

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF AUGUST 2, 2021
7:30 P.M.**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: COUNCILMEMBER NICHOLAS J. PIDEK

PLEDGE OF ALLEGIANCE: COUNCILMEMBER JEROME C. HABER

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 with the following change:

Postpone to August 16, 2021 meeting:

CONSENT AGENDA

7. Purchase Authorization – Body Worn Camera System.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF JULY 19, 2021

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of July 19, 2021 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

American Rescue Plan Act

City Manager Nathan R. Henne gave a presentation detailing the American Rescue Plan Act, including how much money the City anticipates receiving and how the money can be allocated.

PUBLIC HEARINGS

Special Assessment District No. 2021-02 – Glenwood Avenue

City Manager Nathan R. Henne gave a brief presentation detailing the condition of the street and the work that will be performed.

A public hearing was conducted to receive citizen comment regarding authorization of Resolution No. 5 for Special Assessment District No. 2021-02 for Glenwood Avenue, from Farr Street to the south end for resurfacing.

The following person commented in regard to the proposed special assessment roll:

Tom Manke, 2910 W. M-21, asked if any lead service lines would be changed out as a part of this project. It was noted the City is required to replace any lead water service lines it comes across during the project.

Motion by Councilmember Pidek to authorize the following resolution:

RESOLUTION NO. 132-2021

**SPECIAL ASSESSMENT DISTRICT NO. 2021-02
GLENWOOD AVENUE
FROM SOUTH END TO FARR AVENUE
SPECIAL ASSESSMENT RESOLUTION NO. 5**

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement:

**Glenwood Avenue from south end to Farr Avenue
Street Resurfacing**

and;

WHEREAS, all interested parties were heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$29,889.99 is hereby confirmed and shall be known as Special Assessment Roll No. 2021-02.
2. Said special assessment roll shall be divided into ten (10) installments, the first of which shall be due and payable on September 1, 2021, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by November 1, 2021.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2021 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

Special Assessment District No. 2021-03 – Garfield Avenue

City Manager Henne gave a brief presentation detailing the condition of the street and the work that will be performed. He noted that the price per foot had been reduced from the amount originally estimated. He also noted that the right-of-way for this street extends beyond the actual street surface. Owners of property abutting the unimproved portion of the street will not be assessed for the work being done.

A public hearing was conducted to receive citizen comment regarding authorization for Resolution No. 5 for Special Assessment District No. 2021-03 for Garfield Avenue, from Corunna Avenue to the south end for resurfacing.

The following person commented in regard to the proposed special assessment roll:

Tom Manke, 2910 W. M-21, inquired why the City paid so much for replacement of lead service lines in the past when this project includes paving the street in addition to the removal of lead service lines and it is much less. It was noted that the price for removing lead service lines had not changed and the costs detailed in the presentation did not include the cost to remove lead service lines. The cost for removal of said lines is budgeted under a different line item.

Motion by Councilmember Pidek to authorize the following resolution:

RESOLUTION NO. 133-2021
SPECIAL ASSESSMENT DISTRICT NO. 2021-03
GARFIELD AVENUE
FROM SOUTH END TO CORUNNA AVENUE
SPECIAL ASSESSMENT RESOLUTION NO. 5

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement:

**Garfield Avenue from south end to Corunna Avenue
Street Resurfacing**

and;

WHEREAS, all interested parties were heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$13,529.30 is hereby confirmed and shall be known as Special Assessment Roll No. 2021-03.
2. Said special assessment roll shall be divided into ten (10) installments, the first of which shall be due and payable on September 1, 2021, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by November 1, 2021.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2021 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

Special Assessment District No. 2021-04 – Lincoln Avenue

City Manager Henne gave a brief presentation detailing the condition of the street and the work that will be performed. He noted that the price per foot had been reduced from the amount originally estimated.

A public hearing was conducted to receive citizen comment regarding authorization for Resolution No. 5 for Special Assessment District No. 2021-04 for Lincoln Avenue, from Farr Street to Monroe Street for resurfacing.

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

Motion by Councilmember Pidek to authorize the following resolution:

RESOLUTION NO. 134-2021
SPECIAL ASSESSMENT DISTRICT NO. 2021-04
LINCOLN AVENUE
FROM FARR AVENUE TO MONROE STREET
SPECIAL ASSESSMENT RESOLUTION NO. 5

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement:

**Lincoln Avenue from Farr Avenue to Monroe Street
Street Resurfacing**

and;

WHEREAS, there being no one to be heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$37,785.06 is hereby confirmed and shall be known as Special Assessment Roll No. 2021-04.
2. Said special assessment roll shall be divided into ten (10) installments, the first of which shall be due and payable on September 1, 2021, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by November 1, 2021.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2021 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

Special Assessment District No. 2021-05 – McMillan Avenue

City Manager Henne gave a brief presentation detailing the condition of the street and the work that will be performed.

A public hearing was conducted to receive citizen comment regarding authorization for Resolution No. 5 for Special Assessment District No. 2021-05 for McMillan Avenue, from Industrial Drive to the south end for resurfacing.

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

Motion by Councilmember Teich to authorize the following resolution:

RESOLUTION NO. 135-2021
SPECIAL ASSESSMENT DISTRICT NO. 2021-05
MCMILLAN AVENUE
FROM SOUTH END TO INDUSTRIAL DRIVE
SPECIAL ASSESSMENT RESOLUTION NO. 5

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement:

McMillan Avenue from south end to Industrial Drive
Street Resurfacing

and;

WHEREAS, there being no one to be heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$26,572.70 is hereby confirmed and shall be known as Special Assessment Roll No. 2021-05.

2. Said special assessment roll shall be divided into ten (10) installments, the first of which shall be due and payable on September 1, 2021, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by November 1, 2021.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2021 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

Special Assessment District No. 2021-06 – Park Street

City Manager Henne gave a brief presentation detailing the condition of the street and the work that will be performed.

A public hearing was conducted to receive citizen comment regarding authorization for Resolution No. 5 for Special Assessment District No. 2021-06 for Park Street, from Harper Street to Ridge Street for resurfacing.

The following person commented in regard to the proposed special assessment roll:

Jim Bower, 1018 S. Park Street, inquired if he could replace his cast iron sewer line at the time the work is being done on his street. City Manager Henne asked him to contact the DPW so that he could coordinate scheduling.

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

RESOLUTION NO. 136-2021
SPECIAL ASSESSMENT DISTRICT NO. 2021-06
PARK STREET
FROM HARPER STREET TO RIDGE STREET
SPECIAL ASSESSMENT RESOLUTION NO. 5

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement:

**Park Street from Harper Street to Ridge Street
Street Resurfacing**

and;

WHEREAS, all interested parties were heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$25,882.32 is hereby confirmed and shall be known as Special Assessment Roll No. 2021-06.
2. Said special assessment roll shall be divided into ten (10) installments, the first of which shall be due and payable on September 1, 2021, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by November 1, 2021.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special

assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2021 and shall be paid annually on each installment due date.

4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

Special Assessment District No. 2021-07 – Pearce Street

City Manager Henne gave a brief presentation detailing the condition of the street and the work that will be performed.

A public hearing was conducted to receive citizen comment regarding authorization for Resolution No. 5 for Special Assessment District No. 2021-07 for Pearce Street, from South Street to Francis Street for resurfacing.

The following person commented regarding the proposed special assessment roll:

Annette Cannon, 720 W. South Street, via telephone prior to the meeting, reports that she cannot afford the special assessment and will not benefit from the work being performed. She had further questions regarding the details of the project that were answered by the Engineering Department.

Tom Manke, 2910 W. M-21, said he was told that street surfaces do not last as long as they used to because different chemicals are being used in the asphalt. He went on to ask if the City was getting a better overall product by recycling the old pavement into the new street. City Manager Henne indicated he had never heard the claim about older pavement before.

Motion by Councilmember Pidek to authorize the following resolution:

RESOLUTION NO. 137-2021

SPECIAL ASSESSMENT DISTRICT NO. 2021-07 PEARCE STREET FROM SOUTH STREET TO FRANCIS STREET SPECIAL ASSESSMENT RESOLUTION NO. 5

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement:

Pearce Street from South Street to Francis Street Street Resurfacing

and;

WHEREAS, all interested parties were heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$26,108.16 is hereby confirmed and shall be known as Special Assessment Roll No. 2021-07.
2. Said special assessment roll shall be divided into ten (10) installments, the first of which shall be due and payable on September 1, 2021, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by November 1, 2021.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2021 and shall be paid annually on each installment due date.

4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

CITIZEN COMMENTS AND QUESTIONS

Carol Ann Smith, Parks & Recreation Commissioner, was on hand to detail work the Commission has accomplished thanks to the parks millage. She asked that Council keep the City's parks in mind when considering how to spend ARPA funds. Ms. Smith was asked to continue her comments during the second Citizen Comments and Questions period.

Tom Manke, 2910 W. M-21, thanked the Parks & Recreation Commission for their work. He went on to say that he felt the bathrooms at Bentley Park should be open to the public 24/7 and the Council should not use ARPA funds to pay essential workers. He suggested that Council use the money to replace lead water service lines or fix fire hydrants.

Eddie Urban, 601 Glenwood Avenue, said he found a contractor to fix his porch, that he is staying busy and still encourages other people to attend Council meetings.

Joseph Moore, property owner at 304 Michigan Avenue, asked that Council think about using ARPA money to resolve storm sewer flooding and improving drinking water. He also asked if water testing was available for his tenants.

Councilmember Fear thanked the City Manager for the sign at the Gould House explaining to residents how their tax dollars are being used to make repairs to the building.

Mayor Eveleth thanked the Parks & Recreation Commission and the Historical Commission for their work on the Gould House project.

Mayor Pro-Tem Osika thanked the City Manager and Mark Erikson for their work on getting the Gould House project off the ground.

CONSENT AGENDA

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

Traffic Control Order - Block Party. Consider request from River North Neighborhood Planning Committee for closure of Clark Street between Oliver Street and King Street from 5:00 p.m.-12:00 midnight Friday, August 6, 2021 for a block party and approve Traffic Control Order No. 1455 formalizing the request.

Traffic Control Order – Vintage Motorcycle Days. Consider request from Owosso Main Street/DDA for closure of Main Street Plaza (Lot #13) and South Washington Street from Main Street to Jerome Avenue on Saturday, August 28, 2021 from 7:00am until 3:30 pm for Owosso Vintage Motorcycle Days and approve Traffic Control Order No. 1456 formalizing the request.

Change Order – 2021 Water Service Line Replacement Project. Approve Change Order No. 2 to the 2021 Water Service Line Replacement Project Contract with W.T. Stevens Construction, Inc. increasing the contract in the amount of \$19,352.00 for the addition of seven non-compliant water service lines on Maple Avenue to the list of streets for service line replacement, and further approve payment to the contractor up to the contract amount, including Change Order Nos. 1 & 2 as follows:

RESOLUTION NO. 138-2021

AUTHORIZING CHANGE ORDER NO. 2 TO THE CONTRACT BETWEEN THE CITY OF OWOSSO AND W.T. STEVENS CONSTRUCTION, INC. FOR THE 2021 WATER SERVICE LINE REPLACEMENT PROJECT

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved a contract with W.T. Stevens Construction, Inc. on June 7, 2021 for water service line replacements on various streets throughout the city; and

WHEREAS, the discovery of seven non-compliant water service lines on Maple Avenue resulted in the need for additional water service line replacements; and

WHEREAS, W.T. Stevens Construction, Inc. has agreed to complete these additional water service line replacements on Maple Avenue for the amount of \$19,352.00, and a change order is necessary to increase the contract amount.

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 amend the 2021 Water Service Line Replacement contract with W.T. Stevens Construction, Inc. to increase the contract amount to complete additional water service line replacements on Maple Avenue.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in form attached as Change Order No. 2 in the amount of \$19,352.00; an increase to the Contract for Services between the City of Owosso and W.T. Stevens Construction, Inc., revising the total current contract amount from \$154,486.00 to \$173,838.00.
- THIRD: The accounts payable department is authorized to pay W.T. Stevens Construction, Inc. for work satisfactorily completed up to the revised contract amount of \$173,838.00.
- FOURTH: The above expenses shall be paid from Water Fund Account 591-552-818.000-LSLREPLACE.

Emergency Repair Authorization – 2021 Retaining Wall Project. Approve emergency stabilization repairs to the City Hall Retaining Wall by Gordon Construction Services, Inc. in the amount of \$55,440.00 (to be known as Change Order No. 1) and authorize payment to the contractor up to the amount of the contract, plus Change Order no. 1 as follows:

RESOLUTION NO. 139-2021

**AUTHORIZATION TO APPROVE CHANGE ORDER NO. 1
TO THE 2021 RETAINING WALL PROJECT CONTRACT
WITH GORDON CONSTRUCTION SERVICES, INC.
FOR EMERGENCY REPAIRS**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, determined that it is in the best interest of the public to reconstruct the retaining wall at Owosso City Hall; and

WHEREAS, the city has budgeted from the capital account – building improvement funds to facilitate undertaking of the project; and

WHEREAS, during the demolition of the existing retaining wall, unforeseen site issues were discovered and a quote was provided by Gordon Construction Services, Inc. in the amount of \$55,440.00 to install sheet piling to stabilize the area; and

WHEREAS, the city's Director of Public Services & Utilities and City Manager have reviewed the quote and verified the repairs as necessary to reconstruct the retaining wall, and recommend authorizing Emergency Repair - Change Order No.1, in the amount of \$55,440.00.

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

- FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to amend the 2021 Retaining Wall Project contract with Gordon Construction Services, Inc. for emergency repairs due to unforeseen site conditions.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in form attached as Emergency Repair - Change Order No. 1 in the amount of \$55,440.00; an increase to the Contract for Services between the City of Owosso and Gordon Construction Services, Inc., revising the total current contract amount from \$220,937.20 to \$276,377.20.
- THIRD: The accounts payable department is authorized to submit payment to Gordon Construction Services, Inc. for work satisfactory completed up to the revised contract amount of \$276,377.20.
- FOURTH: The above expenses shall be paid from account no. 401-000-975-000-WALL000000.

Contract Amendment – Groundwater Resource Evaluation Contract. Approve Amendment No. 2 to the 2019 Groundwater Resource Evaluation Contract with OHM Advisors increasing the contract in the amount of \$56,500.00 for engineering services to investigate, design and test a test-production well to replace existing well Palmer 3, and further approve payment to the contractor up to the contract amount, including Amendment Nos. 1 & 2 as follows:

RESOLUTION NO. 140-2021

**AUTHORIZING THE EXECUTION OF AMENDMENT NO. 2 TO
THE GROUND WATER RESOURCES AGREEMENT
FOR PROFESSIONAL ENGINEERING SERVICES
WITH ORCHARD, HILTZ & MCCLIMENT, INC. D/B/A OHM ADVISORS**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, entered into an agreement with Orchard, Hiltz & McCliment, Inc. d/b/a OHM Advisors to provide Ground Water Resource Evaluations for new wellfield development, which was adopted by council Resolution 106-2019 on July 15, 2019; and

WHEREAS, the city and Director of Public Services & Utilities desires to expand the Ground Water Resources Agreement to include additional evaluations of the existing Palmer Avenue Wellfield sites for new well development.

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

- FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to expand the professional services agreement approved by Resolution 106-2019 on July 15, 2019 with Orchard, Hiltz & McCliment, Inc. d/b/a OHM Advisors to include additional engineering services in the amount of \$56,500.00 for investigation, design, and aquifer testing of the test-production well to replace existing well Palmer 3.
- SECOND: The accounts payable department is authorized to submit payment to OHM Advisors, in the amount of \$106,340.00, plus \$56,500.00 as amendment No. 2 for a total of \$162,840.00.
- THIRD: The above expenses shall be paid from FY2021-2022 Water Funds Account 591-901-972.000.

Purchase Authorization – AF-4500 Polymer. Waive competitive bidding requirements and authorize sole source purchase of bulk AF-4500 Polymer from Polydyne, Inc. in the amount of \$0.142/lb., with an estimated annual contract of \$27,000.00, and authorize payment based on unit prices for actual quantities required for the fiscal year ending June 30, 2022 as follows:

RESOLUTION NO. 141-2021

**RESOLUTION AUTHORIZING THE EXECUTION OF A PURCHASE ORDER
FOR AF-4500 WITH POLYDYNE INC.**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, requires AF-4500 in bulk deliveries for use in conditioning wastewater sludge for dewatering by centrifuge at the Wastewater Treatment Plant; and

WHEREAS, the City of Owosso has determined that Polydyne Inc. of Riceboro, Georgia is the only firm qualified to provide such product to condition wastewater sludge for dewatering by centrifuge at Wastewater Treatment Plant; and

WHEREAS, waiver of the purchasing policy formal Bid requirements is requested, in order to initiate procurement upon approval and authorization.

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

- FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to purchase AF 4500 from Polydyne Inc. at the price of \$0.142 per pound with an estimated annual usage of 190,000 pounds.
- SECOND: The accounts payable department is authorized to submit payment to Polydyne Inc. of Riceboro, Georgia in an amount not to exceed \$27,000.00 for FY2021-2022.
- THIRD: The above expenses shall be paid from the WWTP fund following delivery, and chargeable to account 599-548-743.200.

Purchase Authorization – Body Worn Camera System.

(This item was removed from the agenda.)

Bid Award – Certified Grant Administrator Services. Waive bidding irregularities, approve the bid from Carter Consulting, LLC for certified grant administrator services for the Howard Street Development Project in the amount of \$20,300.00, and further approve payment to the contractor upon satisfactory completion of the project or portion thereof as follows:

RESOLUTION NO. 142-2021

**AUTHORIZING THE SELECTION OF
A CERTIFIED GRANT ADMINISTRATOR
FOR THE HOWARD STREET DEVELOPMENT PROJECT USING
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

WHEREAS, the city of Owosso sought proposals from consultants for management and administrative services required by the City for administration/implementation of a proposed Community Development Block Grant (CDBG) if funded by the state; and

WHEREAS, the project for which funds will be requested consists of the rehabilitation of 7 apartments totaling 4,200 square feet of new residential space on the second floor of 152 E. Howard Street; and

WHEREAS, the city of Owosso posted a Request for Proposal (RFP) to the MEDC for posting on the their website for a certified grant administrator for the Howard Street Development (CDBG RR) Project; and

WHEREAS, at the time of the public bid opening no proposals were received. However, one proposal from Carter Consulting, LLC was mailed 3 days prior to the public opening and was delayed within the post office; and

WHEREAS, contact was made with two other CGAs throughout the state to verify why no other proposals were sent in. Input received indicated that many CGAs have a high workload and are no longer bidding on projects.

WHEREAS, staff recommends awarding the bid to Carter Consulting, LLC even though it was the only proposal received for the following reasons: the proposal is found to be reasonable and the company meets the CGA requirements with a score of 120 points using the scoring criteria from the RFP; and, after receiving input from other CGAs, bidding on new projects has slowed and rebidding would not guarantee any new bids; and

WHEREAS, the entire cost for the certified grant administrator will be paid for by the MEDC as part of the grant.

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

- FIRST: that the city of Owosso has heretofore determined that it is advisable, necessary and in the public interest to employ Carter Consulting, LLC to provide administrative consulting services for the Howard Street Development (CDBG RR) Project in the amount of \$20,300.00; and
- SECOND: that the mayor and city clerk of the city of Owosso are hereby instructed and authorized to sign the document attached as: Contract for Administrative Consulting Services with Carter Consulting, LLC.
- THIRD: The above expenses shall be paid by the MEDC. The city will be a flow through for funds expended on this project

Bid Award - Bentley Park Tennis Court Project. Accept sole bid of McKearney Asphalt & Sealing, Inc. for the resurfacing of two tennis courts and the conversion of two tennis courts into pickleball courts at Bentley Park in the amount of \$56,950.00, and authorize payment to the contractor upon satisfactory completion of the project as follows:

RESOLUTION NO. 143-2021

**RESOLUTION AUTHORIZING A CONTRACT WITH MCKEARNEY ASPHALT
& SEALING, INC. FOR WORK ON THE TENNIS COURTS AT BENTLEY
PARK**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Parks and Recreation Commission, requested city staff to solicit bids for repairing the two existing tennis courts and adding two pickleball courts at Bentley Park; and

WHEREAS, staff recommends authorizing a contract with the sole bidder, McKearney Asphalt & Sealing, Inc.

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

- FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to authorize a contract with McKearney Asphalt & Sealing, Inc. for work on the tennis courts at Bentley Park.
- SECOND: The accounts payable department is authorized to submit payment to McKearney Asphalt & Sealing, Inc. in an amount not to exceed \$56,950.00.
- THIRD: The above expenses shall be paid for from the FY 2021-2022 Parks Millage Fund Account 208-756-974.000.

Bid Award - 2021 Street Program – Contract No. 1. Approve low bid of C & D Hughes, Inc. for the 2021 Street Program - Contract No. 1 in the amount of \$709,604.31, with a contingency of \$25,000.00, and further approve payment to the contractor upon satisfactory completion of the project or portion thereof as follows:

RESOLUTION NO. 144-2021

**AUTHORIZING THE EXECUTION OF A CONTRACT WITH
C & D HUGHES, INC. FOR
THE 2021 STREET PROGRAM – CONTRACT 1**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that it is in the best interest of the public to perform pavement improvements along portions of Garfield Avenue, Glenwood Avenue, Lincoln Avenue, McMillan Avenue, Park Street, and Pearce Street as set forth in the contract documents; and

WHEREAS, the city has sufficient funds to perform said improvements from its 2016 Unlimited Obligation Bond Proceeds funds to facilitate undertaking of the project; and

WHEREAS, the city of Owosso sought bids for the 2021 Street Program – Contract 1, and a bid was received from C & D Hughes, Inc. and it is hereby determined that C & D Hughes, Inc. is qualified to provide such services and that it has submitted the lowest 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 C & D Hughes, Inc. for the 2021 Street Program – Contract 1.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit A, Contract for Services between the City of Owosso, Michigan and C & D Hughes, Inc. in the amount of \$709,604.31.
- THIRD: The accounts payable department is authorized to pay C & D Hughes, Inc. for work satisfactorily completed on the project up to the bid contract amount of \$709,604.31, plus a contingency amount not to exceed \$25,000.00 for field adjustments authorized by city staff, for a total of \$734,604.31.
- FOURTH: The above expenses shall be paid from the 2016 Unlimited Obligation Bond Proceeds Account Nos. 203-451-818.000-GARFIELD21 (\$57,738.41); 203-451-818.000-GLENWOOD21 (\$143,321.74); 203-451-818.000-LINCOLNAVE (\$139,295.72); 203-451-818.000-MCMILLIANA (\$136,329.50); 203-451-818.000-PARKST2021 (\$115,484.32); and 203-451-818.000-PEARCEST21 (\$117,434.62).

Warrant No. 602. Authorize Warrant No. 602 as follows:

Vendor	Description	Fund	Amount
Caledonia Charter Township	Caledonia Utility Fund Payment-4/1/21-6/30/21	Water	\$50,356.22
Owosso Charter Township	Owosso Charter Township 2011 Water Agreement Payment-4/1/21-6/30/21	Water	\$16,456.29
Shiawassee Area Transportation Agency	Local Funding Commitment for FY 2021/2022	General	\$69,594.93
BS&A Software	Annual Service and Support for 10 Modules – 8/1/21-8/1/22	Various	\$12,763.00

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

MML Annual Meeting Delegate

Motion by Councilmember Pidek to designate Mayor Pro-Tem Susan Osika as the City's official representative and Councilmember Janae Fear as the alternate for the MML Annual Meeting.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

MOU Update – DDA/OMS Executive Director

City Manager Henne indicated there were changes to the next two agenda items due to the fact that the DDA/OMS Executive Director handed in his resignation today, effective September 1, 2021. He requested the Council approve them with a termination date of September 1, 2021.

Mayor Eveleth thanked DDA/OMS Executive Director Josh Adams for all he has done in his roll with the City. He said he would be greatly missed.

Motion by Councilmember Pidek to approve the updated Memorandum of Understanding between the DDA/OMS Board and the City of Owosso for the provision of DDA/OMS Director services for a period ending September 1, 2021 as follows:

RESOLUTION NO. 145-2021

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

WHEREAS, the City of Owosso, Shiawassee County, Michigan, wishes to continue the partnership with the Owosso OMS/DDA for certain services for the month of August 2021; and

WHEREAS, the City of Owosso and the Owosso OMS/DDA request an extension of the Memorandum of Understanding dated December 2020 to align with the new the Independent Contractor Agreement for Joshua Adams expiring September 1, 2021; and

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

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

- FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to approve the memorandum of understanding between the OMS/DDA and the City for administrative services related to economic development for a cost to the City of Owosso of \$24,580 per year, prorated for a period of one month.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Joint Memorandum of Understanding between the City of Owosso, Michigan and Owosso OMS/DDA.
- THIRD: The above expenses shall be paid from the General Fund.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

Contract Extension – DDA/OMS Executive Director

Motion by Mayor Pro-Tem Osika to extend the Independent Contractor Agreement between the DDA/OMS Board, Joshua D. Adams, and the City of Owosso for the provision of DDA/OMS Director services until September 1, 2021 as follows:

RESOLUTION NO. 146-2021

**RESOLUTION AUTHORIZING APPROVAL OF
OMS/DDA INDEPENDENT CONTRACTOR AGREEMENT EXTENSION
BETWEEN THE CITY OF OWOSSO, OMS/DDA, AND JOSHUA D. ADAMS**

WHEREAS, the City of Owosso and the Owosso Downtown Development Authority, Shiawassee County, Michigan, wish to continue the agreement for services with Joshua D. Adams for Executive Director of the OMS/DDA Program; and

WHEREAS on Wednesday, July 14, 2021, during their regular board meeting, the OMS/DDA Board of Directors approved an extension to the Independent Contractor Agreement with Joshua Adams for Executive Director Services through July 31, 2024; and

WHEREAS, since that time the OMS/DDA Executive Director has indicated he will be moving on to a new position, effective September 1, 2021.

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

FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to approve the Independent Contractor Agreement extension with Joshua D. Adams for Executive Director of the OMS/DDA Program until September 1, 2021.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached: Independent Contractor Agreement between the City of Owosso, Owosso Downtown Development Authority (DDA)/Main Street, and Joshua D. Adams.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

COMMUNICATIONS

Owosso Historical Commission. Minutes of July 12, 2021.

Downtown Development Authority. Minutes of July 14, 2021.

Planning Commission. Minutes of July 26, 2021.

CITIZEN COMMENTS AND QUESTIONS

Carol Ann Smith, Parks & Recreation Commission representative, continued her previous comments noting that the Commission would like to work with the evening Kiwanis group to put up a play structure near Hopkins Lake. She estimated the Commission would need around \$30,000 from the City to undertake the project. She also suggested the Council might fund a small pavilion in Adams Park.

Tom Manke, 2910 W. M-21, asked about the status of the fish stocking project at Hopkins Lake. It was noted that the supplier cancelled delivery the day before the fish were supposed to be introduced to the lake. Staff will apply again in the fall to have the fish stocked. Mr. Manke went on to accuse County Commissioner Marlene Webster of violating the Open Meetings Act.

Eddie Urban, 601 Glenwood Avenue, said he was sorry to see what was happening at the County. He then asked what happens to the lead water service lines that are removed.

Mayor Pro-Tem Osika thanked the DPW for patching streets in the downtown and cutting down three trees near the Masonic Temple. There was discussion regarding why healthy trees were taken down. It was explained the trees were overgrown and were a species that is not compatible with the environment of the downtown. The Masonic Temple has plans to create a garden space where the trees were previously located.

NEXT MEETING

Thursday, August 5, 2021 – 5:00 p.m. Strategic Planning
Monday, August 16, 2021 – 7:30 p.m. Regular Meeting

BOARDS AND COMMISSIONS OPENINGS

Brownfield Redevelopment Authority – term expires June 30, 2022
Building Board of Appeals – Alternate - term expires June 30, 2022
Building Board of Appeals – Alternate - term expires June 30, 2024
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
Parks & Recreation Commission-term expires June 30, 2023
Zoning Board of Appeals – Alternate – term expires June 30, 2024
Zoning Board of Appeals – term expires June 30, 2023

ADJOURNMENT

Motion by Mayor Pro-Tem Osika for adjournment at 9:05 p.m.

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

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk