020
- Planning Commission – term expires June 30, 2020

**ADJOURNMENT**

Motion by Councilmember Bailey for adjournment at 8:19 p.m.

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

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Christopher T. Eveleth, Mayor

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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.