

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

A moment of silence was held in memory of former Probate Court Judge James Clatterbaugh on the occasion of his passing.

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

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

**PLEDGE OF ALLEGIANCE:** CITY MANAGER NATHAN R. HENNE

**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 REGULAR MEETING OF MAY 17, 2021**

Motion by Councilmember Pidek to approve the Minutes of the Regular Meeting of May 17, 2021 as presented.

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

**APPROVAL OF THE MINUTES OF SPECIAL MEETING OF MAY 24, 2021**

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Special Meeting of May 24, 2021 as presented.

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

**PROCLAMATIONS / SPECIAL PRESENTATIONS**

None.

**PUBLIC HEARINGS**

**Proposed Special Assessment Project – Glenwood Avenue**

City Manager Nathan R. Henne gave a PowerPoint presentation detailing the proposed project and its costs.

A public hearing was conducted to receive citizen comment regarding Resolution No. 3 for proposed Special Assessment District No. 2021-02 for Glenwood Avenue from Farr Street to the south end for street resurfacing.

The following people commented in regard to the proposed special assessment project:

Tom Manke, 2910 W. M-21, asked if there were any lead pipes or valves in the project area. It was noted that if there are lead or galvanized service lines on the stretches in question they will be added to the City's list of lines for replacement.

Hearing no further comments, Mayor Eveleth closed the public hearing.

Councilmember Pidek inquired about the estimated life of a crush and pave project. City Manager Henne indicated that it would depend on the level of maintenance, but it should last about 20 years.

Councilmember Fear asked if the City was planning on adding curb and gutter to streets that do not have it. It was noted that installing curb and gutter on all City streets would be cost prohibitive.

Motion by Mayor Pro-Tem Osika to approve the following resolution:

**RESOLUTION NO. 86-2021**

**AUTHORIZING SPECIAL ASSESSMENT RESOLUTION NO. 3  
ESTABLISHING SPECIAL ASSESSMENT DISTRICT NO. 2021-02  
GLENWOOD AVENUE, FROM SOUTH END TO FARR AVENUE  
FOR STREET RESURFACING**

WHEREAS, the City Council, after due and legal notice, has met and having heard all persons to be affected by the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited:

GLENWOOD AVENUE, A PUBLIC STREET, FROM SOUTH END TO FARR AVENUE  
STREET RESURFACING

2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be \$131,845.68 and approves said estimated cost and determines that the estimated life of said public improvement is fifteen (15) years.
3. The City Council determines that of said total estimated cost, the sum of \$30,762.49 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described, and that the sum of \$101,083.19 of said total estimated cost shall be the obligation of the City at large because of benefit to the City at large.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied:  
  
**Glenwood Avenue, a Public Street, from south end to Farr Avenue  
For Street Resurfacing**
5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.
6. When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

**Proposed Special Assessment Project – Park Street**

City Manager Henne gave a PowerPoint presentation detailing the proposed project and its costs.

A public hearing was conducted to receive citizen comment regarding Resolution No. 3 for proposed Special Assessment District No. 2021-06 for Park Street from Harper Street to Ridge Street for street resurfacing.

The following people commented regarding the proposed special assessment project:

Jeff Moiles, 905 S. Park Street, via email, inquired about the cost of the project and how much may be assessed to his property.

Molly Ward, 920 S. Park Street, via email, indicated she supported making improvements in the area but would not support the project until the condemned home at 917 S. Park Street is properly dealt with.

Brandon Ward, 920 S. Park Street, via telephone, asked why the street was not getting curb and gutter, he also asked about the status of the sanitary sewer and water main in the area.

Mayor Eveleth inquired about the status of the home at 917 S. Park Street. City Manager Henne indicated he would look into the situation.

Annette Bleisner, 914 S. Saginaw Street, asked about the status of another burned out house north of her property on Saginaw Street. She also asked if she would be eligible for a discount based on the fact that she is on disability. Mayor Eveleth noted that she could break up the payments over the course of a number of years or apply for a hardship exemption.

Tom Manke, 2910 W. M-21, said he felt the City's water is worse than Flint's water because of lead pipes. He asked why work is being done on the street but lead lines are not being replaced. He remarked that no one will move here if the water is bad. Councilmember Law rebuked Mr. Manke saying he was referring to an outdated article for his information. He went on to say that the City is being hurt by spreading such falsehoods.

Hearing no further comments, the public hearing was closed.

Motion by Mayor Pro-Tem Osika to approve the following resolution:

**RESOLUTION NO. 87-2021**

**AUTHORIZING SPECIAL ASSESSMENT RESOLUTION NO. 3  
ESTABLISHING SPECIAL ASSESSMENT DISTRICT NO. 2021-06  
PARK STREET, FROM HARPER STREET TO RIDGE STREET  
FOR STREET RESURFACING**

WHEREAS, the City Council, after due and legal notice, has met and having heard all persons to be affected by the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited:

**PARK STREET, A PUBLIC STREET, FROM HARPER STREET TO RIDGE STREET  
STREET RESURFACING**

2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be \$121,775.25 and approves said estimated cost and determines that the estimated life of said public improvement is fifteen (15) years.
3. The City Council determines that of said total estimated cost, the sum of \$30,077.34 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described, and that the sum of \$91,697.94 of said total estimated cost shall be the obligation of the City at large because of benefit to the City at large.

4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied:

**Park Street, a Public Street, from Harper Street to Ridge Street  
For Street Resurfacing**

5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.
6. When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

**Proposed Special Assessment Project – Pearce Street**

City Manager Henne gave a PowerPoint presentation detailing the proposed project and its costs.

A public hearing was conducted to receive citizen comment regarding Resolution No. 3 for proposed Special Assessment District No. 2021-07 for Pearce Street from South Street to Francis Street for street resurfacing.

The following people commented regarding the proposed special assessment project:

Mike Martin, 1426 Pearce Street, via telephone, inquired about the costs for which his property would be assessed.

Tom Manke, 2910 W. M-21, indicated he was getting his information from an October 2020 article from the Flint Journal and the City admitted we have a problem with lead piping.

Jason Case, 1429 Pearce Street, asked if it was true the street is to be widened. He said he has a flowerbed near the road that might be an issue. He also asked if there was a discount available to people that own multiple lots. City Manager Henne indicated he would look into the issue with the flowerbed.

Hearing no further comments, the public hearing was closed.

Motion by Mayor Pro-Tem Osika to approve the following resolution:

**RESOLUTION NO. 88-2021**

**AUTHORIZING SPECIAL ASSESSMENT RESOLUTION NO. 3  
ESTABLISHING SPECIAL ASSESSMENT DISTRICT NO. 2021-07  
PEARCE STREET, FROM SOUTH STREET TO FRANCIS STREET  
FOR STREET RESURFACING**

WHEREAS, the City Council, after due and legal notice, has met and having heard all persons to be affected by the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited:

**PEARCE STREET, A PUBLIC STREET, FROM SOUTH STREET TO FRANCIS STREET  
STREET RESURFACING**

2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be \$132,221.16 and approves said estimated cost and determines that the estimated life of said public improvement is fifteen (15) years.
3. The City Council determines that of said total estimated cost, the sum of \$30,526.08 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described, and that the sum of \$101,695.08 of said total estimated cost shall be the obligation of the City at large because of benefit to the City at large.

4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied:

**Pearce Street, a Public Street, from South Street to Francis Street  
For Street Resurfacing**

5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.
6. When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

### **CITIZEN COMMENTS AND QUESTIONS**

Eddie Urban, 601 Glenwood Avenue, spoke about Memorial Day events and participating in the Curwood Festival. He also encouraged people to be careful where there is possible PFAS contamination.

Tom Manke, 2910 W. M-21, thanked the Public Safety Department for the job they did during the Curwood Festival. He said it was nice to see everyone come out to local events, with many events having their highest attendance ever. Lastly he said that people are largely against the idea of narrowing M21 in Westown and asked that the idea be removed from the Master Plan.

Mayor Eveleth remarked on the wonderful Curwood Festival over the weekend, saying it was good to see it back. He asked if there were any updates on the cleanup and investigations at the former Jumbo's site. Staff noted that the property owner is currently seeking bids for cleanup and all investigations have been closed with the final cause of the fire noted as unknown.

Mayor Pro-Tem Osika thanked Public Safety Director Lenkart for introducing the golf cart ordinance.

Councilmember Fear said she had received a phone call regarding fireworks activity and wondered if the City was going to put out word as to what is allowed. Public Safety Director Lenkart indicated something would be done in the coming weeks.

City Manager Henne noted for all present that the suggestion to narrow west M-21 had been removed from the Master Plan.

### **CONSENT AGENDA**

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

**Proposed Special Assessment Project – Garfield Avenue.** Authorize Resolution No. 2 setting a public hearing for Monday, June 21, 2021 for proposed Special Assessment District No. 2021-03 for Garfield Avenue from Corunna Avenue to the south end for street resurfacing as follows:

#### **RESOLUTION NO. 89-2021**

#### **GARFIELD AVENUE FROM SOUTH END TO CORUNNA AVENUE SPECIAL ASSESSMENT RESOLUTION NO. 2**

WHEREAS, the City Council has ordered the City Manager to prepare a report for public improvement, more particularly hereinafter described; and

GARFIELD AVENUE, A PUBLIC STREET, FROM SOUTH END TO CORUNNA AVENUE;  
STREET RESURFACING

WHEREAS, the City Manager prepared said report and the same has been filed with the City Council as required by the Special Assessment Ordinance of the City of Owosso and the Council has reviewed said report.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The plans and estimate of cost and the report of the City Manager for said public improvement shall be filed in the office of the City Clerk and shall be available for public examination.
2. The City Council hereby determines that the Public Improvement hereinafter set forth may be necessary.
3. The City Council hereby approves the estimate of cost of said public improvement to be \$68,743.80 and determines that \$18,165.98 thereof shall be paid by special assessment imposed on the lots and parcels of land more particularly hereinafter set forth, which lots and parcels of land are hereby designated to be all of the lots and parcels of land to be benefited by said improvements and determines that \$50,577.82 of the cost thereof shall be paid by the City at large because of benefit to the City at large.

4. The City Council hereby determines that the portion of the cost of said public improvement to be specially assessed shall be assessed in accordance with the benefits to be received.
5. The City Council shall meet at the Owosso City Hall Council Chambers on Monday, June 21, 2021 for the purpose of hearing all persons to be affected by the proposed public improvement.
6. The City Clerk is hereby directed to cause notice of the time and place of the hearing to be published once in The Argus Press, the official newspaper of the City of Owosso, not less than seven (7) days prior to the date of said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of property subject to assessment, as indicated by the records in the City Assessor's Office as shown on the general tax roll of the City, at least (10) full days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.
7. The notice of said hearing to be published and mailed shall be in substantially the following form:

**NOTICE OF SPECIAL ASSESSMENT HEARING  
CITY OF OWOSSO, MICHIGAN**

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

**Garfield Avenue, a Public Street, from south end to Corunna Avenue**

TAKE NOTICE that the City Council intends to acquire and construct the following described public improvement: **Street Resurfacing.**

The City Council intends to defray apart or all of the cost of the above-described public improvement by special assessment against the above described property.

TAKE FURTHER NOTICE that City Council has caused plans and an estimate of the cost and report for the above described public improvement to be prepared and made by the City Manager and the same is on file with the City Clerk and available for public examination.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall Council Chambers, Owosso, Michigan at 7:30 o'clock p.m. on Monday, June 21, 2021 for the purpose of hearing any person to be affected by the proposed public improvement.

**Proposed Special Assessment Project – Lincoln Avenue.** Authorize Resolution No. 2 setting a public hearing for Monday, June 21, 2021 for proposed Special Assessment District No. 2021-04 for Lincoln Avenue from Farr Street to Monroe Street for street resurfacing as follows:

**RESOLUTION NO. 90-2021**

**LINCOLN AVENUE  
FROM FARR AVENUE TO MONROE STREET  
SPECIAL ASSESSMENT RESOLUTION NO. 2**

WHEREAS, the City Council has ordered the City Manager to prepare a report for public improvement, more particularly hereinafter described; and

LINCOLN AVENUE, A PUBLIC STREET, FROM FARR AVENUE TO MONROE STREET;  
STREET;  
STREET RESURFACING

WHEREAS, the City Manager prepared said report and the same has been filed with the City Council as required by the Special Assessment Ordinance of the City of Owosso and the Council has reviewed said report.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The plans and estimate of cost and the report of the City Manager for said public improvement shall be filed in the office of the City Clerk and shall be available for public examination.
2. The City Council hereby determines that the Public Improvement hereinafter set forth may be necessary.
3. The City Council hereby approves the estimate of cost of said public improvement to be \$155,101.20 and determines that \$40,994.48 thereof shall be paid by special assessment imposed on the lots and parcels of land more particularly hereinafter set forth, which lots and parcels of land are hereby designated to be all of the lots and parcels of land to be

benefited by said improvements and determines that \$114,106.72 of the cost thereof shall be paid by the City at large because of benefit to the City at large.

4. The City Council hereby determines that the portion of the cost of said public improvement to be specially assessed shall be assessed in accordance with the benefits to be received.
5. The City Council shall meet at the Owosso City Hall Council Chambers on Monday, June 21, 2021 for the purpose of hearing all persons to be affected by the proposed public improvement.
6. The City Clerk is hereby directed to cause notice of the time and place of the hearing to be published once in The Argus Press, the official newspaper of the City of Owosso, not less than seven (7) days prior to the date of said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of property subject to assessment, as indicated by the records in the City Assessor's Office as shown on the general tax roll of the City, at least (10) full days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.
7. The notice of said hearing to be published and mailed shall be in substantially the following form:

NOTICE OF SPECIAL ASSESSMENT HEARING  
CITY OF OWOSSO, MICHIGAN

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

**Lincoln Avenue, a Public Street, from Farr Avenue to Monroe Street**

TAKE NOTICE that the City Council intends to acquire and construct the following described public improvement: **Street Resurfacing.**

The City Council intends to defray apart or all of the cost of the above-described public improvement by special assessment against the above described property.

TAKE FURTHER NOTICE that City Council has caused plans and an estimate of the cost and report for the above described public improvement to be prepared and made by the City Manager and the same is on file with the City Clerk and available for public examination.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall Council Chambers, Owosso, Michigan at 7:30 o'clock p.m. on Monday, June 21, 2021 for the purpose of hearing any person to be affected by the proposed public improvement.

**Proposed Special Assessment Project – McMillan Avenue.** Authorize Resolution No. 2 setting a public hearing for Monday, June 21, 2021 for proposed Special Assessment District No. 2021-05 for McMillan Avenue from Industrial Drive to the south end for street resurfacing as follows:

**RESOLUTION NO. 91-2021**

**MCMILLAN AVENUE  
FROM SOUTH END TO INDUSTRIAL DRIVE  
SPECIAL ASSESSMENT RESOLUTION NO. 2**

WHEREAS, the City Council has ordered the City Manager to prepare a report for public improvement, more particularly hereinafter described; and

MCMILLAN AVENUE, A PUBLIC STREET, FROM SOUTH END TO INDUSTRIAL  
DRIVE;  
STREET RESURFACING

WHEREAS, the City Manager prepared said report and the same has been filed with the City Council as required by the Special Assessment Ordinance of the City of Owosso and the Council has reviewed said report.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The plans and estimate of cost and the report of the City Manager for said public improvement shall be filed in the office of the City Clerk and shall be available for public examination.
2. The City Council hereby determines that the Public Improvement hereinafter set forth may be necessary.

3. The City Council hereby approves the estimate of cost of said public improvement to be \$147,709.56 and determines that \$28,951.04 thereof shall be paid by special assessment imposed on the lots and parcels of land more particularly hereinafter set forth, which lots and parcels of land are hereby designated to be all of the lots and parcels of land to be benefited by said improvements and determines that \$118,758.52 of the cost thereof shall be paid by the City at large because of benefit to the City at large.
4. The City Council hereby determines that the portion of the cost of said public improvement to be specially assessed shall be assessed in accordance with the benefits to be received.
5. The City Council shall meet at the Owosso City Hall Council Chambers on Monday, June 21, 2021 for the purpose of hearing all persons to be affected by the proposed public improvement.
6. The City Clerk is hereby directed to cause notice of the time and place of the hearing to be published once in The Argus Press, the official newspaper of the City of Owosso, not less than seven (7) days prior to the date of said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of property subject to assessment, as indicated by the records in the City Assessor's Office as shown on the general tax roll of the City, at least (10) full days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.
7. The notice of said hearing to be published and mailed shall be in substantially the following form:

NOTICE OF SPECIAL ASSESSMENT HEARING  
CITY OF OWOSSO, MICHIGAN

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

**McMillan Avenue, a Public Street, from south end to Industrial Drive**

TAKE NOTICE that the City Council intends to acquire and construct the following described public improvement: **Street Resurfacing.**

The City Council intends to defray apart or all of the cost of the above-described public improvement by special assessment against the above described property.

TAKE FURTHER NOTICE that City Council has caused plans and an estimate of the cost and report for the above described public improvement to be prepared and made by the City Manager and the same is on file with the City Clerk and available for public examination.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall Council Chambers, Owosso, Michigan at 7:30 o'clock p.m. on Monday, June 21, 2021 for the purpose of hearing any person to be affected by the proposed public improvement.

**First Reading and Set Public Hearing – Ordinance Amendment.** Conduct first reading and set a public hearing for Monday, June 21, 2021 at 7:30 p.m. to receive citizen comment regarding the proposed addition of Article IX, *Golf Carts*, to Chapter 33, Traffic and Motor Vehicles, governing the use of golf carts on City streets as detailed below:

**RESOLUTION NO. 92-2021**

**AUTHORIZING FIRST READING & SETTING A PUBLIC HEARING FOR  
THE PROPOSED ADDITION OF ARTICLE IX, *GOLF CARTS*, TO CHAPTER 33, TRAFFIC  
AND MOTOR VEHICLES, OF THE CODE OF ORDINANCES  
TO GOVERN THE USE OF GOLF CARTS IN THE CITY**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, does not have an ordinance for operation of golf carts on city streets,

WHEREAS, Public Act 491 of 2014 recently amended Public Act 300 of 1949, commonly known as the Michigan Vehicle Code, being MCL 257.1 through MCL 257.923; and,

WHEREAS, Public Act 491 of 2014 created a new section to the Michigan Vehicle Code which allows for the limited and regulated use of Golf Carts on public streets and highways which is found at MCL 257.657a; and,

WHEREAS, under the amended Michigan Vehicle Code, local units of government may allow for the limited and regulated use of Golf Carts on their streets and highways under the terms and conditions specified in law via the adoption of a Resolution or Ordinance; and,

WHEREAS, the City of Owosso desires to allow for the limited use of Golf Carts on its



streets and highways as permitted and regulated by the ordinance proposed below; and,

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

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

SECTION 1. ADDITION. That Article IX, *Golf Carts*, be added to Chapter 33, Traffic and Motor Vehicles, of the Code of Ordinances of the City of Owosso as follows:

**ARTICLE IX. – GOLF CARTS**

**Sec. 33-170. - Operation of golf carts on city streets.**

A person may operate a golf cart on city streets, subject to the following restrictions:

- (1) A person shall not operate a golf cart unless he or she is at least 16 years old and licensed to operate a motor vehicle.
- (2) The operator of a golf cart shall comply with the signal requirements of MCL 257.648 that apply to the operation of a vehicle.
- (3) A person operating a golf cart upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- (4) A person shall not operate a golf cart on a state trunk line highway (including M-52, M-21 and M-71). This subsection does not prohibit a person from crossing a state trunk line highway when operating a golf cart on a city street, using the most direct line of crossing.
- (5) Where a usable and designated path for golf carts is provided adjacent to a highway or street, a person operating a golf cart shall be required to use that path.
- (6) A person operating a golf cart shall not pass between lines of traffic, but may pass on the left of traffic moving in his or her direction in the case of a two-way street or on the left or right of traffic in the case of a one-way street, in an unoccupied lane.
- (7) A golf cart shall not be operated on a sidewalk constructed for the use of pedestrians or on or across a cemetery or burial ground.
- (8) A golf cart shall be operated at a speed not to exceed 15 miles per hour and shall not be operated on a highway or street with a speed limit of more than 30 miles per hour except to cross that highway or street.
- (9) A golf cart shall not be operated on city streets during the time period from one-half hour before sunset to one-half hour after sunrise.
- (10) A golf cart shall not be operated on the James Miner Trail or the Riverwalk trail.
- (11) A person operating a golf cart or who is a passenger in a golf cart is not required to wear a crash helmet.
- (12) This article does not apply to a police officer in the performance of his or her official duties.
- (13) A golf cart operated on a city street under this article is not required to be registered under the Michigan Vehicle Code for purposes of section 3101 of the Insurance Code of 1956, 1956 PA 218, MCL 500.3101.
- (14) As used in this article, "golf cart" means a vehicle designed for transportation while playing the game of golf. A golf cart is not required to meet the vehicle safety requirements of a low-speed vehicle for approval under this article.
- (15) All golf carts intended for street use shall be registered and the owners or operators of those golf carts shall register such golf carts prior to operating the same on any city street, at no cost, with the Owosso Police Department and receive a registration sticker. The registration sticker must be affixed in plain view on the driver's side of the golf cart below the seating area at all times it is operated on city streets.
- (16) Violation of any of the provisions of this section shall be penalized as a civil infraction.

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, June 21, 2021 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed addition to the Code of Ordinances.

SECTION 3. EFFECTIVE DATE. This amendment shall become effective twenty days after passage.

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.

**Antique Bicycle Swap Meet and Ride Traffic Control Order.** Approve request from Rick Morris of Westtown Merchant's Association for closure of Lot #11, 800 West Main Street, for an Antique Bicycle Swap Meet and Ride on Sunday, August 8, 2021 at 7:00am through 3:00pm and approve Traffic Control Order No. 1453 formalizing the request.

**Midwest Brass & Gas Traffic Control Order.** Approve request from Devin Shaw for closure of Lot #10 to park trucks with trailers on Sunday, July 11, 2021 at 9:00am until Saturday, July 17, 2021 at 6:00pm and approve Traffic Control Order No. 1454 formalizing the request.

**Contract Renewal - General Engineering Services.** Approve the required annual renewal of the General Engineering Services contracts with Eng., Inc., Fleis & Vandenbrink, Inc., Orchard, Hiltz & McCliment, Inc., and Spicer Group, Inc. to provide engineering services through June 30, 2022 as follows:

**RESOLUTION NO. 93-2021**

**AUTHORIZING THE EXECUTION OF AGREEMENTS  
FOR PROFESSIONAL ENGINEERING SERVICES WITH  
SPICER GROUP, INC.  
FLEIS & VANDENBRINK ENGINEERING, INC.  
ENG., INC.  
ORCHARD, HILTZ & MCCLIMENT, INC.**

WHEREAS, the city of Owosso, Michigan, has determined that it is advisable, necessary and in the public interest to secure professional engineering services for various public improvement projects in the city; and

WHEREAS, a quality based selection process was developed to select a qualified engineering firm; and on April 20, 2020, City Council approved extending the agreements with the four most qualified firms for General Engineering Services, and

WHEREAS, the Spicer Group, Inc., Fleis & Vandenbrink Engineering Inc., ENG., Inc., and Orchard, Hiltz & McCliment, Inc. have been determined as most qualified to perform engineering services through this process.

NOW THEREFORE BE IT RESOLVED by the City of Owosso, county of Shiawassee, state of Michigan:

- FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to employ the firms of Spicer Group, Inc., Fleis & Vandenbrink Engineering Inc., ENG., Inc., and Orchard, Hiltz & McCliment, Inc. to provide professional engineering services for future engineering projects; and
- SECOND: The mayor and city clerk of the City of Owosso are hereby instructed and authorized to sign the document attached as; Exhibit C-SG-8, Renewal of Agreement for Professional Engineering Services with Spicer Group, Inc.; and
- THIRD: The mayor and city clerk of the city of Owosso are hereby instructed and authorized to sign the document attached as; Exhibit C-FV-8, Renewal of Agreement for Professional Engineering Services with Fleis & Vandenbrink Engineering Inc.; and
- FOURTH: The mayor and city clerk of the city of Owosso are hereby instructed and authorized to sign the document attached as; Exhibit C-ENG-5, Renewal of Agreement for Professional Engineering Services with ENG., Inc.; and
- FIFTH: The mayor and city clerk of the city of Owosso are hereby instructed and authorized to sign the document attached as; Exhibit C-OHM-4, Renewal of Agreement for Professional Engineering Services with Orchard, Hiltz & McCliment, Inc.; and
- SIXTH: The Owosso city manager is hereby instructed to receive cost proposals from each of these four firms for future projects, and make recommendation to the City Council for acceptance and award in accordance with the City of Owosso Purchasing Policy for a period renewed annually through June 30, 2023.

**Contract Approval – COVID Vaccines.** Approve contract with the Shiawassee County Health Department for the provision of COVID vaccines to local homebound residents as follows:

**RESOLUTION NO. 94-2021**

**RESOLUTION AUTHORIZING A CONTRACT WITH  
THE SHIAWASSEE COUNTY HEALTH DEPARTMENT  
FOR THE PROVISION OF COVID VACCINES TO HOMEBOUND RESIDENTS**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has a Public Safety Department that maintains an fire and EMS department that can administer vaccines; and

WHEREAS, the City of Owosso and The Shiawassee County Health Department have negotiated an agreement in which the City of Owosso will administer the COVID vaccine to area homebound residents; and

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

- FIRST: The Shiawassee County Health Department will provide the COVID vaccine to the City of Owosso Fire/EMS personnel to vaccinate area residents who are homebound.
- SECOND: The Public Safety Director is instructed and authorized to sign the document substantially in the form attached.
- THIRD: The contract shall become effective May 1, 2021.

**Bid Award - Sidewalk Replacement Contract.**\* Approve the low responsive bid from KMI Road Maintenance, LLC for the 2021 Sidewalk Program in the amount of \$80,244.00 with additional contingency funding authorization in the amount of \$20,000.00, and further approve payment to the contractor upon satisfactory completion of the work or a portion thereof as follows:

**RESOLUTION NO. 95-2021**

**AUTHORIZING THE AWARD OF THE 2021 SIDEWALK PROGRAM  
TO KMI ROAD MAINTENANCE, LLC OF BURTON, MICHIGAN**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined sections of the sidewalk on various streets in the City have become misaligned, deteriorated, or damaged thus replacement is advisable, necessary, and in the public's best interest; and

WHEREAS, the city of Owosso sought bids for the replacement of these sections of sidewalk as part of the 2021 Sidewalk Program, and the low responsive and responsible bid was received from KMI Road Maintenance, LLC in the amount of \$80,244.00; and

WHEREAS, KMI Road Maintenance, LLC is hereby determined to be qualified to provide such 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's best interest to employ KMI Road Maintenance, LLC to replace sections of damaged or misaligned sidewalk as part of the 2021 Sidewalk Program.
- SECOND: The mayor and city clerk are instructed and authorized to sign the necessary documents to execute the services contract with KMI Road Maintenance, LLC in the amount of \$80,244.00 plus additional restoration and replacement services required as contingency during the calendar year, in the amount of \$20,000.00, for a total of \$100,244.00.
- THIRD: The accounts payable department is authorized to pay KMI Road Maintenance, LLC for work satisfactorily completed on the project up to the initial contact amount of \$80,244.00 plus contingency in the amount of \$20,000.00 for a total of \$100,244.00.
- FOURTH: The above expenses shall be paid from the Major and Local Street Maintenance Funds accounts 203-463-818.000 and 202-463-818.000.

**Bid Award - Water Service Line Replacement Project.**\* Approve the bid from W.T. Stevens Construction, Inc. for the 2021 Water Service Line Replacement Project in the amount of \$136,738.00, with contingency funding authorization in the amount of \$7,000.00, and further approve payment to the contractor upon satisfactory completion of the work or a portion thereof as follows:

**RESOLUTION NO. 96-2021**

**AUTHORIZING THE EXECUTION OF A CONTRACT WITH  
W.T. STEVENS CONSTRUCTION, INC. FOR  
THE 2021 WATER SERVICE LINE REPLACEMENT PROJECT**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that it is in the best interest of the public to replace noncompliant water service lines; and

WHEREAS, the city has sufficient funds to perform said improvements from its water funds to facilitate undertaking of the project; and

WHEREAS, the city of Owosso sought bids for the 2021 Water Service Line Replacement Project, and a bid was received from W.T. Stevens Construction, Inc. and it is hereby determined that W.T. Stevens Construction, Inc. is qualified to provide such services and that it has submitted the only responsible and responsive bid.

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

- FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to employ W.T. Stevens Construction, Inc. for the 2021 Water Service Line Replacement Project.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document attached as contract for services between the city of Owosso, Michigan and W.T. Stevens Construction, Inc.
- THIRD: The accounts payable department is authorized to pay W.T. Stevens Construction, Inc. for work satisfactorily completed on the project up to the Contract amount of \$136,738.00, plus contingency in the amount of \$7,000.00 for a total of \$143,738.00.
- FOURTH: The above expenses shall be paid from the water account no. 591-552-818.000-LSLREPLACE.

**Check Register – May 2021.**\* Affirm check disbursements totaling \$1,183,391.82 for May 2021.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

**ITEMS OF BUSINESS**

**2021-22 City Budget Adoption\***

City Manager Henne started the conversation saying he would like to have \$30,000 added to expenditures for the purpose of conducting a rate study. The cost would be split between the water, waste water, and sewer enterprise funds.

Mayor Eveleth noted that he was still interested in adding some expenses to the budget for the castle for power washing and repair of the outside lights. He said the castle is the City's brand and should be looking as good as possible.

Councilmember Pidek indicated he had talked with the City Manager about a cybersecurity assessment and would like to see \$10,000 added to expenditures for said assessment.

Mayor Pro-Tem Osika asked for a report on the cybersecurity measures the City is currently taking. It was noted that such a report exists but would not be publically distributed for security reasons.

City Manager Henne noted that the City's network engineer is working on getting an estimate for the assessment now, but warned Council that he expected the cost to be more than \$10,000.

It was asked how the assessment would be paid for. City Manager Henne said the money would come from reserves with the cost spread out across multiple accounts.

City Manager Henne went on to note that estimates are being sought to replace the footlights at the castle. He further noted that the expenses discussed this evening may be able to be absorbed by the small surplus in the OHC budget, negating the need to change the budget before approval

Motion by Councilmember Pidek to adopt the General Appropriations Resolution approving the 2021-2022 City Budget, with \$30,000 added to expenditures for the purpose of conducting a water/sewer rate study (with funding to come from enterprise funds) and \$10,000 added to expenditures for a cybersecurity assessment (with funding to come from reserves) as detailed below:

**RESOLUTION NO. 97-2021**

**GENERAL APPROPRIATIONS ACT (BUDGET)**

A resolution to establish a general appropriations act for the City of Owosso; to define the powers and duties of the city officers in relation to the administration of the budget; and to provide remedies for refusal or neglect to comply with the requirements of this resolution.

WHEREAS, pursuant to Chapter 8, Section 5 of the Owosso City Charter, the City Council has received the proposed budget for the fiscal year beginning July 1, 2021 and held a public hearing on May 17, 2021, and;

WHEREAS, the City Council has held other sessions to discuss the proposed budget;

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT the City Council of the City of Owosso hereby adopts the FY2021-22 budget and sets the tax rates as shown below.

**Section 1: Title**

This resolution shall be known as the Owosso General Appropriations Act.

**Section 2: Chief Administrative Officer**

The City Manager shall be the Chief Administrative Officer and shall perform the duties of the Chief Administrative Officer enumerated in this act.

**Section 3: Fiscal Officer**

The Finance Director shall be the Fiscal Officer and shall perform the duties of the Fiscal Officer enumerated in this act.

**Section 4: Estimated Expenditures**

The following amounts are hereby appropriated for the operations of the City Government and its activities for the fiscal year beginning July 1, 2021 and ending June 30, 2022:

<b><u>General Fund</u></b>	
City Council	\$ 5,300
City Manager	262,583
City Attorney	118,000
Finance	306,305
Assessing	183,407
City Clerk	299,570
Human Resources	215,734
Treasury	167,057
Information Technology	134,965
Building & Grounds	140,540
General Administration	352,776
Police	2,263,812
Fire	2,012,337
Building & Planning	344,476
Public Works	660,310
Leaf & Brush	231,500
Parking	33,000
Community Development	85,599
Parks	203,293
Transfers Out	723,671
Total General Fund	<u>\$ 8,744,235</u>
 <b><u>Major Streets Fund</u></b>	
Public Works	\$ 2,159,372
 <b><u>Local Streets Fund</u></b>	
Public Works	\$ 1,452,844
 <b><u>Parks and Recreation Sites Fund</u></b>	
Culture and Recreation	\$ 50,000

<b><u>CDBG Revolving Loan Fund</u></b> Economic Development	\$ 1,500
<b><u>Historical Sites Fund</u></b> Culture and Recreation	\$ 31,428
<b><u>Historical Commission</u></b> Culture and Recreation	\$ 129,500
<b><u>General Obligation Debt Fund</u></b> Debt Service	\$ 968,145
<b><u>Capital Improvement Fund</u></b> Capital Improvements	\$ 820,453
<b><u>Capital Improvement Streets Fund</u></b> Street Improvements	\$ 1,174,084
<b><u>Transportation Fund</u></b> Transportation	\$ 88,089
<b><u>Sewer Fund</u></b> Public Works	\$ 2,270,405
<b><u>Water Fund</u></b> Public Works	\$ 4,841,757
<b><u>Waste Water Treatment Fund</u></b> Public Works	\$ 5,172,229
<b><u>Fleet Fund</u></b> Public Works	\$ 605,553
<b><u>DDA Construction Fund</u></b> Economic Development	\$ 20,000
<b><u>Brownfield Authority</u></b> Economic Development	\$ 464,538

**Section 5: Estimated Revenues**

The following are estimated to be available for the fiscal year beginning July 1, 2021 and ending June 30, 2022, to meet the foregoing appropriations.

<b><u>General Fund</u></b> Property Taxes	\$ 3,711,670
License and Permits	385,580
State Contributions	1,774,482
Charges for Services	1,225,850
Interest and Rent Income	6,500
Fines and Forfeits	17,800
Transfers In	794,863
Other Financing Sources- Fund Balance	827,490
Total General Fund	\$ 8,744,235
<b><u>Major Streets Fund</u></b> Intergovernmental Revenue	\$ 1,748,073
Special Assessments	249,094
Transfers In	674,084
Interest Income	150
Total Major Streets Fund	\$ 2,671,401
<b><u>Local Streets Fund</u></b> Intergovernmental Revenue	\$ 516,274
Special Assessments	61,000
Transfers In	842,424
Interest Income	50
Other Financing Resources-Fund Balance	33,096
Total Local Streets Fund	\$ 1,452,844
<b><u>Parks and Recreation Sites Fund</u></b> Other Financing Resources-Fund Balance	\$ 50,000
<b><u>OMS/DDA Fund</u></b> Interest	\$ 500

Other Financing Resources-Fund Balance	1,000
Total OMS/DDA Fund	\$ 1,500
<b><u>Historical Sites Fund</u></b>	
Other Financing Resources-Fund Balance	\$ 129,500
<b><u>Historical Commission Fund</u></b>	
Interest/Rental Income	\$ 14,400
Other Revenue	1,500
Transfers In	17,000
Total Historical Comm. Fund	\$ 32,900
<b><u>Debt Service Fund</u></b>	
Property Taxes	\$ 891,685
DDA Contribution	76,460
Total Debt Service	\$ 968,145
<b><u>Capital Improvement Fund</u></b>	
Transfers In	\$ 698,103
Other Financing Resources-Fund Balance	122,350
Total Cap Improvement Fund	\$ 820,453
<b><u>Capital Improvement Streets Fund</u></b>	
Other Financing Resources-Fund Balance	\$ 1,174,084
<b><u>Transportation Fund</u></b>	
Transportation	\$ 40,000
<b><u>Sewer Fund</u></b>	
Charges for Services	\$ 2,052,000
License and Permits	500
Interest and Penalties	29,000
Total Sewer Fund	\$ 2,081,500
<b><u>Water Fund</u></b>	
Charges for Services	\$ 3,941,000
License and Permits	20,000
Interest and Penalties	43,200
Other Revenue	28,000
Total Water Fund	\$ 4,032,200
<b><u>Waste Water Treatment Fund</u></b>	
Charges for Services	\$ 2,442,210
Other Financing Sources-Loan	3,037,900
Interest Income	2,000
Other Revenue	5,000
Total Waste Water Treatment Fund	\$ 5,487,110
<b><u>Fleet Fund</u></b>	
Interest/Rental Income	\$ 705,000
<b><u>DDA Construction Fund</u></b>	
Other Financing Sources-Fund Balance	\$ 20,000
<b><u>Brownfield Authority</u></b>	
Property Taxes	\$ 445,417
Other Income	19,121
Total Water and Sewer Fund	\$ 464,538

**Section 6: Millage Levy**

The City Council shall cause to be levied and collected the general property tax on all real and personal property within the city upon the current tax roll an amount equal to 16.5548 mills per \$1,000 of taxable value consisting of 12.8448 mills for operating, 1.0000 mill to operate a solid waste recycling program, .1500 for Transportation and 2.5600 mills for debt.

**Section 7: Adoption of Budget by Reference**

The general fund budget of the City of Owosso is hereby adopted by reference, with revenues and activity expenditures as indicated in Sections 4 and 5 of this act.

**Section 8: Appropriation not a Mandate to Spend**

Appropriations will be deemed maximum authorizations to incur expenditures. The fiscal officer shall exercise supervision and control to ensure that expenditures are within appropriations, and shall not issue any city order for expenditures that exceed appropriations.

**Section 9: Periodic Fiscal Reports**

The fiscal officer shall provide the City Council monthly reports of fiscal year to date revenues and expenditures compared to the budgeted amounts.

**Section 10: Limit on Obligations and Payments**

No obligation shall be incurred against, and no payment shall be made from any appropriation unless there is a sufficient unencumbered balance in the appropriation and sufficient funds are or will be available to meet the obligation.

**Section 11: Budget Monitoring**

Whenever it appears to the fiscal officer or the City Council that the actual and probable revenues in any fund will be less than the estimated revenues upon which appropriations from such fund were based, and when it appears that expenditures shall exceed an appropriation, the fiscal officer shall present to the City Council recommendations to prevent expenditures from exceeding available revenues or appropriations for the current fiscal year. Such recommendations shall include proposals for reducing appropriations, increasing revenues, or both.

**Section 12: City Council Adoption**

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

**Downtown Development Authority General Appropriations Resolution**

Motion by Mayor Pro-Tem Osika to adopt the General Appropriations Resolution to authorize the levy of the Downtown Development Authority millage for the 2021-2022 fiscal year as follows:

**RESOLUTION NO. 98-2021**

**GENERAL APPROPRIATIONS RESOLUTION FOR  
THE DOWNTOWN DEVELOPMENT AUTHORITY  
FOR FY 2021-22**

WHEREAS, the Authority board met to consider a proposed budget for fiscal year 2021-22, and after deliberations and public input approved a budget; and

WHEREAS, the Owosso City Council held a public hearing on the proposed budget on May 17, 2021; and,

WHEREAS, it is the intent of the Downtown Development Authority to levy a tax for general operating purposes pursuant to Public Act 197 of 1975; and

WHEREAS, the general property tax laws, specifically MCL 211.34(d) provide for an annual compound millage reduction calculation applied to the maximum millage rate of two mills authorized by MCL 125.1662; and

WHEREAS, the millage reduction commonly known as the "Headlee" rollback results in a maximum operating millage rate of 1.9001 for which the Authority is authorized to levy,

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Owosso hereby sets the tax rates and adopts the FY2021 budget for the Downtown Development Authority as shown below.

NOW THEREFORE, BE IT FURTHER RESOLVED THAT, the tax levy for the fiscal year commencing July 1, 2021 shall be the rate of 1.9001 per \$1,000 of taxable value of the 2021 assessment roll for the district as approved by the Board of Review.

**Section 1: Estimated Expenditures**

The following amounts are hereby appropriated for the operations of the Owosso Downtown Development Authority and its activities for the fiscal year beginning July 1, 2021 and ending June 30, 2022:

Downtown Development \$ 224,450

**Section 2: Estimated Revenues**

The following are estimated to be available for the fiscal year beginning July 1, 2021 and ending June 30, 2022, to meet the foregoing appropriations.



Property Taxes	\$ 202,000
Other Revenue	24,580
Total General Fund	\$ 226,580

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

**Additional MERS Payment**

City Manager Henne indicated the request tonight would authorize a payment to the MERS surplus division. The money would come from the City’s general fund assigned balance. He went on to say that he hoped to make another such deposit into the surplus division next year in an effort to increase the funding level of the plan.

Motion by Councilmember Pidek to authorize making a voluntary additional payment to the defined benefit portion of the plan with MERS in the amount of \$504,302.38 using the portion of the fund balance assigned June 30, 2020.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

**Set Special Meeting/Public Hearing**

City Manager Henne said staff if trying to work with the deadlines for the State’s revolving loan fund which requires a 30-day publication period for notices. He went on to say that this is the same fund the City used to make improvements to the filtration plant and we are anticipating 100% reimbursement for the loan.

Mayor Pro-Tem Osika inquired whether the start time for the meeting could be set to an earlier time. It was noted that the start time had already been advertised.

Motion by Mayor Pro-Tem Osika setting a Special Meeting of City Council for Monday, June 28, 2021 at 7:30 p.m. to conduct a Public Hearing regarding the Michigan Department of Environmental Quality State Revolving Fund Project Plan for the replacement of lead and galvanized water service lines.

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

**DayStarr Communications Easement**

Motion by Councilmember Pidek authorizing approval of two 10’ easements through the City lot located at the Southwest Corner of Gould Street and Corunna Avenue for installation and maintenance of new underground fiber optic communication lines as follows:

**RESOLUTION NO. 99-2021**

**GRANTING A PERMANENT EASEMENT FOR FIBER OPTIC COMMUNICATION LINES TO DAYSTARR COMMUNICATIONS**

WHEREAS, DayStarr Communications desires to install underground fiber optic communication lines in the City owned parcel 050-011-021-002-00 to provide service to commercial buildings on Gould Street; and

WHEREAS, DayStarr Communications has requested the City grant a permanent easement measuring 10' wide to allow for construction, operation, maintenance, and inspection of said lines; and

WHEREAS, City staff has reviewed the request, concurs with the proposed location; and

WHEREAS, the city of Owosso is willing to grant a permanent easement for those portions of parcel number 050-011-021-002-00 described as follows:

Description of Proposed Easement No. 1: Part of Block 21 of "The Resubdivision of Blocks 19, 20, 21 of George T. Abrey's Woodlawn Park Addition to the City of Owosso, Shiawassee County, Michigan", according to the plat thereof, as recorded in Liber 1, Page 120 ½, Shiawassee County Records, described as beginning at a point on the North line of said Block 21 that is S71°00'00"E 134.06 feet (recorded as 134.00 feet) from the Northeast corner of Block 20 of said Plat; thence S71°00'00"E 10.00 feet; thence S19°00'00"W 158.03 feet; thence N71°00'00"W 10.00 feet, thence N19°00'00"E 158.03 feet to the point of beginning.

Description of Proposed Easement No. 2: Part of Block 21 of "The Resubdivision of Blocks 19, 20, 21 of George T. Abrey's Woodlawn Park Addition to the City of Owosso, Shiawassee County, Michigan", according to the plat thereof, as recorded in Liber 1, Page 120 ½, Shiawassee County Records, described as beginning at a point that is S71°00'00"E 144.06 feet and S19°00'00"W 140.38 feet from the Northeast corner of Block 20 off said Plat; thence S70°20'14"E 128.12 feet to the Westerly right-of-way line of Gould Street; thence on said right-of-way line in a curve to the left having a radius of 668.27 feet, a central angle of 0°52'48" and a chord bearing and distance of S06°40'16"W 10.26 feet; thence N70°20'14"W 130.32 feet; thence N19°00'00"E 10.00 feet to the point of beginning.

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 grant a permanent easement as outlined by the terms set forth in the attached Easement for Underground Fiber Optic Communication Lines between the city of Owosso and DayStarr Communications.

SECOND: The Mayor and City Clerk are instructed and authorized to execute said easement documents.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

#### **Proposed Master Plan Adoption\***

City Manager Henne thanked the Planning Commission members and CIB Planning for all of their work on the new master plan. He also indicated he would like to review the plan annually.

Motion by Councilmember Fear authorizing adoption of the proposed Master Plan as approved by the Planning Commission as detailed below:

#### **RESOLUTION NO. 100-2021**

#### **A RESOLUTION TO APPROVE THE MAY 2021 CITY OF OWOSSO MASTER PLAN**

WHEREAS, the City of Owosso Planning Commission has been engaged in the drafting of the city's master plan since October 2018; and

WHEREAS, a plan was drafted that contains community profile data, a community vision, future land use data, implementation strategies, and other information as required by state law and encouraged by best practices; and

WHEREAS, the planning commission has finished such a draft using input from CIB Planning and the Smith Group and has submitted the document to the city council for review and distribution in accordance to the Planning Enabling Act (PEA); and

WHEREAS, the city council approved the distribution of the plan in accordance with the PEA for a review period of no less than 63 days; and

WHEREAS, a subsequent public hearing was held by the planning commission to deliberate on any and all comments related to the plan; and

WHEREAS, the Owosso Planning Commission found that the plan, with the inclusion of changes resulting from public comments, is reflective of the community and satisfies the legal and best-practice needs of prudent planning.

NOW, BE IT RESOLVED THAT the City of Owosso City Council, County of Shiawassee, State of Michigan, finding the May 2021 City of Owosso Master Plan meets all statutory obligations and practical intentions of a community plan, hereby approves said plan.

BE IT FURTHER RESOLVED THAT the same council hereby directs staff to supply an electronic copy of the master plan to all entities as required by Michigan law.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

### **Closed Session**

Motion by Councilmember Pidek to authorize holding closed session after the last session of Citizen Comments and Questions for the purpose of consulting with an attorney regarding trial or settlement strategy in connection with specific pending litigation and to consider the purchase or lease of real property.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

### **COMMUNICATIONS**

Nathan Henne, City Manager. June 2021 Report.  
Parks & Recreation Commission. Minutes of April 28, 2021.  
Downtown Development Authority/Main Street. Minutes of May 5, 2021.  
Owosso Historical Commission. Minutes of May 10, 2021.  
Historic District Commission. Minutes of May 20, 2021.  
Planning Commission. Minutes of May 24, 2021.

### **CITIZEN COMMENTS AND QUESTIONS**

Eddie Urban, 601 Glenwood Avenue, commented on reducing medications, people getting sunburned, Flag Day, and the dangers of PFAS.

Tom Manke, 2910 W. M-21, spoke on behalf of Kevin Mitts, 512 Comstock Street. Mr. Mitts took out a permit to repair his mother's house, she has since died and the house is now going through the probate process. The Code Enforcement Department insists on improvements to the home but Mr. Mitts is unsure if he should put money into the home while it's in probate court. He asked that the situation be looked into.

Councilmember Fear asked if special meetings could be held earlier in the future. She also asked for an update on the electric car chargers. Mayor Pro-Tem Osika indicated she is waiting for an update from the DDA.

Councilmember Fear also asked about the status of a strategic planning session. City Manager Henne noted that he has reached out to a facilitator and will circle back with her in the coming days.

**ADJOURNED TO CLOSED SESSION AT 8:48 P.M.**

**RETURNED FROM CLOSED SESSION AT 9:43 P.M.**

**APPROVAL OF THE MINUTES OF CLOSED SESSION OF FEBRUARY 1, 2021**

Motion by Councilmember Law to approve the Minutes of the Closed Session of May 17, 2021 as presented.

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

**NEXT MEETING**

Monday, June 21, 2021

**BOARDS AND COMMISSIONS OPENINGS**

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  
Owosso Historical Commission – 2 terms expire December 31, 2021  
Owosso Historical Commission – term expires December 31, 2022  
Owosso Historical Commission – term expires December 31, 2023  
Parks & Recreation Commission-term expires June 30, 2022  
Zoning Board of Appeals – Alternate – term expires June 30, 2021  
Zoning Board of Appeals – term expires June 30, 2023

**ADJOURNMENT**

Motion by Councilmember Law for adjournment at 9:47 p.m.

Motion supported by Councilmember Pidek 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.