

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF DECEMBER 20, 2021
7:30 P.M.
VIRGINIA TEICH CITY COUNCIL CHAMBERS**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: COUNCILMEMBER NICHOLAS L. PIDEK

PLEDGE OF ALLEGIANCE: MAYOR CHRISTOPHER T. EVELETH

PRESENT: Mayor Christopher T. Eveleth, Councilmembers Janae L. Fear, Daniel A. Law, Nicholas L. Pidek, and Robert J. Teich, Jr.

ABSENT: Mayor Pro-Tem Susan J. Osika and Councilmember Jerome C. Haber.

APPROVE AGENDA

Motion by Councilmember Pidek to approve the agenda as presented.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF DECEMBER 6, 2021

Motion by Councilmember Teich to approve the Minutes of the Regular Meeting of December 6, 2021 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Eric Hazel, owner of the business at 316 Corunna Avenue, commented that he has had many run-ins with Code Enforcement at his business on Corunna Avenue over the years. He said he has tried to comply but the City isn't satisfied. He went on to say that there are multiple properties surrounding his that have code violations and he feels he is being targeted. He left pictures and a copy of the latest notice he received with the Mayor so the issue could be investigated.

Tom Manke, 2910 W. M-21, said he noticed that the City has started to demolish the structure at 216 S. Elm Street. He accused the City of targeting the building's owner and wasting tax payer money.

Eddie Urban, 601 Glenwood Avenue, said he caught part of the news this evening and experts are now suggesting that people not travel for Christmas due to the surge in COVID cases. He encouraged everyone to be careful and wear a mask

Mayor Eveleth asked City Manager Henne to look into the issue with Mr. Hazel. City Manager Henne indicated he would do so, but asked that people keep in mind that code enforcement is a legal process and he may not have the authority to change an on-going process.

CONSENT AGENDA

Motion by Councilmember Pidek to approve the Consent Agenda as follows:

2022 Income Threshold Poverty Exemptions. Adopt the 2022 Income Threshold Poverty Exemptions, as required by Public Act No. 390 of 1994 as follows:

RESOLUTION NO. 220-2021

**CITY OF OWOSSO
POVERTY EXEMPTION GUIDELINES FOR 2022**

WHEREAS, the adoption of guidelines for poverty exemptions is within the purview of the city council, and

WHEREAS, the homestead of persons who, in the judgment of the board of review, by reason of poverty, are unable to contribute to the public charges, is eligible for exemption in whole or part from taxation under Public Act 390, 1994(MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994, City of Owosso, Shiawassee County adopts the following guidelines for the board of review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household.

WHEREAS, to be eligible, a person shall do all the following on an annual basis:

- Be the owner and occupy the principal residence of the property for which an exemption is applied.
- File a claim (application) on the form provided by the City Assessor's office. The filing of a claim constitutes an appearance before the Board of Review for the purpose of preserving the claimant's right to appeal.
- Provide proof of residency for all residents in the home.
- Supply a copy of federal and state income tax returns (including any property tax credit) filed in the current year for all adult residents, if available, or immediately preceding year if current is unavailable, and/or a signed affidavit (Treasury Form 4988) stating income tax returns are not required to be filed.
- Supply copies of proof of income for the most recent six-month period (current pay stubs, benefit statement, etc.) for all residents 18 years old and over. Additional stubs may be requested at a later date.
- **If the applicant fails to supply all the required documents or if it is found that the information supplied is fraudulent, the application shall be denied; and**

WHEREAS, pursuant to Public Act 253 of 2020, if a person qualifies, the board of review shall grant either a 100%, 50% or 25% reduction in taxable value for the applicable tax year, or any other percentage reduction approved by the state tax commission. However, the City of Owosso elects to give only 100% reduction to approved applicants.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Owosso City Council that the board of review shall follow the above stated policy and the below stated guidelines in granting or denying an exemption.

2022 Income Standards Poverty Threshold*

Total number of persons residing in homestead	Annual allowable income
1 person	\$19,600
2 persons	\$22,400
3 persons	\$25,200
4 persons	\$27,960
5 persons	\$31,040
6 persons	\$35,580
7 persons	\$40,120
8 persons	\$44,660
Each additional person, add	\$4,540

*Applicant's income shall not exceed the poverty income thresholds listed here. Income of students under the age of 18 years shall **not** be included as income.

BE IT FURTHER RESOLVED, if asset levels exceed the items/amounts below, the individual/property owner shall **not be eligible for a Property Tax Poverty Exemption.**

- Assets, (except the original homestead and minimum zoning required footprint, essential household goods and the first \$5,000 of the market value of a motor vehicle), shall not exceed \$4,000 (four thousand dollars) for individual applicant and/or \$6,000 (six thousand dollars) per household if more than one financial contributor.

OMS/DDA RLF Loan Funding Approval —AZee Business Solutions. Approve the application from AZee Business Solutions, LLC requesting a loan from the OMS/DDA Revolving Loan Fund in the amount of \$23,000.00 for business startup activities for their location at 114 West Main Street, Suite 201 as follows:

RESOLUTION NO. 221-2021

**AUTHORIZING RELEASE OF
OMS/DDA REVOLVING LOAN FUND LOAN FUNDS TO
AZEE BUSINESS SOLUTIONS, LLC
FOR ELIGIBLE EXPENSES AT 114 W. MAIN STREET, SUITE 201**

WHEREAS, in 1994 the city of Owosso established the Downtown Owosso Revolving (formerly UDAG/CDBG) Loan Program for projects within the Owosso Downtown Development Authority district; and

WHEREAS, on June 17, 2019 City Council approved the new OMS/DDA Revolving Loan & Grant Program, giving stewardship of the loan and grant process to the Owosso Main Street/DDA Board; and

WHEREAS, on November 15, 2021 an application was submitted to OMS/DDA by AZee Business Solutions, LLC for a \$23,000 loan for business startup activities for their business at 114 W. Main Street, Suite 201; and

WHEREAS, on November 30, 2021 the OMS/DDA Design & Business Vitality – Revolving Loan Sub-Committee reviewed and approved the application, giving it an overall score of 40. This score is above the 30 points required for consideration.

WHEREAS, on December 1, 2021 the OMS/DDA Board of Directors approved the Revolving Loan Sub-Committee recommendation.

NOW THEREFORE BE IT RESOLVED by the city council of the city of Owosso, Shiawassee County, Michigan that:

FIRST: The City of Owosso approves the \$23,000.00 loan to AZee Business Solutions, LLC for business development activities for their business at 114 W. Main St., Suite 201 according to the terms & specifications determined by the OMS/DDA Loan & Grant Manual.

SECOND: The accounts payable department is authorized to release said loan funds to AZee Business Solutions, LLC in the amount of \$23,000.00 for the purpose stated.

OMS/DDA RLF Loan Funding Approval—Three Fit Chicks LLC. Approve the application from Three Fit Chicks LLC dba Bangin' Bowls requesting a loan from the OMS/DDA Revolving Loan Fund in the amount of \$50,000.00 for business startup activities at 210 South Water Street as follows:

RESOLUTION NO. 222-2021

**AUTHORIZING RELEASE OF
OMS/DDA REVOLVING LOAN FUND LOAN FUNDS TO
THREE FIT CHICKS LLC DBA BANGIN' BOWLS
FOR ELIGIBLE EXPENSES AT 210 S. WATER STREET**

WHEREAS, in 1994 the city of Owosso established the Downtown Owosso Revolving (formerly UDAG/CDBG) Loan Program for projects within the Owosso Downtown Development Authority district; and

WHEREAS, on June 17, 2019 City Council approved the new OMS/DDA Revolving Loan & Grant Program, giving stewardship of the loan and grant process to the Owosso Main Street/DDA Board; and

WHEREAS, on October 1, 2021 a loan application was submitted to OMS/DDA by Three Fit Chicks LLC dba Bangin' Bowls for business startup activities located within 210 S. Water Street.

WHEREAS, on November 30, 2021 the OMS/DDA Design & Business Vitality – Revolving Loan Sub-Committee reviewed and approved the application, giving it an overall score of 34. This score is above the 30 points required for consideration.

WHEREAS, on December 1, 2021 the OMS/DDA Board of Directors approved the Revolving Loan Sub-Committee recommendation.

NOW THEREFORE BE IT RESOLVED by the city council of the city of Owosso, Shiawassee County, Michigan that:

FIRST: The City of Owosso approves the \$50,000.00 loan to Three Fit Chicks LLC dba Bangin' Bowls for business startup activities for their business at 210 S. Water Street according to the terms & specifications determined by the OMS/DDA Loan & Grant Manual.

SECOND: The accounts payable department is authorized to release said loan funds to Three Fit Chicks LLC dba Bangin' Bowls in the amount of \$50,000.00 for the purpose stated.

***Contract Extension - IT/Network Engineering Services.** Authorize extension of the contract with Logicalis, Inc. for the provision of network administrator services for the 2022 calendar year in an amount not to exceed \$90,000.00, and further authorize payment to the vendor for services rendered up to the contract amount as follows:

RESOLUTION NO. 223-2021

**ADOPTING THE LOGICALIS, INC. STAFFING 2022 STATEMENT OF WORK (SOW)
FOR JEFF KISH**

WHEREAS, the city of Owosso, a Michigan municipal corporation, utilizes a sophisticated network of computers to facilitate day-to-day operations; and

WHEREAS, said network requires the services of a skilled professional to continue to function properly; and

WHEREAS, the city contracts with Logicalis, Inc. for the provision of network administrator services; and

WHEREAS, the city council must adopt a resolution authorizing the terms of the contract for the calendar year effective January 1, 2022 through December 31, 2022.

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 it is advisable, necessary and in the public interest to continue the contract with Logicalis, Inc. for network administrator services for the year beginning January 1, 2022.
- SECOND: the mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Staffing SOW between the City of Owosso and Logicalis, Inc.
- THIRD: the accounts payable department is authorized to pay Logicalis, Inc. for work satisfactorily performed in an amount not to exceed \$90,000.00.
- FOURTH: the above expenses shall be paid from Account No. 101-258-818000.
- FIFTH: all prior resolutions and documents for the *Logicalis Network Administrator Services and/or Staffing SOW* are rescinded as of January 1, 2022.

***Contract Amendment – Demolition of 900 Ada Street.** Approve Amendment No. 1 to the contract with Bolle Contracting LLC for demolition of 900 Ada Street extending the completion deadline to March 30, 2022 due to delays in disconnection of gas and electric service to the structure as follows:

RESOLUTION NO. 224-2021

**AUTHORIZATION OF CONTRACT AMENDMENT NO. 1
WITH BOLLE CONTRACTING, LLC FOR
THE DEMOLITION OF THE STRUCTURE AT 900 ADA STREET**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved a contract with Bolle Contracting, LLC on November 1, 2021 for the demolition of the house at 900 Ada Street to be completed by December 15, 2021; and

WHEREAS, as of December 15, 2021, Consumers Energy has not disconnected the gas and electric services to the property; and

WHEREAS, Consumers Energy has scheduled the disconnects to occur in early January 2022; and

WHEREAS, Bolle Contracting, LLC has requested a contract deadline extension to March 30, 2022 to allow for any additional delays and scheduling.

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 extend the contract deadline 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 accept the deadline request of March 30, 2022 from Bolle Contracting, LLC for said demolition.
- THIRD: The mayor and city clerk are instructed and authorized to sign the extension document substantially in the form attached, Amendment No. 1 to the Contract for Demolition of 900 Ada Street with Bolle Contracting, LLC.

Contract Amendment - GIS Support Services for Water & Sewer System Mapping Contract.

Approve Amendment No. 6 to the professional services agreement with Orchard, Hiltz and McCliment (OHM) of Livonia, Michigan, for additional GIS-water & sewer system mapping geodatabase maintenance support services in an amount not to exceed \$5,000.00, and further approve payment to the engineer up to the contract amount, including Amendment Nos. 1-6, according to unit prices as follows:

RESOLUTION NO. 225-2021

**AUTHORIZING THE EXECUTION OF ADDENDUM TO
AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES
WITH ORCHARD, HILTZ & MCCLIMENT, INC. D/B/A OHM ADVISORS**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, entered into an agreement with Orchard, Hiltz & McCliment, Inc. d/b/a OHM Advisors by the adoption of Resolution 26-2015 on April 6, 2015; and

WHEREAS, the City and Director of Public Services & Utilities desires to expand the contract to include additional services for providing additional GIS database maintenance, new software applications, and training services for water distribution, sanitary sewer, and storm sewer mapping systems.

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

- FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to expand the contract approved by Resolution 26-2015 on April 6, 2015 with Orchard, Hiltz & McCliment, Inc. d/b/a OHM Advisors to include additional services in the amount of \$5,000.00 for ongoing GIS database mapping services.
- SECOND: The Accounts Payable department is authorized to submit payment to OHM Advisors, in the amount not to exceed \$5,000.00, for GIS-Asset Management General Services.
- THIRD: The above expenses shall be paid from water funds, sewer funds, and street funds.

***Contract Authorization – 2024 CWSRF Project Plan Application Preparation.** Authorize contract with Fishbeck for the preparation and submission of a CWSRF Project Plan Application for WWTP Capital Process Equipment Upgrades, and further authorize payment to the engineer upon satisfactory completion of the project or portion thereof as follows:

RESOLUTION NO. 226-2021

**AUTHORIZING ADDENDUM NO. 2 TO THE AGREEMENT
FOR PROFESSIONAL ENGINEERING SERVICES
WITH FISHBECK**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, entered into an agreement with Fishbeck by the adoption of Resolution No. 161-2021 on September 7, 2021; and

WHEREAS, the City and Director of Public Services & Utilities recommend making application to the Michigan Department of Environment, Great Lakes, and Energy (EGLE) for a Clean Water State Revolving Fund (CWSRF) loan to secure financing for various capital process equipment upgrades at the Wastewater Treatment Plant; and

WHEREAS, Fishbeck has provided a proposal for developing a project application for submission to EGLE in the amount of \$65,000.00; and

WHEREAS, the Director of Public Services has reviewed the proposal and has determined that the project proposal is fair and reasonable, and necessary for securing CWSRF funding for equipment replacements as identified in the Wastewater Treatment Plant Asset Management Plan.

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

- FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to contract with Fishbeck for engineering services to develop and submit a project plan to EGLE to secure low interest CWSRF loan financing for various capital process equipment replacements as identified in the Wastewater Treatment Plant Asset Management Plan.
- SECOND: The Mayor and City Clerk are authorized and instructed to sign the document substantially in the form attached as Addendum No. 2 to an Agreement for Professional Engineering Services with Fishbeck, Thompson, Carr & Huber, Inc. dba Fishbeck between the City of Owosso and Fishbeck.
- THIRD: The Accounts Payable department is authorized to submit payment to Fishbeck in an amount not to exceed \$65,000.00 upon satisfactory completion of the work or portion thereof.
- FOURTH: The above expenses shall be paid from the Wastewater Fund Account.

Bid Award – Owosso Library A/C Replacement Project. Authorize bid award to Maurer Heating and Cooling Co. of Owosso, Michigan for the replacement of the air conditioning system at the Owosso Public Library in the amount of \$67,266.00, and approve payment up to the contract amount to the contractor upon satisfactory completion of the work (half of the cost to be reimbursed by the Library) as follows:

RESOLUTION NO. 227-2021

AUTHORIZING A BID AWARD TO MAURER HEATING AND COOLING CO. FOR THE LIBRARY AIR CONDITIONING REPLACEMENT PROJECT

WHEREAS, the City of Owosso owns the Shiawassee District Library Building in Owosso – located at 502 W Main Street; and

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has determined that the air conditioning system is past its useful life and requires replacement – with such replacement listed in the 6-year capital improvements plan; and

WHEREAS, the city of Owosso sought bids to replace said equipment and received one bid in the amount of \$67,266.00 from Maurer Heating and Cooling Co.; and

WHEREAS, the Library holds a long-term lease as tenants of the library building and are responsible for paying fifty percent (50%) of any capital maintenance project over \$50,000.

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 replace the air conditioning equipment in the Library.
- SECOND: The City of Owosso has further determined that it is advisable, necessary and in the public interest to employ Maurer Heating and Cooling Co. for said replacement.
- THIRD: The contract for this project shall be in the form of a City Purchase Order in the amount of \$67,266.00.
- FOURTH: The accounts payable department is authorized to pay Maurer Heating and Cooling Co. for work satisfactorily completed on the project up to the bid amount.
- FIFTH: The above expenses shall be paid from the Capital Projects Fund: 401-000-975.000.
- SIXTH: The City shall request reimbursement from the Shiawassee District Library for half of the project cost upon satisfactory completion of the project.

Bid Award – 2022 Street Program Engineering Services - Contract No. 1. Approve bid award to Eng., Inc. for engineering and construction administration services for the 2022 Street Program – Contract No. 1 in the amount of \$46,965.00, and approve payment to the engineer upon satisfactory completion of the work or portion thereof as follows:

RESOLUTION NO. 228-2021

**AUTHORIZING THE EXECUTION OF AN AGREEMENT
FOR PROFESSIONAL ENGINEERING SERVICES WITH
ENG., INC.
FOR THE 2022 STREET PROGRAM – CONTRACT 1**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, is considering the necessary reconstruction of Maple Avenue, from Corunna Avenue to the north end, as outlined within its RFP for professional engineering services; and

WHEREAS, this project requires the services of a professional engineering firm; and

WHEREAS, the City sought proposals from its Qualification Based Selection (QBS) list of firms to perform such work; and

WHEREAS, Eng., Inc. is selected as the most qualified firm to perform such work and offers to complete construction administration services of said project in an amount not to exceed \$46,965.00.

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

- FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to employ the firm of Eng., Inc. to provide engineering and construction administration services for the 2022 Street Program – Contract 1.
- SECOND: The Mayor and City Clerk are instructed and authorized to sign the necessary documents as an Agreement for Professional Engineering Services between the City of Owosso, Michigan and Eng., Inc..
- THIRD: The Accounts Payable department is authorized to make payment up to the amount of \$46,965.00 to Eng., Inc. upon successful completion of stated work.
- FOURTH: The above expenses shall be paid from the 2016 Unlimited Obligation Bond Proceeds Acct No. 203-451-818.000-MAPLESTR21 and other funds as appropriated.

Warrant No. 610. Authorize Warrant No. 610 as follows:

Vendor	Description	Fund	Amount
Harris Utility Customer Analytics	Annual maintenance of Ace Portal-8/1/21-7/31/22	Water/Sewer	\$22,500.00
Gould Law, P.C.	Professional Services 11/9/21 – 12/13/21	General	\$12,756.28

Motion supported by Councilmember Teich.

Roll Call Vote.

AYES: Councilmembers Teich, Pidek, Law, Fear, and Mayor Eveleth.

NAYS: None.

ABSENT: Mayor Pro-Tem Osika and Councilmember Haber.

ITEMS OF BUSINESS

Social District Permit Request – The Sideline Sports Bar Owosso LLC

Motion by Councilmember Pidek to recommend to the Michigan Liquor Control Commission the application of The Sideline Sports Bar Owosso LLC for a social district permit at 219 S. Washington Street as follows:

RESOLUTION NO. 229-2021

**RECOMMENDING APPLICATION FOR A SOCIAL DISTRICT PERMIT
FOR THE SIDELINE SPORTS BAR OWOSSO LLC
LOCATED AT 219 S. WASHINGTON STREET**

WHEREAS, the COVID-19 pandemic has caused unprecedented economic disruption worldwide and within our local business community; and

WHEREAS, restaurants and bars, which are key contributors to the vitality of downtown business districts, have been and will continue to be, hard-hit by the economic impacts of the pandemic; and

WHEREAS, increasing the availability of outdoor dining space will help downtown restaurants to recover; and

WHEREAS, Public Act 124 of 2020 empowers the city council to designate social districts with commons areas where purchasers may consume alcoholic beverages sold by multiple qualified Michigan Liquor Control Commission licensees who obtain social district permits; and

WHEREAS, at a meeting held February 16, 2021 the city council designated a social district containing a commons area within the downtown of the city of Owosso; and

WHEREAS, the city council has received a request from The Sideline Sports Bar Owosso LLC, a qualified licensee, seeking recommendation of their social district permit application to the Michigan Liquor Control Commission; and

WHEREAS, the premises of this licensee, located at 219 S. Washington Street, is contiguous to the commons area within the designated social district; and

WHEREAS, the city council desires to recommend approval of the social district permit application from The Sideline Sports Bar Owosso LLC.

NOW THEREFORE BE IT RESOLVED by the city council of the city of Owosso, Shiawassee County, Michigan that:

FIRST: the social district permit application from The Sideline Sports Bar Owosso LLC, 219 S. Washington Street, is recommended by the city council for consideration and approval by the Michigan Liquor Control Commission.

SECOND: the city clerk is authorized and directed to provide the applicant with a certification of this action in the form specified by the Michigan Liquor Control Commission.

Motion supported by Councilmember Fear.

Roll Call Vote.

AYES: Councilmembers Fear, Teich, Pidek, Law, and Mayor Eveleth.

NAYS: None.

ABSENT: Mayor Pro-Tem Osika and Councilmember Haber.

National Opioids Settlement

City Manager Henne recommended opting-in to the settlement, though it is unclear at this point what Owosso's share of the settlement will be. Each state will divide their portion of the settlement according to the terms of an agreement negotiated by each state's attorney general and rules will be developed as to how the money can be spent.

Mayor Eveleth asked the City Manager if he had any idea how much the opioid crisis has cost the City. City Manager Henne indicated he did not have a concrete figure but he was sure it's in the tens of thousands of dollars.

Motion by Councilmember Teich to opt-in to the National Opioids Settlement involving pharmaceutical distributors, McKesson, Cardinal Health and AmerisourceBergen, and manufacturer, Janssen Pharmaceuticals, Inc., and its parent company Johnson & Johnson and authorize Public Safety Director Kevin D. Lenkart to sign all related documents on behalf of the City as follows:

RESOLUTION NO. 230-2021

AUTHORIZATION TO OPT-IN TO THE NATIONAL OPIOIDS SETTLEMENT

WHEREAS, in July 2021, settlements were reached with states and local political subdivisions to settle litigation against the three largest pharmaceutical distributors for their roles in the opioid epidemic; and

WHEREAS, the settlements have two participation steps. The first being each state must decide whether to participate; Michigan has joined the settlement. The second step requires subdivisions within the state (including the City of Owosso) to decide whether to participate in the settlement; and

WHEREAS, the settlement funds will first be divided among the participating states according to a formula developed by the Attorneys General that considers population and the severity of harm caused by the opioid epidemic in each participating state. Each state's share of the abatement funds will then be further allocated within each state according to an agreement between the state and its subdivisions, applicable state allocation legislation, or, in the absence of these, the default provisions in the agreements. At this time the amount of money that will be allocated to the City of Owosso is unknown; and

WHEREAS, the deadline for notification to participate in the settlement is Jan 2, 2022, so time is of the essence.

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

FIRST: it is advisable, necessary and in the public interest to opt-in to the National Opioids Settlement involving pharmaceutical distributors, McKesson, Cardinal Health and AmerisourceBergen, and manufacturer, Janssen Pharmaceuticals, Inc., and its parent company Johnson & Johnson.

SECOND: the city of Owosso public safety director is instructed and authorized to sign all documents related to the settlements on behalf of the City of Owosso, Michigan.

Motion supported by Councilmember Fear.

Roll Call Vote.

AYES: Councilmembers Teich, Law, Fear, Pidek, and Mayor Eveleth.

NAYS: None.

ABSENT: Mayor Pro-Tem Osika and Councilmember Haber.

Write-Off and Account Close-Out – 1000 Bradley Street

City Manager Henne explained that the action before Council this evening would effectively end the Brownfield TIF for the property in question. He briefly detailed the history of the site, saying there was a fire in 2005 that completely destroyed the manufacturing plant located on the property, the City was forced to clean up and secure the property, a Brownfield Plan was created to help recoup said costs, though a developer for the site was never found and the plan was ultimately never submitted to the state. Mr. Henne went on to say that writing off the City's abatement expenses and closing the associated Brownfield account would not preclude a future developer from seeking approval for a new Brownfield plan for the site. Any new plan would have to include the costs for demolition, the action tonight just closes things out from the auditor's perspective.

Motion by Councilmember Pidek to write-off the demolition and fencing expenses incurred at 1000 Bradley Street and to close-out the associated Fund 290 OBRA – District #10 (Vaungarde) as follows:

RESOLUTION NO. 231-2021

AUTHORIZE THE WRITING OFF OF COSTS ASSOCIATED WITH 1000 BRADLEY STREET (VAUNGARDE) INCURRED IN 2005 AND CLOSURE OF THE RELATED BROWNFIELD ACCOUNT

WHEREAS, in April of 2005 a major fire occurred at 1000 Bradley Street, completely destroying the former factory located at the site; and

WHEREAS, after the property owner failed to properly abate the hazards and safety concerns on the site, the City condemned the property, incurred costs to clean up the property, and, later, acquired the property in 2007; and

WHEREAS, in an effort to ensure the City was able to recover some or all of the clean-up costs a Brownfield Redevelopment Plan was created for the property; and

WHEREAS, a developer for the property was never found and the Brownfield Plan was never enacted; and

WHEREAS, as it appears the City's plans for the property never came to fruition the City's auditors have recommended the clean-up costs be written off and the account associated with the Brownfield Plan be closed.

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 write off incurred expenses in the amount of \$65,699.74 associated with the demolition of the burned structure at 1000 Bradley Street.

SECOND: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to close Fund 290 OBRA Fund – District #10 (Vaungarde).

THIRD: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to classify the parcel of land located at 1000 Bradley Street as an asset of the General Fund.

Motion supported by Councilmember Law.

Roll Call Vote.

AYES: Councilmembers Pidek, Teich, Fear, Law, and Mayor Eveleth.

NAYS: None.

ABSENT: Mayor Pro-Tem Osika and Councilmember Haber.

Notice of Intent to Issue Revenue Bonds and Right to Referendum – DWRP Projects
No. 7555-01 &
No. 7458-01

City Manager Nathan R. Henne introduced the topic saying he would address this item and the following related item at the same time. Both items involve the formal notice of intent that is required for the sale of bonds. These notices will cover the two 2022 DWRP projects and the 2022 CWSRF project, for all of which the City is seeking bond funding. The DWRP projects total \$7.2 million, combined, of which the state will forgive \$3 million. The CWSRF project is estimated at \$4.8 million. Unfortunately, there is no funding available for forgiveness of any of this amount at this time.

A brief presentation explaining the bonding process was delivered by the City's bonding attorney Eric McGlothlin of Dickinson Wright PLLC. Mr. McGlothlin explained that the Notice of Intent resolution is the first step in securing bonds under the Revenue Bond Act. The resolution directs the publication of the notice of intent which describes the projects, the maximum amount to be borrowed, and informs citizens of their right of referendum. Publication of the notice starts the 45-day clock in which a petition can be filed to stop the issuance of the bonds. The petition must contain the signatures of at least 10% or 15,000 of the City's registered voters to legally stop the bond sale. If no such petition is filed the Council would be free to adopt a bond ordinance for each issuance and the sale would proceed.

Councilmember Pidek sought clarification on the total amount of bonds the City is seeking and the total amount of exposure.

Motion by Councilmember Teich to authorize the following resolution of Notice of Intent to Issue Revenue Bonds and Right to Referendum thereof for the proposed issuance of bonds to finance 2022 DWRP Project Nos. 7555-01 and 7458-01 for the Lead & Galvanized Service Line Replacement Project and the Center Street Water Main Replacement Project/Water Distribution Tanks Rehabilitation Project, respectively:

RESOLUTION NO. 232-2021

**DECLARING OFFICIAL INTENT TO REIMBURSE PROJECT
EXPENDITURES WITH BOND PROCEEDS AND AUTHORIZING PUBLICATION
OF NOTICE OF INTENT TO ISSUE BONDS**

WHEREAS, the City of Owosso (the "City") proposes to issue its revenue bonds, in one or more series (the "Bonds") under Act 94, Public Acts of Michigan, 1933, as amended ("Act 94"), to finance improvements to the City's water supply system (the "System"), consisting of the replacement of water service lines and watermain repairs and replacements, including, but not limited to, replacement of the Center Street watermain, rehabilitation of System water distribution storage tanks, standpipes, booster stations, an elevated storage tank, and related facilities, as well as the restoration of property, streets, rights-of-way and easements affected by the improvements, and all other work necessary and incidental to these improvement (the "Project"); and

WHEREAS, it is anticipated that the City will advance a portion of the costs of the Project prior to the issuance of the Bonds, to be repaid from proceeds of the Bonds upon the issuance thereof; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the "Reimbursement Regulations") specifies conditions under which a reimbursement allocation may be treated as an expenditure of bond proceeds, and the City intends by this resolution to qualify amounts advanced by the City to the Project for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations; and

WHEREAS, a notice of intent to issue the Bonds must be published in order to comply with the requirements of Section 33 of Act 94.

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

1. The project shall consist of the water supply system improvements described in the preamble hereto.
2. The maximum principal amount of Bonds expected to be issued for the Project is \$7,200,000.
3. The City hereby declares its official intent to issue the Bonds to finance the costs of the Project, and hereby declares that it reasonably expects to reimburse the City's advances to the Project as described in the preamble and as anticipated by this resolution.
4. The Bonds shall be authorized by proper proceedings subsequent to this resolution.
5. The Clerk is hereby instructed to publish the following notice attached hereto as Exhibit A once in a newspaper of general circulation in the City.
6. All prior resolutions and parts of resolutions insofar as they may be in conflict with this resolution are hereby rescinded.

EXHIBIT A

NOTICE OF INTENT TO ISSUE BONDS BY THE CITY OF OWOSSO, MICHIGAN

NOTICE IS HEREBY GIVEN, that the City of Owosso, Michigan, intends to issue revenue bonds, in one or more series, in the principal amount of not to exceed \$7,200,000 for the purpose of defraying the cost of improvements to the City's water supply system (the "System"), consisting of the replacement of water service lines and watermain repairs and replacements, including, but not limited to, replacement of the Center Street watermain, rehabilitation of System water distribution storage tanks, standpipes, booster stations, an elevated storage tank, and related facilities, as well as the restoration of property, streets, rights-of-way and easements affected by the improvements, and all other work necessary and incidental to these improvements.

The bonds will mature in not to exceed forty (40) years after the date of original issuance, and will bear interest from their date at a rate or rates to be determined at the time of sale thereof but in no event to exceed such rates as may be permitted by law.

The bonds will be issued under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and a resolution of the City Council and will be payable from the net revenues of the System and any improvements, enlargements and extensions thereto, and a statutory lien on said revenues will be established by said resolution. The City of Owosso will covenant and agree to fix and maintain at all times while any of the bonds shall be outstanding such rates for service furnished by the System as shall be sufficient to provide for payment of the necessary expenses of operation, maintenance and administration of the System and of the principal of and interest on the bonds when due and to provide for such other expenditures and funds for the System as are required by the resolution authorizing the issuance of bonds. In addition, the bonds may be secured by the full faith and credit of the City as limited by applicable constitutional and statutory limitations on the taxing power of the City.

RIGHT TO PETITION FOR REFERENDUM

This notice is given, by order of the City Council of the City of Owosso, to and for the benefit of the electors of the City of Owosso in order to inform them of their right to petition for a referendum upon the question of the issuance of the aforesaid bonds. The bonds will be issued, without submitting such a question to a vote of the electors, unless within 45 days after the date

of publication of this notice a petition requesting a referendum upon such question, signed by not less than 10% or 15,000 of the registered electors in the City of Owosso, whichever is the lesser, shall have been filed with the undersigned City Clerk. In the event that such a petition is filed, the bonds will not be issued unless and until the issuance thereof shall have been approved by the vote of a majority of the electors of the City of Owosso qualified to vote and voting thereon at a general or special election.

FURTHER INFORMATION

Further information relative to the issuance of said bonds and the subject matter of this notice may be secured at the office of the City Clerk of the City of Owosso, 301 West Main Street, Owosso, Michigan 48867.

This notice is given pursuant to the provisions of Act 94, Public Acts of Michigan, 1933, as amended.

Amy K. Kirkland, CMC
City Clerk
City of Owosso

Motion supported by Councilmember Fear.

Roll Call Vote.

AYES: Councilmembers Teich, Fear, Law, Pidek, and Mayor Eveleth.

NAYS: None.

ABSENT: Mayor Pro-Tem Osika and Councilmember Haber.

Notice of Intent to Issue Revenue Bonds and Right to Referendum – CWSRF Project No. 5710-01

Motion by Councilmember Law to authorize a resolution of Notice of Intent to Issue Revenue Bonds and Right to Referendum thereof for the proposed issuance of bonds to finance 2022 CWSRF Project No. 5710-01 for the WWTP Solids Handling Project as follows:

RESOLUTION NO. 233-2021

DECLARING OFFICIAL INTENT TO REIMBURSE PROJECT EXPENDITURES WITH BOND PROCEEDS AND AUTHORIZING PUBLICATION OF NOTICE OF INTENT TO ISSUE BONDS

WHEREAS, the City of Owosso (the "City") proposes to issue its revenue bonds, in one or more series (the "Bonds") under Act 94, Public Acts of Michigan, 1933, as amended ("Act 94"), to finance improvements to the City's wastewater treatment system (the "System"), including without limitation, solids handling improvements at the City's wastewater treatment plant (the "WWTP"), including without limitation, the acquisition, construction, and installation of two new screw presses for sludge dewatering, sludge storage and pumping equipment, a new roof and other structural, mechanical, and electrical equipment and improvements to WWTP buildings and facilities, as well as all other work and equipment necessary or incidental to these improvements (the "Project"); and

WHEREAS, it is anticipated that the City will advance a portion of the costs of the Project prior to the issuance of the Bonds, such advance to be repaid from proceeds of the Bonds upon the issuance thereof; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the "Reimbursement Regulations") specifies conditions under which a reimbursement allocation may be treated as an expenditure of bond proceeds, and the City intends by this resolution to qualify amounts advanced by the City to the Project for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations; and

WHEREAS, a notice of intent to issue the Bonds must be published in order to comply with the requirements of Section 33 of Act 94.

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

1. The Project shall consist of the sewage disposal system improvements described in the preamble hereto.

2. The maximum principal amount of Bonds expected to be issued for the Project is \$4,885,000.
3. The City hereby declares its official intent to issue the Bonds to finance the costs of the Project, and hereby declares that it reasonably expects to reimburse the City's advances to the Project as described in the preamble and as anticipated by this resolution.
4. The Bonds shall be authorized by proper proceedings subsequent to this resolution.
5. The Clerk is hereby instructed to publish the following notice attached hereto as Exhibit A once in a newspaper of general circulation in the City.
6. All prior resolutions and parts of resolutions insofar as they may be in conflict with this resolution are hereby rescinded.

EXHIBIT A

NOTICE OF INTENT TO ISSUE BONDS BY THE CITY OF OWOSSO, MICHIGAN

NOTICE IS HEREBY GIVEN, that the City of Owosso, Michigan, intends to issue revenue bonds, in one or more series, in the principal amount of not to exceed \$4,885,000 for the purpose of defraying the cost of improvements to the City's wastewater treatment system (the "System"), including without limitation, solids handling improvements at the City's wastewater treatment plant (the "WWTP"), including without limitation, the acquisition, construction, and installation of two new screw presses for sludge dewatering, sludge storage and pumping equipment, a new roof and other structural, mechanical, and electrical equipment and improvements to WWTP buildings and facilities, as well as all other work and equipment necessary or incidental to these improvements, and to pay the costs of issuing the bonds and capitalized interest, if any.

The bonds will mature in not to exceed forty (40) years after the date of original issuance, and will bear interest from their date at a rate or rates to be determined at the time of sale thereof but in no event to exceed such rates as may be permitted by law.

The bonds will be issued under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and a resolution of the City Council and will be payable from the net revenues of the System and any improvements, enlargements and extensions thereto, and a statutory lien on said revenues will be established by said resolution. The City of Owosso will covenant and agree to fix and maintain at all times while any of the bonds shall be outstanding such rates for service furnished by the System as shall be sufficient to provide for payment of the necessary expenses of operation, maintenance and administration of the System and of the principal of and interest on the bonds when due and to provide for such other expenditures and funds for the System as are required by the resolution authorizing the issuance of bonds. In addition, the bonds may be secured by the full faith and credit of the City as limited by applicable constitutional and statutory limitations on the taxing power of the City.

RIGHT TO PETITION FOR REFERENDUM

This notice is given, by order of the City Council of the City of Owosso, to and for the benefit of the electors of the City of Owosso in order to inform them of their right to petition for a referendum upon the question of the issuance of the aforesaid bonds. The bonds will be issued, without submitting such a question to a vote of the electors, unless within 45 days after the date of publication of this notice a petition requesting a referendum upon such question, signed by not less than 10% or 15,000 of the registered electors in the City of Owosso, whichever is the lesser, shall have been filed with the undersigned City Clerk. In the event that such a petition is filed, the bonds will not be issued unless and until the issuance thereof shall have been approved by the vote of a majority of the electors of the City of Owosso qualified to vote and voting thereon at a general or special election.

FURTHER INFORMATION

Further information relative to the issuance of said bonds and the subject matter of this notice may be secured at the office of the City Clerk of the City of Owosso, 301 West Main Street, Owosso, Michigan 48867.

This notice is given pursuant to the provisions of Act 94, Public Acts of Michigan, 1933, as amended.

Amy K. Kirkland, CMC
City Clerk
City of Owosso

Motion supported by Councilmember Fear.

Roll Call Vote.

AYES: Councilmembers Law, Teich, Pidek, Fear, and Mayor Eveleth.

NAYS: None.

ABSENT: Mayor Pro-Tem Osika and Councilmember Haber.

COMMUNICATIONS

N. Bradley Hissong, Building Official. November 2021 Building Department Report.

N. Bradley Hissong Building Official. November 2021 Code Violations Report.

N. Bradley Hissong Building Official. November 2021 Inspections Report.

N. Bradley Hissong Building Official. November 2021 Certificates Issued Report.

Kevin D. Lenkart, Public Safety Director. November 2021 Police Report.

Kevin D. Lenkart, Public Safety Director. November 2021 Fire Report.

Downtown Development Authority/Main Street. Minutes of December 1, 2021.

Parks & Recreation Commission. Minutes of December 8, 2021.

Planning Commission. Minutes of December 13, 2021.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 2910 W. M-21, wondered why the price for the demolition of 216 S. Elm Street had gone up from \$240,000 to \$289,000 according to the City's latest Building Department Report. He also asked why the old Vaungarde property didn't go up for tax sale and how the City came to own it.

Eddie Urban, 601 Glenwood Avenue, said that the state had recently taken his driver's license and he hadn't done anything wrong. He also said that he hasn't been able to get help at the VA and plans on filing against them soon.

Mayor Eveleth inquired as to what the difference was between the old Vaungarde property and the Elm Street building. City Manager Henne indicated that there was a tax sale on the Vaungarde property and the Elm Street property has not gone through a tax sale at this point.

Mayor Eveleth welcomed the City's new Main Street/DDA Director Beth Kuiper to the meeting, saying he was happy to see her here.

City Manager Henne responded to Mr. Manke's question regarding the "increase" in price for the demolition of 216 S. Elm Street, saying that the figure Mr. Manke noted on the Building Report was actually the combined demolition cost of at least 3 different structures, not just the Elm Street building.

Councilmember Fear wished everyone a merry Christmas and a happy New Year. Mayor Eveleth echoed her sentiments.

NEXT MEETING

Monday, January 03, 2022

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

Shiawassee District Library – term expires June 30, 2024

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 Pidek for adjournment at 8:13 p.m.

Motion supported by Councilmember Fear 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.