

**CITY OF OWOSSO  
REGULAR MEETING OF THE CITY COUNCIL  
MINUTES OF JULY 18, 2022  
7:30 P.M.  
VIRGINIA TEICH CITY COUNCIL CHAMBERS**

**PRESIDING OFFICER:** MAYOR CHRISTOPHER T. EVELETH

**OPENING PRAYER:** COUNCILMEMBER JEROME C. HABER

**PLEDGE OF ALLEGIANCE:** COUNCILMEMBER ROBERT J. TEICH, JR.

**PRESENT:** Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika, Councilmembers Janae L. Fear, Jerome C. Haber, Daniel A. Law, Nicholas L. Pidek (arrived at 7:33 p.m.), 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 JULY 5, 2022**

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of July 5, 2022 as presented.

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

**PROCLAMATIONS / SPECIAL PRESENTATIONS**

None.

**PUBLIC HEARINGS**

None.

**CITIZEN COMMENTS AND QUESTIONS**

Lisa Biskupski-Pangborn, 1991 Herman Street, introduced herself as a candidate for County Commission in District 6.

Madhu Anderson, Bath Township resident, introduced herself as a candidate for State Senate in the 28<sup>th</sup> District.

Brent Singer, 325 Priest Road, introduced himself as a candidate for County Commission in District 1.

Tom Manke, 2910 W. M-21, repeated his comments from a previous meeting asking for Council's support for the proposed project to redevelop 123 N. Washington Street, specifically the Brownfield Plan being considered this evening.

Mayor Pro-Tem Osika invited everyone to attend the Books at Bryant event on Tuesday, July 19<sup>th</sup> from 7:00 – 8:00 p.m. There will be a book give-away, emergency vehicles on display, and free ice cream for the kids. She also announced the Christmas in July at the Steam Railroading Institute on July 23<sup>rd</sup>. The free experience will offer miniature train rides and a nighttime screening of The Polar Express movie.

Councilmember Law announced the 2<sup>nd</sup> annual Shiawassee Firefighter's Memorial Pig Roast will be held Saturday, July 30<sup>th</sup> at 3:00 p.m. at the Conservation Club Pavilion. Tickets are \$20 per person and the event will feature live music, a silent auction, and 50/50 raffle.

**CONSENT AGENDA**

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

**Proposed Special Assessment District No. 2022-02 – Hazards and Nuisances.** Authorize Resolution No. 1 setting a public hearing for Monday, August 1, 2022 at 7:30 p.m. to receive citizen comment regarding proposed Special Assessment District No. 2022-02, Hazards and Nuisances, as it relates to unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances at 900 Ada Street as follows:

**RESOLUTION NO. 105-2022**

**SPECIAL ASSESSMENT DISTRICT  
NO. 2022-02  
HAZARDS AND NUISANCES  
900 ADA STREET**

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances more particularly hereinafter described to the properties specially benefited by said public improvement, and the same has been presented to the Council by the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll is hereby accepted and shall be filed in the office of the City Clerk for public examination.
2. The Council shall meet at the Owosso City Hall, Owosso, Michigan at 7:30 o'clock p.m., on Monday, August 1, 2022 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same.
3. The City Clerk is directed to publish the notice of said hearings once in *The Argus Press*, the official newspaper of the City of Owosso, not less than ten (10) days prior to said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of the property subject to assessment, as indicated by the records in the City Assessor's office as shown on the general tax rolls of the City, at least ten (10) days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.

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

**NOTICE OF HEARING TO REVIEW  
SPECIAL ASSESSMENT ROLL – HAZARDS AND NUISANCES  
CITY OF OWOSSO  
COUNTY OF SHIAWASSEE, MICHIGAN**

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

<b>PARCEL NUMBER</b>	<b>ADDRESS</b>	<b>BALANCE</b>
050-310-002-003-00	900 Ada Street	\$ 19,007.00

TAKE NOTICE that a Special Assessment Roll-Hazards and Nuisances has been prepared for the purpose of defraying the unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances on the above described property.

TAKE NOTICE THAT ANY HAZARDS/NUISANCES INVOICES OR CHARGES REMAINING UNPAID AS OF THEIR DUE DATE WILL BE INCLUDED ON THIS ROLL.

The said Special Assessment Roll-Hazards and Nuisances is on file for public examination with the City Clerk and any objections to said Special Assessment Roll-Hazards and Nuisances must be filed in writing with the City Clerk prior to the close of the hearing to review said Special Assessment Roll-Hazards and Nuisances.

TAKE FURTHER NOTICE that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter and his or her personal appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessments may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall, Owosso, Michigan at 7:30 p.m. on Monday, August 1, 2022 for the purpose of reviewing said Special Assessment Roll - Hazards and Nuisances and for the purpose of considering all objections to said roll submitted in writing. If you have questions regarding this notice, please contact the City Treasurer's Office at 725- 0599.

**\*Professional Services Agreement – WWTP Improvements Phase 1 – Engineering Services.** Authorize professional services agreement with Fishbeck for engineering services for the WWTP Improvements Phase 1 Project in the amount of \$1,049,500.00, with Tasks 3 & 4 contingent upon receipt of CWSRF funding for the project, and further approve payment to the engineer upon satisfactory completion of the project or portion thereof as follows:

**RESOLUTION NO. 106-2022**

**APPROVAL OF ADDENDUM NO. 5 TO THE AGREEMENT BETWEEN  
THE CITY OF OWOSSO AND FISHBECK FOR ENGINEERING DESIGN  
AND CONSTRUCTION ADMINISTRATION SERVICES  
FOR PHASE 1 IMPROVEMENTS  
AT THE WASTEWATER TREATMENT PLANT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, will fund from the Wastewater Treatment Plant Replacement Fund for engineering services for the Phase 1 Improvements at the WWTP; and

WHEREAS, key components of the secondary and tertiary treatment processes at the WWTP have reached, or are beyond, the end of their useful lives, including the tricking filters, pressure filters, intermediate clarifiers, and disinfection system; and Fishbeck of Lansing, Michigan has provided a proposal for the necessary engineering services to replace this aged equipment; and

WHEREAS, the Director of Public Services & Utilities has reviewed the proposal and verified the engineering services as necessary for the design, bid specification development, and construction administration services to replace the aged equipment, and hereby recommends authorizing Fishbeck to provide these engineering services in the amount of \$1,049,500.00.

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

- FIRST: it has heretofore been determined that it is advisable, necessary and in the public interest to contract with Fishbeck for engineering design and construction administration services to replace the aged equipment at the Wastewater Treatment Plant (to be known as the WWTP Improvements Phase 1 Project).
- SECOND: the mayor and city clerk are instructed and authorized to sign the document, substantially in the form attached as WWTP Improvements Phase 1 Project – Engineering Services contract, in the amount of \$1,049,500.00.
- THIRD: the accounts payable department is authorized to submit payment to Fishbeck for work satisfactorily performed in an amount not to exceed \$1,049,500.00.
- FOURTH: Task 3 – Bidding Phase Services and Task 4 – Construction Administration are contingent upon the City securing loan funding for construction of the project through the State's CWSRF program.
- FIFTH: the above expenses shall be paid from the Wastewater Plant Fund 599-901-977.000.

**\*Purchase Authorization - Public Safety Vehicle Equipment Changeover.** Waive competitive bidding requirements, authorize contract with Mid Michigan Emergency Equipment Sales and Service L.L.C. for the removal, supply, and installation of public safety equipment in the new police utility vehicle in the amount of \$10,963.50, and further authorize payment to the vendor upon satisfactory completion of the work as follows:

**RESOLUTION NO. 107-2022**

**RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR  
REMOVAL, SUPPLY, AND INSTALLATION OF PUBLIC SAFETY EQUIPMENT  
IN A NEW POLICE VEHICLE WITH  
MID MICHIGAN EMERGENCY EQUIPMENT SALES AND SERVICE L.L.C.**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has purchased a new police vehicle that needs to have equipment and DVR cameras installed in it; and

WHEREAS, the new vehicle will require additional new public safety equipment to be properly outfitted for service; and

WHEREAS, the City of Owosso received a quote from Mid-Michigan Emergency Equipment Sales and Service L.L.C. for the removal of the old equipment, supply of select pieces of new equipment, and the installation of all said equipment; and it is hereby determined that this company is qualified to perform the work requested; and

WHEREAS, a waiver of the bidding requirements is requested as professional services are exempt from competitive bidding.

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 contract with Mid-Michigan Emergency Equipment Sales and Service L.L.C. for the removal, purchase, and installation of public safety equipment in City Police vehicles in the amount of \$10,963.50.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Contract for Services between the City of Owosso, Michigan and Mid-Michigan Emergency Equipment Sales and Service L.L.C.
- THIRD: The Accounts Payable Department is hereby authorized to issue payment to Mid Michigan Emergency Equipment Sales and Service L.L.C. in the amount of \$10,963.50 upon delivery of the equipment and satisfactory completion of the work.
- FOURTH: The above expenses shall be paid from the Police equipment fund 101-300-978.000.

**Purchase Authorization – AF-4500 Polymer.** Waive competitive bidding requirements and authorize sole source purchase of bulk AF-4500 Polymer from Polydyne, Inc. in the amount of \$0.24/lb., with an estimated annual contract of \$46,000.00, and further authorize payment based on unit prices for actual quantities required for the fiscal year ending June 30, 2023 as follows:

**RESOLUTION NO. 108-2022**

**RESOLUTION AUTHORIZING THE EXECUTION OF A PURCHASE ORDER FOR AF-4500 WITH POLYDYNE INC.**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, requires AF-4500 in bulk deliveries for use in conditioning wastewater sludge for dewatering by centrifuge at the Wastewater Treatment Plant; and

WHEREAS, the City of Owosso has determined that Polydyne Inc. of Riceboro, GA is the only firm qualified to provide such product in conditioning wastewater sludge for dewatering by centrifuge at Wastewater Treatment Plant; and

WHEREAS, waiver of the purchasing policy formal Bid requirements is requested, in order to initiate procurement upon approval and authorization.

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

- FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to purchase AF 4500 from Polydyne Inc., at the price of \$0.24 per pound with an estimated annual usage of 190,000 pounds.
- SECOND: The accounts payable department is authorized to submit payment to Polydyne Inc. of Riceboro, GA, the estimated amount of \$46,000.00, which may exceed based on usage and actual need, for FY2022-2023.
- THIRD: The above expenses shall be paid from the WWTP fund following delivery, and chargeable to account 599-548-743.200.

**Neighborhood Block Party Permission.** Approve request from Jaimi Redmond for the closure of N. Gilbert Street from Oliver Street to Queen Street on Saturday, August 27, 2022, from 3:00 p.m. until 10:00 p.m. for a neighborhood block party, waiver of the insurance requirement, and authorization Traffic Control Order No. 1474 formalizing the action.

**Warrant No. 618.** Authorize Warrant No. 618 as follows:

Vendor	Description	Fund	Amount
J & H Oil Company	Gasoline Usage as of June 15, 2022	Multi	\$10,296.72
J & H Oil Company	Gasoline Usage as of June 30, 2022	Multi	\$11,750.76

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

**ITEMS OF BUSINESS**

**\*Proposed Brownfield Plan #22 – 123 N. Washington Street Project**

City Manager Nathan R. Henne noted that the developers for this project plan to invest approximately \$2.9 million in the complete rehabilitation of the Fifth Third Bank building, including the construction of nine new apartments. The request this evening is for the approval of a 20-year Brownfield Plan which will be layered on top of the previously approved 12-year OPRA tax exemption for the property. The Plan proposes the collection of approximately \$402,000 in tax increment funds for the developers in the last eight years of the Plan’s term. He went on to note that according to the City’s current Tax Abatement Policy the project only qualifies for an 11-year exemption, but the project is not financially realistic and would not take place without approval of the full 20-year term. He further expressed what a valuable asset the rehabilitated building will be to the downtown. Lastly, he noted that he continues to work on amending the Tax Abatement Policy to incorporate incentives for the creation of new housing.

Mayor Pro-Tem Osika said she supported the project and said she was comfortable granting a 20-year term for the proposed Brownfield Plan.

Councilmember Pidek echoed the City Manager’s comments saying this is a sizeable investment in the downtown and the City needs to work with people that are willing to invest in the community.

Motion by Councilmember Pidek to approve proposed Brownfield Redevelopment Plan #22 – 123 N. Washington Street Project for a period of 20 years as follows:

**RESOLUTION NO. 109-2022**

**RESOLUTION AUTHORIZING APPROVAL OF BROWNFIELD PLAN #22:  
“123 N WASHINGTON STREET REDEVELOPMENT PROJECT”**

WHEREAS, the Brownfield Redevelopment Authority (the “Authority”) of the City of Owosso, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the “Act”), has prepared and recommended for approval by the City Council a Brownfield Plan entitled District #22, “123 N Washington St Redevelopment Project” (the “Plan”), pursuant to and in accordance with Section 13 of the Act; and

WHEREAS, the Authority has, at least ten (10) days but not more than forty (40) days before the meeting of the Authority at which this resolution has been considered, provided notice to and fully informed all taxing jurisdictions which are affected by the Financing Plan (the “Taxing Jurisdictions”) about the fiscal and economic implications of the proposed Financing Plan, and the Authority has previously provided to the Taxing Jurisdictions a reasonable opportunity to express their views and recommendations regarding the Financing Plan and in accordance with Sections 13 (10) and 14 (1) of the Act; and

WHEREAS, the Authority has made the following determinations and findings:

- A. The Plan constitutes a public purpose under the Act;
- B. The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;
- C. The proposed method of financing the costs of the eligible activities, as described in the Plan is feasible and the Authority has the ability to arrange the financing;
- D. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act;
- E. The amount of captured taxable value estimated to result from the adoption of the Plan is reasonable; and
- F. Line item cost details are eligible expenses that serve a public good.
- G. Local redevelopment area details are accurate.

WHEREAS, as a result of its review of the Plan and upon consideration of their views and recommendations of the Taxing Jurisdictions, the Authority requests the Plan be approved by the City Council of the City of Owosso.

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

FIRST: it has heretofore been determined that it is advisable, necessary and in the public interest to approve the 20-year Brownfield Plan #22 "123 N Washington Redevelopment Project."

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

### **COMMUNICATIONS**

Randy Horton, Zoning Board of Appeals. Letter of Resignation.  
Brad A. Barrett, Finance Director. Financial Report – May 2022  
Tanya Buckelew, Planning & Building Director. June 2022 Building Department Report.  
Tanya Buckelew, Planning & Building Director. June 2022 Code Violations Report.  
Tanya Buckelew, Planning & Building Director. June 2022 Inspections Report.  
Tanya Buckelew, Planning & Building Director. June 2022 Certificates Issued Report.  
Kevin D. Lenkart, Public Safety Director. June 2022 Police Report.  
Kevin D. Lenkart, Public Safety Director. June 2022 Fire & Ambulance Report.

### **CITIZEN COMMENTS AND QUESTIONS**

Jim Woodworth, owner and developer of 123 N. Washington Street, thanked the Council for their support of this transformational project.

Mike Cline, 204 Stratford Drive, asked someone to look into the RV that is parked over the sidewalk near the intersection of Monroe Street and Broadway Avenue.

### **NEXT MEETING**

Monday, August 01, 2022

### **BOARDS AND COMMISSIONS OPENINGS**

Brownfield Redevelopment Authority – term expires June 30, 2026  
Building Board of Appeals – Alternate - term expires June 30, 2025  
Building Board of Appeals – Alternate - term expires June 30, 2024  
Owosso Historical Commission – term expires December 31, 2023  
Planning Commission – term expires June 30, 2023  
Planning Commission – term expires June 30, 2025  
Shiawassee District Library Board – term expires June 30, 2025  
Zoning Board of Appeals – Alternate – term expires June 30, 2024  
Zoning Board of Appeals – 2 terms expire June 30, 2023

### **ADJOURNMENT**

Motion by Councilmember Law for adjournment at 7:50 p.m.

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

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Christopher T. Eveleth, Mayor

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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.