

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF NOVEMBER 1, 2021
7:32 P.M.
VIRGINIA TEICH CITY COUNCIL CHAMBERS**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: COUNCILMEMBER JEROME C. HABER

PLEDGE OF ALLEGIANCE: COUNCILMEMBER NICHOLAS L. PIDEK

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 18, 2021

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of October 18, 2021 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

Ordinance Amendment – Rezoning 715, 703, 801 South Washington and 702 South Park Streets

City Manager Nathan R. Henne briefly detailed the request to change the noted parcels to an RM-1, Multi Family zoning designation. He indicated the request is in line with the Master Plan and the Planning Commission has recommended its approval. He went on to say that the party requesting the rezoning plans on repurposing the church for apartments and building homes on the other parcels. The requesting party is present this evening to answer any questions that arise.

A public hearing was conducted to receive citizen comment regarding the request from Jayne Sutton to rezone the properties at 715, 703, 801 South Washington Street and 702 South Park Street from the current zoning designations to RM-1, Multi-Family Residential District.

The following person commented in regard to the rezoning request:

Justin Horvath, SEDP President, said the developers have a great vision for the property that fits the vision laid out in the Master Plan, repurposing an historic building and constructing new housing.

Thomas Brown, 802 S. Park Street, said he has lived in his home for 46 years and has a lot of questions about the project being proposed. He said he would like the developers to hold a meeting with local property owners to answer their questions, specifically parking, the adequacy of water and sewer infrastructure in the area, and how the development would affect property values.

The public hearing was closed.

Rob Sutton, owner/developer, described the project, for which he will be the general contractor. Phase 1 would involve the creation of 15 apartments inside the old church, with the outside remaining much as it is now. Phase 2 would involve the construction of townhomes on the remaining properties. Parking will be in the center of the development. He said he is aiming to increase property values and make the area more beautiful. He offered to meet with any neighbors that are curious about the project details.

Mayor Eveleth noted the proposed rezoning should preserve the neighborhood structure of the area and the development should be a good thing for adjacent property owners.

Councilmember Law, Council representative to the Planning Commission, said he was all for the proposed development. It will put empty lots on the tax rolls and increase housing.

Councilmember Fear, Planning Commission member, said she welcomes the project and has no concerns at this time.

Councilmember Teich asked for an estimated date of completion on the project. It was noted it would take approximately 18-24 to complete once the plans were finished. Councilmember Teich inquired what the homes would look like. Mr. Sutton circulated pictures of structures similar to those he plans on building.

In an effort to allay any fears the neighboring property owners might have about the proposed development Councilmember Pidek inquired about the process the development would need to follow before construction could begin. City Manager Henne indicated that tonight's rezoning item would only be the first step in the process. The development will also undergo a site plan review by the Planning Commission, providing additional opportunities for interested parties to see more information on the project.

Whereas, the Council, after due and legal notice, has met and there being no one to be heard, motion by Councilmember Pidek that the following ordinance be adopted:

ORDINANCE NO. 824

**AMENDING CHAPTER 38, ZONING, OF THE CODE OF ORDINANCES
TO REZONE FOUR PARCELS OF REAL PROPERTY
ON S. WASHINGTON AND S. PARK STREETS
AND AMEND THE ZONING MAP**

WHEREAS, the City of Owosso adopted a Master Plan in 2021 which includes a future land use plan; and

WHEREAS, the Planning Commission desires to carefully implement prudent changes suggested by the Master Plan; and

WHEREAS, the Planning Commission recommends the rezoning of the parcels in question to reduce spot zoning and create an area with effective zoning for potential redevelopment and economic growth; and

WHEREAS, the Planning Commission published and mailed notices for the request, held a public hearing on the request, and deliberated on the request; and

WHEREAS, the City staff and Planning Commission recommend, without reservations or conditions, the rezoning of the following parcels:

Parcel Address	Parcel Number	Current Zoning	Proposed Zoning
715 S Washington St	050-651-032-001-00	B-1 Local Business District	RM-1 Multiple Family Residential District
703 S Washington St	050-652-005-001-00	R-2 Two Family Residential District	RM-1 Multiple Family Residential District
702 S Park St	050-652-005-002-00	R-1 One Family Residential District	RM-1 Multiple Family Residential District
801 S Washington St	050-651-037-001-00	R-2 Two Family Residential District	RM-1 Multiple Family Residential District

and

WHEREAS, the City Council held a public hearing on the request November 1, 2021, heard all interested persons, and deliberated on the request; and

WHEREAS, the City Council finds that the proposed rezonings meet the intent and criteria for a zoning map amendment as it relates to the master plan and the zoning ordinance.

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

SECTION 1. OFFICIAL ZONING MAP AMENDMENT. That Chapter 38, Zoning, Sec. 38-27, Zoning Districts and Map, reflect the following changes, to be noted on the official map and filed with the city clerk:

Parcel Address	Parcel Number	Current Zoning	Proposed Zoning
715 S Washington St	050-651-032-001-00	B-1 Local Business District	RM-1 Multiple Family Residential District

Parcel Address	Parcel Number	Current Zoning	Proposed Zoning
703 S Washington St	050-652-005-001-00	R-2 Two Family Residential District	RM-1 Multiple Family Residential District
702 S Park St	050-652-005-002-00	R-1 One Family Residential District	RM-1 Multiple Family Residential District
801 S Washington St	050-651-037-001-00	R-2 Two Family Residential District	RM-1 Multiple Family Residential District

SECTION 2. 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.

SECTION 3. EFFECTIVE DATE. This amendment shall become effective November 22, 2021.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

Master Plan Implementation Goals: A.6, 1.3, 4.8

Proposed Special Assessment Project – Maple Avenue, from Corunna Avenue to north end

City Manager Henne introduced the item detailing the current conditions, proposed project and estimated cost. This project was initiated by a petition of property owners on the street. Due to the higher reconstruction costs and small number of property owners on the stretch in question the estimated price of the project per linear foot is high and the City is proposing a 15-year special assessment instead of the usual 10-year assessment.

A public hearing was conducted to receive citizen comment regarding Resolution No. 3 for proposed Special Assessment District No. 2022-03 for Maple Avenue from Corunna Avenue to the north end for street reconstruction.

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

Spencer/Guldi Family, 400 Maple Avenue, asked that the street be widened and lengthened at the dead end to better accommodate snow plowed from the street and large commercial vehicles needing to turn around.

Councilmember Pidek asked if there was any way to accommodate the request of the family at 400 Maple Avenue. City Manager Henne noted that the City does not have enough right of way to expand the street, the engineer did the best he could with the property that was available.

Motion by Mayor Pro-Tem Osika that the following resolution be adopted:

RESOLUTION NO. 194-2021

**AUTHORIZING SPECIAL ASSESSMENT RESOLUTION NO. 3
ESTABLISHING SPECIAL ASSESSMENT DISTRICT NO. 2022-03
MAPLE AVENUE, FROM CORUNNA AVENUE (M-71) TO NORTH END
FOR STREET RECONSTRUCTION**

WHEREAS, the City Council, after due and legal notice, has met and having heard all persons to be affected by the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited:

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

2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be \$188,503.20 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.

3. The City Council determines that of said total estimated cost, the sum of \$41,793.58 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described, and that the sum of \$146,709.62 of said total estimated cost shall be the obligation of the City at large because of benefit to the City at large.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied:

Maple Avenue, a Public Street, from Corunna Avenue (M-71) to north end
For Street Reconstruction
5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.
6. When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

Master Plan Implementation Goals: 3.4, 3.10

CITIZEN COMMENTS AND QUESTIONS

Marlene Webster, County Commissioner District 1, gave an update on recent events at the County. She indicated the Commission had listened to a presentation regarding the possibility of bonding the County retirement system's unfunded liability and a presentation about the possibility of changing the system's fiduciary from MERS to Maner Wealth. She said results will be disastrous if no action is taken on the unfunded pension liability issue. Time was called.

Tom Manke, 2910 W. M-21, commented that he feels there should be more cooperation between the Cities of Owosso and Corunna, saying big things could get done if they work together.

Eddie Urban, 601 Glenwood Avenue, said that someone had recently stolen a package from his porch. He also spoke about visiting McCurdy Park as a kid and giving your problems to God.

Mayor Eveleth said he had attended the closing of the Farmers' Market on Saturday. He gave special thanks to outgoing Market Master Tracey Peltier for all of her hard work in transforming the market to something special. He also welcomed new Market Master Josephine Brown.

Councilmember Fear asked the City Manager if he had received a response from the County regarding ARPA funding. City Manager Henne indicated that all of the fire departments in the county have asked for ARPA funding for the purchase of air packs and other needed equipment.

Councilmember Fear also inquired about the status of the Safe Routes to School Grant. Mr. Henne said the final tweaks to the project have been made and the City is just waiting for the State to announce the winners.

Councilmember Pidek asked when the final strategic planning session might be held. It was noted that the Council would set the date for the final session at the November 15th meeting.

Mayor Pro-Tem Osika gave an update on the progress of the electric vehicle charging station saying Consumers Energy has done their part and ChargePoint will be installing the charging equipment soon. City Manager Henne indicated the DDA would be setting charging rates at their next meeting and he hoped the project would be complete by the end of the month.

Councilmember Pidek asked if police will ticket people that park illegally in electric vehicle charging stations. Public Safety Director Lenkart indicated violators would be issued a \$15.00 ticket, like any other parking violation.

Councilmember Fear announced there will be a chili dinner fund raiser for Community Cats on Friday, November 5th from 4:30 p.m. to 7:30 p.m. at the VFW on Chipman Street.

CONSENT AGENDA

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

First Reading and Set Public Hearing - Ordinance Amendment – Parking for Electric Vehicles. Conduct first reading and set a public hearing for Monday, November 15, 2021 at 7:30 p.m. to receive citizen comment regarding the proposed amendment to Chapter 33, Traffic and Motor Vehicles, Secs. 33-37 & 33-38 of the Code of Ordinances to regulate parking in electric vehicle charging stations as follows:

RESOLUTION NO. 195-2021

AUTHORIZING FIRST READING & SETTING A PUBLIC HEARING FOR THE PROPOSED AMENDMENT TO SECS. 33-37 & 33-38 OF CHAPTER 33, TRAFFIC AND MOTOR VEHICLES, OF THE CODE OF ORDINANCES TO REGULATE ELECTRIC VEHICLE CHARGING STATIONS

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has a parking ordinance that does not include regulations for electric vehicle charging stations; and

WHEREAS, an electric vehicle charging station is planned for Main Street Plaza; and

WHEREAS, the City Council wishes to amend the parking ordinance to include said stations; and

WHEREAS, it is the long-standing practice of the City Council to hold a public hearing to receive citizen comment regarding any and all proposed ordinance amendments.

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

SECTION 1. AMENDMENT. That Sec. 33-37, Definitions, of the Code of Ordinances of the City of Owosso be amended as follows:

- (a) Unless the context specifically indicates otherwise, the meanings of terms used in this division shall be as follows:

Business districts means and includes the downtown business district and the westtown business district.

Downtown business district means and includes all that area bounded on the north by Williams Street, on the east by Park Street, and on the west and south by the Shiawassee River, including both sides of all streets referenced as boundary streets within this definition.

***Electric vehicle* means a fully electric automobile or hybrid gas and electric automobile.**

***Electric vehicle charging station* means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy by conductive or inductive means to a battery or other energy storage device in an electric vehicle equipped with level 2 or better charging equipment. An electric vehicle charging station may be counted as a parking space in the calculation of the parking spaces required by this Code.**

Parking means and includes parking, stopping and standing as those terms are defined in the Uniform Traffic Code.

Parking lot means an area of land, whether or not improved, controlled by the city and available for use by the general public for the purpose of parking vehicles.

Westtown business district means and includes all that area bounded on the north by a line one hundred ninety-eight (198) feet north of the north line of Main Street, on the east by Cedar Street, on the west by State Street and on the south by a line one hundred thirty-two (132) feet south of the south line of Main Street, including both sides of all streets referenced as boundary streets within this definition.

- (b) Unless the context specifically indicates otherwise, terms other than those defined in section 33-37(a) shall have the meanings ascribed to them in the Uniform Traffic Code.

SECTION 2. AMENDMENT. That Sec. 33-38, Parking in designated space, of the Code of Ordinances of the City of Owosso be amended as follows:

Vehicles parked in the business districts defined in this division shall park within spaces designated for that purpose.

Public use charging stations shall be reserved for parking and charging of electric vehicles only. Electric vehicles may be parked in any space designated for parking subject to the restrictions that would apply to any other vehicle that would park in that space.

SECTION 3. PUBLIC HEARING. A public hearing is set for Monday November 15, 2021 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed amendment to the Code of Ordinances.

SECTION 4. EFFECTIVE DATE. This amendment shall become effective twenty days after passage.

SECTION 5. 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.

Master Plan Implementation Goals: 1.19, 2.3, 3.7, 5.13, 5.17

Traffic Control Order – Glow Owosso. Consider request from the Glow Owosso Committee for use of Main Street Plaza and various downtown streets at assorted times from November 26, 2021 at 8:00 a.m. through 8:00 p.m. for the Glow Owosso Parade, 5k Race and Tree Lighting, waive the insurance requirement, and approve Traffic Control Order No. 1462 formalizing the request.

Master Plan Implementation Goals: 1.19, 1.21, 2.2, 4.2, 4.6, 4.16, 5.9, 5.12

Minutes Correction. Approve correction to the October 4, 2021 Council meeting minutes correcting Ordinance No. 822 to reflect that there are seven members of the Historical Commission, not eight as shown below:

Sec. 2-228. - Members; appointment, terms, etc.

The members of the historical commission shall be appointed by the city council. Membership shall consist of one (1) member from the council and ~~seven (7)~~ six (6) members at large appointed for three-year terms. No member at large shall be appointed to the historical commission for more than two (2) successive terms unless one (1) year has elapsed after his or her second term expires.

Designate New Depository. Approve resolution authorizing a new bank account with Huntington Bank for the purpose of receiving and tracking revenues associated with ambulance services.

RESOLUTION NO. 196-2021

**AUTHORIZING OPENING AND MAINTAINING
AN ACCOUNT WITH HUNTINGTON BANK
FOR THE PURPOSE OF RECEIVING AMBULANCE SERVICE REVENUES**

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

- (i) The Huntington National Bank (the "Bank"), as a national banking association, is qualified under applicable law and regulations to be a depository for the Public Entity and is hereby designated as a depository of the Public Entity;
- (ii) one or more account(s) may be opened and maintained in the name of the Public Entity, in accordance with the rules and regulations or procedures of the Bank pertaining to such accounts as amended by the Bank from time to time, or as otherwise amended by a written agreement between the Public Entity and Bank;
- (iii) any of the individuals whose names are set forth in (iv), below or, whose genuine signatures appear on separate cards dated and filed with the Bank, (collectively the "Authorized Signatories" and individually an "Authorized Signatory") are hereby authorized to act individually on behalf of the Public Entity and in its name to:
 - a. sign checks, drafts, notes, bills of exchange, acceptances, or other orders for payment of funds from any account maintained by the Public Entity;
 - b. indorse checks, drafts, notes, bills, certificates of deposit, or other instruments owned or held by the Public Entity for deposit in any such account, or for collection or discount by the Bank;
 - c. identify, approve and guarantee the indorsements of any and all checks and drafts drawn by the Public Entity;

- d. waive demand, protest, and notice of protest, or dishonor of any check, draft, note, bill, certificates of deposit or other instruments made, drawn, or indorsed by the Public Entity;
 - e. act for the Public Entity in the transaction of all other business (whether or not it is of the kind, nature or character specified in this certificate) on the Public Entity's behalf with the Bank, including but not limited to executing contracts and delegating person to engage in transaction in connection with such contracts;
 - f. open and maintain an account in the name of the Public Entity (any account so opened shall be bound by the provisions of this certificate);
 - g. certify to the Bank the names of the Authorized Signatories and shall certify such change to the Bank, and the Bank shall be fully protected in relying on such certification, or refusing to honor the signature of any individual not so certified;
 - h. delegate other person(s) to perform any of the foregoing acts;
- (iv) Names or Titles of Authorized Signatories:

Amy Kirkland
 Brad Barrett
 Katherine Fagan

FURTHER BE IT RESOLVED, that

- (i) the Bank is authorized to honor, receive, certify, or pay all instruments signed in accordance with this certificate even though drawn or indorsed to the order of any Authorized Signatory signing the same, tendered for cash, or in payment of a personal obligation or for deposit into a personal account of said Authorized Signatory and the Bank is not required or obligated to inquire into the circumstances of the issuance or use of any instrument signed in accordance with this certificate, or the application, or disposition of such instrument, or the proceeds thereof;
- (ii) overdrafts, if any, shall not be considered to be a loan; and
- (iii) the provisions of this certificate shall remain in full force and effect until written notice of its amendment or rescission shall have been received by the Bank and the Bank has a reasonable amount of time to act upon such notice, and that receipt of such notice shall not affect any action taken by the Bank prior thereto.

FURTHER BE IT RESOLVED, that the undersigned be, and hereby is, authorized and directed to certify to the Bank the foregoing resolutions and that the provisions thereof are in conformity with the laws and regulations governing the Public Entity.

Update Depositories & Signers for City Funds. Approve resolution updating the City's designated depositories and signers for City accounts as follows:

RESOLUTION NO. 197-2021

**AUTHORIZING DEPOSITORIES AND DESIGNATED SIGNERS
 FOR THE CITY OF OWOSSO**

WHEREAS, Section 8.13 of the Owosso City Charter states, the Council shall designate depositories for city funds in accordance with law and shall provide for the regular deposit of all city moneys; and

WHEREAS, Section 8.10(c) of the Owosso City Charter states, checks or warrants for the disbursement of city funds may be signed by the clerk only; and

WHEREAS, the Council may, however, provide by ordinance that checks or warrants shall also be countersigned by the Finance Director or the Treasurer; and

WHEREAS, Section 7.8 of the Owosso City Charter states, the Clerk and Treasurer and other administrative officers may appoint and remove their deputies and each deputy shall possess all the powers and authority of their superior officer except as the same may be from time to time limited by their superior; and

WHEREAS, the City of Owosso has an investment policy adopted by the City Council on December 18, 2006 in accordance with Michigan Public Act 20 of 1943, as amended; and

WHEREAS, designated depositories of the City of Owosso must agree to and follow such investment policy.

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

FIRST: the following financial institutions be and are hereby designated as depositories for City of Owosso funds:

Huntington Bank, 100 East Main Street, Owosso, MI
Dort Financial Credit Union, 1006 East Main Street, Owosso, MI
Frankenmuth Credit Union, 947 Aiken Street, Owosso, MI
PFCU, 1465 North Michigan 52, Owosso, MI
Michigan Cooperative Liquid Assets Securities System
(MI CLASS)
Stifel, 1865 E M21, Owosso, MI
Shiawassee Community Foundation, 217 North Washington Street,
Suite 104 Owosso, MI 48667
US Bankcorp Government Leasing and Finance, Inc.
950 17th Street, Denver, CO 80202
(water meter 15 year installment purchase agreement)

SECOND: all of the designated officers per city charter, are hereby authorized to execute on behalf of the city signature cards or other documents containing the rules and regulations of the financial institution and the conditions under which deposits are accepted and to agree on behalf of the city to those rules, regulations and conditions.

Bid Award – Well Drilling Palmer No. 3 & Juniper No. 1. Authorize bid award to Northern Pump & Well, Inc. of Lansing, Michigan for well drilling services in the amount of \$169,751.89 and approve payment of up to \$169,751.89 to the contractor upon satisfactory completion of the work or portion thereof as follows:

RESOLUTION NO. 198-2021

AUTHORIZATION TO ENTER INTO A SERVICE AGREEMENT WITH NORTHERN PUMP & WELL, INC. FOR MUNICIPAL WATER SUPPLY WELL DRILLING

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has determined that new wells are needed, and in the public interest to maintain a stable and consistent quality water supply for the community; and

WHEREAS, the City of Owosso solicited bids to perform municipal water supply well drilling, and Northern Pump & Well, Inc. was the responsible and responsive bidder for this project; and

WHEREAS, Northern Pump & Well, Inc. has offered to provide the well services in the amount of \$169,751.89.

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 Northern Pump & Well, Inc. for well services for the Palmer 3 and Juniper 1 wells.

SECOND: The mayor and city clerk are instructed and authorized to sign the contract document(s) for services between the City of Owosso, Michigan and Northern Pump & Well, Inc. in the amount of \$169,751.89.

THIRD: The accounts payable department is authorized to pay Northern Pump & Well, Inc. for work satisfactorily completed in the amount of \$169,751.89.

FOURTH: The above expenses shall be paid from account 591-901-977.000.

Master Plan Implementation Goals: 1.5, 3.4

Purchase Authorization – Garage Doors. Waive competitive bidding requirements due to market conditions, price instability and immediate need, authorize purchase and installation of 5 insulated garage doors for the DPW garage from Gabbard Overhead Door Company in the amount of \$19,950.00, and further authorize payment to the vendor upon satisfactory receipt and installation of said doors as follows:

RESOLUTION NO. 199-2021

AUTHORIZING PURCHASE AGREEMENT WITH GABBARD OVERHEAD DOOR COMPANY OF LAINGSBURG, MICHIGAN FOR 5 GARAGE DOORS FOR THE DPW GARAGE

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has determined that replacement of DPW garage doors is required, to utilize the garage, it's equipment, as well as to avoid risk of equipment damage and risk to the employees; and

WHEREAS, due to volatile market conditions, price instability, and immediate need the City of Owosso is seeking to replace said garage doors as soon as possible; and

WHEREAS, the City of Owosso solicited quotes to perform the replacement/disposal of five (5) garage doors, Gabbard Overhead Door Company were the lowest, responsible, and responsive of the quotes for the garage door project; and

WHEREAS, Gabbard Overhead Door Company has offered to provide the insulated doors, equipment, and services in the amount of \$19,950.00.

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 waive competitive bidding requirements and contract with Gabbard Overhead Door Company for the purchase and installation of five insulated garage doors for the DPW garage.

SECOND: The accounts payable department is authorized to submit payment to Gabbard Overhead Door Company in the amount of \$19,950.00 upon satisfactory receipt and installation of said doors.

THIRD: The above expense shall be paid from account 401-000-975.000.

Warrant No. 608. Authorize Warrant No. 608 as follows:

Vendor	Description	Fund	Amount
Caledonia Charter Township	Caledonia Utility Fund payment-7/1/21-9/30/21	Water	\$41,283.20
Owosso Charter Township	Owosso Charter Township 2011 Water Agreement payment-7/1/21-9/30/21	Water	\$17,052.61

Check Register – September 2021.* Affirm check disbursements totaling \$4,418,507.06 for September 2021.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

Lot Split Authorization – 108 North Chipman Street

City Manager Henne indicated the requested lot split would create a new vacant parcel with frontage on West Main Street. He further noted that a site plan review would be required for the development of either site resulting from approval of the split.

Motion by Mayor Pro-Tem Osika authorizing division of a City lot under Michigan Subdivision Control Act for the platted lot at 108 North Chipman Street as detailed below:

Current Description:

Address	Status	Parcel #1
108 N. Chipman Street	Before Split	050-660-017-001-00
Description: LOTS 1 2 3 16 17 & 18 OF BLK 17 ALSO LOT 2 & 3 OF BLK 16 & THE VACATED PORTION OF STATE ST N OF MAIN ST PART OF A L & B O WILLIAMS ADD EXC COM AT SE COR LOT 2, TH W 154', TH N 11', TH SE'LY TO PT WHICH IS 2.44' N OF SE COR OF SD LOT, TH S TO POB, INCL 1/2 CLSD ALLEY		

Description After Split – Parent Parcel:

Address	Status	Parcel #1
108 N. Chipman Street	After Split	050-660-017-001-00
Description: LOT 3 BLK 16 & LOTS 1, 2, 16, 17, 18 BLK 17, INCL VAC STATE ST ADJ TO SD LOTS 1, 2 BLK 16 & LOT 3 BLK 16, ALSO INCL N ½ VAC ALLEY ADJ TO SD LOTS 2 & 16 BLK 17, A L & B O WILLIAMS ADDITION TO THE CITY OF OWOSSO L29/P499		

Description After Split – New Parcel:

Address	Status	Parcel #1
1010 W. Main Street	After Split	050-660-017-006-00
Description: LOT 2 BLK 16 & E ½ ADJ VAC STATE ST; ALSO LOT 3 BLK 17 & W ½ ADJ VAC STATE ST, ALSO S ½ ADJ VAC ALLEY, A L & B O WILLIAMS ADDITION TO THE CITY OF OWOSSO L29/P499; EXC THAT PT LYG WITHIN PCL DESC AS BEG @ SW COR SEC 13 T7N R2E, TH ALG W SEC LN N03*08'32"E 11 FT, TH S86*23'20"E 308 FT, TH S83*12'33"E 198.31 FT, TH S03*36'40"W 33 FT, TH N86*23'20"W 506.09 FT TO W LN SEC 24 T7N R2E, TH N03*43'08"E 33 FT TO POB		

Motion supported by Councilmember Teich.

Roll Call Vote.

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

NAYS: None.

Master Plan Implementation Goals: 1.9, 2.7, 4.25, 5.31

Demolition Authorization & Contract Approval - 900 Ada Street

City Manager Henne noted that the recommended bidder, Bolle Construction, was not the lowest bidder. Another firm was cheaper but did not follow the bid instructions by not accounting for the removal of hazardous waste in their bid.

Mayor Pro-Tem Osika asked if the City owned the property. It was indicated the City is not the owner. City Manager Henne explained that the price of the demolition will be included on the next tax bill for the property.

City Attorney Gould explained that the homeowner had passed away and would probably come up for sale for back taxes soon.

Motion by Councilmember Pidek to authorize demolition of the structure at 900 Ada Street and approve bid award to Bolle Contracting, LLC in the amount of \$16,500.00, and further authorize payment to the contractor upon satisfactory completion of the work or portion thereof as follows:

RESOLUTION NO. 200-2021

AUTHORIZING DEMOLITION OF THE STRUCTURE AT 900 ADA STREET AND THE EXECUTION OF A CONTRACT WITH BOLLE CONTRACTING, LLC FOR SAID DEMOLITION

WHEREAS, the home at 900 Ada Street was found to be in a deplorable condition and the tenants were removed in April of 2019; and

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that the remains of the house should be demolished to eliminate blight in the neighborhood and to spur residential redevelopment; and

WHEREAS, the city of Owosso presented this case to Shiawassee Circuit Court on September 7, 2021 and a judgment was entered allowing the immediate demolition of the buildings and assessment of the cost of such demolition to the real property; and

WHEREAS, the city of Owosso sought bids to demolish the structure at 900 Ada Street; a bid was received from Bolle Contracting, LLC and it is hereby determined that Bolle Contracting, LLC 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 demolish the structure located at 900 Ada Street.
- SECOND: The City of Owosso has further determined that it is advisable, necessary and in the public interest to employ Bolle Contracting, LLC for said demolition.
- THIRD: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Contract for Demolition of 900 Ada Street with Bolle Contracting, LLC in the amount of \$16,500.00.
- FOURTH: The accounts payable department is authorized to pay Bolle Contracting, LLC for work satisfactorily completed on the project up to the bid amount.
- FIFTH: The above expenses shall be paid from the General Fund 101-370-818.000.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

Master Plan Implementation Goals: 1.1, 1.13, 2.6

Consumers Energy Electric Facilities Easement – Exchange Street Parking Lot & Fountain Park

City Manager Henne noted that the proposed electrical installation would provide improved electric service to surrounding businesses and should not jeopardize use of the property.

Motion by Councilmember Teich to authorize approval of a permanent easement through City-owned parcel 050-470-023-001-00 (Exchange Street Parking lot and Fountain Park) for the construction, operation and maintenance of new electric facilities for underground electric lines and a new hybrid switch in Fountain Park as follows:

RESOLUTION NO. 201-2021

GRANTING A PERMANENT EASEMENT FOR ELECTRIC FACILITIES TO CONSUMERS ENERGY

WHEREAS, Consumers Energy desires to install electric facilities on/under the City owned parcel 050-470-023-001-000 (Exchange Street parking lot and Fountain Park) to provide a two way electric feed for the businesses in the courtyard off of the alley east of Ball Street; and

WHEREAS, Consumers Energy has requested the City grant a permanent easement 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 parcel number 050-470-023-001-000, as described in Exhibit B of the easement agreement, according to the terms of the Construction Work Agreement as attached.

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 and Construction Work Agreement between the City of Owosso and Consumers Energy.
- SECOND: The Mayor and City Clerk are instructed and authorized to execute said easement and agreement.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

Master Plan Implementation Goals: 3.4

COMMUNICATIONS

Elaine Greenway, Parks & Recreation Commission. Letter of Resignation.
Tanya S. Buckelew, Planning & Building Director. Annual Liquor License Inspections.
Downtown Development Authority/Main Street. Minutes of October 6, 2021.

CITIZEN COMMENTS AND QUESTIONS

Marlene Webster, County Commissioner District 1, finished her earlier comments saying the County will not be hiring an HR person at this time. Lastly, she said the County is in the process of creating a land bank which should be functional next fall.

Tom Manke, 2910 W. M-21, asked if the City demolished the house at 900 Ada Street and it goes up for tax sale the City might not be able to collect the cost for the demolition.

Justin Horvath, SEDP President, indicated his organization was very excited about the establishment of a county land bank. He noted that while its establishment is taking a little longer than they would like it will be a great tool to help the county move forward with housing when it's up and running. He thanked City Manager Henne for moving the issue to the forefront and County Treasurer Sorenson for agreeing to take on responsibility for the operation of the land bank.

Eddie Urban, 601 Glenwood Avenue, said he would like the next Council meeting to be cancelled because it falls on the opening day of deer season. He also showed off a picture of the occasion a truck struck his home a few months back.

Jeff Turner, 204 Oakwood Avenue, said he asked the Council at the last meeting about improving the alley behind his house, including trimming trees, resurfacing the alley, and checking on a fence that might be obstructing the alley. He asked for an update on his requests.

City Manager Henne responded to Mr. Manke's question saying the City would not be reimbursed for the cost of demolition if the property is sold at tax sale. Mayor Eveleth indicated he approves of the City taking down structures that are hazardous, even if it costs the City.

City Manager Henne responded to Mr. Turner's request for an update saying he had personally driven the alley, the trees are on the list to be trimmed, and he will circle back with Code Enforcement on the fence.

City Attorney Gould noted that the structure at 900 Ada Street is a hazard to the neighborhood, is in deplorable condition, and needs to be demolished for safety reasons.

NEXT MEETING

Monday, November 15, 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
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 Fear for adjournment at 8:33 p.m.

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

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk

*Due to their length, text of marked items is not included in the minutes. Full text of these documents is on file in the Clerk's Office.