

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF OCTOBER 18, 2021
7:30 P.M.
VIRGINIA TEICH CITY COUNCIL CHAMBERS**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: COUNCILMEMBER JEROME C. HABER

PLEDGE OF ALLEGIANCE: PUBLIC SAFETY DIRECTOR KEVIN D. LENKART

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 as presented.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF OCTOBER 4, 2021

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of October 4, 2021 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

USDA Grant Application

Master Plan Implementation Goals: 3.2

City Manager Nathan R. Henne explained that should the grant application be approved and the grant awarded it would assist the City in purchasing a third police vehicle.

Pursuant to USDA Grant guidelines, a Public Hearing was conducted to receive citizen comment regarding application for grant funding to be used toward the purchase of a police vehicle.

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

Motion by Mayor Pro-Tem Osika to approve the grant application as follows:

RESOLUTION NO. 188-2021

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

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

WHEREAS, the USDA has a grant program that provides funding for police vehicles 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 a police vehicle with a purchase cap of \$50,000.00. The grant would be capped at \$10,654.35 for the City of Owosso for the purchase of a vehicle and emergency lights at \$30,441.00. The remaining funding would be covered by the City of Owosso; and

WHEREAS, a public hearing was held on this application on Monday, October 18, 2021 in which no comments were received.

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

NAYS: None.

Ordinance Amendment – Excess Marihuana Grower License

Master Plan Implementation Goals: 1.17, 7.4

The proposed amendment would allow Excess Marihuana Grower licenses within the City Limits. Excess Grower Licenses allow organizations that hold five Class C recreational grower licenses and at least two Class C medical grower licenses to grow plants, in increments of 2,000, up to the number of plants allowed by their medical grower licenses.

A public hearing was conducted to receive citizen comment regarding the proposed amendment to Chapter 16.6, Adult Use Marihuana Establishments Licensing – Police Power Ordinance, Sec. 16.6-3, *Authorization of facilities and fee*.

The following person commented in regard to the proposed ordinance:

Tom Manke, 2910 W. M-21, asked whether excess license holders would be required to indoors or outdoors. He said he would be concerned if it was outdoors.

City Manager Henne explained that State law allows growers to cultivate indoors or outside and the proposed ordinance amendment would simply allow for more plants to be grown. He also noted that no one had shown an interest in establishing an outdoor grow at this time.

Councilmember Law indicated the Planning Commission has no misgivings about the proposed amendment.

Councilmember Pidek asked if the City would be looked on as a hot spot for marijuana grow facilities if the excess grower license is allowed. City Manager Henne said he didn't think so, due in large part to the fact that the City has little space available for such operations.

Whereas, the Council, after due and legal notice, has met and having heard all interested parties, motion by Councilmember Fear that the following ordinance be adopted:

ORDINANCE NO. 823

AMENDING SECTION 16.6-3, AUTHORIZATION OF FACILITIES AND FEE, OF CHAPTER 16.6, ADULT USE MARIHUANA ESTABLISHMENTS LICENSING – POLICE POWER ORDINANCE, OF THE CODE OF ORDINANCES TO ALLOW EXCESS MARIHUANA GROWER LICENSES

WHEREAS, the City of Owosso, Shiawassee County, Michigan, permits certain adult use marihuana establishments within the City; and

WHEREAS, the Planning Commission recommended, at its September 27, 2021 meeting, the addition of the Excess Marihuana Grower License to the list of permitted establishments; and

WHEREAS, the City Council held a public hearing on the proposed amendment October 18, 2021, heard all interested persons, and deliberated on the request.

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

SECTION 1. AMENDMENT. That Chapter 16.6, Adult Use Marihuana Establishments Licensing – Police Power Ordinance, Sec. 16.6-3, *Authorization of facilities and fee*, of the Code of Ordinances of the City of Owosso be amended as follows:

Sec. 16.6-3. - Authorization of facilities and fee.

- (a) The maximum number of each type of adult use marihuana establishment allowed in the city shall be as follows:

Establishment	Number
Grower	Unlimited
Processor	Unlimited
Retailer	4 (see Sec 16.6-3(e))
Safety compliance facility	Unlimited
Secure transporter	Unlimited
Excess Marihuana Grower	Unlimited

- (b) *Special licenses prohibited.* Pursuant to the MRTMA, section 6(1), the city elects to prohibit the licensing and operation of **SPECIFIC** special licenses within its boundaries to the extent it is permitted to prohibit them under the Act, which shall specifically prohibit as follows:

License Type	Number
Designated consumption establishment license	Prohibited
Marihuana event organizer license	Prohibited
Temporary marihuana event license	Prohibited
Marihuana microbusiness	Prohibited

- (c) Planning commission shall review the number of allowed adult use marihuana establishments at the one (1) year mark of implementation to re-evaluate and determine if the number allowed needs to be adjusted. From that point on, every three (3) years, city council shall review the maximum number of each type of marihuana establishment allowed and determine whether this maximum number should be changed. The review and its findings shall be recorded in the minutes of the relevant meeting of the city council.
- (d) A nonrefundable fee shall be paid by each marihuana establishment licensed under this chapter in an annual amount as set by resolution of the city council.
- (e) Not more than a total of four (4) marihuana retailers may be authorized in the city, so long as the total combined number of single locations of marihuana retailers authorized under this chapter and marihuana provisioning centers authorized under the city's medical marihuana facilities ordinance does not exceed four (4) such authorized locations. By way of example, if three (3) marihuana provisioning centers under the medical marihuana facilities ordinance have been authorized at three (3) separate locations within the city, then only one (1) marihuana retailer may be authorized at a fourth separate location under this chapter. However, up to three (3) additional marihuana retailers could be authorized under this chapter, so long as they were co-located with the existing marihuana provisioning centers already authorized. Similarly, if four (4) marihuana provisioning centers have already been authorized under the medical marihuana facilities ordinance at four (4) separate locations, then no marihuana retailers may be authorized under this chapter unless they are co-located with the existing marihuana provisioning centers.
- (f) All adult use marihuana establishments as permitted by this chapter, shall be subject to the same zoning restrictions as the medical marihuana facilities as set forth in chapter 38 "zoning" of the City's Code of Ordinances. Specifically:
- (1) Adult use marihuana growers and excess marihuana growers shall be subject to the same zoning restrictions and requirements applicable to medical marihuana growers;
 - (2) Adult use marihuana processors shall be subject to the same zoning restrictions and requirements applicable to medical marihuana processors;
 - (3) Adult use marihuana retailers shall be subject to the same zoning restrictions and requirements applicable to medical marihuana provisioning centers;
 - (4) Adult use marihuana safety compliance facility shall be subject to the same zoning restrictions and requirements applicable to medical marihuana safety compliance facility;

- (5) Adult use marihuana secure transporter shall be subject to the same zoning restrictions and requirements applicable to medical marihuana secure transporter.

SECTION 3. EFFECTIVE DATE. This amendment shall become effective November 8, 2021.

SECTION 4. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

Proposed Special Assessment District No. 2021-01 - Hazards and Nuisances

Master Plan Implementation Goals: 1.1, 1.10, 1.12

A public hearing was conducted to receive citizen comment regarding proposed Special Assessment District No. 2021-01, Hazards and Nuisances, as it relates to unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances.

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

Cassandra Boulis, 423 Hamblin Street, asked if the special assessment charges for 419 Hamblin Street would be passed along to her if she were to buy the property. It was noted they would.

Jeff Turner, 204 Oakwood Avenue, inquired about alley maintenance asking if street lights could be installed, whether any of the grant money the City is receiving will go to alley maintenance, and if the City could trim the tree overhanging the alley behind his home.

Motion by Councilmember Pidek to approve Special Assessment District No. 2021-01 – Hazards & Nuisances as follows:

RESOLUTION NO. 189-2021

**AUTHORIZING THE ROLL FOR
SPECIAL ASSESSMENT DISTRICT NO. 2021-01, HAZARDS & NUISANCES**

WHEREAS, the Council, after due and legal notice, has met and having heard all interested parties, motion by Councilmember Pidek to adopt Special Assessment Resolution No. 2 for the annual hazards & nuisances roll, as follows:

PARCEL#	SERVICE ADDRESS	TYPE	AMOUNT
050-651-003-010-00	419 CLINTON	CLEAN	\$ 2,757.72
050-113-018-011-00	402 S CHIPMAN	CLEAN	\$ 227.16
050-666-000-025-00	443 E MAIN	CLEAN	\$ 199.73
050-651-039-008-00	925 S BALL	CLEAN	\$ 591.57
050-250-000-040-00	624 PINE	CLEAN	\$ 235.78
050-420-006-001-00	703 GRAND	CLEAN	\$ 250.46
050-666-000-036-00	500 E EXCHANGE	CLEAN	\$ 227.41
050-140-000-005-00	1017 N DEWEY	CLEAN	\$ 227.41
050-010-015-001-00	667 GLENWOOD	CLEAN	\$ 225.78
050-660-023-006-00	729 CLINTON	CLEAN	\$ 209.88
050-310-002-003-00	900 ADA	CLEAN	\$ 157.46
050-310-002-003-00	900 ADA	CLEAN	\$ 215.42
050-310-002-003-00	900 ADA	CLEAN	\$ 325.01
050-420-005-007-00	725 DIVISION	CLEAN	\$ 204.88
050-673-005-005-00	607 FLETCHER	CLEAN	\$ 232.13
050-114-006-001-00	1122 S CEDAR	CLEAN	\$ 2,281.46
050-430-000-005-00	419 HAMBLIN	CLEAN	\$ 1,085.57
050-601-000-002-00	417 GRACE	CLEAN	\$ 204.88
050-430-000-005-00	419 HAMBLIN	CLEAN	\$ 539.93
050-390-004-012-00	1260 ADAMS	MISC	\$ 229.21
050-010-033-006-00	1115 CORUNNA	MISC	\$ 237.83
050-420-005-009-00	755 DIVISION	MISC	\$ 199.35
050-250-000-008-00	602 N SHIAWASSEE	MISC	\$ 283.68

PARCEL#	SERVICE ADDRESS	TYPE	AMOUNT
050-310-002-003-00	900 ADA	MISC	\$ 263.45
050-390-004-012-00	1260 ADAMS	MISC	\$ 237.83
050-011-021-001-00	918 CORUNNA	MISC	\$ 196.48
050-390-004-012-00	1260 ADAMS	MISC	\$ 237.83
050-250-000-008-00	602 N SHIAWASSEE	MISC	\$ 148.83
050-010-033-006-00	115 CORUNNA	MISC	\$ 163.60
050-310-002-003-00	900 ADA	MISC	\$ 237.83
050-011-021-001-00	918 CORUNNA	MISC	\$ 231.76
050-470-007-002-00	208 E OLIVER	MISC	\$ 128.49
050-390-004-012-00	1260 ADAMS	MISC	\$ 190.69
050-310-002-003-00	900 ADA	MISC	\$ 515.88
050-652-010-024-00	917 S PARK	MISC	\$ 200.64
050-270-000-056-00	1046 PEARCE	SNOW	\$ 324.62
050-580-000-099-00	834 E COMSTOCK	SNOW	\$ 231.98
050-390-004-012-00	1260 ADAMS	WEEDS	\$ 132.00
050-470-027-003-00	200 E MAIN	WEEDS	\$ 162.00
050-113-003-005-00	827 MILWAUKEE	WEEDS	\$ 147.00
050-420-004-001-00	MONROE ST	WEEDS	\$ 162.00
050-651-000-020-91	524 S WASHINGTON	WEEDS	\$ 162.00
050-651-003-010-00	419 CLINTON	WEEDS	\$ 132.00
050-546-000-014-00	1443 LYNN	WEEDS	\$ 132.00
			\$ 15,688.62

and

WHEREAS, the Council deems said Special Assessment Roll- Hazards and Nuisances to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances of said properties.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said Special Assessment Roll-Hazards and Nuisances as prepared by the City Assessor in the amount of \$15,688.62 is hereby confirmed and shall be known as Special Assessment Roll-Hazards and Nuisances No. 2021-01.
2. Said Special Assessment Roll-Hazards and Nuisances No. 2021-01 shall be placed on file in the office of the City Clerk who shall attach his 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: Mayor Pro-Tem Osika, Councilmembers Fear, Law, Haber, Teich, Pidek, and Mayor Eveleth.

NAYS: None.

CITIZEN COMMENTS AND QUESTIONS

Jeff Turner, 204 Oakwood Avenue, noted there are a lot of walnuts that people have pushed into the street, he wondered if there was a rule against it.

Eddie Urban, 601 Glenwood Avenue, spoke of a number of different things, including trouble in the alley near his house, visiting the library, and Veteran's Day and his birthday. He asked that people wear masks because the Corona virus is getting worse.

Tom Manke, 2910 W. M-21, said Oktoberfest was great and whoever takes over leadership of the Farmers' Market will have big shoes to fill. He went on to say that it was his opinion that the building at 217 S. Elm Street could sit for years without any danger to the community and the City was unfairly targeting the owner of the property.

Richard Levitski, III, 730 W. Stewart Street, announced that the Owosso Masonic Lodge will be holding a public dinner and ceremony on December 18, 2021 at 4:30 p.m. and 7:00 p.m. respectively. The public is invited to attend.

There was discussion regarding the plowing and maintenance of alleys, the large volume of walnuts and acorns this year, and sending someone to look at the fence in the alley between Grover Street and Comstock Street near Oakwood Avenue.

Councilmember Pidek asked what the protocol is when a roof caves in on a building. City Manager Henne indicated that the City hires a third party structural engineer to examine the structure, determine whether it is a danger to the public, and develop a plan to remediate the problem. In the case of the building at 217 S. Elm Street the engineer determined the building was a danger to the public and recommended demolition.

Councilmember Pidek inquired if the owner of the Elm Street property could rebut the engineer's opinion. City Attorney Gould noted that the property owner could hire their own engineer to dispute the findings. He said he is not aware of any such alternate opinion.

Councilmember Law asked if the Elm Street property owners could submit a plan to save the building. It was noted that since the matter is in litigation it would be up to the judge.

Mayor Pro-Tem Osika thanked the local Masonic Lodge for their volunteer work on Sundays. Mayor Eveleth echoed her sentiments.

CONSENT AGENDA

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

Proposed Special Assessment Project – Maple Avenue. Authorize Resolution No. 2 setting a public hearing for Monday, November 1, 2021 for proposed Special Assessment District No. 2022-03 for Maple Avenue from Corunna Avenue to the north end for street reconstruction as follows:

RESOLUTION NO. 190-2021
MAPLE AVENUE
FROM CORUNNA AVENUE (M-71) TO NORTH END
SPECIAL ASSESSMENT RESOLUTION NO. 2

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

MAPLE AVENUE, A PUBLIC STREET, FROM CORUNNA AVENUE (M-71) TO NORTH
END;
STREET RECONSTRUCTION

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The plans and estimate of cost and the report of the City Manager for said public improvement shall be filed in the office of the City Clerk and shall be available for public examination.
2. The City Council hereby determines that the Public Improvement hereinafter set forth may be necessary.
3. The City Council hereby approves the estimate of cost of said public improvement to be \$188,503.20 and determines that \$41,793.60 thereof shall be paid by special assessment imposed on the lots and parcels of land more particularly hereinafter set forth, which lots and parcels of land are hereby designated to be all of the lots and parcels of land to be benefited by said improvements and determines that \$146,709.60 of the cost thereof shall be paid by the City at large because of benefit to the City at large.
4. The City Council hereby determines that the portion of the cost of said public improvement to be specially assessed shall be assessed in accordance with the benefits to be received.
5. The City Council shall meet at the Owosso City Hall Council Chambers on Monday, November 1, 2021 for the purpose of hearing all persons to be affected by the proposed public improvement.
6. The City Clerk is hereby directed to cause notice of the time and place of the hearing to be published once in The Argus Press, the official newspaper of the City of Owosso, not less than seven (7) days prior to the date of said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of property subject to

assessment, as indicated by the records in the City Assessor's Office as shown on the general tax roll of the City, at least (10) full days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.

7. The notice of said hearing to be published and mailed shall be in substantially the following form:

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

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

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

**Maple Avenue, a Public Street, from Corunna Avenue (M-71) to north end
Street Reconstruction**

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

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

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall Council Chambers, Owosso, Michigan at 7:30 o'clock p.m. on Monday, November 1, 2021 for the purpose of hearing any person to be affected by the proposed public improvement.

Master Plan Implementation Goals: 3.4, 3.10

Contract Amendment – Professional Services Agreement – Planning & Zoning Services.

Authorize Amendment No. 1 to the Professional Services Agreement – Planning & Zoning Services with CIB Planning, increasing the contract in an amount not to exceed \$32,208.00 for a full re-write of the Zoning Ordinance, and further authorize payment to the firm up to the amount of Amendment No. 1 upon satisfactory completion of the project or portion thereof as follows:

RESOLUTION NO. 191-2021

**AUTHORIZING THE EXECUTION OF AMENDMENT NO. 1
TO THE PLANNING AND ZONING SERVICES AGREEMENT WITH CIB PLANNING, INC.
FOR THE PURPOSE OF A FULL RE-WRITE OF THE ZONING ORDINANCE**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, entered into an agreement with CIB Planning, Inc. with the adoption of Resolution No. 77-2019 on May 6, 2019; and

WHEREAS, the city of Owosso has worked with the Michigan Economic Development Corporation (MEDC) Redevelopment Ready Communities (RRC) program to identify best practices for development in the City of Owosso and updating the Zoning Ordinance is one of the final remaining projects required for RRC certification; and

WHEREAS, a full re-write of the Zoning Ordinance will implement the changes outlined in the 2021 Master Plan and will also look at RRC best practices such as increasing user friendliness, incorporating place making, increasing housing diversity, and increasing parking flexibility; and

WHEREAS, City staff and the Planning Commission desire to expand the planning services agreement to include additional services for the purpose of a full re-write of the City's existing Zoning Ordinance.

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 expand the contract approved by Resolution No. 77-2019 on May 6, 2019 with CIB Planning, Inc. to include additional services in the amount of \$32,208.00 for the purpose of a full re-write of the City's Zoning Ordinance.

SECOND: Sufficient funding is available to accomplish this additional task.

THIRD: The accounts payable department is authorized to make payments to CIB Planning, Inc. for professional services in an amount not to exceed \$32,208.00 upon satisfactory completion of the project or portion thereof.

FOURTH: The charges shall be paid from the 101-728-808.000 Community Development – Contractual Services.

FIFTH: The expiration date for said contract shall remain unchanged unless extended by specific action of Council.

Master Plan Implementation Goals: 4.9, 4.11, 4.13, 4.14, 4.15, 4.17, 5.19, 5.29

Purchase Authorization – Collamer Park Playground Equipment. Waive competitive bidding requirements and authorize a purchase agreement with PlayCore Wisconsin, Inc. dba GameTime for the purchase of playground equipment in the amount of \$10,535.53 utilizing MiDeal Contract No. 180000001296 and further authorize payment to the vendor upon satisfactory delivery of the equipment, said funding to come from a \$10,000.00 donation from the Kiwanis Club of Owosso and the remainder from the Parks Millage Fund as follows:

RESOLUTION NO. 192-2021

RESOLUTION AUTHORIZING THE PURCHASE OF PLAYGROUND EQUIPMENT FROM GAMETIME VIA STATE OF MICHIGAN MIDEAL CONTRACT #180000001296

WHEREAS, Collamer Park located in the City of Owosso, Shiawassee County, Michigan, has no playground equipment; and

WHEREAS, the Kiwanis Club of Owosso has granted the City \$10,000.00 for the purchase of playground equipment for the park; and

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

WHEREAS, the City of Owosso desires to purchase playground equipment from PlayCore Wisconsin, Inc. dba GameTime, holder of the MiDeal Contract No. 180000001296 with the State of Michigan; and it is hereby determined that GameTime is qualified to provide such equipment and that it has submitted the responsible and responsive bid; and

WHEREAS, City of Owosso staff has reviewed the playground equipment on the State of Michigan MiDeal Contract No. 180000001296, as priced by PlayCore Wisconsin, Inc. dba GameTime, and recommends authorizing a purchase agreement between the City of Owosso and PlayCore Wisconsin, Inc. dba GameTime for the purchase of several pieces of playground equipment in the amount of \$10,535.53.

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 playground equipment from PlayCore Wisconsin, Inc. dba GameTime utilizing State of Michigan Contract No. 180000001296 in the amount of \$10,535.53.
- SECOND: The mayor and city clerk are hereby instructed and authorized to sign necessary documents to complete the purchase.
- THIRD: Payment to PlayCore Wisconsin, Inc. dba GameTime is authorized in the amount of \$10,535.53 upon satisfactory delivery of the playground equipment.
- FOURTH: Sufficient funding for the above expenses is available and shall be paid from the donation fund 101-000-671.675 in the amount of \$10,000.00 and the Parks Millage Fund account 208-756-974.000 in the amount of \$535.53.

Master Plan Implementation Goals: 5.3, 7.1

Bid Award – Ambulance. Approve bid award to Kodiak Emergency Equipment, Inc., dba Kodiak Emergency Vehicles of Grand Ledge, Michigan for the purchase of one 2022 Ford E-450 Ambulance and a Stryker Super Pro XT Cot in the amount of \$228,591.00, and authorize payment to the vendor upon satisfactory delivery of the vehicle, said cost to be offset by a USDA grant in the amount of \$80,000.00 as follows:

RESOLUTION NO. 193-2021

AUTHORIZING THE EXECUTION OF A CONTRACT WITH KODIAK EMERGENCY VEHICLES FOR ONE 2022 FORD E-450 AMBULANCE

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

WHEREAS, the replacement schedule calls for the replacement of one unit in 2022; and

WHEREAS, a grant in the amount of \$80,000.00 from the USDA has been secured toward the replacement; and

WHEREAS, the City of Owosso requested bids through MITN and it is hereby determined that Kodiak Emergency Equipment, Inc. d/b/a Kodiak Emergency Vehicles is qualified to provide such vehicle and that it has submitted a 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 one 2022 Osage Super Warrior Type III Ford E-450 Ambulance and one Stryker Super Pro XT Model 6506 Cot from Kodiak Emergency Equipment, Inc. d/b/a Kodiak Emergency Vehicles.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, *Exhibit A, Equipment Agreement between the City of Owosso and Kodiak Emergency Equipment, Inc.* in the amount of \$228,591.00.
- THIRD: The accounts payable department is hereby authorized to make payment to Kodiak Emergency Equipment, Inc. d/b/a Kodiak Emergency Vehicles in the amount of \$228,591.00 upon acceptance of the vehicle.
- FOURTH: The above expenses shall be paid from Account No. 401-000-981.000 with \$80,000.00 reimbursed by a USDA Rural Development Community Facilities Grant.
- FIFTH: This contract shall terminate with the expiration of the warranty, six years from the delivery and acceptance of the vehicle.

Master Plan Implementation Goals: 3.2

Warrant No. 607. Authorize Warrant No. 607 as follows:

Vendor	Description	Fund	Amount
Gould Law PC	Professional Services 09/14/2021-10/11/2021	General	\$11,675.39

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

Closed Session

Motion by Councilmember Pidek to authorize holding a closed session after the last Citizen Comments & Questions period for the purpose of discussing collective bargaining negotiations.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

COMMUNICATIONS

N. Bradley Hissong, Building Official. September 2021 Building Department Report.
N. Bradley Hissong Building Official. September 2021 Code Violations Report.
N. Bradley Hissong Building Official. September 2021 Inspections Report.
N. Bradley Hissong Building Official. September 2021 Certificates Issued Report.
Kevin D. Lenkart, Public Safety Director. September 2021 Police Report.
Kevin D. Lenkart, Public Safety Director. September 2021 Fire Report.
WWTP Review Board. Minutes of September 28, 2021.
Parks & Recreation Commission. Minutes of September 29, 2021.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 2910 W. M-21, asked if it was appropriate for City Council to recess to Closed Session to discuss the purchase of real property. Mayor Eveleth noted that discussion of the purchase of real property is a permissible reason to hold a closed session, but the Council would have to take formal action to purchase a piece of property in open session.

Richard Levitski, III, 730 W. Stewart Street, reminded the City that the Masons have a special portion of their budget set aside for charity projects in the community and the City was welcomed to contact them with possible projects.

Eddie Urban, 601 Glenwood Avenue, said he had received a private tour of the Masonic Lodge and it was really neat. He also spoke about the citizens' directory and a movie for which he has been searching.

***COUNCIL ADJOURNED TO CLOSED SESSION AT 8:15 P.M.
COUNCIL RETURNED TO OPEN SESSION AT 8:25 P.M.***

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

Motion by Councilmember Pidek to approve the minutes of the Closed Session held September 7, 2021 as presented.

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

COLLECTIVE BARGAINING AGREEMENT APPROVAL – POLC COMMAND

Motion by Mayor Pro-Tem Osika to approve the collective bargaining agreement with POLC Command for the period beginning July 1, 2021 and ending June 30, 2024.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

NEXT MEETING

Monday, November 01, 2021

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 Historic District Commission – term expires June 30, 2022
Owosso Historical Commission – 2 terms expire December 31, 2023
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 Mayor Pro-Tem Osika for adjournment at 8:26 p.m.

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

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk