

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF JUNE 6, 2022
7:30 P.M.
VIRGINIA TEICH CITY COUNCIL CHAMBERS**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: COUNCILMEMBER NICHOLAS L. PIDEK

PLEDGE OF ALLEGIANCE: COUNCILMEMBER DANIEL A. LAW

PRESENT: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika, Councilmembers Janae L. Fear, Jerome C. Haber, Daniel A. Law, Nicholas L. Pidek, and Robert J. Teich, Jr.

ABSENT: None.

APPROVE AGENDA

Motion by Mayor Pro-Tem Osika to approve the agenda as presented.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF MAY 16, 2022

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of May 16, 2022 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

2019 DWSRF Project Plan Amendment No. 1 – Improvements to drinking water distribution, storage and treatment facilities

Master Plan Implementation Goals: 3.4

Utilities Director Ryan E. Suchanek directed everyone's attention to the sign-in sheet asking that all those present sign and provide their address, as required by SRF project guidelines.

Mr. Suchanek described the proposed amendment to the City's 2019 DWSRF Project Plan and explained that the purpose of the amendment is to align the reconstruction of city streets with the replacement of water mains and to avoid even higher costs for construction in the future. He said that the project changes and cost increases being proposed were already factored into the recent water rate increases, so no further increases are necessary at this time. He further noted that there may be grant funding available to assist with the project.

A public hearing was conducted to receive citizen comment regarding Amendment No. 1 to update the planned projects, estimated costs, and estimated financing included in the City's 2019 DWSRF Project Plan to improve the drinking water distribution, storage, and treatment facilities, originally approved April 15, 2019.

The following people commented in regard to the proposed plan amendment:

Tom Manke, 2910 W. M-21, asked if the City is planning on redoing the streets wherever new water mains are being constructed.

Eddie Urban, 601 Glenwood Avenue, said he was pleased something is being done to replace lead water lines.

The public comment portion of the hearing was closed at 7:41 p.m.

Motion by Councilmember Pidek to authorize Amendment No. 1 to the 2019 DWSRF Project Plan as follows:

RESOLUTION NO. 75-2022

**AUTHORIZING AMENDMENT NO. 1
TO THE 2019 DWRF PROJECT PLAN FOR WATER SYSTEM IMPROVEMENTS
ORIGINALLY APPROVED APRIL 15, 2019**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved a DWSRF Project Plan for improvements to the City's water distribution, storage, & treatment facilities on April 15, 2019; and

WHEREAS, the DWSRF Project Plan details projects for a 5-year period, from 2020 through 2024; and

WHEREAS, it has become necessary to amend the projects and cost estimates slated for the 2023 fiscal year to comply with regulatory requirements and increase the reliability of service to residents and customer; and

WHEREAS, further it is necessary to amend the City's authorized representative for the Project Plan due to changes in City personnel; and

WHEREAS, Amendment No. 1 to the Project Plan calls for the replacement of water mains, lead service line replacement, WTP upgrades, well improvements, and design/construction engineering and planning, with an estimated cost of \$4,043,000; and

WHEREAS, said Project Plan Amendment was presented at a Public Hearing held on June 6, 2022 and all public comments have been considered and addressed.

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

FIRST: Amendment No. 1 to the 2019 DWRF Project Plan for water system improvements is hereby adopted and the following projects shall be implemented in the 2023 fiscal year:

- Replacing water mains
- Replacing lead service lines
- New wells
- SCADA upgrade

SECOND: the Director of Public Services & Utilities, a position currently held by Ryan E. Suchanek, is designated as the authorized representative for all activities associated with the project referenced above, including the submittal of said Project Plan Amendment according to EGLE regulatory guidelines.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

Mayor Eveleth indicated that he had forgotten to provide staff with an opportunity to answer Mr. Manke's question regarding whether the street surface will be redone on any street in which the water main is replaced. Utilities Director Suchanek indicated that replacement of the pavement would depend on the project. In some cases the water main is in the greenspace alongside the pavement, so pavement replacement would not be necessary. In cases where the water main is located under the street surface they may patch the street or repave it depending on how close the main is to the edge of the pavement. And in still other cases the water main may be replaced one year and the pavement installed the next year.

Establishment of OPRA District – 123 N. Washington Street

Master Plan Implementation Goals: 1.9, 1.19, 3.21, 4.3, 4.7, 4.14

City Manager Nathan R. Henne indicated that an Obsolete Property Rehabilitation District needs to be established for the property in question before Council can consider their application for tax abatement.

A public hearing was conducted to receive citizen comment regarding the application from Woodworth Investments, LLC to establish an Obsolete Property Rehabilitation District for the property located at 123 N. Washington Street.

There were no public comments received prior to, or during the hearing.

Property owner Randy Woodworth noted that getting an OPRA abatement was the first step in a series of steps they are undertaking to make this project possible. They are also in the process of pursuing state and federal historic approvals to do the work. He estimated that the third floor of the building hadn't been touched since the 1940's or 1950's.

Councilmember Pidek asked what the timeline is for the project. Mr. Woodworth said that he would not hazard a guess as there are too many variables and too many things outside his control for him to give any sort of accurate estimate.

Motion by Mayor Pro-Tem Osika to approve the following resolution establishing an OPRA District for the property at 123 N. Washington Street:

RESOLUTION NO. 76-2022

**ESTABLISHING AN OBSOLETE PROPERTY REHABILITATION (OPRA) DISTRICT
FOR THE PROPERTY LOCATED AT
123 N. WASHINGTON STREET**

WHEREAS, pursuant to PA 146 of 2000, the City of Owosso has the authority to establish Obsolete Property Rehabilitation Districts within the City of Owosso; and

WHEREAS, Woodworth Investments, LLC has filed a written request with the clerk of the City of Owosso requesting the establishment of the Obsolete Property Rehabilitation District for an area in the vicinity of 123 N Washington Street located in the City of Owosso hereinafter described; and

WHEREAS, written notice has been given by mail to all owners of real property located within the proposed district and to the public by newspaper advertisement in the Argus-Press and by public posting of the hearing on the establishment of the proposed district; and

WHEREAS, on June 6, 2022 a public hearing was held and all residents and taxpayers of the City of Owosso were afforded an opportunity to be heard thereon; and

WHEREAS, the city council of the City of Owosso has determined that the district meets the requirements set forth in section 3(1) of PA 146 of 2000; and

WHEREAS, the city council deems it to be in the public interest of the City of Owosso to establish the Obsolete Property Rehabilitation District as proposed.

NOW, THEREFORE, BE IT RESOLVED by the city council of the City of Owosso that the following described parcel(s) of land situated in the City of Owosso, Shiawassee County, State of Michigan, to wit:

W 44' OF LOT 3 & N 44' OF THE E 88' OF LOT 3, BLK 22 OF ORIGINAL PLAT (commonly known as 123 N. Washington Street)

be and is hereby established as an Obsolete Property Rehabilitation District pursuant to the provisions of PA 146 of 2000.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

Ordinance Amendment – Chapter 22, Peddlers, Solicitors and Transient Merchants

Public Safety Director Kevin D. Lenkart said the proposed amendment is the result of their annual review of the various ordinances affecting the Public Safety Department. He indicated the fee is intended to recoup the cost of staff time for processing requests, and he was not aware of any other city that didn't charge such a fee. The fee will be set when the Fee Schedule is considered at an upcoming meeting.

The proposed amendment would permit charging a fee for a Peddlers' License, to be set by resolution.

A public hearing was conducted to receive citizen comment regarding the proposed addition of Section 22-25, Fees, to Chapter 22, Peddlers, Solicitors and Transient Merchants, Article II, *Peddlers, Solicitors and Transient Merchants*:

There were no public comments received prior to, or during the hearing.

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. 833

**ADDITION TO CHAPTER 22, PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS,
ARTICLE II, PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS,
OF SECTION 22-25, FEES, OF THE CODE OF ORDINANCES**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has a Peddlers, Solicitors and Transient Merchants Ordinance that currently does not include a provision establishing a registration fee; and

WHEREAS, it is necessary to update the ordinance to establish a registration fee to cover the costs related to the administration of said registration program; and

WHEREAS, the City Council held a public hearing on June 6, 2022; there being no one to be heard, they deliberated on the proposed addition to the ordinance.

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

SECTION 1. ADDITION. That Section 22-25, Fees, be added to Chapter 22, Peddlers, Solicitors and Transient Merchants, Article II, Peddlers, Solicitors and Transient Merchants, of the Code of Ordinances of the City of Owosso as follows:

Sec. 22-17. Registration.

No person shall solicit or peddle within the city unless such person has filed with the department of public safety, a registration statement containing the information required in section 22-18, and obtained a registration acknowledgement issued in accordance with section 22-20.

Sec. 22-18. Solicitation and peddling registration statement.

The solicitation and peddling registration statement to be prepared and filed under this chapter shall contain the following information:

- (1) The name, address and telephone number of the person registering to solicit or peddle.
- (2) If the registration is intended to cover more than one (1) individual, the names, addresses and telephone numbers of the registering organization and the individuals who will be in direct charge of conducting the solicitations and peddling.
- (3) The purposes, products, and services for which the solicitations and peddling are to be made and a description of the use or disposition to be made of any receipts or proceeds of the solicitations and peddling.
- (4) A description of the methods to be used in conducting the solicitations and peddling.
- (5) The time when such solicitations or peddling shall occur, including the dates for the beginning and ending of such solicitations and the hours of the day during which solicitations and peddling shall occur.

Sec. 22-19. Filing false registration statement.

It shall be a violation of this chapter for any person to knowingly file, or cause to be filed, a registration statement containing one (1) or more false statements.

Sec. 22-20. Registration acknowledgment issuance; possession and display while soliciting.

- (a) Upon the filing of a registration statement containing the information required in section 22-18 and with approval of the director of public safety or his designate a solicitation and peddling registration acknowledgment form shall be issued to the registered person within three (3) business days.
- (b) The individual(s) conducting the soliciting or peddling shall carry the original or a copy of the registration acknowledgement form while soliciting or peddling and shall display the form upon request.
- (c) The solicitation and peddling registration acknowledgment shall be valid for one (1) year from issuance unless revoked or suspended earlier.

Sec. 22-21. Hours of solicitation.

No solicitation or peddling may be conducted in residential areas before 9:00 a.m. and after sunset in the evening. For purposes of this section, the term "sunset" means the official time published by the United States Weather Service and applicable to the city, except that sunset shall never be deemed to occur prior to 6:00 p.m. or subsequent to 9:00 p.m.

Sec. 22-22. Soliciting and peddling where prohibited.

No solicitor shall enter onto property upon which a "no solicitation" or "no peddlers" sign, or their equivalent, are posted and visible.

Sec. 22-23. Use of devices to attract attention.

No peddler or solicitor shall shout or cry out his or her goods or merchandise, nor blow any horns, ring any bell or use any other similar device to attract the attention of the public.

Sec. 22-24. Suspension and revocation.

The registration acknowledgment issued pursuant to section 22-20 may be suspended or revoked by the director of public safety or his designate if the registrant violates any sections of this chapter or any statute, ordinance or regulation while conducting the activities regulated by this chapter.

Sec. 22-25. Fees.

The fees necessary for the administration of this article shall be established from time to time by resolution of the city council.

SECTION 2. Severability. If any section, subsection, sentence, clause or phrase of this article is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this article. The city hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION. 3. AVAILABILITY. This ordinance may be viewed on the City's website at www.ci.owosso.mi.us or 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 4. EFFECTIVE DATE. This amendment shall become effective June 27, 2022.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

The meeting was briefly recessed from 7:54 p.m. until 8:00 p.m.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 2910 W. M-21, indicated that the Westtown area continues to grow with new businesses coming into the area, but the area now suffers from a parking shortage. He said three different properties where patrons used to park have now been closed to parking. He asked that the City look into purchasing property along Main Street for a new parking lot. He also commented on the skywalk attached to the building at 121 W. Exchange Street being condemned and the fact that there are still cars in the alley underneath the skywalk.

Eddie Urban, 601 Glenwood Avenue, announced that Emmanuel Church would be holding a fireworks show on June 26th. He also said that Mayor Pro-Tem Osika did a really nice job announcing during the Curwood parade. He said he was able to ride a vehicle in the parade and even got a picture to commemorate the moment.

Karen Mead-Elford, 1330 W. King Street, thanked the Police Department for their work during the Curwood Festival, saying she heard lots of positive comments about the security from those attending the festival.

Mayor Eveleth thanked all the volunteers for putting on another great Curwood Festival, noting that the Mr. Owosso contest had a particularly successful year. He also thanked Mayor Pro-Tem Osika, Kim Springsdorf, and Amy Fuller for the flowers around City Hall, Kevin and Robin Lenkart

for the flowers at the Public Safety Department, and Bill Voorhies for his donation allowing the purchase of downtown flowers. Mayor Pro-Tem Osika noted that Lume donated the money for the flowers at City Hall.

City Manager Henne detailed an emerging situation in the downtown for Council. He indicated that the chairman lights the City has utilized in the downtown since the mid 1980's have been discontinued by the manufacturer. Complete lights are no longer available and the DPW's supply of parts is running low. There are currently 293 of the lights in the downtown area and 10 of them are already out. The City needs to look at replacing all of the said lights and a bulk purchase would offer the best price per unit (approximated at \$6,000 per unit). He suggested Council consider dedicating the remaining \$275,000 in APRA funds to replacing these lights. Mayor Eveleth asked that the item be placed on the June 21, 2022 agenda.

CONSENT AGENDA

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

Set Public Hearing – Obsolete Property Rehabilitation Exemption Certificate – 123 N Washington St. Set a public hearing for Tuesday, July 5, 2022 at 7:30 p.m. in the City Hall Council Chambers to receive citizen comment regarding the application from Woodworth Investments, LLC for an Obsolete Property Rehabilitation Exemption Certificate for their property at 123 North Washington Street as follows:

RESOLUTION NO. 77-2022

SETTING A PUBLIC HEARING TO CONSIDER APPLICATION FOR AN OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE FOR THE PROPERTY AT 123 N. WASHINGTON STREET

WHEREAS, the City of Owosso received application for an Obsolete Property Rehabilitation Exemption Certificate on April 26, 2022 from Woodworth Investments LLC, and

WHEREAS, the City of Owosso approved a request to establish an Obsolete Property Rehabilitation District, on June 6, 2022, described as:

W 44' OF LOT 3 & N 44' OF THE E 88' OF LOT 3, BLK 22 OF ORIGINAL PLAT; and

WHEREAS, it must be determined that approval of the Obsolete Property Rehabilitation Certificate would be beneficial to the City of Owosso, as well as local and regional economy.

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

FIRST: the Owosso City Council sets a public hearing for July 5, 2022 on or about 7:30 p.m. in the council chambers for the purpose of hearing comments for those within the district, and any other resident or taxpayer, of the City of Owosso.

SECOND: the city clerk gives the notifications as required by law.

THIRD: the city staff is directed to investigate and determine if the qualifications of the act are satisfied and report findings at the hearing.

Master Plan Implementation Goals: 1.9, 1.19, 3.21, 4.3, 4.7, 4.14

Proposed Special Assessment Project – North Street. Authorize Resolution No. 2 setting a public hearing for Tuesday, June 21, 2022 for proposed Special Assessment District No. 2023-01 for North Street from Shiawassee Street (M-52) to Hickory Street for street rehabilitation as follows:

RESOLUTION NO. 78-2022

**NORTH STREET
FROM SHIAWASSEE STREET (M-52) TO HICKORY STREET
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

NORTH STREET, A PUBLIC STREET, FROM SHIAWASSEE STREET (M-52) TO HICKORY STREET;
STREET REHABILITATION

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 is necessary.
3. The City Council hereby approves the estimate of cost of said public improvement to be \$1,198,302.84 and determines that \$114,860.05 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 \$1,083,442.79 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 Tuesday, June 21, 2022 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:

**North Street, a Public Street, from Shiawassee Street (M-52) to Hickory Street
Street Rehabilitation**

The City Council intends to defray a part 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 Tuesday, June 21, 2022 for the purpose of hearing any person to be affected by the proposed public improvement.

***Building Authority Project Authorization – Clerk’s Office Reception Furniture.** Waive competitive bidding requirements, authorize the purchase of two new desks, plus chairs and accessories for the Clerk’s Office reception area, from DBI Holding Co. dba DBI Business Interiors, utilizing MiDeal Contract No. 220000000043 in the amount of \$12,000.00, plus DPW labor and equipment charges, as recommended by the Building Authority Commission, and approve payment to the vendor upon satisfactory installation of the product as follows:

RESOLUTION NO. 79-2022

**AUTHORIZING THE CLERK’S OFFICE RECEPTION AREA FURNITURE PROJECT
AS RECOMMENDED BY THE BUILDING AUTHORITY COMMISSION**

WHEREAS, traffic patterns in the Clerk's Office have increased in recent years, requiring changes to the floor plan configuration and office furniture; and

WHEREAS, the Clerk's Office wishes to undertake a project to improve the functionality, safety and handicap accessibility of the customer service area of the office; and

WHEREAS, a quote for furniture was requested and received from DBI Holding Co. dba DBI Business Interiors, holder of MiDeal Contract No. 220000000043 for office furniture, in the amount of \$8,750.00; and

WHEREAS, provision has been made for additional accessories as required, including the purchase of three office chairs, bringing the total requested amount to \$12,000.00 for the project, plus DPW labor and equipment charges for preparation and installation; and

WHEREAS, the proposal was presented to the City of Owosso Building Authority Commission for consideration at its May 25, 2022 meeting, at which the Commission unanimously recommended approval; and

WHEREAS, now the city council must adopt a resolution authorizing the expenditure.

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

- FIRST: it is advisable, necessary and in the public interest to waive competitive bidding requirements and authorize expenditure of \$12,000.00, plus DPW labor and equipment charges, for the purchase of two desks, chairs and accessories for the Clerk's Office, as recommended by the Building Authority Commission.
- SECOND: the accounts payable department is authorized to pay various vendors for preparation, installation, chairs and accessories not to exceed \$3,250.00, plus DPW labor and equipment charges.
- THIRD: the accounts payable department is authorized to pay DBI Business Interiors for office furniture satisfactorily delivered and installed in an amount not to exceed \$8,750.00.
- FOURTH: the above expenses shall be paid from the Building Authority Fund.

Master Plan Implementation Goals: 3.20

***Building Authority Contract Authorization – Server Room Fire Suppression System.** Waive competitive bidding requirements, authorize a contract with DeLau Fire & Safety, Inc. dba DeLau Fire Services for replacement of the City Hall Server Room fire suppression system in the amount of \$19,500.00 as recommended by the Building Authority Commission, and approve payment to the vendor upon satisfactory completion of the project as follows:

RESOLUTION NO. 80-2022

**AUTHORIZING A CONTRACT WITH DELAU FIRE SERVICES
FOR REPLACEMENT OF THE FIRE SUPPRESSION SYSTEM IN THE SERVER ROOM
AS RECOMMENDED BY THE BUILDING AUTHORITY COMMISSION**

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 an intricate fire detection and suppression system to protect the Information Technology (IT) Server Room and the data it contains; and

WHEREAS, the current fire suppression system has become obsolete and despite numerous attempts to budget for replacement of the system the item has been postponed each time due to cost considerations; and

WHEREAS, staff recognized the system had reached a point which required its immediate replacement the City recognizes the system has reached a point which requires immediate replacement and a quote was sought from, and provided by, the City's current vendor, DeLau Fire Services, which provides bi-annual fire suppression inspections and Halon replacement for the Server Room; and

WHEREAS, the proposal was presented to the City of Owosso Building Authority Commission for consideration at its May 25, 2022 meeting, at which the Commission unanimously recommended approval; and

WHEREAS, now the city council must adopt a resolution authorizing the terms of the quotation.

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

- FIRST: it is advisable, necessary and in the public interest to waive competitive bidding requirements due to market conditions and price instability and authorize a contract with DeLau Fire & Safety, Inc. dba DeLau Fire Services for replacement of the fire suppression system in the IT Server Room in the amount of \$19,500.00, as recommended by the Building Authority Commission.
- SECOND: the mayor and city clerk are authorized and instructed to sign the document substantially in form attached as DeLau Fire Services Project: Halon Replacement for Server Room, between the City of Owosso and DeLau Fire Services.
- THIRD: the accounts payable department is authorized to pay DeLau Fire Services for work satisfactorily performed in an amount not to exceed \$19,500.00.
- FOURTH: The above expenses shall be paid from the Building Authority Fund.

Master Plan Implementation Goals: 3.20

***Balancing Change Order - 2022 Street Program - Contract 1.** Approve Balancing Change Order No. 1 to the 2022 Street Program – Contract 1 with Malley Construction, Inc. reducing the total contract amount by \$4,210.55 to balance contract quantities and costs as follows:

RESOLUTION NO. 81-2022

**AUTHORIZING BALANCING CHANGE ORDER NO. 1
TO THE CONTRACT BETWEEN THE CITY OF OWOSSO AND
MALLEY CONSTRUCTION, INC.
FOR THE 2022 STREET PROGRAM – CONTRACT 1**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved a contract with Malley Construction, Inc. on January 18, 2022 for the 2022 Street Program – Contract 1 to perform street improvements along Maple Avenue; and

WHEREAS, Malley Construction, Inc. has since completed the project and a balancing change order is necessary to bring the unit quantities estimated in line with the actual quantities used.

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

- FIRST: it has been heretofore determined that it is advisable, necessary and in the public interest to approve Balancing Change Order No. 1 to the 2022 Street Program – Contract 1 with Malley Construction, Inc., reducing the contract amount by (\$4,210.55) to reflect actual unit quantities used to complete the project.
- SECOND: the Mayor and City Clerk are instructed and authorized to sign the document substantially in the form attached as Balancing Change Order No. 1 to the Contract for Services between the City of Owosso and Malley Construction, Inc., reducing the total contract amount from \$154,458.55 to \$150,248.00.
- THIRD: the accounts payable department is authorized to pay Malley Construction, Inc. for work satisfactorily completed up to the revised contract amount of \$150,248.00.
- FOURTH: the above expenses shall be paid from Local Street Account No. 203-451-818.000-MAPLESTR21.

***School Resource Officer Contract Renewal.** Consider approving an intergovernmental agreement between the Owosso Public Schools and the City of Owosso for the provision of two School Resource Officers for a five year period ending June 30, 2027 as follows:

RESOLUTION NO. 82-2022

**RESOLUTION OF THE CITY OF OWOSSO, SHIAWASSEE COUNTY, MICHIGAN,
APPROVING INTERGOVERNMENTAL AGREEMENT
WITH THE OWOSSO PUBLIC SCHOOL DISTRICT
FOR THE PROVISION OF POLICE OFFICERS TO SERVE AS SCHOOL RESOURCE
OFFICERS**

WHEREAS, Michigan Urban Cooperation Act of 1967, Act No. 7 of 1967, et. seq., provide that public agencies may enter into intergovernmental agreements for the provision of services, or

joint or cooperative action, Section 3.1 General Powers, subsection B, of the *City Charter of the City of Owosso* authorizes the City to enter into intergovernmental agreements with various public agencies, including school districts, and Section 11a(4) of the Revised School Code, MCL 380.11a(4) authorizes general powers school districts to enter into agreements and cooperative arrangements with other entities, public or private, as part of performing its functions; and

WHEREAS, this Agreement will enhance the public safety of the City of Owosso and the Owosso Public School District through the provision of police officers to serve as School Resource Officers;

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

The Mayor and City Clerk are hereby authorized and directed to execute, on behalf of the City, an intergovernmental agreement between the City and the Owosso Public School District, for the provision of police officers to serve as School Resource Officers.

Master Plan Implementation Goals: 7.1

***Professional Services Agreement Renewal - Planning Consultant.** Authorize renewal of the professional services agreement with CIB Planning, Inc. for the provision of planning and zoning services for the 3-year period ending June 30, 2025, with 1-year optional extensions as follows:

RESOLUTION NO. 83-2022

**AUTHORIZE RENEWAL OF THE
PROFESSIONAL SERVICES AGREEMENT WITH CIB PLANNING, INC.
FOR PLANNING, ZONING AND DEVELOPMENT ADVISORY SERVICES**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, wishes to renew the agreement for professional planning services with CIB Planning, Inc.; and

WHEREAS, on May 6, 2019 the Owosso City Council approved a three (3) year contract with CIB Planning, Inc. for planning, zoning and development advisory services as the result of a competitive bidding process; and

WHEREAS, the City wishes to renew the agreement for an additional 3-year period.

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

FIRST: it has been heretofore determined that it is advisable, necessary and in the public interest to renew the Professional Services Agreement for planning, zoning and development advisory services with CIB Planning, Inc. for the period through June 30, 2025, with one (1) year optional extensions.

SECOND: the mayor and city clerk are instructed and authorized to sign the contract substantially in the form attached: Professional Services Agreement for ongoing Planning, Zoning and Development Advisory Services.

***Check Register – May 2022.** Affirm check disbursements totaling \$896,651.63 for May 2022.

Warrant No. 616. Authorize Warrant No. 616 as follows:

Vendor	Description	Fund	Amount
MML Workers Compensation Fund	Workers Compensation Policy July 2022 – July 2023, Payment 1 of 4	Various	\$30,756.00
Waste Management	Waste Hauling / Disposal Services WWTP/Streets	WWTP/ Streets	\$17,297.97

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

Closed Session

Motion by Councilmember Pidek to authorize holding closed session at the conclusion of the second session of Citizen Comments and Questions to conduct the City Manager's annual evaluation at the request of the employee.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

COMMUNICATIONS

Downtown Development Authority/Main Street. Minutes of May 4, 2022.

Owosso Historic District Commission. Minutes of May 18, 2022.

Planning Commission. Minutes of May 23, 2022.

Building Authority Commission. Minutes of May 25, 2022.

Parks & Recreation Commission. Minutes of May 25, 2022.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 2910 W. M-21, commented that the rides at the Curwood Festival seem to have been scaled back, but they seemed to do well with what they had and the overall event was really nice. He went on to ask what happened to the flower beds in the downtown. He said he felt the City had dropped the ball by not supplying the flowers and the beds now look terrible. Lastly, he suggested the City purchase the pedestrian lights they need using Amazon, so as to avoid the cost of using a middle-man.

Eddie Urban, 601 Glenwood Avenue, said he recently received a citation marking 50 years of membership in the DAV. He also encouraged everyone to attend the jamborees held the first Friday of each month at the Free Methodist Church.

ADJOURNED TO CLOSED SESSION AT 8:21 P.M.

RETURNED FROM CLOSED SESSION AT 8:57 P.M.

APPROVAL OF THE MINUTES OF THE CLOSED SESSION OF NOVEMBER 15, 2021

Motion by Councilmember Pidek to approve the Minutes of the Regular Meeting of November 15, 2021 as presented.

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

NEXT MEETING

Tuesday, June 21, 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 – term expires December 31, 2023

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 8:58 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.