

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

Mayor Christopher T. Eveleth led a moment of silence recognizing the upcoming 20th anniversary of the September 11, 2001 attacks.

- PRESIDING OFFICER:** MAYOR CHRISTOPHER T. EVELETH
- OPENING PRAYER:** COUNCILMEMBER JEROME C. HABER
- PLEDGE OF ALLEGIANCE:** COUNCILMEMBER DANIEL A. LAW
- 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 additions:

CONSENT AGENDA

4. Boards and Commissions Appointments. (Adding this appointment to the list.)

Name	Board/Commission	Term Expires
Linda Morovitz*#	SATA Board of Directors	10/01/2024

ITEM OF BUSINESS

3. Traffic Control Order – Art Walk. Approve the application of the Shiawassee Convention and Visitor’s Bureau for use of Main Street Plaza September 11, 2021 from 8:00am to 5:00pm for the Art Walk event, waive the insurance requirement, and authorize Traffic Control Order No. 1460 formalizing the requested closure.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF AUGUST 16, 2021

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of August 16, 2021 as presented.

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

APPROVAL OF THE MINUTES OF SPECIAL MEETING OF AUGUST 30, 2021

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Special Meeting of August 30, 2021

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

USDA Grant Application - Ambulance

A Public Hearing was conducted pursuant to USDA Grant guidelines to receive citizen comment regarding application for grant funding to be used toward the purchase of an ambulance.

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

City Manager Nathan R. Henne noted that the potential grant would cover up to 35% of the cost of the ambulance.

Councilmember Pidek expressed his appreciation for the City Manager and staff finding all of the recent grant opportunities saying it helped take the City's dollars further.

Motion by Councilmember Pidek to approve the grant application as follows:

RESOLUTION NO. 153-2021

PUBLIC HEARING TO RECEIVE CITIZEN COMMENT ON THE APPLICATION FOR GRANT MONEY FROM THE USDA FOR THE PURCHASE OF A NEW AMBULANCE

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

WHEREAS, the USDA has a grant program that provides funding for emergency vehicles/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.

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.

WHEREAS, a public hearing was held on this application on Monday, May 3, 2021 in which no comments were received/all interested parties were heard.

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

FIRST: it has theretofore determined that it is advisable, necessary and in the public interest to authorize city staff to submit the completed application for grant funding toward the purchase of a new police vehicle to the USDA.

SECOND: the City further commits to the terms of the grant as noted above.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

CITIZEN COMMENTS AND QUESTIONS

Eddie Urban, 601 Glenwood Avenue, said he was free of all VA medicines today. He also pointed out that September 11th is Patriot Day. He displayed some informational booklets that he had saying anyone could borrow them if they want.

Mayor Pro-Tem Osika welcomed Ellen Rodman, the City's newest Parks & Recreation Commissioner.

CONSENT AGENDA

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

Set Public Hearing – CDBG Grant Application. Set a public hearing for Monday, September 20, 2021 at 7:30 p.m. in the City Hall Council Chambers to receive citizen comment regarding the proposed application for the 152 Howard Street Redevelopment Project for a CDBG grant as follows:

RESOLUTION NO. 154-2021

RESOLUTION SETTING A PUBLIC HEARING FOR SEPTEMBER 20, 2021 FOR THE CDBG RENTAL REHAB GRANT APPLICATION FOR 152 HOWARD STREET PROJECT

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has received a letter of intent from the Michigan Economic Development Corporation to fund a \$420,000 Rental Rehab grant with Community Development Block Grant funds; and

WHEREAS, the grant shall be used for the purpose of redevelopment the 152 Howard Street property into mixed use commercial and residential space to include 7 new rental housing units; and

WHEREAS, 4 of the 7 housing units will be rent controlled per the rental rehab program requirements while the remaining 3 units will be market rate rental housing; and

WHEREAS, the City is required to hold a public hearing to receive citizen comment on the CDBG rental rehab program grant application; and

WHEREAS, the CDBG rental rehab grant will be supplemented with \$538,715 in private matching funds; and

WHEREAS, this project is planned for completion before Dec 31, 2023 subject to grant approval and award.

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 schedule a public hearing for the regular city council meeting of September 20, 2021 at 7:30 P.M. to receive citizen comment on the CDBG Rental Rehab program grant application in the amount of \$420,000 for the redevelopment of 152 Howard Street.
- SECOND: The complete CDGB Rental Rehab grant application will be available for public view in the City Clerk's office located in Owosso City Hall – 301 W Main Street, Owosso, MI 48867 – during regular business hours.
- THIRD: Written comments are welcome prior to the September 20, 2021 public hearing from citizens who wish to comment on the grant application but cannot attend the public hearing.

Proposed Special Assessment Project – Lee Street. Authorize Resolution No. 1 for proposed Special Assessment District No. 2022-02 for Lee Street from Clark Street to Ada Street for street resurfacing as follows:

RESOLUTION NO. 155-2021

**LEE STREET
FROM CLARK STREET TO ADA STREET
SPECIAL ASSESSMENT RESOLUTION NO. 1**

WHEREAS, the City Council of the City of Owosso deems it necessary to acquire and construct the following described improvement:

**Lee Street from Clark Street to Ada Street:
Street Resurfacing**

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The matter of making said public improvement is hereby referred to the City Manager, who shall prepare a report thereon, which shall include plans and detailed estimates of the cost thereof and a description of the special assessment district and such other pertinent information as will permit the City Council to decide the cost, extent and necessity of the public improvement and what proportion of the cost should be paid by the City at large.
2. The City Manager shall present said report to the City Council when same has been prepared.

Proposed Special Assessment Project – Maple Avenue. Authorize Resolution No. 1 for proposed Special Assessment District No. 2022-03 for Maple Avenue from M-71 (Corunna Avenue) to the north end for street reconstruction as follows:

RESOLUTION NO. 156-2021

**MAPLE AVENUE
FROM M-71 (CORUNNA AVE) TO NORTH END
SPECIAL ASSESSMENT RESOLUTION NO. 1**

WHEREAS, the City Council of the City of Owosso deems it necessary to acquire and construct the following described improvement:

**Maple Avenue from M-71 (Corunna Avenue) to north end:
Street Reconstruction**

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The matter of making said public improvement is hereby referred to the City Manager, who shall prepare a report thereon, which shall include plans and detailed estimates of the cost thereof and a description of the special assessment district and such other pertinent information as will permit the City Council to decide the cost, extent and necessity of the public improvement and what proportion of the cost should be paid by the City at large.
2. The City Manager shall present said report to the City Council when same has been prepared.

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

Name	Board/Commission	Term Expires
Brad A. Barrett Finance Director	City of Owosso Building Authority	06/30/2023
Melissa Wheeler	Downtown Development Authority/Main Street	06/30/2024
Jerald Bila	Parks & Recreation Commission To fill unexpired term of P. Alexander	06/30/2022
Ellen Rodman	Parks & Recreation Commission	06/30/2023
Patrick Bradley*	Firemen's Memorial Steering Committee	09/01/2022
Daniel A. Law*	Firemen's Memorial Steering Committee	09/01/2022
Mary Reid Long*	Firemen's Memorial Steering Committee	09/01/2022
Teresa Schneider*	Firemen's Memorial Steering Committee	09/01/2022
Ross Stanley*	Firemen's Memorial Steering Committee	09/01/2022
Sarah Moorodian*	Firemen's Memorial Steering Committee	09/01/2022
Travis Schneider	Firemen's Memorial Steering Committee	09/01/2022
Linda Morovitz*#	SATA Board of Directors	10/01/2024

* indicates reappointment

this item was added at the meeting

Change Order - 2021 Water Service Line Replacement Project. Approve Change Order No. 3 to the 2021 Water Service Line Replacement Project Contract with W.T. Stevens Construction, Inc. increasing the contract in the amount of \$30,680.00 for the addition of seven non-compliant water service lines around the city 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 & 3 as follows:

RESOLUTION NO. 157-2021

**AUTHORIZING CHANGE ORDER NO. 3
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 City has requested seven additional non-compliant water service line replacements at various locations within the city as set forth within the documents labeled Change Order No. 3; and

WHEREAS, W.T. Stevens Construction, Inc. has agreed to complete these additional water service line replacements for the amount of \$30,680.00, 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.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in form attached as Change Order No. 3 in the amount of

\$30,680.00; 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 \$173,838.00 to \$204,518.00.

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 \$204,518.00.

FOURTH: The above expenses shall be paid from Water Fund Account 591-552-818.000-LSLREPLACE.

Change to Street Lighting Contract – Change-over to LED. Authorize amendment to the Street Light Contract with Consumers Energy to reflect the replacement of old high pressure sodium cobrahead streetlights on the Gould Street bridge with new LED lights, removal of said lights from the current street lighting contract, inclusion of said lights on a new contract solely for LED fixtures, and authorize the Mayor and City Clerk to execute appropriate documents as detailed in the following resolutions:

RESOLUTION NO. 158-2021

REMOVING LIGHTS FROM THE STANDARD STREET LIGHTING CONTRACT DATED 10/01/2013

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the City of Owosso, dated 10/01/2013, in accordance with the Authorization for Change in Standard Lighting Contract dated 09/07/2021, heretofore submitted to and considered by this council; and

RESOLVED, further, that the Mayor and Clerk be and are authorized to execute such authorization for change on the behalf of the City.

GENERAL SERVICE UNMETERED LIGHTING RATE GUL, STANDARD HIGH INTENSITY DISCHARGE

<i>Number of Luminaires</i>	<i>Nominal Watts</i>	<i>Luminaire Type</i>	<i>Fixture Type</i>	<i>Fixture Style</i>	<i>Install Remove</i>	<i>Location</i>
1	250	HPS	Cobrahead	Non-Cutoff	Remove	NW Gould St Bridge
1	250	HPS	Cobrahead	Non-Cutoff	Remove	SE Gould St Bridge
1	250	HPS	Cobrahead	Non-Cutoff	Remove	SW Gould St Bridge
1	400	HPS	Cobrahead	Non-Cutoff	Remove	NE Gould St Bridge

and

RESOLUTION NO. 159-2021

ADDING LIGHTS TO THE STANDARD STREET LIGHTING CONTRACT DATED 09/27/2018

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the City of Owosso, dated 09/27/2018, in accordance with the Authorization for Change in Standard Lighting Contract dated 09/07/2021, heretofore submitted to and considered by this council; and

RESOLVED, further, that the Mayor and Clerk be and are authorized to execute such authorization for change on the behalf of the City.

GENERAL UNMETERED EXPERIMENTAL LIGHTING RATE GU-XL

<i>Number of Luminaires</i>	<i>Nominal Watts</i>	<i>Luminaire Type</i>	<i>Fixture Type</i>	<i>Fixture Style</i>	<i>Install Remove</i>	<i>Location</i>
1	72	LED	Cobrahead	Cutoff	Install	
1	72	LED	Cobrahead	Cutoff	Install	
1	72	LED	Cobrahead	Cutoff	Install	
1	72	LED	Cobrahead	Cutoff	Install	

Professional Services Agreement – Governmental Accounting Services. Authorize a professional services agreement with Maner, Costerisan & Ellis, P.C. dba Maner Costerisan for the provision of governmental accounting services in an amount not to exceed \$25,000.00 and

further authorize payment to the firm for services rendered in accordance with the contract as follows:

RESOLUTION NO. 160-2021

**AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH
MANER, COSTERISAN & ELLIS, P.C. DBA MANER COSTERISAN
FOR GOVERNMENTAL ACCOUNTING SERVICES**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, is required to complete an independent audit per Section 8.4 of the Owosso City Charter; and

WHEREAS, the finance department is in transition due to the recent departure of the accountant and retirement of the finance director; and

WHEREAS, Maner, Costerisan & Ellis, P.C. dba Maner Costerisan, a full service public accounting firm, has agreed to assist the finance department in preparing for the independent and single audit for fiscal year ending June 30, 2021; and

WHEREAS, the employment of professional services is an exception to competitive bidding per Section 2-346(2) of the City of Owosso Code of Ordinances.

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

- FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to enter into a professional service agreement with Maner, Costerisan & Ellis, P.C. dba Maner Costerisan for end of fiscal year governmental accounting services and annual independent audit preparation services.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in form attached as Professional Services Agreement between the City of Owosso and Maner, Costerisan & Ellis, P.C. dba Maner Costerisan estimated at \$25,000.
- THIRD: The accounts payable department is authorized to pay Maner, Costerisan & Ellis, P.C. dba Maner Costerisan for work satisfactorily completed estimated at \$25,000 under said professional services agreement.
- FOURTH: The above expenses shall be paid from General Fund Account 101.201.818.000.

Utilities General Engineering Services Contract - Fishbeck. Approve contract with Fishbeck to provide professional engineering services for future utilities projects in accordance with the City Purchasing Policy for a period through October 30, 2025 as detailed in the resolution following the next item.

Contract Renewal – Utilities General Engineering Services. Approve the required annual renewal of the Utilities General Engineering Services contracts with C2ae, OHM Advisors, Tetra Tech, and Jones & Henry to provide engineering services for utilities projects through October 30, 2022 as follows:

RESOLUTION NO. 161-2021

**AUTHORIZING THE EXECUTION OF AGREEMENTS
FOR PROFESSIONAL ENGINEERING SERVICES WITH
C2AE, OHM ADVISORS, TETRA TECH, JONES & HENRY, AND FISHBECK**

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

WHEREAS, a quality based selection process was developed to select qualified engineering firms; and

WHEREAS, C2ae, OHM Advisors, Tetra Tech, Jones & Henry, and Fishbeck have been determined as most qualified to perform engineering services for water and wastewater utilities through this process.

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

- FIRST: The city of Owosso has heretofore determined that it is advisable, necessary and in the public interest to employ the firms of Capital Consultants, Inc. d/b/a C2ae, Orchard, Hiltz, and McCliment, Inc. d/b/a OHM Advisors, Tetra Tech of Michigan, P.C., Jones & Henry Engineers, Ltd., and Fishbeck, Thompson, Carr & Huber, Inc. d/b/a Fishbeck to provide professional engineering services for future water and wastewater utility projects; and
- SECOND: The mayor and city clerk of the city of Owosso is hereby instructed and authorized to sign the document attached as; Exhibit A, Agreement for Professional Engineering Services with Capital Consultants, Inc. d/b/a C2AE; and
- THIRD: The mayor and city clerk of the city of Owosso is hereby instructed and authorized to sign the document attached as; Exhibit B, Agreement for Professional Engineering Services with Orchard, Hiltz, and McCliment, Inc. d/b/a OHM Advisors.; and
- FOURTH: The mayor and city clerk of the city of Owosso is hereby instructed and authorized to sign the document attached as; Exhibit C, Agreement for Professional Engineering Services with Tetra Tech of Michigan, P.C.; and
- FIFTH The mayor and city clerk of the city of Owosso is hereby instructed and authorized to sign the document attached as; Exhibit D, Agreement for Professional Engineering Services with Jones & Henry Engineers, Ltd.; and
- SIXTH: The mayor and city clerk of the city of Owosso is hereby instructed and authorized to sign the document attached as; Exhibit E, Agreement for Professional Engineering Services with Fishbeck, Thompson, Carr & Huber, Inc. d/b/a Fishbeck.; and
- SEVENTH: The city manager of the city of Owosso is hereby instructed to receive cost proposals from each of these firms for future projects and make recommendation to the City Council for acceptance and award in accordance with the city of Owosso Purchasing Policy for a period renewed annually through October 30, 2025.

Bid Award – Structural Firefighting Gear. Authorize bid award to Apollo Fire Equipment Co. for the purchase of structural firefighting gear in the amount of \$2,154.53 each, up to \$10,772.65 per year with a ten percent cost increase for two additional years and further authorize payment to the vendor based on unit prices for actual quantities required as follows:

RESOLUTION NO. 162-2021

**AUTHORIZING THE EXECUTION OF A THREE YEAR CONTRACT FOR
STRUCTURAL FIREFIGHTING GEAR
WITH APOLLO FIRE EQUIPMENT, CO.**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has a fire department requiring structural firefighting gear; and

WHEREAS, the city of Owosso sought bids for structural firefighting gear, a bid was received from Apollo Fire Equipment, Co. and it is hereby determined that Apollo Fire Equipment, Co. is qualified to provide such equipment and that it has submitted the only responsible and responsive bid.

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

- FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to purchase structural firefighting gear from Apollo Fire Equipment, Co. for a total expenditure not to exceed \$35,657.47.
- SECOND: The accounts payable department is authorized to pay the vendor upon satisfactory receipt of the gear according to unit prices up to the amount of \$35,657.47.
- THIRD: The money for this purchase will come out of the firefighters' uniforms and cleaning budget, 101-335-741-000.

Warrant No. 605. Authorize Warrant No. 605 as follows:

Vendor	Description	Fund	Amount
MEI Total Elevator Solutions	Emergency repairs to city hall elevator less return of unneeded parts	General	\$23,407.01
Michigan Municipal League Workers' Compensation Fund	Workers' compensation contributions half of FY 21/22	Various	\$52,530.00

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

Set Special Meeting – Strategic Planning

Following a brief discussion a date and time were agreed upon.

Motion by Mayor Pro-Tem Osika to approve setting a special meeting for Tuesday, September 28, 2021 at 6:00 p.m. for the second Strategic Planning session.

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

Closed Session

Motion by Councilmember Fear to authorize holding a closed session after the last Citizen Comments & Questions period for the purpose of consulting with an attorney regarding trial or settlement strategy in connection with specific pending litigation.

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

Traffic Control Order – Art Walk (This item was added to the agenda.)

City Manager Henne explained that this item came to the attention of staff at the last minute.

Motion by Councilmember Pidek to approve the application of the Shiawassee Convention and Visitor's Bureau for use of Main Street Plaza September 11, 2021 from 8:00am to 5:00pm for the Art Walk event, waive the insurance requirement, and authorize Traffic Control Order No. 1460 formalizing the requested closure.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

COMMUNICATIONS

- Pete Yerian, Planning Commission. Letter of Resignation.
- Downtown Historic District Commission. Minutes of July 21, 2021.
- Downtown Development Authority. Minutes of August 4, 2021.
- Owosso Historical Commission. Minutes of August 9, 2021.
- Zoning Board of Appeals. Minutes of August 17, 2021.
- Downtown Historic District Commission. Minutes of August 18, 2021.
- Parks & Recreation Commission. Minutes of August 25, 2021.

CITIZEN COMMENTS AND QUESTIONS

Eddie Urban, 601 Glenwood Avenue, said he had recently paid someone to mow his lawn but it still hasn't been done. He also noted that he found a contractor to fix his front steps.

There were no Council comments.

ADJOURNED TO CLOSED SESSION AT 7:46 P.M.
RETURNED FROM CLOSED SESSION AT 8:36 P.M.

APPROVAL OF THE MINUTES OF CLOSED SESSION OF JULY 19, 2021

Motion by Councilmember Pidek to approve the Minutes of the Closed Session of July 19, 2021 as presented.

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

Consent Judgement – Osburn Lakes HOA

Motion by Councilmember Haber to authorize City Attorney Scott J. Gould to pursue a settlement with the Osburn Lakes HOA based on the amended consent judgement presented during closed session and detailed as follows:

The City agrees to:

1. Give Lot Nos. 56 and 57 to the HOA for a park.
2. Paint cross walks on Jackson Drive, Juniper Street, and Bluestem Court
3. Install "Slow, Children Playing" signs in the subdivision
4. Stipulate it is not the "successor developer", but will pay no dues on land in Phase 2
5. Amend the Master Deed
 - a. To permit a well field on Phase 2 property
 - b. Require approval of the HOA in selecting a developer for Phase 2
 - i. Clearly define role of HOA in said approval
 - c. Upon development of Phase 2
 - i. City shall provide direct access to Phase 2 from Gould Street
 - ii. Require design characteristics for Phase 2 match those of Phase 1
 - iii. Phase 1 and Phase 2 owners will belong to the existing HOA

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

Case Evaluation Rejection

Motion by Mayor Pro-Tem Osika to authorize City Attorney Gould to formally reject the proposed case evaluation settlement of \$66,220.55 between the City of Owosso and the Osburn Lakes HOA.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

NEXT MEETING

Monday, September 20, 2021, 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
Downtown Development Authority – term expires June 30, 2024
Downtown Historic District Commission – term expires June 30, 2022
Owosso Historical Commission – 2 terms expire December 31, 2021
Owosso Historical Commission – term expires December 31, 2022
Owosso Historical Commission – term expires December 31, 2023
Parks & Recreation Commission-term expires June 30, 2022
Planning Commission – term expires June 30, 2022
Zoning Board of Appeals – Alternate – term expires June 30, 2024
Zoning Board of Appeals – term expires June 30, 2023

ADJOURNMENT

Motion by Councilmember Law for adjournment at 8:38 p.m.

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

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk