

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

A moment of silence was held in honor of Pearl Harbor Day.

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 Janae L. Fear, Jerome C. Haber, Daniel A. Law, Nicholas L. Pidek, and Robert J. Teich, Jr.

ABSENT: None.

APPROVE AGENDA

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

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

APPROVAL OF THE MINUTES OF ORGANIZATIONAL MEETING OF NOVEMBER 16, 2020

Motion by Councilmember Haber to approve the Minutes of the Organizational Meeting of November 16, 2020 with the following correction to who nominated Councilmember Eveleth for Mayor:

Councilmember ~~Fear~~ **Osika** nominated Councilmember Eveleth for Mayor.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF NOVEMBER 16, 2020

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of November 16, 2020 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

Audit Presentation

A presentation of the annual audit was given by Gabrige & Company CPA Neil Hammerbacher.

The City received a clean opinion.

Master Plan Presentation

CIB Planning Vice President Justin Sprague presented the 2020 Master Plan to Council.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 2910 W. M21, said that West M21 should not be narrowed. He also said he did not like the stationary parade that was part of the Glo Owosso events. He said we can't be scared of COVID.

Mayor Pro-Tem Osika thanked the City Manager for his city manager report, saying she likes the new format. She also gave a shout out to the Parks & Recreation Commission for being good stewards of the millage money they have been given.

Mayor Eveleth thanked all the volunteers that worked on Glo Owosso, saying they did a nice job.

CONSENT AGENDA

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

First Reading & Set Public Hearing – Ordinance Amendment – Chapter 34, Utilities and Services - A. Conduct first reading and set a public hearing for Monday, December 21, 2020 to receive citizen comment regarding the proposed amendment to Chapter 34, Utilities and Services, Article III, Water, Section 34-67, Water service connections, connection charges, of the code of ordinances of the City of Owosso, Michigan to maintain regulatory compliance as follows:

RESOLUTION NO. 139-2020

**SETTING A PUBLIC HEARING FOR
THE PROPOSED ORDINANCE AMENDMENT
TO SECTION 34-67, WATER SERVICE CONNECTIONS, CONNECTION CHARGES**

WHEREAS, the City of Owosso is required by the State of Michigan to replace at least 5% of all public and private property lead and galvanized water service lines over the next 20 years; and

WHEREAS, this new obligation must be incorporated into the code of the City of Owosso which regulates utilities and services; and

WHEREAS, a public hearing is required before any ordinance amendment can be enacted.

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

SECTION 1. AMENDMENT. That Chapter 34, Utilities and Services, Article III, Water, Section 34-67, Water service connections, connection charges, be amended as follows:

Sec. 34-67. - Water service connections, connection charges.

- (a) Application for water service connection(s) shall be made to the public utilities department on forms prescribed and furnished by it. Water service connections and water meters shall be installed, maintained and replaced in accordance with applicable rules and standards of the public utilities department and applicable plumbing code provisions. The size of the service line and meter, and installation details, are subject to review and approval by the director. **Partial water service line replacements are not permitted under Michigan Department of Environment Great Lakes & Energy (EGLE) Administrative Code R325.11604f(5)(c), except as necessary to address a emergency repair. The replacement of lead or galvanized water service lines from the city owned water main to the private property building premises, shall be accomplished at city expense in accordance with EGLE Administrative Code R325.11604f(5)(c) and R325.11604f(5)(g), except that the responsibility for maintenance, repair, or replacement of the private property water service connection, shall terminate one (1) year after installation.**
- (b) The city shall be responsible for the installation, maintenance and replacement in like size of that portion of the water connection from the water main to and including the curb stop and stop box, or through the water meter pit if the meter is located in a pit in the public right-of-way or water easement.

The property owner or customer shall be responsible for the installation, maintenance and replacement of that portion of the water connection from the curb stop, or meter pit if such meter pit is located in the public right-of-way or water easement, to and within the premises being served., **except during the period of time commencing January 1, 2020 through December 31, 2040 (unless extended by EGLE), whereby the city is mandated under the EGLE Administrative Code R325.11604f(6)(b) to replace all private property water service lines at city expense. The responsibility of the city for maintenance, repair, or replacement of the private property water service connection, shall terminate one (1) year after installation of the new regulatory compliant water service line.**
- (c) Water meters shall generally be supplied by the city. Any water meter provided by the customer shall conform to city standards and specifications, and shall be approved by the director prior to installation or start of service. All meters shall be owned by and under the control of the city. The city shall be responsible for the cost of meter replacement except in the case of a customer requested change in meter size, or damage to the meter attributable to the customer, or agent or tenant of the customer.
- (d) Connection charges for new water service connections, or for an increase in service size or capacity, in effect on the effective date of this ordinance shall remain in effect until changed by resolution of the council, which may thereafter be modified or revised by council resolution. Such connection charges may include: recovery of costs for water system capacity attributable to the new user, recovery of costs for water distribution piping serving the user if not previously assessed, recovery of city costs for the initial installation of the

service connection and initial provision of the water meter, and recovery of city costs for increasing the service connection and/or meter size. In addition the connection charge schedule may include permit application and review fees, and inspection fees.

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, December 21, 2020 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed amendments to Chapter 34, Utilities and Services, of the Code of the City of Owosso.

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 amendment shall become effective 20 days after approval.

First Reading & Set Public Hearing – Ordinance Amendment – Chapter 34, Utilities and Services - B. Conduct first reading and set a public hearing for Monday, December 21, 2020 to receive citizen comment regarding the proposed amendment to Chapter 34, Utilities and Services, Article III, *Water*, Sections 34-75 and 34-76 of the code of ordinances of the City of Owosso, Michigan to reflect the installation of new water meter technology as detailed below:

RESOLUTION NO. 140-2020

SETTING A PUBLIC HEARING FOR THE PROPOSED ORDINANCE AMENDMENT TO SECTIONS 34-75 & 34-76 OF THE CODE OF ORDINANCES

WHEREAS, the City of Owosso replaced all of its water meters with meters utilizing new technology; and

WHEREAS, the code of ordinances of the City of Owosso regulating utilities and services must be updated to reflect said new technology; and

WHEREAS, a public hearing is required before any ordinance amendment can be enacted.

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

SECTION 1. AMENDMENT. That Chapter 34, Utilities and Services, Article III, *Water*, Section 34-75, Accuracy required, be amended as follows:

Sec. 34-75. - Accuracy required.

A meter shall be considered accurate if, ~~when tested it registers not to exceed five (5) percent more or five (5) percent less than the actual quantity of water passing through it. If a meter registers in excess of five (5) percent more than the actual quantity of water passing through it, it shall be considered "fast" to that extent. If a meter registers in excess of five (5) percent less than the actual quantity of water passing through it, it shall be considered "slow" to that extent.~~ **when audited it registers consumption movement when the water is turned on from the off position at either the meter pit or inside the building plumbing. A meter shall be considered inaccurate if, when audited it registers no consumption movement or negative consumption movement when the water is turned on from the off position at either the meter pit or inside the building plumbing.**

SECTION 2. AMENDMENT. That Chapter 34, Utilities and Services, Article III, *Water*, Section 34-76, Bill adjustment, be amended as follows:

Sec. 34-76. - Bill adjustment.

~~If a meter has been tested at the request of a consumer and shall have been determined to register "fast," the city shall credit the consumer with a sum equal to the percent "fast" multiplied by the amount of all bills incurred by the consumer, within the three (3) months prior to the test, and if a meter so tested is determined to register "slow," the public services department may collect from the consumer a sum equal to the percent "slow" multiplied by the amount of all the bills incurred by the consumer for the prior three (3) months. When the department on its own initiative makes a test of a water meter, it shall be done without cost to the consumer, other than his or her paying the amount due the city for water used by him or her as above provided, if the meter is found to be "slow."~~

If a meter has been audited at the request of a consumer and shall have been determined to register accurately, no charge will be assessed. If a meter so tested at the request of the consumer, is determined to not register water consumed or is registering negative flow, applicable equipment causing the inaccuracies shall be replaced or repaired and the water bill shall be recalculated from historical demand usage from date of known

inaccuracies to the date of correction. There shall be no charge to the customer for the audit, repair, or replacement services.

SECTION 3. PUBLIC HEARING. A public hearing is set for Monday, December 21, 2020 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed amendments to Chapter 34, Utilities and Services, of the Code of the City of Owosso.

SECTION 4. 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 5. EFFECTIVE DATE. This amendment shall become effective 20 days after approval.

First Reading & Set Public Hearing – Rezoning Request – 210 Monroe Street. Conduct first reading and set a public hearing for Monday, January 4, 2021 to receive citizen comment regarding the proposed rezoning of the parcel located at 210 Monroe Street from I-1, Light Industrial District, to R-2, Two-Family Residential District as shown below:

RESOLUTION NO. 141-2020

**AMEND CHAPTER 38 ZONING OF THE CODE OF ORDINANCES
TO REZONE THE PARCEL AT 210 MONROE STREET
AND AMEND THE ZONING MAP**

WHEREAS, the city council of the city of Owosso received a request from City Manager Nathan Henne for the property identified as 210 Monroe Street, parcel number 050-652-001-004-00 to rezone the parcel from I-1, Light Industrial to R-2, Two-Family Residential District; and

WHEREAS, the planning commission subsequently published the request and mailed notices of the request to surrounding property owners, held a public hearing on the request, and deliberated on the request; and

WHEREAS, the city staff and planning commission recommend, without reservations or conditions, the rezoning of 210 Monroe Street as requested; and

WHEREAS, the item must now be considered by the city council and a public hearing by the council is required before any such ordinance amendment can be acted upon.

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

SECTION 1. OFFICIAL ZONING MAP AMENDMENT. That Chapter 38, Zoning, Sec. 38-27, Zoning Districts and Map, reflect the following change, to be noted on the official map and filed with the city clerk:

Parcel Address	Current Zoning	Amended Zoning
210 Monroe Street	I-1, Light Industrial	R-2, Two Family Residential District
Parcel Number: 050-652-001-004-00		
LOTS 9, 10, 13, BLK 1, ALL OF BLK. 2 INCLUDING CLOSED ALLEY, PT OF CLOSED S. PARK ST. AL WILLIAMS 2 ND ADD.		

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, January 4, 2021 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendment.

SECTION 3. NOTICE. Council hereby directs staff to supply a public notice concerning the rezoning to a newspaper of general circulation within the city.

SECTION 4. 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 5. EFFECTIVE DATE. This amendment shall become effective twenty days after passage.

Set Public Hearing – PUD Site Plan Review. Set a public hearing for Monday, January 4, 2021 to receive citizen comment regarding the proposed PUD Site Plan for North Washington Street, parcel 050-535-000-001-00 as follows:

RESOLUTION NO. 142-2020

**SET A PUBLIC HEARING TO HEAR CITIZEN COMMENT AND REVIEW OF THE
PLANNED UNIT DEVELOPMENT (PUD) OVERLAY SITE PLAN REVIEW FOR THE
PARCEL ON THE SW CORNER OF N. WASHINGTON & WESLEY STREETS**

WHEREAS, the city council of the city of Owosso received a Site Plan Review from Bailey Park Homes, L3C, developer of the real property identified as N. Washington Street, parcel number 050-535-000-001-00 to develop the Washington Park Smart Homes consisting of 14 new homes; and

WHEREAS, the City of Owosso Zoning Ordinance Chapter 38 Article XVII, Section 390 (7) a. 4. And b. requires Public Hearings for Planned Unit Developments for both the Planning Commission and City Council; and

WHEREAS, the city staff and planning commission recommend, with conditions, the approval of the Planned Unit Development (PUD) Overlay Site Plan Review of N. Washington Street as applied; and

WHEREAS, the item must now be considered by the city council and a public hearing by the council is required before any such final approval can be acted upon.

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

SECTION 1. PLANNED UNIT DEVELOPMENT (PUD) OVERLAY SITE PLAN REVIEW FOR THE FOLLOWING:

Parcel Address	Zoning	Parcel number
N. Washington Street	RM-1 Multiple-Family Residential District-Low Rise with Planned Unit Development (PUD) Overlay	050-535-000-001-00
Legal Description: COM 358' N & 33' W OF INTER S LN SEC 12 & C/L N WASH ST TH W 231' N 6' W 133.7' N 279' E 364.21' S 284' TO POB PART OF SE 1/4 SE 1/4 SEC 12T7N R2E		

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, January 4, 2021 at 7:30 p.m. for the purpose of hearing citizen comment regarding the site plan review.

SECTION 3. NOTICE. Council hereby directs staff to supply a public notice concerning the site plan review.

SECTION 4. AVAILABILITY. This site plan review 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 5. EFFECTIVE DATE. This site plan review shall become effective immediately after passage.

2021 Schedule of Meetings. Adopt the 2021 Boards and Commission Meeting Schedule as follows:

**CITY OF OWOSSO
SCHEDULE OF REGULAR MEETINGS
FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2021**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act 267, Public Acts of 1976, of the schedule of Regular Meetings of the City of Owosso, County of Shiawassee, State of Michigan for the calendar year beginning January 1, 2021. The Board, dates, time and place of said regular meetings shall be as follows:

CITY COUNCIL					
The 1 st and 3 rd Monday of each month, except as noted – 7:30 p.m., local prevailing time					
Owosso City Hall, Council Chambers					
JAN 04	MAR 01	MAY 03	JUL 06*	SEP 07*	NOV 01
JAN 19*	MAR 15	MAY 17	JUL 19	SEP 20	NOV 15
FEB 01	APR 05	JUN 07	AUG 02	OCT 04	DEC 06
FEB 16*	APR 19	JUN 21	AUG 16	OCT 18	DEC 20
DOWNTOWN DEVELOPMENT AUTHORITY / OWOSSO MAIN STREET			DOWNTOWN HISTORIC DISTRICT COMMISSION		
The 1 st Wednesday of each month, except as noted – 7:30 a.m., local prevailing time			The 3 rd Wednesday of each month - 6:00 p.m., local prevailing time		
Owosso City Hall, Council Chambers			Owosso City Hall, Conference Room		
JAN 06	MAY 05	SEP 01	JAN 20	MAY 19	SEP 15
FEB 03	JUN 02	OCT 06	FEB 17	JUN 16	OCT 20
MAR 03	JUL 07	NOV 03	MAR 17	JUL 21	NOV 17

APR 07	AUG 04	DEC 01	APR 21	AUG 18	DEC 15
OWOSSO HISTORICAL COMMISSION			PARKS & RECREATION COMMISSION		
The 2 nd Monday of each month, except as noted – 6:00 p.m., local prevailing time			The 4 th Wednesday of each month, except as noted – 7:00 p.m., local prevailing time		
Curwood Castle, 226 Curwood Castle Drive			Owosso City Hall, Council Chambers		
JAN 11	MAY 10	SEP 13	JAN 27	MAY 26	SEP 22
FEB 08	JUN 14	OCT 12*	FEB 24	JUN 23	OCT 27
MAR 08	JUL 12	NOV 08	MAR 24	JUL 28	NOV 24
APR 12	AUG 09	DEC 13	APR 28	AUG 25	DEC 08*
PLANNING COMMISSION			WWTP Review Board		
The 4 th Monday of each month, except as noted – 6:30 p.m., local prevailing time			The 4 th Tuesday of each month, 4:30 p.m., local prevailing time		
Owosso City Hall, Council Chambers			Owosso Wastewater Plant, Administration Building 1410 Chippewa Trail, Owosso		
JAN 25	MAY 24	SEP 27	JAN 26	MAY 25	SEP 28
FEB 22	JUN 28	OCT 25	FEB 23	JUN 22	OCT 26
MAR 22	JUL 26	NOV 22	MAR 23	JUL 27	NOV 23
APR 26	AUG 23	DEC 13*	APR 27	AUG 24	DEC 28
ZONING BOARD OF APPEALS			* = Rescheduled due to legal holiday on regular meeting date or other scheduling conflict		
The 3 rd Tuesday of each month, except as noted – 9:30 a.m., local prevailing time					
Owosso City Hall, Council Chambers					
JAN 19	MAY 18	SEP 21			
FEB 16	JUN 15	OCT 19			
MAR 16	JUL 20	NOV 16			
APR 20	AUG 17	DEC 21			

Christmas for Kids Drive Thru Event Permission. Approve request from Salem Evangelical Lutheran Church for the closure of select spaces in the parking lot at Williams and Park Streets (Lot #1) on Saturday, December 19, 2020 from 10:00 a.m. until 6:00 p.m. for the Christmas for Kids drive thru event and further approve Traffic Control Order No. 1441 formalizing the request.

Contract Extension — IT/Network Engineering Services. Authorize extension of the contract with Logicalis, Inc. for the provision of network administrator services for the 2021 calendar year in an amount not to exceed \$90,000.00, and further authorize payment to the vendor for services rendered up to the contract amount as follows:

RESOLUTION NO. 143-2020

ADOPTING THE LOGICALIS, INC. STAFFING STATEMENT OF WORK (SOW) FOR JEFF KISH

WHEREAS, the city of Owosso, a Michigan municipal corporation, utilizes a sophisticated network of computers to facilitate day-to-day operations; and

WHEREAS, said network requires the services of a skilled professional to continue to function properly; and

WHEREAS, the city contracts with Logicalis, Inc. for the provision of network administrator services; and

WHEREAS, the city council must adopt a resolution authorizing the terms of the contract for the calendar year effective January 1, 2021 through December 31, 2021.

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 continue the contract with Logicalis, Inc. for network administrator services for the year beginning January 1, 2021.
- SECOND: The mayor is instructed and authorized to sign the document substantially in form attached as Staffing SOW between the City of Owosso and Logicalis, Inc.
- THIRD: The accounts payable department is authorized to pay Logicalis, Inc. for work satisfactorily performed in an amount not to exceed \$90,000.00.
- FOURTH: The above expenses shall be paid from Account No. 101-258-818000.

FIFTH: All prior resolutions and documents for the *Logicalis Network Administrator Services and/or Staffing SOW* are rescinded as of January 1, 2021.

Purchase Authorization – Dump Truck. Waive competitive bidding requirements, authorize the purchase of one Ford 4 x 2 cab and chassis from Signature Ford of Owosso in the amount of \$37,053.00 via State of Michigan Contract No. 071B7700180, authorize the purchase and installation of one dump body from Truck & Trailer Specialties, Inc. in the amount of \$22,905.00 via State of Michigan Contract No. 071B770086, and further authorize payment to the vendors upon satisfactory delivery of said equipment as detailed below:

RESOLUTION NO. 144-2020

AUTHORIZING PURCHASE AGREEMENT TO SIGNATURE FORD OF OWOSSO, MICHIGAN AND TRUCK & TRAILER SPECIALTIES OF HOWELL, MICHIGAN TO PROCURE A FORD F550 1.5 TON CAB & CHASSIS AND A 4.4 CUBIC YARD DUMP BODY FOR USE IN THE FLEET MOTOR POOL

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has budgeted from the Fleet Motor Pool Replacement Fund for the purchase of a 1.5 ton Cab & Chassis to be used for light and medium duty capacity hauling and equipment towing, and

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has budgeted from the Fleet Motor Pool Replacement Fund for the purchase of a 4.4 cubic yard Dump Body for attachment to the F550 Cab & Chassis truck, and

WHEREAS, the City of Owosso Director of Public Services & Utilities has reviewed the replacement equipment on the State of Michigan MiDeal Contract as priced by Signature Ford and Truck & Trailer Specialties, and recommends authorizing purchase agreements between the city of Owosso and Signature Ford of Owosso, Michigan and Truck & Trailer Specialties of Howell, Michigan on the current State of Michigan MiDeal Contracts.

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 Signature Ford of Owosso, Michigan for the purchase of a Ford F550 1.5 ton Cab & Chassis on State of Michigan MiDeal Contract #071B7700180 for use in the Fleet Motor Pool, in the amount of \$37,053.00.
- SECOND: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to contract with Truck & Trailer Specialties of Howell, Michigan for the purchase of a 4.4 cubic yard Dump Body on State of Michigan MiDeal Contract #071B770086, for use in the Fleet Motor Pool, in the amount of \$22,905.00.
- THIRD: The accounts payable department is authorized to submit payment to Truck & Trailer Specialties in the amount of \$22,905.00, and expense from account 661-901-979.000
- FOURTH: The accounts payable department is authorized to submit payment to Signature Ford in the amount of \$37,053.00, and expense from account 661-901-979.000.

Purchase Authorization – Tandem Dump Truck. Waive competitive bidding requirements, authorize the purchase of one Freightliner 114SD tandem cab and chassis from D. & K. Truck Company in the amount of \$104,556.00 via State of Michigan Contract No. 071B6600119, authorize the purchase and installation of one 13 ft. dump body from Truck & Trailer Specialties, Inc. in the amount of \$82,689.00 via State of Michigan Contract No. 200000000034, and further authorize payment to the vendors upon satisfactory delivery of said equipment as follows:

RESOLUTION NO. 145-2020

AUTHORIZING PURCHASE AGREEMENT TO D & K TRUCK OF LANSING, MICHIGAN AND TRUCK & TRAILER SPECIALTIES OF HOWELL, MICHIGAN TO PROCURE A TANDEM TRUCK CAB & CHASSIS AND DUMP BODY FOR USE IN THE FLEET MOTOR POOL

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has budgeted from the Fleet Motor Pool Replacement Fund for the purchase of a 10-yard Tandem Truck Cab & Chassis to be used for large capacity hauling and snow plowing, and

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has budgeted from the Fleet Motor Pool Replacement Fund for the purchase of a 10-yard Dump Body for attachment to the Tandem Cab & Chassis Tandem Truck, and

WHEREAS, the City of Owosso Director of Public Services & Utilities has reviewed the replacement equipment on the State of Michigan MiDeal Contract as priced by D & K Truck and Truck & Trailer Specialties, and recommends authorizing purchase agreements between the city of Owosso and D & K Truck and Truck & Trailer Specialties on the current State of Michigan MiDeal Contract.

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 D & K Truck of Lansing, Michigan for the purchase of a Tandem Cab & Chassis on State of Michigan MiDeal Contract #071B6600119 for use in the Fleet Motor Pool, in the amount of \$104,556.00.
- SECOND: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to contract with Truck & Trailer Specialties of Howell, Michigan for the purchase of a 10-yard Dump Body on State of Michigan MiDeal Contract #200000000034, for use in the Fleet Motor Pool, in the amount of \$82,689.00.
- THIRD: The accounts payable department is authorized to submit payment to Truck & Trailer Specialties in the amount of \$82,689.00, and expense from account 661-901-979.000
- FOURTH: The accounts payable department is authorized to submit payment to D & K Truck in the amount of \$104,556.00, and expense from account 661-901-979.000.

Warrant No. 594. Authorize Warrant No. 594 as follows:

Vendor	Description	Fund	Amount
Michigan Municipal Risk Management Authority	Building and property insurance-3rd of 3 installments for FY 20/21	Various	\$64,067.75

Check Register – November 2020. Affirm check disbursements totaling \$1,100,866.31 for November 2020.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

Designated Assessor

Motion by Councilmember Pidek to authorize the following resolution approving a county-wide designated assessor to serve in the stead of the City Assessor should he/she receive a failing score on the AMAR:

RESOLUTION NO. 146-2020

RESOLUTION AUTHORIZING INTERLOCAL AGREEMENT FOR SHIAWASSEE COUNTY DESIGNATED ASSESSOR

WHEREAS, the City of Owosso, Shiawassee County, Michigan, is required under Public Act 260 of 2018 to sign an interlocal agreement to appoint a designated assessor with Shiawassee County; and

WHEREAS, the City of Owosso has been notified by the County of PSA 260and its requirements; and

WHEREAS, the County recommends that the Designated Assessor for Shiawassee County for purposes of this interlocal agreement be Sarah Payton of the County Equalization Office.

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 join other Shiawassee County local governments in signing this interlocal agreement naming Sarah Payton as the County's Designated Assessor.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Interlocal Agreement for County Designated Assessor between the City of Owosso, Michigan and Shiawassee County.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

DDA/OMS Executive Director Memorandum of Understanding

City Manager Nathan R. Henne briefly detailed the duties that were changed. The cost will remain the same.

Councilmember Pidek commended Josh Adams for his work saying he had worked with other communities in the course of his business and we have a really great DDA Director that is a true asset to the community.

There was a questions as to who conducts the Director's performance review. It was noted the DDA/OMS Board conducts his performance review.

Motion by Councilmember Pidek to authorize the memorandum of understanding between the City of Owosso and the Downtown Development Authority/Owosso Main Street governing the duties and responsibilities of the executive director as detailed below:

RESOLUTION NO. 147-2020

RESOLUTION AUTHORIZING APPROVAL OF OMS/DDA MEMORANDUM OF UNDERSTANDING WITH THE CITY FOR EXECUTIVE DIRECTOR DUTIES AND COST SHARE

WHEREAS, the City of Owosso, Shiawassee County, Michigan, wishes to continue the partnership with the Owosso OMS/DDA for certain services; and

WHEREAS, the City of Owosso and the Owosso OMS/DDA have revised the original Memorandum of Understanding dated July 2017 to include an updated list of responsibilities for the DDA Director to address on behalf of the City; and

WHEREAS, this is a budgeted item from the General Fund.

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 memorandum of understanding between the OMS/DDA and the City for administrative services related to economic development for a cost to the City of Owosso of \$24,580 for one year.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Joint Memorandum of Understanding between the City of Owosso, Michigan and Owosso OMS/DDA up to the amount of \$24,580.

THIRD: The above expenses shall be paid from the General Fund.

Motion supported by Councilmember Haber.

Roll Call Vote.

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

NAYS: None.

Master Plan Distribution

Motion by Councilmember Pidek to authorize distribution of the proposed 2020 Master Plan to public utilities, neighboring municipalities, and other planning agencies and make the plan available to the general public for a minimum 63-day comment period as follows:

RESOLUTION NO. 148-2020

SUBMISSION OF MASTER PLAN SEPTEMBER 2020 TO CITY COUNCIL

WHEREAS, in 2019 the Planning Commission began working to draft a new Master Plan; and

WHEREAS, the plan was developed using input received from CIB Planning and the Smith Group; and

WHEREAS, in 2020 the Planning Commission reviewed the draft, recommended revisions and conducted an online survey; and

WHEREAS, on November 23, 2020 the Planning Commission determined the plan was to be submitted for City Council to review the plan as required under the Planning Enabling Act; and

WHEREAS, the Master Plan was submitted to City Council for their review on December 7, 2020; and

WHEREAS, the process of adopting a Master Plan shall not proceed further unless the City Council approves the plan and authorizes the 63-day period of public distribution; and

WHEREAS, City Council has the right to adopt a resolution asserting their right to have final approval of the Master Plan; and

NOW THEREFORE BE IT RESOLVED the City of Owosso, City Council hereby approves and authorizes distribution of the Master Plan for the 63-day period of public review and comment; and

BE IT FURTHER RESOLVED that City Council asserts their right to have final review and adoption of the Master Plan.

AVAILABILITY. The Master Plan 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 Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

Audit Acceptance

Motion by Mayor Pro-Tem Osika authorizing the following resolution accepting and placing on file the City of Owosso Financial Report for the Fiscal Year Ended June 30, 2020:

RESOLUTION NO. 149-2020

**RESOLUTION ACCEPTING AND PLACING ON FILE
THE CITY OF OWOSSO, MICHIGAN FINANCIAL REPORT
WITH ADDITIONAL INFORMATION
FOR THE FISCAL YEAR ENDED JUNE 30, 2020**

WHEREAS, the city of Owosso is required by the laws of the state of Michigan to annually have an independent audit performed in accordance with generally accepted auditing standards; and

WHEREAS, the city of Owosso employed Gabridge and Company PLC, certified public accountants, to audit the financial records of the city of Owosso and such audit has been completed and is presented this date to the city council.

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

FIRST: The City of Owosso, Michigan Financial Report with Additional Information for the Fiscal Year Ended June 30, 2020, attached hereto and made a part hereof as Exhibit A, is hereby accepted and placed on file.

SECOND: A copy of the City of Owosso, Michigan Financial Report with Additional Information for the Fiscal Year Ended June 30, 2020 will be maintained on file in the office of the city clerk for public examination, a copy will be placed in the Shiawassee District Library Owosso Branch for public examination, and copies will be sent to those required by law and agreement.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

State of Emergency Reaffirmation

Mayor Eveleth indicated the State of Emergency would only affect the City of Owosso and is being proposed more as a precaution so that the Council can continue meeting virtually in 2021 should the need arise.

Motion by Councilmember Fear to reaffirm the local state of emergency declaration dated March 17, 2020 due to the continuing COVID-19 pandemic and acknowledge that all City board and commissions meetings will be held virtually until such time as the state of emergency is ended or it expires as follows:

RESOLUTION NO. 150-2020

RESOLUTION REAFFIRMING LOCAL DECLARATION OF EMERGENCY FOR COVID-19 (CORONA VIRUS)

WHEREAS Shiawassee County is experiencing a COVID 19 Coronavirus pandemic endangering the health and safety of the citizens of the County, including the citizens of the City of Owosso, and;

WHEREAS the Governor of the State of Michigan has declared a state of emergency in the entire State of Michigan due to the said pandemic, and;

WHEREAS Mayor Christopher T. Eveleth declared a local state of emergency in response to COVID-19 on March 17, 2020 under PA 390 of 1976; and

WHEREAS the recent amendments to the Michigan Open Meetings act authorizes meetings of a public body to be held, in whole or in part, electronically by telephone or video conferencing, in the event of a local state of emergency.

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 that it is advisable, necessary and in the public interest to reaffirm Mayor Eveleth's declaration of emergency dated March 17, 2020;

SECOND: The City of Owosso does hereby declare a local state of emergency to be existing in the city from this date and continuing until December 31, 2021, unless cancelled earlier, for the purpose of permitting electronic meetings of the Owosso City Council in accordance with the Michigan Open Meetings Act.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

Water & Sewer Rate Proposal

City Manager Henne gave a PowerPoint presentation detailing the reasoning behind the proposed increase. He said the City continues to look for grant funding to assist with lead and galvanized water service line replacements.

The Council briefly recessed from 9:27 p.m. until 9:34 p.m.

There was discussion regarding how much the rates would need to rise in order to pay for all of the repairs and replacements proposed in the next 4 years, how committed we are to those plans, paying cash for some repairs to lessen interest costs, looking at higher rates to potentially raise cash, and what options are available to pay for the planned projects. Staff indicated that a mix of debt and cash would be required to fund the proposed projects and that there are various low interest debt options available to the City as well as potential grant funding.

Councilmember Teich asked that Council be kept apprised of funding opportunities going forward.

Looking to get a better image of the bigger picture Councilmember Pidek inquired how much the rates would need to be to pay for all of the proposed projects in cash. Staff was asked to look into developing numbers for a worst case scenario.

Motion by Councilmember Teich authorizing the following resolution adopting water and sewer rates beginning December 18, 2020:

RESOLUTION NO. 151-2020

**WATER AND SEWER RATE SCHEDULE
FOR THE CITY BEGINNING FIRST QUARTER JANUARY 2021**

"Pursuant to Sections 34-248. Water Rates, and 34-249. Sewer Rates, of Article V, of Chapter 34, of the Owosso City Code, the City Council does hereby resolve that the revised rate schedule for water and sewer service shall be in effect for the City beginning December 18, 2020 and continuing thereafter until modified or replaced by further Council action. Bills issued with a nominal ending bill date of December 17, 2020 shall be billed under the previous rate schedule. All previous resolutions or parts thereof, insofar as the same may be in conflict herewith, are hereby repealed following the effective date of this schedule."

I. QUARTERLY WATER AND SEWER RATES

In-town quarterly water service charges consist of: a demand charge based on water meter size (see table below), a capital charge dedicated for water main replacement, and a metered usage charge. One meter unit is equal to 100 cubic feet of water or about 750 gallons. Rates for retail out-of-town water service are double the in-town rate, except that the capital charge does not apply to out-of-town customers where the respective Township separately finances water main replacement. Twenty five percent of the out-of-town revenue is collected for and transferred to the respective Township for use in replacing and improving their water distribution system.

Quarterly sewer charges consist of a demand charge based on the water meter size (see table below) and a sewer usage charge based on metered water consumption. The City has no retail out-of-town sewer service.

Bills are issued on a quarterly basis and, if not paid by the due date as shown on the billing, a late payment charge of ten percent (10%) of the current amount due may be added for failure to make prompt payment.

QUARTERLY WATER SERVICE CHARGE:

In-town: In-town Water Usage Charge of **\$2.50** per meter unit plus In-town Water Demand Charge plus Capital Charge from Table below.

Out-of-town: Out-of-town Water Usage Charge of **\$5.00** per meter unit plus Out-of-town Water Demand Charge from Table below.

QUARTERLY SEWER SERVICE CHARGE:

Sewer Usage Charge of **\$3.05** per unit plus Sewer Demand Charge from Table below.

For residential customers without metered water service, the quarterly sewer charge shall be **\$108.20** per residential unit.

QUARTERLY DEMAND CHARGE TABLES

A. Potable Water & Sewer Service

Water Meter Size	Water Demand	Water CAPITAL	Sewer Demand	Combined In-Town	Water Only (Out-of-town)
5/8"	\$39.00	\$ 25.00	\$ 35.00	\$ 99.00	\$ 78.00
3/4"	58.50	37.50	52.50	148.50	117.00
1"	97.50	62.50	87.50	247.50	195.00
1.5"	195.00	125.00	175.00	495.00	390.00
2"	312.00	200.00	280.00	792.00	624.00
3"	585.00	375.00	525.00	1,485.00	1,170.00
4"	975.00	625.00	875.00	2,475.00	1,950.00
6"	1,950.00	1,250.00	1,750.00	4,950.00	3,900.00

For a residential user with a second 5/8" meter on a single service line for water only irrigation service, the user shall be charged a single water demand and capital charge for a 5/8" meter as a separate/additional metered service on a year round basis.

The demand charge for multiple residential units served by a single water meter shall be based on actual meter size provided the meter meets the minimum size requirement per the following table:

<u>Number of Apartments</u>	<u>Minimum Meter Size</u>
1 - 3	5/8"
4 - 7	3/4"
8 - 11	1"
12 - 15	1.5"
16 - 24	2"
24 - 48	3"
Over 48	4"

B. Fire Protection Service

<u>Sprinkler Service</u>	<u>Quarterly Water Charge</u>		
	<u>In-Town</u>	<u>Out-of-Town</u>	
<u>Riser Size</u>	<u>DEMAND</u>	<u>CAPITAL</u>	<u>DEMAND</u>
3 inch	\$ 39.00	\$ 25.00	\$ 78.00
4 inch	\$ 58.50	\$ 37.50	\$ 117.00
6 inch	\$ 97.50	\$ 62.50	\$ 195.00
8 inch	\$ 195.00	\$ 125.00	\$ 390.00
10 inch	\$ 312.00	\$ 200.00	\$ 624.00

II. HYDRANT RENTAL CHARGES

Hydrants located outside the City of Owosso and private hydrants maintained by the City of Owosso shall be subject to an annual hydrant rental charge of \$165.00.

III. BULK WATER CHARGES

For users with an active city water service connection, bulk water delivered by the city from hydrants or other approved outlets for such purposes as pool filling, shall be charged at the standard metered usage rate given in Section I. above along with actual labor and equipment costs with a minimum charge of \$50.00.

Other bulk water sales, such as filling tank trucks, shall be charged at the rate of \$10.00 per thousand gallons with a \$50.00 minimum charge, which includes up to 5,000 gallons, if during the normal workday at an established city delivery point. After hours bulk water sales and/or sales at other than established city delivery points, shall be charged at the rate of \$10.00 per thousand gallons plus actual labor and equipment costs.

For customers who do not prepay a \$10 service charge shall apply for invoicing.

(Note: These charges do not apply to water supplied for firefighting).

IV. INCREMENTAL WATER AND SEWER USAGE CHARGES FOR BILLING ADJUSTMENTS RELATED TO PLUMBING LEAKS

The incremental water and sewer usage charges shall be 50% of the normal usage charge. These incremental usage rates are for the purpose of making adjustments to significantly high bills attributable to plumbing leaks and may be applied in accordance with Guidelines separately approved by the Owosso City Council.

V. EXTRA STRENGTH WASTEWATER SURCHARGES

Extra strength wastewater surcharges shall apply to those users of the City wastewater treatment system approved for the discharge of extra strength wastewater in accordance with Section 34-170. of the Owosso City Code. The surcharge rate shall be applied to loadings in excess of the base or normal strength loading.

EXTRA STRENGTH WASTEWATER SURCHARGE SCHEDULE

<u>PARAMETER</u>	<u>BASE</u>	<u>SURCHARGE</u>
BOD-5	220 MG/L	\$0.11/pound in excess of base
TSS	300 MG/L	\$0.17/pound in excess of base
TP	10 MG/L	\$1.50/pound in excess of base
NH3-N	20 MG/L	\$0.80/pound in excess of base

(Note: BOD-5 = Biochemical Oxygen Demand; TSS = Total Suspended Solids; TP = Total Phosphorous; NH3-N = Ammonia Nitrogen; MG/L = Milligrams per Liter)."

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

COMMUNICATIONS

- Nathan Henne, City Manager. December 2020 Report.
- Steven Flayer, Historical Commission. Letter of resignation.
- Theresa Trecha, DDA/OMS Board. Letter of resignation.
- Cheryl A. Grice, Finance Director. Revenue & Expenditure Report – October 2020.
- Downtown Development Authority/Main Street. Minutes of August 11, 2020.
- Downtown Historic District Commission. Minutes of September 17, 2020.
- Downtown Historic District Commission. Minutes of October 28, 2020.
- Downtown Development Authority/Main Street. Minutes of November 4, 2020.
- Owosso Historical Commission. Minutes of November 9, 2020.
- Planning Commission. Minutes of November 23, 2020.

NEXT MEETING

Monday, December 21, 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

ADJOURNMENT

Motion by Councilmember Fear for adjournment at 9:59 p.m.

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

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk