

Mayor Pro-Tem Osika gave an update on the EV Charging Station and it's progress.

CONSENT AGENDA

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

First Reading and Set Public Hearing - Ordinance Amendment - ORVs. Conduct first reading and set a public hearing for Monday, July 19, 2021 at 7:30 p.m. to receive citizen comment regarding the proposed addition of Article X, *Off-road Recreation Vehicles*, to Chapter 33, Traffic and Motor Vehicles, governing the use of ORVs on City streets.

RESOLUTION NO. 117-2021

AUTHORIZING FIRST READING & SETTING A PUBLIC HEARING FOR THE PROPOSED ADDITION OF ARTICLE X, *OFF-ROAD RECREATION VEHICLES*, TO CHAPTER 33, TRAFFIC AND MOTOR VEHICLES, OF THE CODE OF ORDINANCES TO GOVERN THE USE OF ORVS IN THE CITY

WHEREAS, the City of Owosso, Shiawassee County, Michigan, does not have an ordinance for the operation of Off-Road Vehicles on city streets; and

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 Off-Road Vehicles 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 Off-Road Vehicles on their streets and highways under the terms and conditions specified in MCL 257.657a via the adoption of an Ordinance; and,

WHEREAS, the City of Owosso desires to allow for the limited use of Off-Road Vehicles on its streets and highways as permitted and regulated by MCL 257.657a; 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 X, *Off-road Recreation Vehicles*, be added to Chapter 33, Traffic and Motor Vehicles, of the Code of Ordinances of the City of Owosso as follows:

ARTICLE X. – OFF-ROAD RECREATION VEHICLES

Sec. 33-186. - Definitions.

As used in this section:

ATV means a vehicle with three or more wheels that is designed for off-road use, has low-pressure tires, has a seat designed to be straddled by the rider, and is powered by a 50cc to 1,000cc gasoline engine or an engine of comparable size using other fuels.

Operate means to ride in or on, and be in actual physical control of, the operation of an ORV.

Operator means an individual who operates or is in actual physical control of the operation of an ORV.

ORV or *vehicle* means a motor-driven off-road recreation vehicle capable of cross-country travel without benefit of a road or trail, on or immediately over land, snow, ice, marsh, swampland, or other natural terrain. ORV or vehicle includes, a side-saddle four-wheel vehicle or other means of transportation deriving motive power from a source other than muscle or wind. ORV or vehicle does not include a golf cart, registered snowmobile, a multi-track or multi-wheel drive vehicle, an ATV, a motorcycle or related two-wheel, three-wheel or six-wheel vehicle, an amphibious machine, a ground effect air cushion vehicle, a farm vehicle being used for farming, a vehicle used for military, fire, emergency, or law enforcement purposes, a vehicle owned and operated by a utility company or an oil or gas company when performing maintenance on its

facilities or on property over which it has an easement, a construction or logging vehicle used in performance of its common function, or a registered aircraft. [MCL 324.81101 (o)]

Street means a city major street or city local street as described in section 9 or 1951 PA 51, MCL 247.659, or a segment thereof.

Sec. 33-187. - Operation of off-road recreation vehicles (ORVs) on city streets.

Except as set forth herein or otherwise provided by law, an individual may operate an ORV on city streets subject to the following restrictions:

- a) ORVs may be operated from May 1 to October 31 during the hours of 6:00 a.m. to 9:00 p.m., and from November 1 to April 30 during the hours of 8:00 a.m. to 5:00 p.m.
- b) No person under 12 years of age shall operate an ORV.
- c) A person under the age of 18 years of age shall not operate an ORV unless the person is in possession of a valid driver license or under the direct supervision of a parent or guardian and the person has in his or her immediate possession an ORV safety certificate issued pursuant to Part 811 of the Michigan Natural Resources and Protection Act or a comparable ORV safety certificate issued under the authority of another state or a province of Canada. These requirements are in addition to any applicable requirements of state law in MCL 324.81129, as may be amended.
- d) All ORV operators 18 years of age or older shall have in their immediate possession a valid driver license.
- e) A person shall not operate an ORV at a speed greater than 25 miles per hour or a lower posted ORV speed limit or in a manner that interferes with traffic on the street. In no event shall a person operate an ORV at a rate of speed greater than is reasonable and proper, or in a careless manner, having due regard for conditions then existing.
- f) Unless the person possesses a valid driver license pursuant to MCL 257.25, as amended, a person shall not operate an ORV if the ORV is registered as a motor vehicle and either is more than 65 inches wide or has three wheels.
- g) ORVs shall travel single file except that an ORV may travel abreast of another ORV when it is overtaking or passing, or being overtaken and passed by, another ORV.
- h) ORVs shall display a lighted headlight and lighted taillight at all times.
- i) A person shall operate an ORV with the flow of traffic on the far right of the maintained portion of the street, in a manner that does not interfere with traffic on the street.
- j) Operation of ORVs is not allowed on the James Miner Trail or the Riverwalk Trail.
- k) A person shall not transport any passenger in or upon an ORV unless the manufacturing standards for the vehicle make provisions for transporting passengers.
- l) A person shall not operate an ORV unless the vehicle is equipped with a braking system that may be operated by hand or foot, capable of producing deceleration at 14 feet per second on level ground at a speed of 20 miles per hour; a brake light, brighter than the taillight, visible from behind the vehicle when the brake is activated, if the vehicle is operated during the hours of one-half hour after sunset and one-half hour before sunrise; and a throttle so designed that when the pressure used to advance the throttle is removed, the engine speed will immediately and automatically return to idle.
- m) An individual who is operating or is a passenger on an ORV shall wear a crash helmet and protective eyewear that are approved by the United States department of transportation. This subsection does not apply to an individual wearing a properly adjusted and fastened safety belt if the ORV is equipped with a roof that meets or exceeds United States department of transportation standards for a crash helmet.
- n) An ORV shall not be operated on any state trunkline (i.e., M-52, M-21 and M-71) right-of-way, except that the operator of a vehicle may cross a street, county road, or highway, other than a limited access highway, at right angles, for the purpose of getting from one area to another, if the operation can be done in safety. The operator shall bring the vehicle to a complete stop before proceeding across a street, county road, or highway, and shall yield the right-of-way to oncoming traffic.
- o) These requirements are in addition to any applicable requirements of state law in Part 811 of Act 451 of 1994, the Natural Resources and Environmental Protection Act, as may be amended.

It is lawful for city employees or city contractors to operate a city-owned ORV for any purposes within the scope of city operations.

Sec. 33-188. – Responsibility.

- a) The operator of an ORV involved in any accident resulting in any property damage, personal injury, or death shall report such accident to the local police immediately.

- b) The operator of the vehicle is liable for damages to private property caused by operation of the vehicle under this chapter, including, but not limited to, damage to trees, shrubs, or growing crops, injury to other living creatures, or erosive or other ecological damage. The owner of the private property may recover from the individual responsible nominal damages of not less than the amount of damage or injury.

Sec. 33-189. – Penalties.

- a) A person who violates this section is responsible for a civil infraction and subject to a fine of not more than \$500.00 and/or impoundment of the vehicle. In the event an ORV is impounded, the owner of the ORV must pay the cost of transportation, towing, storage, and prove ownership of the ORV before it is released to that owner.
- b) In addition to the fine provided for herein, a court shall order violators of this section to pay the cost of repairing any damage to the environment, a street, county road, or highway, or public property as a result of the violation pursuant to MCL 324.81131(17).
- c) The city treasurer shall deposit fines and damages collected for violations of this section into a fund to be designated as the "ORV Fund." City council shall appropriate revenue in the ORV Fund as follows:
 - 1) Fifty percent to the Owosso Police Department for ORV enforcement and training.
 - 2) Fifty percent to the Owosso Public Works Department to be used for repairing damage to streets and the environment that may have been caused by ORVs and for posting signs indicating ORV speed limits or indicating whether streets are open or closed to the operation of ORVs under this section.

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, July 19, 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.

First Reading and Set Public Hearing – Ordinance Amendment – PILOT Agreement.

Conduct first reading and set a public hearing for Monday, July 19, 2021 at 7:30 p.m. to receive citizen comment regarding the proposed addition of Division 2, Water Street Exchange, to Article III, *Service Charge in Lieu of Taxes for Certain Housing Developments*, of Chapter 32, Taxation, establishing a PILOT for the proposed Water Street Exchange project.

RESOLUTION NO. 118-2021

AUTHORIZING FIRST READING & SETTING A PUBLIC HEARING FOR THE PROPOSED ADDITION OF DIVISION 2, WATER STREET EXCHANGE, TO CHAPTER 32, TAXATION, OF THE CODE OF ORDINANCES TO ESTABLISH A PILOT AGREEMENT FOR THE WATER STREET EXCHANGE DEVELOPMENT

WHEREAS, the Owosso Public Schools have recently agreed to sell the former middle school building to Community Network Housing, Inc. of Troy, Michigan; and

WHEREAS, Community Network Housing, Inc. plans to convert the building into a mixed use development with residential spaces catering to people with low incomes funded in part by low-income housing tax credits; and

WHEREAS, the City of Owosso agrees to forego property tax payments on the property to assist in the financial feasibility of the project; and

WHEREAS, the City of Owosso is authorized to establish a service charge in lieu of property taxes for such developments; and

WHEREAS, said service charges are instituted by the adoption of an ordinance; and

WHEREAS, it is a 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 Division 2, Water Street Exchange, be added to Article III, *Service Charge in Lieu of Taxes for Certain Housing Developments*, of Chapter 32, Taxation, of the Code of Ordinances of the City of Owosso as follows:

ARTICLE III. - SERVICE CHARGE IN LIEU OF TAXES FOR CERTAIN HOUSING DEVELOPMENTS

DIVISION 2. – WATER STREET EXCHANGE

Sec. 32-50. - Preamble.

It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for its citizens of low income and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the State Housing Development Authority Act of 1966 (1966 PA 346, as amended, MCL 125.1401 et seq.). The City is authorized by this Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this Act at any amount it chooses not to exceed the taxes that would be paid but for this Act.

It is further acknowledged that such housing for persons of low income is a public necessity, and as the City will be benefited and improved by such housing, the encouragement of the same by providing certain real estate tax exemption for such housing is a valid public purpose; further, that the continuance of the provisions of this article for tax exemption and the service charge in lieu of taxes during the periods contemplated in this article are essential to the determination of economic feasibility of housing developments which are constructed and financed in reliance on such ordinance and service charge.

The City further acknowledges that Community Housing Network, a nonprofit corporation (a sponsor), has offered subject to receipt of a mortgage loan from the authority, to erect and/or reuse an existing structure, own and operate a housing development identified as Water Street Exchange on certain property located at (see legal description on file with the City Clerk) in the City to serve persons of low income, and that the sponsor has offered to pay the City on account of the development an annual service charge for public services in lieu of all taxes.

The City further acknowledges that Community Housing Network, a nonprofit corporation, has offered subject to receipt of low income housing tax credits from the authority, to erect, own and operate a housing development to the required standards of SHPO, identified as the Water Street Exchange on certain property located at 219 N. Water Street in the City, hereinafter referred to as the "Site" and further described as:

COM 70' S OF NE CORNER BLK 38 TH W 143.8' TH S 62' TH W 334.7' TH S TO SHIA RIVER TH SE'LY TO PT 6" N OF THE PT WHERE N LN OF EXCHANGE ST IF EXT'D W'LY WOULD INTERSECT E BANK OF SD RIVER TH ON A LN PAR'L WITH N LN OF EXCHANGE ST SO EXT'D TO A PT 126' W OF W LN OF WATER ST TH N 2' TH E'LY ON A LN PAR'L WITH THE N LN OF EXCHANGE ST SO EXT'D 38' TH S 2'6" TO N LN EXCHANGE ST SO EXT'D TH E ON LINE OF EXCHANGE ST SO EXT'D 88' TO THE W LN OF WATER ST TH N TO BEG BLK 38 ORIGINAL PLAT

Parcel Number: 050-470-038-002-00

to persons of low income, and that the sponsor has offered to pay the City on account of the development an annual service charge for public services in lieu of all taxes.

Sec. 32-51. - Definitions.

[The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Act means the State Housing Development Authority Act, being Public Act 346 of 1966, of the State of Michigan, as amended.

Annual shelter rents means the total collections during an agreed annual period from all occupants of a housing development representing rents or occupancy charges exclusive of charges for gas, electricity, heat or other utilities furnished to the occupants.

Authority means the Michigan State Housing Development Authority.

Contract rents are as defined by the U.S. Department of Housing and Urban Development in regulations promulgated pursuant to Section 8 of the U.S. Housing Act of 1937, as amended.

Housing development means a development which contains a significant element of housing for elderly persons of low income or persons of low income and such elements of other housing, commercial, recreational, industrial, communal, and educational facilities as the authority determines improve the quality of the development as it relates to housing for persons of low income.

HUD means the Department of Housing and Urban Development of the United States Government.

Mortgage loan means a loan to be made by the authority or Farmers Home Administration or the Department of Housing and Urban Development to a sponsor for the construction and permanent financing of a housing development or a mortgage loan insured by HUD or a federally aided mortgage as otherwise defined by the Act.

Persons of low income means persons and families eligible to move into a housing development; families and persons who cannot afford to pay the amounts at which private enterprise, without federally-aided mortgages or loans from the authority, is providing a substantial supply of decent, safe, and sanitary housing and who fall within income limitations set

in this act or by the authority in its rules. Among low income or moderate income persons, preference shall be given to the elderly and those displaced by urban renewal, slum clearance, or other governmental action.

Sponsor means persons or entities which have applied to either the authority for a mortgage loan to finance a housing development or to another governmental entity or is a federally-aided mortgage, as otherwise defined by the Act.

State Historic Preservation Office means The Michigan State Historic Preservation Office (SHPO) helps property owners, developers, and local and state agencies recognize and seize opportunities to maintain and rehabilitate structures that define communities and define Michigan. The SHPO encourages the rehabilitation of historic buildings so they can continue to enrich communities where people want to live and visit. Through the protection of historic and archaeological sites and other cultural resources, preservation provides a record of Michigan's history and creates a link between Michigan's residents: past, present and future.

Utilities means fuel, water, sanitary sewer service and/or electrical service which are paid by the housing development.

Sec. 32-52. - Class of housing developments.

It is determined that the class of housing developments to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be multiple dwellings for persons of low income which are financed or assisted by the authority or which have a federally aided mortgage, as defined in the Act. It is determined that Water Street Exchange is of this class.

Sec. 32-53. - Establishment of annual service charge for Water Street Exchange.

The housing development identified as Water Street Exchange and the property on which it shall be constructed shall be exempt from all property taxes from and after the commencement of construction. The City, acknowledging that the sponsor and the authority have established the economic feasibility of the housing development in reliance upon the enactment and continuing effect of this article and the qualification of the housing development for exemption from all property taxes and a payment in lieu of taxes as established herein, and in consideration of the sponsor's offer, subject to receipt of a mortgage loan from the authority, to construct, own and operate the housing development, hereby agrees to accept payment of an annual service charge for public services in lieu of all property taxes. The annual service charges shall be equal to four (4) percent of the difference between contract rents actually collected and utilities.

Sec. 32-54. - Payment of service charge.

The service charge in lieu of taxes as determined under this article shall be payable in the same manner as general property taxes are payable to the City except that the annual payment shall be paid on or before March 31 of each year.

Sec. 32-55. - Duration.

The tax exempt status of a housing development approved for such status by the City council shall remain in effect and shall not terminate so long as the mortgage loan for such housing development remains outstanding and unpaid, as long as the property is subject to restrictive rents in compliance with the low income housing tax credit program administered by MSHDA, or for such period as the authority or other governmental entity has any interest in the property; provided, the construction of such housing development commences within two (2) years from the effective date the City council approves the housing development for tax exempt status as provided in this article.

Sec. 32-56. - Contractual effect.

Notwithstanding the provisions of section 15a(5) of the Act (MCL 125.1415a(5)), to the contrary, a contract between the City and the sponsor with the authority as third part beneficiary thereunder, to provide tax exemption and accept payments in lieu thereof as previously described is effected by enactment of this article.

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, July 19, 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.

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

Name	Board/Commission	Term Expires
Michael Dowler, City	Building Authority	06/30/2024
Ed VanStrate*	Building Board of Appeals	06/30/2024
Kevin Maurer*	Building Board of Appeals	06/30/2024
Lance Omer*	Downtown Development Authority / Main Street Board	06/30/2025
Gary Wilson*	Downtown Historic District Commission	06/30/2024
Phil Hathaway*	Downtown Historic District Commission	06/30/2024
Steven Teich*	Downtown Historic District Commission	06/30/2024
Andrew Workman*	Parks & Recreation Commission	06/30/2023
Kevin Maginity*	Parks & Recreation Commission	06/30/2023
Janae Fear*	Planning Commission	06/30/2024
Frank Livingston*	Planning Commission	06/30/2024
William Wascher*	Planning Commission	06/30/2024
Thomas Taylor*	Zoning Board of Appeals	06/30/2024
Matthew Grubb*	Zoning Board of Appeals	06/30/2024
Kathy Teich	Shiawassee District Library Board	06/30/2025

*Indicates reappointment

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Warrant No. 495– Authorize Warrant No. 495 as follows:

Corrected by Council
8/16/2021

Vendor	Description	Fund	Amount
Waste Management	Landfill charges-6/16/21-6/30/21	WWTP/ Streets	\$12,499.45

Motion supported by Councilmember Fear.

Roll Call Vote.

AYES: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika, Councilmembers Janae L. Fear, Jerome C. Haber, Daniel A. Law and Robert J. Teich, Jr.

NAYS: None.

ITEMS OF BUSINESS

Defined Contribution Plan Amendment/Restatement – General City Non-Union

Human Resources Director Jessica Unangst indicated this change had already been added in the budget. ICMA, who handles the City’s plan, required formal action be taken by Council.

Motion by Councilmember Fear to amend and restate the defined contribution plan for General City Non-Union employees hired after June 1, 2005 as follows:

RESOLUTION NO. 119-2021

**APPROVING AMENDMENT TO, AND RESTATEMENT OF,
THE ICMA DEFINED CONTRIBUTION PLAN FOR
GENERAL CITY NON-UNION EMPLOYEES HIRED AFTER JUNE 1, 2005
AND AFSCME EMPLOYEES**

WHEREAS, the City of Owosso has employees rendering valuable services; and

WHEREAS, the City of Owosso has established a qualified retirement plan for such employees that serves the interest of the city by enabling it to provide reasonable retirement security for its employees, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

WHEREAS, the City of Owosso has determined that an amendment of the qualified defined contribution (401(a)) retirement plan will serve these objectives; and

NOW THEREFORE BE IT RESOLVED that the City of Owosso hereby amends and restates the qualified retirement plan (the “Plan”) in the form of The ICMA Retirement Corporation Governmental Money Purchase Plan Adoption Agreement.

BE IT FURTHER RESOLVED that the City of Owosso’s contribution to the ICMA Retirement Corporation Governmental Money Purchase Plan 401(a) increase to six percent for non-union employees enrolled in the plan and if the employee contributes three percent towards the retirement plan, the City will contribute an additional three percent to said plan;

BE IT FURTHER RESOLVED that the amendments are approved and effective July 1, 2021.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign appropriate documents to effectuate this change.

Motion supported by Councilmember Law.

Roll Call Vote.

AYES: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika, Councilmembers Janae L. Fear, Jerome C. Haber, Daniel A. Law and Robert J. Teich, Jr.

NAYS: None.

Miscellaneous Water Policy and Service Charges Amendment

Assistant to the City Manager, Amy Fuller, indicated the change was being requested to make connecting to the City's water supply mandatory. There are four wells currently within the City, two are residential and two are industrial. This change would require all wells be eliminated to ensure there is no contamination to the City's water supply.

Mayor Eveleth expressed concern of whether or not notification had been given to these customers regarding the change and any associated costs. Councilmember Teich was concerned that if agreements existed between the City and two residential customers, these agreements should continue to be honored until the transfer of ownership.

Motion by Councilmember Teich to approve the Amendment with the following changes to Paragraph 4a. to only include industrial customers:

RESOLUTION NO. 120-2021

**ESTABLISHMENT OF MISCELLANEOUS WATER POLICY AND SERVICE CHARGES
EFFECTIVE IMMEDIATELY**

WHEREAS, the city of Owosso owns and operates water and wastewater utilities; and

Whereas, the city of Owosso must have policies and service charges in addition to the basic rates pursuant to the *Code of Ordinances of the City of Owosso, Michigan* Sec. 34-79. Additional regulations and Sec. 34-81 Rules, regulations and fees.

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

FIRST: The city council hereby adopts the following policies and service charges for the water utility which shall become effective immediately.

SECOND: That any policies previously adopted which conflict with the provisions of the following policies and services are hereby repealed.

I. Service Costs – Customer Request for Turn-on/off of Water Service

- a. There shall be no service charge for routine turn-on or turn-off of a water service during normal working hours or for an emergency after-hours call. Normal work hours are 7:00 a.m. to 3:30 p.m. Monday-Friday excluding holidays. An emergency is a situation such as a ruptured water service line that would result in significant loss of water and/or property damage and is not due to negligence or fault of the customer.
- b. A \$30.00 service charge shall apply for return appointments during normal work hours when required by the customer's failure to keep a previous service appointment. (Note: A water service will not be turned on unless a responsible person is present who can verify that there are no leaks in the internal plumbing.)
- c. A \$30.00 service charge shall no longer apply for seasonal meter turn-on and account activation (during normal working hours only). Quarterly Readiness to Service charges shall continue to be billed.
- d. A \$60.00 service charge shall apply for after-hours, non-emergency customer-requested and scheduled service calls up to one hour in duration. After-hours service exceeding one hour and/or requiring more than one employee will be charged the actual cost.

II. Service Costs - Customer Request for RPZ (reduced pressure zone) Backflow Inspection

- a. Initial compliance inspections and noncompliance inspections are at no charge to the customer.

- b. If additional inspections are necessary, a \$30.00 re-inspection fee for each additional inspection will be added to the water bill.

III. Service Costs - Nonpayment of Water and/or Sewer Bills by Due Date

- a. A \$30.00 service charge shall be applied when payment is not received by the shut-off due date, and the past due account was added to the shut-off listing.
- b. An additional \$30.00 service charge shall be paid prior to turning on a water service, which was turned off for nonpayment, if such turn-on request would occur after 5:00 p.m. on a normal working day.
- c. A \$25.00 service charge shall be paid for returned payments (for any reason), for account holders having insufficient funds. A \$35.00 service charge shall be paid if the returned payment amount is not repaid within seven days of notification.

IV. Water Service Permit

- a. The owner of any ~~house, building, or~~ property used for human occupancy, employment, recreation, or other purposes – situated within the city and abutting on any street, alley, or right-of-way in which there is now located or may hereafter be located a city water distribution system – is hereby required at his or her expense to install suitable water service connection to said city water distribution system directly in accordance with local and state laws, rules, and policies for water service connections within ninety (90) days after the date of official notice from the city to make said connection. Existing private water wells must be abandoned and taken out of service once a city water distribution system service connection is made.
- b. A permit processing fee of \$30.00 will be required for all new services requested.

V. Hydrant Use Requests

- a. Contractors and special projects. A \$1,000 service charge will be required at time of permit application. This fee includes the minimum charge of \$50.00 for 5,000 bulk gallons of water, plus additional charges of \$10.00 per 1,000 gallons, or fraction thereof, consumed greater than the minimum quantity. Owosso water system personnel will attach a water meter and RPZ backflow preventer to the hydrant for contractor use. If the water meter and RPZ are returned in good operating condition, the contractor will receive a \$450.00 refund, less charges for additional water consumed greater than the minimum quantity. Hydrant meters will not be provided from December 1 and March 31, unless the contractor can provide acceptable protection of equipment during freezing temperatures.
- b. Resident pool filling. Minimum charge for the filling of pools is \$300.00, and includes the first 5,000 gallons of water. A \$10.00-per-1,000 gallons, or fraction thereof, will be charged after the first 5,000 gallons.

VI. Hydrant Flow Data Requests

- a. The charge for water distribution modeling data (average day psi, max day psi, peak hour psi, and available fire flow in gallons per minute/GPM @ residual pressure of 20 psi) is \$135.00.
- b. The charge for actual field flow data & psi testing will be \$270.00. This field work does not include providing distribution modeling data.

VII. Customer Deposits

- a. Deposit for in-city-of-Owosso tenant accounts is \$245.00.
- b. Deposit for all accounts outside the city of Owosso is \$245.00.

Motion supported by Councilmember Fear.

Roll Call Vote.

AYES: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika, Councilmembers Janae L. Fear, Jerome C. Haber, Daniel A. Law and Robert J. Teich, Jr.

NAYS: None.

Closed Session

Motion by Mayor Pro-Tem Osika to approve holding a closed session after the last Citizen Comments & Questions period for the purpose of discussing collective bargaining agreement

negotiations and consulting with an attorney regarding trial or settlement strategy in connection with specific pending litigation.

Motion supported by Councilmember Fear.

Roll Call Vote.

AYES: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika, Councilmembers Janae L. Fear, Jerome C. Haber, Daniel A. Law and Robert J. Teich, Jr.

NAYS: None.

Property Purchase – 1112 Beehler Street

Assistant to the City Manager, Amy Fuller, indicated access to this property is integral for the maintenance of the City’s sewer interceptor located at this address.

Motion by Mayor Pro-Tem Osika to approve the resolution authorizing the purchase of the parcel commonly known as 1112 Beehler Street.

RESOLUTION NO. 121-2021

**AUTHORIZING THE PURCHASE OF REAL PROPERTY
COMMONLY KNOWN AS 1112 BEEHLER STREET**

WHEREAS, the City of Owosso was made aware of a parcel of property available for sale within the City, commonly known as 1112 Beehler Street; and

WHEREAS, said property offers direct access to the City’s sewer interceptor which is essential to the waste water holding tank project that is being proposed as part of the solution to the City’s sanitary sewer overflow issues; and

WHEREAS, the City Council desires to purchase said property and a reasonable price of \$30,000 has been negotiated with the seller.

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 it is advisable and in the public interest to purchase the parcel commonly known as 1112 Beehler Street in the amount of \$30,000 plus closing, recording, and other miscellaneous costs.
- SECOND: The purchase is contingent upon the receipt of a satisfactory title and search and other items included in the purchase agreement.
- THIRD: The Mayor, City Clerk, and City Manager are hereby instructed and authorized to sign necessary documents and take necessary actions to complete the purchase.
- FOURTH: Payment for said property will be made with funds from the Sewer Capital Outlay Fund (590-901-973.000).

Motion supported by Councilmember Law.

Roll Call Vote.

AYES: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika, Councilmembers Janae L. Fear, Jerome C. Haber, Daniel A. Law and Robert J. Teich, Jr.

NAYS: None.

COMMUNICATIONS

- Parks & Recreation Commission. Minutes of May 26, 2021.
- Downtown Development Authority/Main Street. Minutes of June 2, 2021.
- Wastewater Treatment Plant Review Board. Minutes of June 22, 2021.
- Parks & Recreation Commission. Minutes of June 23, 2021.

CITIZEN COMMENTS AND QUESTIONS

Eddie Urban, 601 Glenwood, gave information on tick bites. He is also looking for someone to do masonry work on his home after it was hit by a truck.

ADJOURNED TO CLOSED SESSION AT 8:05 P.M.

RETURNED FROM CLOSED SESSION AT 8:33 P.M.

APPROVAL OF THE MINUTES OF CLOSED SESSION OF JUNE 7, 2021

Motion by Councilmember Law to approve the Minutes of the Closed Session of June 7, 2021 as presented.

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

LOCAL 504 INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS CONTRACT

Motion by Mayor Pro-Tem Osika to approve the Local 504 IAFF Contract, as presented.

Motion supported by Councilmember Law.

Roll Call Vote.

AYES: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika, Councilmembers Janae L. Fear, Jerome C. Haber, Daniel A. Law and Robert J. Teich, Jr.

NAYS: None.

ADJOURNMENT

Motion by Mayor Pro-Tem Osika for adjournment at 8:34 p.m.

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

Christopher T. Eveleth, Mayor

Carrie A. Farr, Deputy City Clerk