

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF AUGUST 16, 2021
7:30 P.M.**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: COUNCILMEMBER NICHOLAS L. PIDEK

PLEDGE OF ALLEGIANCE: JUSTIN HORVATH, SEDP PRESIDENT

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 Councilmember Pidek to approve the agenda with the following addition:

ITEMS OF BUSINESS – ADDITION

4. Set Public Hearing – USDA Grant Application. Consider setting a public hearing for Tuesday, September 7, 2021 at 7:30 p.m. for the purpose of receiving citizen comment regarding the application for USDA grant funding for a new ambulance.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF AUGUST 2, 2021

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of August 2, 2021 as presented.

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

APPROVAL OF THE MINUTES OF SPECIAL MEETING OF AUGUST 5, 2021

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Special Meeting of August 5, 2021 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Joseph Moore, owner of 304 Michigan Avenue, asked that the City consider two ideas: 1. allow city residents to cut and remove usable wood from the Aiken Road drop-off site 2. develop a permit system to allow residents to park overnight on the street.

Justin Horvath, president of the SEDP, provided a brief background of the Consumers easement request saying a new company had purchased the old Ready Mix site, cleaned it up in preparation for restarting the concrete plant, and requested electrical service to the site. He encouraged the Council to approve the easement.

Tom Manke, 2910 W. M-21, inquired whether the City still has a tree replacement program. He went on to mention that cities in northern Michigan allow overnight parking on their streets but they use an a system requiring residents park on a specific side of the street on a specific day. Lastly, he asked about the status of the retaining wall at City Hall.

Eddie Urban, 601 Glenwood Avenue, noted that prices at the Post Office will be going up August 26th. He also noted the pot hole at the South Gould Street and Monroe Street intersection as well as the uneven pavement at the intersection of Corunna Avenue and South Washington Street.

City Manager Nathan R. Henne noted that the retaining wall is scheduled to be finished around the end of September.

Mr. Henne indicated that the City still plants trees around town, with quite a bit of planting happening in the Osburn Lakes subdivision recently. He went on to say that the City's membership in Tree City USA lapsed some years ago. Mayor Eveleth indicated Council should institute an Arbor Day proclamation once again.

City Manager Henne responded to Mr. Moore's question regarding the Aiken Road drop-off site saying that he would like to consult with the DPW before agreeing to anything. Mayor Eveleth said he likes the idea of issuing permits allowing residents to park on the street overnight.

CONSENT AGENDA

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

Purchase Authorization – Police Vehicle. Waive competitive bidding requirements and authorize a purchase agreement with Signature Auto Group of Owosso for the purchase of a 2021 Ford Police Utility in the amount of \$35,679.00 utilizing Macomb County Contract # 21-18, with \$18,600.00 of the price offset by a USDA grant, and further authorize payment to the vendor upon satisfactory delivery of the vehicle as follows:

RESOLUTION NO. 147-2021

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR PURCHASE OF A POLICE VEHICLE WITH SIGNATURE AUTO GROUP OF OWOSSO

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has a police department requiring the use of police vehicles; and

WHEREAS, the City of Owosso desires to purchase one new police vehicle and a bid was received from Owosso Motors, Inc. d/b/a Signature Auto Group of Owosso, holder of the contract for police vehicles with Macomb County; and it is hereby determined that Signature Auto Group of Owosso is qualified to provide such vehicles and that it has submitted the responsible and responsive bid; and

WHEREAS, the City of Owosso may waive competitive bidding requirements when purchasing equipment in coordination with another municipality.

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 one 2021 Ford Interceptor Utility Police Vehicle from Signature Auto Group of Owosso, utilizing Macomb County Contract # 21-18, for a cost to the City of Owosso of \$35,679.00
- SECOND: the Finance Director and the Director of Public Safety are hereby instructed and authorized to sign documents necessary to complete the transaction.
- THIRD: payment is authorized to Signature Auto Group in the amount of \$35,679.00 upon delivery of the police vehicle. (With the City to be reimbursed \$18,600.00 from a USDA grant.)
- FOURTH: the above expenses shall be paid from the Police Division Capital Outlay fund 101-300-978.000.

Purchase Authorization - Public Safety Vehicle Equipment Changeover. Waive competitive bidding requirements, authorize contract with Mid Michigan Emergency Equipment Sales and Service L.L.C. for the removal, supply, and installation of public safety equipment in the new police utility vehicle in the amount of \$10,650.00, and further authorize payment to the vendor upon satisfactory completion of the work as follows:

RESOLUTION NO. 148-2021

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR REMOVAL, SUPPLY, AND INSTALLATION OF PUBLIC SAFETY

**EQUIPMENT
IN A NEW POLICE VEHICLE
WITH MID MICHIGAN EMERGENCY EQUIPMENT SALES AND SERVICE L.L.C.**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has purchased a new police vehicle that needs to have equipment and DVR cameras installed in it; and

WHEREAS, the new vehicle will require additional new public safety equipment to be properly outfitted for service; and

WHEREAS, the City of Owosso received a quote from Mid Michigan Emergency Equipment Sales and Service L.L.C. for the removal of the old equipment, supply of select pieces of new equipment, and the installation of all said equipment; and it is hereby determined that this company is qualified to perform the work requested; and

WHEREAS, a waiver of the bidding requirements is requested as professional services are exempt from competitive bidding.

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 contract with Mid Michigan Emergency Equipment Sales and Service LLC for the removal, purchase, and installation of public safety equipment in a City Police vehicle in the amount of \$10,650.00.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Contract for Services between the City of Owosso, Michigan and Mid Michigan Emergency Equipment Sales and Service LLC.
- THIRD: The Accounts Payable Department is hereby authorized to issue payment to Mid Michigan Emergency Equipment Sales and Service LLC in the amount of \$10,650.00 upon delivery of the equipment and satisfactory completion of the work.
- FOURTH: The above expenses shall be paid from the Police equipment fund 101-300-978.000.

Purchase Authorization – Tree Truck. Waive competitive bidding requirements and approve purchase of a new tree truck, authorizing a contract with D. & K. Truck Company for the purchase of one Freightliner M2 106 cab & chassis in the amount of \$72,735.00, further authorizing a contract with Versalift Midwest LLC for the purchase and installation of one Versalift unit, safety equipment and accessories in the amount of \$94,544.00, and further authorize payment to the vendors upon satisfactory delivery of said vehicle as follows:

RESOLUTION NO. 149-2021

**AUTHORIZING PURCHASE AGREEMENT
TO D. & K. TRUCK COMPANY OF LANSING, MICHIGAN
AND VERSALIFT MIDWEST, LLC OF SHELBY TOWNSHIP, MICHIGAN
TO PROCURE A FREIGHTLINER M2 106 CAB & CHASSIS AND A VERSALIFT UNIT WITH
STORAGE BOXES, AND WARNING LIGHTS FOR USE IN THE FLEET
MOTOR POOL AS A TREE TRUCK**

WHEREAS, the City of Owosso, Shiawassee County, Michigan requires the use of a tree truck for the purpose of trimming trees and reaching high locations safely; and

WHEREAS, the current 1993 Ford tree truck has reached the end of its useful life; and

WHEREAS, the City of Owosso, has budgeted from the Fleet Motor Pool Replacement Fund for the purchase of a new tree truck, and

WHEREAS, the City of Owosso Director of Public Services & Utilities has reviewed the replacement equipment available on the State of Michigan Contracts as priced by D. & K. Truck Company and Versalift Midwest, LLC and recommends authorizing purchase agreements between the City of Owosso and D. & K. Truck Company of Lansing, Michigan and Versalift Midwest, LLC of Shelby Township, Michigan for the purchase of one 2023 Freightliner M2 106 Cab & Chassis and the purchase and installation of one Versalift unit, multiple storage boxes, multiple warning lights, and other safety equipment & accessories respectively.

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

- FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to contract with D. & K. Truck Company of Lansing, Michigan for the purchase of one 2023 Freightliner M2 106 Cab & Chassis on State of Michigan Contract #071B6600119 for use in the Fleet Motor Pool, in the amount of \$72,735.00.
- SECOND: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to contract with Versalift Midwest, LLC of Shelby Township, Michigan for the purchase and installation of one Versalift unit, multiple storage boxes, multiple warning lights, and other safety equipment & accessories on State of Michigan Contract #071B7700166, for use in the Fleet Motor Pool, in the amount of \$94,544.00.
- THIRD: The accounts payable department is authorized to submit payment to D. & K. Truck Company in the amount of \$72,735.00, and expense from account 661-901-979.000.
- FOURTH: The accounts payable department is authorized to submit payment to Versalift Midwest in the amount of \$94,544.00, and expense from account 661-901-979.000

Minutes Correction. Approve correction to the July 6, 2021 Council meeting minutes correcting the Warrant No. from 495 to 602.

Warrant No. 604. Authorize Warrant No. 604 as follows:

Vendor	Description	Fund	Amount
Michigan Municipal Risk Management Authority	Building and property insurance – 1 st of 3 installments for FY 21/22	Various	\$133,555.00

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

Parks & Recreation Commission Bylaws

City Manager Henne explained that the nature of the changes proposed were basically to bring the bylaws in line with the ordinance.

Motion by Councilmember Teich to approve the proposed bylaws for the City’s Parks & Recreation Commission as follows:

RESOLUTION NO. 150-2021

**TO ADOPT THE
PARKS & RECREATION COMMISSION BYLAWS**

WHEREAS, the Parks & Recreation commission is a public commission which is responsible for holding its own meetings in accordance with the Open Meetings Act, Act 267, Public Acts of Michigan, 1976, as amended; and

WHEREAS, the commissioners of the Parks & Recreation Commission of the City of Owosso have drafted and approved bylaws to direct the conduct and activities of such meetings and are submitting them to the City Council for approval.

NOW, THEREFORE, BE IT RESOLVED that the Owosso City Council hereby approves the bylaws of the Parks & Recreation Commission as follows, such bylaws to be effective immediately:

**BYLAWS
PARKS & RECREATION COMMISSION
CITY OF OWOSSO, MICHIGAN**

ARTICLE 1: PURPOSE AND AUTHORITY

The purpose and authority of the Commission shall be defined and authorized by Ordinance No. 691 of the City of Owosso, Shiawassee County, Michigan.

ARTICLE 2: ORGANIZATION

SECTION 1: MEMBERS

The members of the Commission shall be appointed by the Mayor and approved by the City Council. The Commission shall consist of seven (7) voting members. The Mayor or designee of the Mayor shall be the ex officio member of the Commission with Council approval. The ex officio does not have a vote.

SECTION 2: OFFICERS

- a) The officers of the Commission shall be Chairperson and Vice Chairperson.
- b) The ex officio member of the Commission, appointed by the Mayor, shall serve as Secretary of the Commission
- c) The officers shall serve two (2) year terms and the Secretary shall serve for an indefinite term
- d) Terms of office shall run from July 1 – June 30 and expire two (2) years later.

SECTION 3: OFFICER DUTIES

- a) The Chairperson shall preside at all meetings of the Commission and will attend appropriate meetings of City Council
- b) In the absence of the Chairperson, the Vice Chairperson will assume all the duties of the Chairperson
- c) The Secretary will keep a book of all meetings and records of all the meetings. Additionally, they will prepare agendas and shall give notice of regular and special meetings of the Commission. Finally, the Secretary will be in charge of the annual report and action plan to be reported to the City Council. The annual report must be approved by majority vote before presentation to the Council.

ARTICLE THREE: MEETINGS

- a) The Parks & Recreation Commission shall hold monthly meetings in the City Council Chambers, City Hall, Michigan on the fourth Wednesday of each month. Meetings shall begin at 7:00 p.m. and conclude by 8:00 p.m., unless adjournment is postponed by action of a majority of the Commission
- b) Any member of the Commission may call special meetings of the Commission with prior notice to each member of the date and purpose. Notice shall be given at least five (5) days in advance.
- c) All meetings will be in compliance with the Michigan Open Meetings Act.
- d) A quorum or simple majority of the Commissioners shall decide all issues.
- e) The Chairperson, or Vice Chairperson if appropriate, shall preside over all meetings.
- f) Parliamentary procedure at all meetings of the Commission shall be in accordance with Roberts Rules of Order.
- g) The Commission, through a motion and support may recess a meeting. For the recess to be in order, the time, day, month, date, year, and location to reconvene shall be stated as part of the action to recess. If the meeting does not reconvene within 36 hours after the action for recess, then the reconvened meeting shall be posted at least 18 hours prior to the reconvened meeting, per the Michigan Open Meetings Act.

ARTICLE FOUR: ADOPTION AND AMENDMENTS

- a) These by-laws are to be adopted by a simple majority vote at a regularly scheduled meeting of the Commission
- b) The Commission shall annually review these bylaws during its first regular meeting in March to determine any needed amendments
- c) Amendments shall be made by a simple majority vote.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

Consumers Easement – 525 Oakwood Ave. and S. Gould Street

City Manager Henne indicated that the easement requested would go through a small portion of two City parcels, that staff had vetted the request and had no issues with it.

Motion by Mayor Pro-Tem Osika to approve a 30' easement on City-owned parcels 050-580-000-141-00 and 050-010-035-002-00 for the construction, operation and maintenance of electric facilities for proposed concrete plant at 599 Oakwood Avenue as follows:

RESOLUTION NO. 151-2021

GRANTING A PERMANENT EASEMENT FOR ELECTRIC FACILITIES TO CONSUMERS ENERGY

WHEREAS, Consumers Energy desires to install electric facilities on/over the City owned parcels 050-580-000-141-00 and 050-010-035-002-00 to provide electric service to the proposed concrete plant at 599 Oakwood Avenue; and

WHEREAS, Consumers Energy has requested the City grant a permanent easement measuring 30' wide to allow for construction, operation, maintenance, and inspection of said facilities; and

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

WHEREAS, the city of Owosso is willing to grant a permanent easement for that portion of parcels 050-580-000-141-00 and 050-010-035-002-00 as described in Exhibit B of the easement agreement.

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 Electric Facilities between the City of Owosso and Consumers Energy.

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

NAYS: None.

Set Special Meeting

There was some discussion about changing the meeting time to 6:00 p.m. but some Councilmembers expressed concern that some citizens wouldn't be aware of the change in the meeting time.

Motion by Councilmember Pidek setting a special meeting for Monday, August 30, 2021 at 7:30 p.m. for the purpose of discussing possible uses of American Rescue Plan Act funding.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

Set Public Hearing – USDA Grant Application (This item was added to the agenda.)

City Manager Henne indicated that this item came to staff late in the week and was not included on the original agenda. He noted that the City has seen success with this particular grant program having received funding for police vehicles. Lastly, he noted the lead time for ambulances is currently 18 months.

Motion by Councilmember Pidek setting a public hearing for Tuesday, September 7, 2021 at 7:30 p.m. for the purpose of receiving citizen comment regarding the application for USDA grant funding for a new ambulance as follows:

RESOLUTION NO. 152-2021

SETTING A PUBLIC HEARING TO CONSIDER APPLICATION FOR GRANT MONEY FROM THE USDA FOR THE PURCHASE OF AN AMBULANCE

WHEREAS, the City of Owosso, Shiawassee County, Michigan has a fire department requiring the use of ambulances; and

WHEREAS, one of the City's ambulances has reached the end of its useful life and must be replaced; and

WHEREAS, the USDA has a grant program that provides funding for ambulances and this grant program requires a public hearing to allow for public comment on applying for the grant money; and

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

WHEREAS, the City of Owosso is eligible for up to 35% federal assistance in the purchase of an ambulance with a purchase cap of \$50,000.00. The grant would be capped at \$50,000.00 for the City of Owosso. The remaining funding would be covered by the City of Owosso.

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

FIRST: a public hearing is set for Tuesday September 7, 2021 at 7:30 p.m. for the purpose of hearing citizen comment on the grant application.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

COMMUNICATIONS

Eric Lab, Downtown Development Authority/Main Street Board. Letter of resignation.
N. Bradley Hissong, Building Official. July 2021 Building Department Report.
N. Bradley Hissong Building Official. July 2021 Code Violations Report.
N. Bradley Hissong Building Official. July 2021 Inspections Report.
N. Bradley Hissong Building Official. July 2021 Certificates Issued Report.
Kevin D. Lenkart, Public Safety Director. July 2021 Police Report.
Kevin D. Lenkart, Public Safety Director. July 2021 Fire Report.
Parks & Recreation Commission. Minutes of July 28, 2021.

CITIZEN COMMENTS AND QUESTIONS

Joseph Moore, owner of 304 Michigan Avenue, said his idea to allow citizens to cut and take wood from the Aiken Road drop-off site would be a win for both the City and residents. He also asked that Council seriously consider a resolution to the issue of overnight parking.

Tom Manke, 2910 W. M-21, said the County Commission meets at the time that it does because department heads are required to attend the meetings. He went on to say that he was disappointed the City is no longer a Tree City USA but was happy to hear that we are thinking of going back.

Eddie Urban, 601 Glenwood Avenue, reminded everyone of the price increases at the Post Office taking affect August 26th.

There was discussion among Councilmembers regarding the overnight parking issue. Councilmember Teich asked that staff investigate how other cities handle overnight parking and report back to Council. Mayor Eveleth asked Councilmember Teich to work with the City Manager on the issue.

Councilmember Law said he likes the idea of allowing citizens to take wood from the Aiken Road drop-off site. He also indicated he would like to be included on the overnight parking discussions.

NEXT MEETING

Monday, August 30, 2021 – 5th Monday Meeting, if approved
Tuesday, September 7, 2021 – Regular Meeting, 7:30 p.m.

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 Councilmember Fear for adjournment at 8:10 p.m.

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

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk