

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF JANUARY 19, 2021
7:30 P.M.
VIRTUAL MEETING**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: COUNCILMEMBER JERRY C. HABER

PLEDGE OF ALLEGIANCE: MAYOR PRO-TEM SUSAN J. OSIKA

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 Law and concurred in by unanimous vote.

APPROVAL OF THE MINUTES OF REGULAR MEETING OF JANUARY 4, 2021

Motion by Councilmember Pidek to approve the Minutes of the Regular Meeting of January 4, 2021 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Tom Kurtz, 721 Lee Street, relayed his concerns with the traffic issues at Central School. He said he has tried various avenues to get the issue resolved but traffic remains chaotic, with the situation particularly dangerous for pedestrians. He asked for stepped up enforcement or consideration of changing all of Lee Street to a one-way street.

Eddie Urban, 601 Glenwood Avenue, reminded everyone that another variant of the COVID virus is now circulating and everyone should get vaccinated. He also clarified some recent comments he made.

City Manager Nathan R. Henne responded to Mr. Kurtz's concerns saying he would have the engineering department look into making Lee Street a one-way street. Public Safety Director Kevin Lenkart indicated that there have been parking issues at Central School since he took on the job of public safety director. He said he has tried to work on the problem but it's been a struggle to get people to abide by the rules.

Mayor Pro-Tem Osika announced that another small business grant program is now open through Friday for any small business affected by COVID.

CONSENT AGENDA

Motion by Mayor Pro-Tem Osika to approve the Consent Agenda as follows:

2021 Income Threshold Poverty Exemptions. Adopt the 2021 Income Threshold Poverty Exemptions, as required by Public Act No. 390 of 1994 as follows:

2021 Income Standards Poverty Threshold

Number of persons residing in homestead	Annual allowable income
1 person	\$19,600.
2 persons	\$22,400.
3 persons	\$25,200.
4 persons	\$27,960.
5 persons	\$30,680.
6 persons	\$35,160.
7 persons	\$39,640.
8 persons	\$44,120.
Each additional person, add	\$4,480.

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

Name	Board/Commission	Term Expires
Michael Dowler, City Assessor	Building Authority-replacing Treena Chick	06/30/2021
Cheryl Grice, Finance Director*	Building Authority	06/30/2023
Michael Dowler, City Assessor	Local Development Finance Authority/Brownfield Redevelopment Authority replacing Treena Chick	06/30/2023

*Indicates reappointment

OMS/DDA RLF Loan & Grant Funding Approval – 108 E. Exchange Owosso, LLC. Approve the applications from 108 E. Exchange Owosso, LLC requesting a loan and a grant from the OMS/DDA Revolving Loan Fund in the amount of \$50,000.00 for interior redevelopment activities and \$12,500.00 for upper-story residential fire suppression installation respectively, for their property at 108 E. Exchange Street as detailed below:

RESOLUTION NO. 12-2021

**RESOLUTION AUTHORIZING
THE APPROVAL OF THE RELEASE
OF OMS/DDA REVOLVING LOAN FUND LOAN & GRANT TO
108 E EXCHANGE, OWOSSO, LLC.
FOR WORK AT 108 E. EXCHANGE STREET**

WHEREAS, in 1994 the city of Owosso established the Downtown Owosso Revolving (formerly UDAG/CDBG) Loan Program for projects within the Owosso Downtown Development Authority district; and

WHEREAS, on June 17, 2019 City Council approved the new OMS/DDA Revolving Loan & Grant Program, giving stewardship of the loan and grant process to the Owosso Main Street/DDA Board.

WHEREAS, on December 21, 2020 a loan and grant application was submitted to the OMS/DDA for a grant request from 108 E Exchange, Owosso, LLC. A grant request for \$30,000.00 for fire suppression construction associated with upper-level residential units and a \$50,000.00 loan for interior redevelopment activities for 108 E. Exchange Street.

WHEREAS, on December 28, 2020 the OMS/DDA Design & Business Vitality – Revolving Loan Sub-Committee reviewed and approved the application with slight modifications, giving it an overall score of 35. This score is above the 30 points required for consideration. The Revolving Loan Sub-Committee recommended a grant of \$12,500.00 to 108 E Exchange, Owosso, LLC. for fire suppression construction associated with upper-level, residential units and a \$50,000.00 loan for interior redevelopment activities for 108 E. Exchange Street

WHEREAS, on January 6, 2021 the OMS/DDA Board of Directors approved the recommendation.

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

FIRST: The City of Owosso approves the grant of \$12,500.00 to 108 E Exchange, Owosso, LLC. for fire suppression construction associated with upper-level residential units and a \$50,000.00 loan for interior redevelopment activities for 108 E. Exchange Street according to the terms & specifications determined by the OMS/DDA Loan & Grant Manual.

SECOND: The accounts payable department is authorized to release said loan and grant funds to 108 E. Exchange, Owosso, LLC in the amount of \$62,500.00.

OMS/DDA RLF Loan & Grant Funding Approval – Heritage Properties of Northern Michigan, LLC. Approve the applications from Heritage Properties of Northern Michigan, LLC requesting a loan and a grant from the OMS/DDA Revolving Loan Fund in the amount of \$50,000.00 for interior redevelopment activities and \$3,000.00 for interior architectural services respectively, for their property at 210 S. Water Street as follows:

RESOLUTION NO. 13-2021

Corrected by
Resolution No. 13.1-2021 at the
meeting of February 1, 2021

**RESOLUTION AUTHORIZING
THE APPROVAL OF THE RELEASE OF OMS/DDA REVOLVING LOAN FUND GRANT TO
HERITAGE PROPERTIES OF NORTHERN MICHIGAN, LLC
FOR WORK AT 210 S. WATER STREET**

WHEREAS, in 1994 the city of Owosso established the Downtown Owosso Revolving (formerly UDAG/CDBG) Loan Program for projects within the Owosso Downtown Development Authority district; and

WHEREAS, on June 17, 2019 City Council approved the new OMS/DDA Revolving Loan & Grant Program, giving stewardship of the loan and grant process to the Owosso Main Street/DDA Board.

WHEREAS, on December 8, 2020 a loan and grant application was submitted to the OMS/DDA for a grant request from Heritage Properties of Northern Michigan, LLC. A grant request for \$3,000.00 for interior architectural services and a \$50,000.00 loan for interior redevelopment activities for 210 S. Water Street.

WHEREAS, on December 28, 2020 the OMS/DDA Design & Business Vitality – Revolving Loan Sub-Committee reviewed and approved the application, giving it an overall score of 35. This score is above the 30 points required for consideration. The Revolving Loan Sub-Committee recommended a grant of \$3,000.00 to Heritage Properties of Northern Michigan, LLC. for interior architectural services and a \$50,000.00 loan for interior redevelopment activities for 210 S. Water Street.

WHEREAS, on January 6, 2021 the OMS/DDA Board of Directors approved the recommendation.

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

FIRST: The City of Owosso approves the grant of \$3,000.00 to Heritage Properties of Northern Michigan, LLC. for interior architectural services and a \$50,000.00 loan for interior redevelopment activities for 210 S. Water Street according to the terms & specifications determined by the OMS/DDA Loan & Grant Manual.

SECOND: The accounts payable department is authorized to release said loan and grant funds to Heritage Properties of Northern Michigan, LLC in the amount of \$53,000.00.

OMS/DDA RLF Loan Grant Funding Approval – Brianna Leigh, LLC. Approve the applications from Brianna Leigh, LLC requesting a loan from the OMS/DDA Revolving Loan Fund in the amount of \$50,000.00 for business expansion activities for their business at 210 S. Water Street as detailed:

RESOLUTION NO. 14-2021

**RESOLUTION AUTHORIZING
THE APPROVAL OF THE RELEASE OF OMS/DDA REVOLVING LOAN FUND GRANT TO
BRIANNA LEIGH, LLC
ASSOCIATED TO WORK AT 210 S. WATER STREET**

WHEREAS, in 1994 the city of Owosso established the Downtown Owosso Revolving (formerly UDAG/CDBG) Loan Program for projects within the Owosso Downtown Development Authority district; and

WHEREAS, on June 17, 2019 City Council approved the new OMS/DDA Revolving Loan & Grant Program, giving stewardship of the loan and grant process to the Owosso Main Street/DDA Board.

WHEREAS, on December 8, 2020 a loan application was submitted to OMS/DDA by Brianna Leigh, LLC. for a loan of \$50,000.00 for business expansion activities for 210 S. Water Street.

WHEREAS, on December 28, 2020 the OMS/DDA Design & Business Vitality – Revolving Loan Sub-Committee reviewed and approved the application, giving it an overall score of 50. This score is above the 30 points required for consideration.

WHEREAS, on January 6, 2021 the OMS/DDA Board of Directors approved the recommendation.

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

FIRST: The City of Owosso approves the \$50,000.00 loan to Brianna Leigh, LLC. for business expansion activities for 210 S. Water Street according to the terms & specifications determined by the OMS/DDA Loan & Grant Manual.

SECOND: The accounts payable department is authorized to release said loan funds to Heritage Brianna Leigh, LLC in the amount of \$50,000.00.

Change Order – 2020 Street Program Engineering Services Contract. Approve Change Order No. 2 to the 2020 Street Program Engineering Services Contract with OHM Advisors, adding \$42,243.43 for additional engineering design and administrative services for water main and street rehabilitation projects related to the 2020 Street Program as follows:

RESOLUTION NO. 15-2021

**AUTHORIZING CHANGE ORDER NO. 2 TO
AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES
WITH ORCHARD, HILTZ & MCCLIMENT, INC. D/B/A OHM ADVISORS FOR THE 2020
STREET REHABILITATION AND WATER MAIN REPLACEMENT PROGRAM**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, entered into an agreement with Orchard, Hiltz & McCliment, Inc. d/b/a (OHM) Advisors by the adoption of city council Resolution No. 101-2019 on July 1, 2019; and

WHEREAS, the Director of Public Services & Utilities desires to expand the professional services agreement to include additional services for providing construction administration services for streets rehabilitation during the 2020 program year; and

WHEREAS, the Director of Public Services has reviewed the change order as submitted by OHM Advisors, and agrees with the remaining invoices as submitted for the final balancing change order No. 2.

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 approve the final balancing change order No. 2 to the professional services agreement with Orchard, Hiltz & McCliment, Inc. d/b/a OHM Advisors to include additional services in the amount of \$43,243.43 for engineering design and construction administration for the 2020 Street Program.

SECOND: The mayor and city clerk are requested and authorized to sign change order No. 2 to the professional services agreement between the City of Owosso, Michigan and Orchard, Hiltz & McCliment, Inc. d/b/a OHM Advisors in the amount of \$43,243.43.

THIRD: The accounts payable department is authorized to submit payment to OHM Advisors, in the amount of \$42,243.43 plus \$221,698.00 for a total of \$263,941.43.

FOURTH: The above change order No. 2 shall be paid from the Unlimited Obligation 2016 Bond Proceeds Account No. 202/203-451-818.000.

Change Order – Sanitary Sewer Rehabilitation Contract. Approve balancing Change Order No. 1 to the Sanitary Sewer Rehabilitation Contract with OHM Advisors dated June 18, 2018 adding \$11,876.99 for additional field services outside the initial scope of construction administration work as follows:

RESOLUTION NO. 16-2021

**AUTHORIZING APPROVAL OF CHANGE ORDER NO. 1 TO
AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES
WITH ORCHARD, HILTZ & MCCLIMENT, INC. D/B/A OHM ADVISORS FOR 2019 THRU 2020
SANITARY SEWER REHABILITATION SERVICES**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, entered into an agreement with Orchard, Hiltz & McClement, Inc. d/b/a OHM Advisors by the adoption of Resolution 95-2018 on June 18, 2018; and

WHEREAS, the Director of Public Services & Utilities added additional services for sanitary sewer rehabilitation construction administration, for issues occurring in the field not planned for in original scope of services.

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

FIRST: The city of Owosso has heretofore determined that it is advisable, necessary and in the public interest to expand the contract approved by Resolution 95-2018 on June 18, 2018 with Orchard, Hiltz & McClement, Inc. d/b/a OHM Advisors to include additional services for sanitary sewer rehabilitation construction administration for the correcting structural defects in the sewer collection system.

SECOND: The accounts payable department is authorized to submit payment to OHM Advisors for professional services in an amount not to exceed \$80,000.00 plus balancing Change Order No. 1 in the amount of \$11,876.99, for a total of \$91,876.99.

THIRD: The above expenses shall be paid for from the wastewater capital fund account 590-901-973.000.

Bid Award – Low Pressure Blowers. Authorize bid award to Dubois-Cooper Associates, Inc. for the purchase of two low pressure blowers and controllers for the WWTP in the amount of \$61,600.00 and further authorize payment to the vendor upon satisfactory delivery of said equipment as follows:

RESOLUTION NO. 17-2021

**AUTHORIZATION OF AGREEMENT WITH
DUBOIS – COOPER OF PLYMOUTH, MICHIGAN FOR PURCHASE OF TWO LOW
PRESSURE BLOWERS WITH CONTROLLERS FOR USE AT THE WASTEWATER
TREATMENT PLANT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, annually budgets for the maintenance, repair, and replacement of process equipment for its Wastewater Treatment Plant, for regulatory compliance and as a regional provider of wastewater treatment services, and

WHEREAS, the existing scum well blowers are very old, inefficient, and oversized for their current application, and it has been determined that new more efficiently sized blowers with controllers are required to replace the existing units, and

WHEREAS, the City Public Services Director has reviewed the Bid proposals and verified the replacement components needed to replace the existing scum well blowers, and recommends authorizing DuBois – Cooper of Plymouth, Michigan to provide the appropriately sized blowers and controllers in an amount not to exceed \$61,600.00.

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

FIRST: The city of Owosso has heretofore determined that it is advisable, necessary and in the public interest to enter in to a purchase agreement with DuBois – Cooper for the purchase of two low pressure blowers and two controllers for use at the Wastewater Treatment Plant.

SECOND: The accounts payable department is authorized to submit payment to DuBois – Cooper upon delivery of two low pressure and two controllers as specified in bid specifications in the total amount of \$61,600.00.

THIRD: The above expenses shall be paid from account no. 599-901-977.000.

Bid Award – Hopkins Lake Dock. Authorize bid award to Feighner Boat Lifts & Docks for replacement of the current dock at Hopkins Lake in the amount of \$28,130.18 and further authorize payment to the contractor upon satisfactory completion of the project as follows:

RESOLUTION NO. 18-2021

**RESOLUTION AUTHORIZING THE PURCHASE OF A NEW DOCK FOR
HOPKINS LAKE AT GERALD E. COLLAMER PARK**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Parks and Recreation Commission, requested city staff to solicit bids for a new floating dock for installation at Hopkins Lake; and

WHEREAS, the Assistant to the City Manager recommends authorizing the purchase of a dock from the lowest bidder, Feighner Boat Lifts and Docks.

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 authorize the purchase of a new dock for Hopkins Lake from Feighner Boat Lifts and Docks.

SECOND: The accounts payable department is authorized to submit payment to Feighner Boat Lifts and Docks in an amount not to exceed \$28,130.18.

THIRD: The above expenses shall be paid for from the FY 2020-2021 Parks Millage Fund Account 208-756-974.000.

Designation of Street Administrator. Authorize resolution designating City Engineer Clayton Wehner as Street Administrator to represent the City in transactions with the State Transportation Department pursuant to Act 51 as follows:

RESOLUTION NO. 19-2021

FOR DESIGNATION OF STREET ADMINISTRATOR FOR THE CITY OF OWOSSO PURSUANT TO SECTION 13(9) OF ACT 51, PUBLIC ACTS OF 1951

WHEREAS, Section 13(7)Act 51 provides that each incorporated city or village to which funds are returned under the provisions of this section, that, "the responsibility for street improvements, maintenance, and traffic operations work, and the development, construction, or repair of off-street parking facilities and construction or repair of street lighting shall be coordinated by a single administrator to be designated by the governing body who shall be responsible for and shall represent the municipality in transactions, with the State Transportation Department pursuant to this act."

NOW, THEREFORE, BE IT RESOLVED, that this Honorable Body designates Clayton R. Wehner as the single street administrator for the city of Owosso in all transactions with the State Transportation Department as provided in Section 13 of the Act.

Warrant No. 596. Authorize Warrant No. 596 as follows:

Vendor	Description	Fund	Amount
Caledonia Charter Township	Caledonia Utility Fund payment-10/1/20-12/31/20	Water	\$31,870.57
Owosso Charter Township	Owosso Charter Township 2011 Water Agreement payment-10/1/20-12/31/20	Water	\$14,976.72
Logicalis	Additional network engineering services in 2020 due to Covid-19.	General	\$3,002.00

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

OHC/CCM Executive Director Contract

City Manager Henne indicated the City Attorney had reviewed the contract and made the necessary corrections.

Councilmember Fear expressed the same concerns with the contract that she shared at the previous meeting, including who will be responsible for paying for the wage increase if the OHC is unable to fund raise this year.

Councilmember Pidek said he would feel more comfortable if there was explicit language in the contract spelling out who is responsible for paying for the wage increase.

Motion by Mayor Pro-Tem Osika to approve the contract between the City of Owosso and the Historical Commission/Castle City Museums Board governing the duties and responsibilities of the executive director with additional language spelling out who is responsible for paying for the wage increase:

RESOLUTION NO. 20-2021

**RESOLUTION APPROVING INDEPENDENT CONTRACTOR AGREEMENT
BETWEEN OWOSSO HISTORICAL COMMISSION, ALBERT MARTENIS, AND
THE CITY OF OWOSSO**

WHEREAS, the Independent Contractor Agreement between the OHC and Albert Martenis expires in December, 2020; and

WHEREAS, the OHC has approved another Independent Contractor Agreement with Mr. Martenis for 18 months at a rate of \$32,000 per year; and

WHEREAS, on July 1 , 2020 the City of Owosso has budgeted a contribution to the OHC for salaries and wages in the amount of \$40,000; and

WHEREAS, the City of Owosso has partnered with the OHC to manage certain historical city-owned properties; and

WHEREAS, the OHC is expected to balance and supplement their budget through fundraising activities; and

WHEREAS, the OHC is responsible for raising funds to annually cover the \$5,000 increase in the executive director's wages.

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

FIRST: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Independent Contractor Agreement between the Owosso Historical Commission and Albert Martenis up to the amount of \$32,000 annually for a period of 18 months.

Motion supported by Councilmember Haber.

Roll Call Vote.

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

NAYS: Councilmember Fear.

OPRA Rescission Review – Wesener Building

City Manager Henne indicated the original abatement had been granted in 2013 for a period of 12 years. Upon reviewing their annual report it was noted that they had promised to create 12 jobs and there are no jobs created at this time. According to the policy the situation must be considered by City Council. He went on to outline three options for the Council:

1. Rescind the remainder of the abatement
2. Reduce the abatement by the corresponding number of years
3. Do nothing and accept the lack of job creation

There was discussion regarding the definition of a job, and whether the construction workers involved in the rehabilitation of the building qualified as job creation. It was concluded that construction jobs did not count toward the job creation requirement, the jobs must be full-time employees, or their equivalent.

There was further discussion regarding how long the building had been open (2016), standing firm on the policy, reducing the number of years of the exemption, and the possibility of providing a grace period due to the effects of COVID. A majority of the board felt that the situation called for leniency.

Motion by Councilmember Pidek to conduct a review of the OPRA tax exemption for the Wesener Building at 106 N. Washington Street in one year's time with the possibility of reducing the term of the abatement if the job requirements are not met at that time.

Motion supported by Councilmember Haber.

Roll Call Vote.

AYES: Councilmembers Law, Pidek, Teich, Haber, and Mayor Eveleth.

NAYS: Mayor Pro-Tem Osika and Councilmember Fear.

City Budget Amendment

Motion by Councilmember Pidek to adopt Amendment No. 2 to the 2020-2021 Budget as follows:

**CITY OF OWOSSO BUDGET AMENDMENTS
Period Ending 12/31/20**

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	CURRENT BUDGET	REQUESTED INCREASE (DECREASE)	AMENDED BUDGET	
<u>General Fund</u>					
<u>1</u>	101-000-528.000	Other Federal Grants	145,198	319,173	464,371
	101-000-695.699	Use of Fund Balance	222,942	(319,173)	(96,231)
		Update Coronavirus Grants			
<u>2</u>	101-000-695.699	Use of Fund Balance	(96,231)	(209,607)	(305,838)
	101-000-539.575	Revenue Sharing	456,107	289,607	1,745,714
	101-000-664.664	Interest Income Revenue	85,000	(80,000)	5,000
	-	Update Revenue Sharing and Interest Revenue			
	-				
<u>3</u>	101-756-728.000	Park Supplies	2,000	2,083	4,083
	101-000-671.675	Donations	-	2,083	2,083
		Record Bench Donation and Purchase of Bench			
<u>4</u>	101-441-831.100	Storm Sewer Maintenance	37,500	36,100	73,600
	101-000-695.699	Use of Fund Balance	(305,838)	36,100	(269,738)
		To Pay off Owosso Drain Assessment-Storm Drains			
<u>5</u>	101-209-818.000	Assessing Contractual	8,000	5,000	13,000
	101-000-695.699	Use of Fund Balance	(269,738)	5,000	(264,738)
		To Record Appraisal Services			
		<u>Other Funds</u>			
<u>6</u>	208-756-974.000	Parks System Improvements	30,000	30,000	60,000
	208-000-695.699	Use of Fund Balance	-	30,000	30,000
		Record Activity in Parks Millage Fund			
<u>7</u>	277-901-965.000	Capital Outlay	-	17,093	17,093
	277-000-539.529	Grant Revenue	-	17,093	17,093
		Record Brownfield Activity			

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

MERS Agreement Addendum – Defined Benefit

City Manager Henne noted that every community in the state that contracts with MERS to handle their retirement has been asked to complete similar paperwork to specify pension eligibility and further define compensation.

Motion by Councilmember Pidek to approve an Addendum to the Adoption Agreement with MERS for administration of the City's defined benefit retirement system to clarify certain terms as they apply to all City divisions as follows:

RESOLUTION NO. 21-2021

ADOPTING THE MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM (MERS) DEFINED BENEFIT PLAN ADOPTION AGREEMENT ADDENDUM

WHEREAS, the city of Owosso, a Michigan municipal corporation, provides retirement plans through MERS; and

WHEREAS, MERS has requested completion of the Defined Benefit Plan Adoption Agreement Addendum for their records.

NOW THEREFORE, the city council of the city of Owosso, Michigan (the employer) resolves:

- FIRST: that the form Defined Benefit Plan Adoption Agreement Addendum effective January 1, 2021 presented and attached is approved and adopted and that the duly authorized agents of the city are hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.
- SECOND: that the Administrator is instructed to take such actions that they deem necessary and proper to implement the Plan.
- THIRD: the undersigned certifies that attached as Exhibit A, are true copies of the *City of Owosso Defined Benefit Plan Adoption Agreement Addendum* approved and adopted in this resolution.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

MERS Agreement Addendum – Hybrid

Motion by Mayor Pro-Tem Osika to approve an Addendum to the Adoption Agreement with MERS for administration of the City's hybrid retirement system to clarify certain terms as they apply to all City divisions as follows:

RESOLUTION NO. 22-2021

ADOPTING THE MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM (MERS) HYBRID PLAN ADOPTION AGREEMENT ADDENDUM

WHEREAS, the city of Owosso, a Michigan municipal corporation, provides retirement plans through MERS; and

WHEREAS, MERS has requested completion of the Hybrid Plan Adoption Agreement Addendum for their records.

NOW THEREFORE, the city council of the city of Owosso, Michigan (the employer) resolves:

- FIRST: that the form Hybrid Plan Adoption Agreement Addendum effective January 1, 2021 presented and attached is approved and adopted and that the duly authorized agents of the city are hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.
- SECOND: that the Administrator is instructed to take such actions that they deem necessary and proper to implement the Plan.
- THIRD: the undersigned certifies that attached as Exhibit A, are true copies of the *City of Owosso Hybrid Plan Adoption Agreement Addendum* approved and adopted in this resolution.

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

Proposed Property Sale – Twenty-One Day Posting

Motion by Councilmember Teich to authorize the twenty-one (21) day posting period for the sale of 1.5 acres off McMillan Road to Leaf Releaf Labs, LLC in the amount of \$10,000.00 as follows:

RESOLUTION NO. 23-2021

RESOLUTION AUTHORIZING 21- DAY POSTING OF PURCHASE AGREEMENT FOR THE SALE OF CITY-OWNED PROPERTY ON MCMILLIAN ROAD

WHEREAS, the City of Owosso, Shiawassee County, Michigan, owns parcel 050-553-000-009-00, constituting 36 acres of industrial-zoned property; and

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has received an offer to purchase 1.5 acres of said parcel west of 1500 McMillian Rd for ten thousand dollars (\$10,000); and

WHEREAS, the City of Owosso has no immediate or long-term plans to develop said parcel under city ownership; and

WHEREAS, this portion has not been actively marketed, thereby triggering the 21-day public inspection period set forth in Section 14.3(2) of the Owosso City Charter.

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 sell the aforementioned parcel to Leaf Releaf Labs, LLC in the amount of \$10,000.

SECOND: The city clerk is instructed to publicly publish this offer per Section 14.3(B)(2) of the city charter for twenty one (21) days.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

Closed Session

Motion by Councilmember Pidek to authorize holding closed session after Communications for the purpose of consulting with an attorney regarding trial or settlement strategy in connection with specific pending litigation.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

COMMUNICATIONS

Josh D. Adams, DDA/OMS Executive Director. 2020 Main Street Impact Report.
Cheryl A. Grice, Finance Director. December 2020 Revenue & Expenditure Report.
N. Bradley Hissong, Building Official. December 2020 Building Department Report.
N. Bradley Hissong Building Official. December 2020 Code Violations Report.
N. Bradley Hissong Building Official. December 2020 Inspections Report.
N. Bradley Hissong Building Official. December 2020 Certificates Issued.
Kevin D. Lenkart, Public Safety Director. December 2020 Police Report.

Kevin D. Lenkart, Public Safety Director. December 2020 Fire/EMS Report.
Parks & Recreation. Minutes of December 9, 2020.
Owosso Historical Commission. Minutes of December 14, 2020.
Owosso Historic District Commission. Minutes of December 16, 2020.
Owosso Historic District Commission. Minutes of December 28, 2020.
Downtown Development Authority/Main Street. Minutes of January 6, 2021.

RECESSED TO EXECUTIVE SESSION AT 8:40 P.M.

RETURNED FROM EXECUTIVE SESSION AT 9:11 P.M.

APPROVAL OF THE MINUTES OF CLOSED SESSION OF NOVEMBER 16, 2020

Motion by Councilmember Fear to approve the Minutes of the Regular Meeting of November 16, 2020 as presented.

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

NEXT MEETING

Monday, February 01, 2021

BOARDS AND COMMISSIONS OPENINGS

Board of Review – term expires December 31, 2025
Brownfield Redevelopment Authority – County Representative – term expires June 30, 2024
Brownfield Redevelopment Authority – terms expire June 30, 2022
Brownfield Redevelopment Authority – term expires June 30, 2026
Building Board of Appeals – Alternate - term expires June 30, 2022
Building Board of Appeals – Alternate - term expires June 30, 2021
Building Board of Appeals – term expires June 30, 2022
Downtown Development Authority – 2 terms expire June 30, 2021
Downtown Historic District Commission—term expires June 30, 2022
Owosso Historical Commission – 2 terms expire December 31, 2021
Owosso Historical Commission – term expires December 31, 2022
Owosso Historical Commission – 2 terms expire December 31, 2023
Shiawassee District Library - term expires June 30, 2024
Zoning Board of Appeals – Alternate – term expires June 30, 2021
Zoning Board of Appeals – term expires June 30, 2023

ADJOURNMENT

Motion by Mayor Pro-Tem Osika for adjournment at 9:12 p.m.

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

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk