

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES SYNOPSIS
MONDAY, SEPTEMBER 19, 2022**

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.

PROCLAMATIONS/SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

Ordinance Amendment – Repeal & Replace Middle School PILOT. Conducted a public hearing for the purpose of receiving citizen comment regarding the proposed repeal and replacement of Division 2 of Article III, *Service Charge in Lieu of Taxes for Certain Housing Developments*, of Chapter 32, Taxation, of the Code of the City of Owosso to establish a service charge in lieu of taxes for the proposed Venture Riverview Flats redevelopment at the former middle school. The following people commented in regard to the proposed ordinance amendment: Tom Manke and Brad Michaud. The Council moved to approve the repeal and replacement of the middle school PILOT as presented. The ordinance will become effective October 10, 2022.

Proposed Special Assessment District No. 2023-101 - Hazards and Nuisances. Conducted a public hearing to receive citizen comment regarding proposed Special Assessment District No. 2023-101, Hazards and Nuisances, as it relates to unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances at 300 W. Main Street. The following person commented in regard to the proposed district: Tom Manke. The Council moved to approve the special assessment district as proposed.

CITIZEN COMMENTS AND QUESTIONS

Richard Maurer expressed his opinion that his bid for towing services was the lowest legal bid received by the City and he felt that Council had stolen his legitimate clients by awarding the contract to a company that undercut his bid by half and then over-charged customers. He said it was impossible to legally operate a towing service at the rates the winning company quoted, going on to offer anecdotal evidence of his claim and blaming the City for not looking closer at the company before awarding the contract. Mr. Maurer was informed that his allotted time for speaking had expired, yet he continued to speak growing more and more agitated. After several requests for him to stop speaking, the Mayor asked that Mr. Maurer be removed from the Council Chambers and he was escorted outside by the Public Safety Director.

Eddie Urban commented that he hears lots of good things about Owosso when he is in Saginaw. He said that Owosso is not perfect, but it's a good place to live.

Tom Manke also commented on the good things happening in town, saying the Art Walk was phenomenal, the SAC has a great show going on, Curwood Castle has a new exhibit in the basement, and the Comstock Cabin has been redone with a new display (open this weekend, for those interested).

Mark Dawson asked when the City changed from the practice of rotating calls to local towing companies when services are required. He asked that the City go back to using a rotation system and keep the money in town.

James Maurer, Dick's Auto employee, said that his dad's business has given back to the community for years, unlocking countless cars for free because people couldn't afford to pay. Recently, he and his dad hauled away an old vehicle that was abandoned in Rosevear Park, asking nothing in return. He wondered why they didn't receive any recognition for their efforts when the bids were opened.

Rob Vangorder, owner of Grease Rag Customs, noted that Mr. Maurer is a good man and that he has been providing service to the community for decades. He said that he is always there if he needs something and he wanted to vouch for his character.

Dean Gaffner, owner of Gaffner Towing & Recovery, said he would have no problem with the contract that was awarded if he felt the playing field was fair, but clearly it was not. Dale Spencer, wrecker driver in Lansing, asked that the City look into whether All Star Towing is operating legally. He went on to explain that the contract his company holds with the City of Lansing is audited at random times by the City to ensure the terms of the contract are being adhered to.

Mayor Eveleth asked how the rotation idea had worked in the past. Public Safety Director Lenkart indicated that Central Dispatch is responsible for contacting wrecker companies when their services are needed. In 2016 they notified the City that they would no longer support the rotation scheme so the City switched to securing wrecker services on a contract basis. Councilmember Law said he felt that the current towing company has given the City a black eye because of its poor business practices. He noted that multiple complaints had been filed by customers and he has begun to collect disputed bills in an effort to document the problem. He asked the Public Safety Director if copies of the license and insurance for the company had been requested. Public Safety Director Lenkart indicated that the bid required they have insurance and that information was given to Council when the bid was awarded.

There was discussion between Councilmembers and staff regarding what happens when there is a breach of trust with vendors, whether the City ever audits vendors, whether an audit requirement could be added to the towing contract, whether the rotation system could possibly be reinstated, why the rotation system ended in the first place, and the need to shore up the contract to ensure that customers don't get stuck with additional charges.

Council requested staff look into the matter. City Manager Henne indicated he would meet with Councilmember Law and any legal questions from Councilmembers on the matter should be sent to City Attorney Gould.

CONSENT AGENDA

The Consent Agenda was approved as follows:

2023 Local Grade Crossing Surface Program Application – S. Chestnut Street. Approved application to the FY2023 Local Grade Crossing Surface Program for reconstruction of the Huron & Eastern Railroad crossing on South Chestnut Street.

2023 Local Grade Crossing Surface Program Application – S. Chipman Street. Approved application to the FY2023 Local Grade Crossing Surface Program for reconstruction of the Huron & Eastern Railroad crossing on South Chipman Street.

2023 Local Grade Crossing Surface Program Application – Woodlawn Avenue. Approved application to the FY2023 Local Grade Crossing Surface Program for reconstruction of Huron & Eastern Railroad crossing on Woodlawn Avenue.

COSSAP Grant Acceptance. Authorized acceptance of a Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP) Grant in the amount of \$373,864.00 from the U.S. Department of Justice, administered by the Michigan State Police, to develop and expand overdose prevention programs.

Change Order – 2022 Sidewalk Replacement Program. Approved Change Order No. 1 to the 2022 Sidewalk Replacement Program contract with Lopez Concrete Construction, LLC increasing the contract in the amount of \$21,500.00 for additional sidewalk repairs, including a section of the James S. Miner River Walk adjacent to the city hall parking lot, and authorized payment to the contractor up to the revised contract amount of \$133,750.00 utilizing the existing \$20,000.00 contingency, plus \$1,500.00 from the Parks Fund, upon satisfactory completion of the work.

Balancing Change Order - 2021 North Gould Street Project Engineering Services Contract. Approved Balancing Change Order No. 1 to the 2021 North Gould Street Project Engineering Services Contract with Fleis & Vandenbrink Engineering, Inc. reducing the total contract amount by \$38,171.00 to balance contract quantities and costs.

Purchase Order Amendment - Sodium Hypochlorite. Authorized amendment to Purchase Order Nos. 43688 & 43689 with JCI Jones Chemicals, Inc. for bulk Sodium Hypochlorite, increasing the unit price from \$1.59/gallon to \$1.79/gallon, raising the total estimated cost by \$8,176.95 for the FY 2022-2023, and further authorized payment to the supplier up to \$94,036.95 based on unit prices for actual quantities required.

Contract Authorization- Lime Residuals Removal. Authorized contract with Rocky Ridge Development, LLC for the removal of Water Treatment Plant lime residuals at \$31.90 per cubic

yard for fiscal year 2022-2023 with a total amount not to exceed \$398,750.00, and further authorized payment according to unit prices upon successful completion of the work or a portion thereof.

Warrant No. 622. Authorized Warrant No. 622 as follows:

Vendor	Description	Fund	Amount
Waste Management	Refuse Hauling Services	WWTP/ Streets	\$12,366.37
Gould Law PC	August 2022 – Services	General Fund	\$11,916.32

Boards and Commissions Appointment. Approved the following Mayoral Boards and Commissions appointment:

Name	Board/Commission	Term Expires
Charles Suchanek	Zoning Board of Appeals (filling the unexpired term of R. Horton)	06-30-2023

ITEMS OF BUSINESS

Owosso Historical Commission Charitable Agency Fund Agreement. Approved a Charitable Agency Fund agreement between the Owosso Historical Commission and the Shiawassee Community Foundation in the amount of \$21,244.04 for the investment of endowment funds.
MML Annual Meeting Delegate. Designated Councilmember Fear as the City's primary delegate and Mayor Pro-Tem Osika as the alternate delegate for the upcoming MML Annual Meeting.

COMMUNICATIONS

Carl Ludington, Building Board of Appeals. Letter of Resignation.
Tanya Buckelew, Planning & Building Director. August 2022 Building Department Report.
Tanya Buckelew, Planning & Building Director. August 2022 Code Violations Report.
Tanya Buckelew, Planning & Building Director. August 2022 Inspections Report.
Tanya Buckelew, Planning & Building Director. August 2022 Certificates Issued Report.
Kevin D. Lenkart, Public Safety Director. August 2022 Fire Report.
Owosso Historical Commission. Minutes of September 12, 2022.

CITIZEN COMMENTS AND QUESTIONS

James Maurer explained why the rotation system for towing calls ended, saying the insurance companies notified Central Dispatch that they would sue them and a wrecker service that was overcharging customers. As a result, Central Dispatch stopped using the rotation system and required individual jurisdictions to determine which service they would use.
 Dean Gaffner noted that officers in other communities call for wrecker services. He went on to say that he was not questioning the City's bid process, what he was trying to say is that the bid and contract left things wide open for added fees.
 Dale Spencer said he believed the City's towing company was committing insurance fraud by billing insurance companies for more than the \$75 stipulated by the contract. He suggested that various fees be clearly defined in future contracts.
 Rob Vangorder echoed Mr. Spencer's comments.
 Eddie Urban talked about metal detecting in State parks, his mounting health issues, and his frustration with the VA.
 James Maurer suggested that the City contact Central Dispatch about reinstating the rotation system for City calls as he believes they rotate providers for the Sheriff's Department and the State Police.
 Tom Manke thanked the Maurers for removing the abandoned car in Rosevear Park.
 William King said he was very disheartened by the City, the County, and the Schools. He said he felt things are corrupt, it makes him sick, and its not the town he grew up in as a child.
 Mark Dawson said he had recently moved to the City and not long ago he received a violation for parking in his front yard. He said a number of people in his neighborhood park in their front yard and he wondered why he was singled out.
 Karla McCurdy said she had recently purchased a property in the City at the State tax sale. Within hours of receiving notice that she owned the property she drove to the location to mow the yard, only to discover the City had mowed it within the last couple of days. She contacted the City and was told she would not be charged for the service, yet three months later she received a bill. Multiple attempts to resolve the situation have come to no avail. She asked what could be

done to find a resolution. City Manager Henne indicated that the property owners could dispute the charges at the hearing for unpaid invoices in October, or he could investigate things this week. If it came down to a simple timing issue he said it could be rectified.

NEXT MEETING

Monday, October 03, 2022

BOARDS AND COMMISSIONS OPENINGS

Brownfield Redevelopment Authority – term expires June 30, 2026
Building Board of Appeals – term expires June 30, 2023
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
Zoning Board of Appeals – Alternate – term expires June 30, 2024

ADJOURNMENT

The meeting was adjourned at 8:36 p.m.

Christopher T. Eveleth, Mayor
Amy K. Kirkland, City Clerk

Note: Complete printed copies of the minutes and any ordinances contained therein are available to the public at the Office of the City Clerk and the Shiawassee District Library – Owosso Branch during regular business hours or on the Internet at www.ci.owosso.mi.us.