

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF AUGUST 21, 2023
7:30 P.M.
VIRGINIA TEICH CITY COUNCIL CHAMBERS**

A moment of silence was held in memory of former Owosso Mayor Jack Davis to commemorate his passing on August 20, 2023.

PRESIDING OFFICER: MAYOR ROBERT J. TEICH, JR.

OPENING PRAYER: PASTOR KENNETH HERBRUCK
OWOSSO ASSEMBLY OF GOD

PLEDGE OF ALLEGIANCE: ERIC BRAIDWOOD, BROTHER OF GREGORY BRAIDWOOD

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

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 AUGUST 7, 2023

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of August 7, 2023 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

Lifesaving Award Presentation - Gregory Braidwood

Mayor Teich read aloud the following proclamation of the Mayor's Office recognizing the recent lifesaving actions of DPW Employee Gregory Braidwood:

**A PROCLAMATION
OF THE MAYOR'S OFFICE OF THE CITY OF OWOSSO, MICHIGAN
RECOGNIZING THE LIFESAVING EFFORTS OF
GREGORY BRAIDWOOD**

WHEREAS, Gregory Braidwood is an employee of the City of Owosso Department of Public Works; and

WHEREAS, he deserves commendation for displaying quick reaction time, compassion and fearlessness in the face of imminent danger; and

WHEREAS, Gregory was in attendance at a water main break on July 21, 2023; and

WHEREAS, he and Water Distribution Foreman Paul Oberlin were observing the situation from a safe distance, when the asphalt gave way and a sink hole formed that pulled Paul into a void in the ground up to his neck with swirling water and no way to gain footing; and

WHEREAS, recognizing the imminent danger and without hesitation, Mr. Braidwood and Utilities Director Ryan Suchanek were able to grab Paul's shoulders and pull him back up to safety, whisking him away from danger; and

WHEREAS, because of his quick thinking and selfless action, a potentially life-threatening situation was resolved; and

WHEREAS, it is the intent of this Office that Gregory Braidwood's Lifesaving efforts be recognized.

NOW, THEREFORE, BE IT PROCLAIMED that I, Robert J. Teich, Jr., Mayor of the City of Owosso, on behalf of the citizens of Owosso, hereby recognize and thank Gregory Braidwood for his swift and courageous response paired with his selfless commitment to the safety of his fellow Department of Public Works employees.

Proclaimed this 21st day of August, 2023.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Ed Sharoian, 409 Michigan Avenue, said he had recently moved to a home on Michigan Avenue, and he loves the brick street, but the street area in front of his house is in terrible shape due to constant semi traffic using Cass Street and Michigan Avenue to access Webcor Packaging at 510 S. Washington Street. He said the route has signs prohibiting truck traffic and there are alternate routes available, but the trucks keep coming. He asked that Council give some thought to changing the official truck route and make the trucks enter and exit the property off of S. Washington Street.

Tom Manke, 2910 W. M-21, said this same issue was brought to Council a number of years ago, but nothing seems to have been done about it. He went on to thank the City for seeing that the old City Club building has been braced and the sidewalk barricaded to protect pedestrians, comparing these actions to the way the City handled the situation with the former factory on Elm Street.

Eddie Urban, 601 Glenwood Avenue, indicated that he had brought in more pamphlets from the VA on various topics if anyone would like to look at them. He also touted the County's Veteran newsletter.

Mayor Teich asked why trucks are using Michigan Avenue to access Webcor if it is clearly marked that it is not a truck route. City Manager Henne indicated he was not in a position to comment on the issue but would be happy to investigate the situation and report to Mr. Sharoian.

Mayor Teich detailed a story about a DPW crew that was deployed at 11:00 at night to Perry to help clean up after the recent tornado. He applauded the team for doing whatever they needed to do in order to help, including driving a front-end loader with a claw attachment all the way to Perry at 22 mph, upon their arrival cleaning up approximately 10-12 large, uprooted trees, and working until 4:00 a.m. to get the job done so that Consumers Energy could come in and restore power to the neighborhood. He said he was proud of the team's selflessness and thanked Utilities Director Suchanek for allowing him to come along.

CONSENT AGENDA

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

***Change Order – Palmer 3A and Juniper 1 Well Houses Project.** Approve Change Order No. 1 to the contract with Sorensen Gross Company for additional work on the Palmer 3A and Juniper 1 Well Houses Project increasing the contract amount by \$8,029.00 to correct an error in the plans and authorize payment to the contractor up to the amount of \$2,371,267.00 upon satisfactory completion of work or portion thereof as follows:

RESOLUTION NO. 144-2023

**AUTHORIZING CHANGE ORDER NO. 1
TO THE CONTRACT BETWEEN THE CITY OF OWOSSO
AND SORENSEN GROSS COMPANY OF FLINT, MICHIGAN
FOR THE PALMER 3A AND JUNIPER 1 WELL HOUSES PROJECT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved a contract with Sorensen Gross Company, on February 6, 2023 for the construction and installation of two (2) well houses, two (2) vertical line-shaft turbine pumps, and water mains to connect water wells Palmer 3A and Juniper 1 to existing raw water mains, and said project is an approved 2023 SRF planned project; and

WHEREAS, after the project started it was discovered that the design engineering work contained a location error, inaccurately placing the Juniper well house on top of the test well, instead of the production well; and

WHEREAS, the on-site solution to this error necessitated moving the structure 112 feet southeast mirrored along the east-west axis and rerouting of gas, electric and water utilities to

accommodate the updated location along with reduction of the length of water main by approximately 40 feet and increase of the length of the access drive by approximately 80 feet; and

WHEREAS, a change order is necessary to reconcile contract work and supplies to be used in fixing the error.

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 amend the Palmer 3A and Juniper 1 Well Houses Project contract with Sorensen Gross Company to increase the contract amount to update contract work and supplies to be used.

SECOND: The Mayor and City Clerk are instructed and authorized to sign the document substantially in the form attached as Change Order No. 1 in the amount of \$8,029.00; an increase to the Contract for Services between the City of Owosso and Sorensen Gross Company, revising the total current contract amount from \$2,363,238.00 to \$2,371,267.00.

THIRD: The Accounts Payable department is authorized to pay Sorensen Gross Company for work satisfactorily completed up to the revised contract amount of \$2,371,267.00.

FOURTH: The above expenses shall be paid from the Water Fund, and SRF Bond Funds.

Purchase Authorization – Two Fleet Pickup Trucks. Waive competitive bidding requirements, authorize a joint purchase from Lunghamer Ford of Owosso, LLC for the purchase of two 2024 Ford F250 Pickup Trucks in the amount of \$97,256.00 under the terms of State of Michigan Contract No. 071B7700180, and further authorize payment to the vendor upon satisfactory delivery of the vehicles, \$26,700.00 of which shall be reimbursed with USDA Rural Development grant funding as follows:

RESOLUTION NO. 145-2023

**AUTHORIZING PURCHASE ORDER WITH
LUNGHAMER FORD OF OWOSSO, LLC TO PROCURE
TWO (2) 2024 FORD F250 PICKUP TRUCKS
FOR USE IN THE FLEET MOTOR POOL**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has budgeted from the Fleet Motor Pool Replacement Fund for the replacement of two (2) pickup trucks used for the maintenance of streets and other community public works services; and

WHEREAS, two (2) existing pickup trucks are at the end of their useful service life, and are no longer cost effective to maintain; and

WHEREAS, the City of Owosso Director of Public Services & Utilities has reviewed the replacement equipment on the State of Michigan MiDEAL Contract as priced by Lunghamer Ford of Owosso, LLC and recommends authorizing a purchase agreement between the City of Owosso and Lunghamer Ford of Owosso, LLC for the acquisition of two (2) 2024 Ford F250 pickup trucks on the State of Michigan MiDEAL Contract No. 071B7700180 in the amount of \$97,256.00 total; and

WHEREAS, the purchase of these two (2) pickups is eligible for USDA grant funding totaling \$26,700.00; and

WHEREAS, waiver of the purchasing policy formal bid requirements is requested, to initiate procurement upon approval and authorization in accordance with Owosso City Code Sec. 2-346(3), Exceptions to 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 heretofore determined that it is advisable, necessary and in the public interest to contract with Lunghamer Ford of Owosso, LLC for the purchase of two (2) 2024 Ford F250 pickup trucks utilizing State of Michigan MiDEAL Contract No. 071B7700180, for use in the Fleet Motor Pool, in the amount of \$97,256.00.

SECOND: The contract between the City of Owosso and Lunghamer Ford of Owosso, LLC shall be in the form of a City Purchase Order in an amount not to exceed \$97,256.00.

THIRD: The Accounts Payable department is authorized to submit payment to Lunghamer Ford of Owosso, LLC in the amount of \$97,256.00 upon satisfactory delivery of said vehicles.

FOURTH: The above expenses shall be paid from account no. 661-901-979.000.

Purchase Authorization – Tandem Truck Cab and Chassis. Waive competitive bidding requirements, authorize a joint purchase from D. & K. Truck Company for the purchase of one 2025 Freightliner 114SD Plus 10-yard tandem truck cab and chassis in the amount of \$122,190.00, plus a \$10,000.00 contingency for price increases in the next model year, for a total of \$132,190.00 under the terms of State of Michigan Contract No. 071B6600119, and further authorize payment to the vendor upon satisfactory delivery of the vehicle, \$50,000.00 of which shall be reimbursed with USDA Rural Development grant funding as follows:

RESOLUTION NO. 146-2023

**AUTHORIZING PURCHASE AGREEMENTS WITH D. & K. TRUCK COMPANY
AND TRUCK AND TRAILER SPECIALTIES, INC.
TO PROCURE A TANDEM TRUCK CAB & CHASSIS AND DUMP BODY FOR USE IN THE
FLEET MOTOR POOL**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has budgeted from the Fleet Motor Pool Replacement Fund for the purchase of a 10-yard Tandem Truck Cab & Chassis to be used for large capacity hauling and snow plowing; and

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has also budgeted from the Fleet Motor Pool Replacement Fund for the purchase of a 10-yard Dump Body attachment for the Tandem Truck Cab & Chassis; and

WHEREAS, the City of Owosso Director of Public Services & Utilities has reviewed replacement of the equipment available on the State of Michigan MiDEAL Contracts as priced by D. & K. Truck Company and Truck and Trailer Specialties, Inc. and recommends authorizing purchase agreements between the City of Owosso and D. & K. Truck Company and Truck and Trailer Specialties, Inc.; and

WHEREAS, the purchase of said plow truck is eligible for USDA grant funding totaling \$50,000.00; and

WHEREAS, waiver of the purchasing policy formal bid requirements is permitted per Sec. 2-346(3) of the City of Owosso Code of Ordinances.

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

FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to waive competitive bidding requirements and contract with D. & K. Truck Company of Lansing, Michigan for the purchase of one 2025 Freightliner 114SD Plus tandem truck cab & chassis using State of Michigan MiDEAL Contract #071B6600119, in the amount of \$122,190.00, plus a contingency of \$10,000.00 for price increases in the next model year, for a total of \$132,190.00.

SECOND: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to waive competitive bidding requirements and contract with Truck and Trailer Specialties, Inc. of Howell, Michigan for the purchase and installation of one Crysteel 13' Select dump body and accessories using State of Michigan MiDEAL Contract #200000000034 in the amount of \$109,933.00.

THIRD: The accounts payable department is authorized to submit payment to D. & K. Truck Company in the amount of \$122,190.00, plus contingency funds up to \$10,000.00 for 2025 model year price increases, for a total of \$132,190.00, and expense from account 661-901-979.000.

FOURTH: The accounts payable department is authorized to submit payment to Truck and Trailer Specialties, Inc. in the amount of \$109,933.00, and expense from account 661-901-979.000

Purchase Authorization – Dump Body. Waive competitive bidding requirements, authorize a joint purchase from Truck and Trailer Specialties, Inc. for the purchase and installation of one Crysteel Select 13-foot dump body and accessories in the amount of \$109,933.00 under the

terms of State of Michigan Contract No. 200000000034, and further authorize payment to the vendor upon satisfactory delivery of the equipment as follows:

See Resolution No. 146 above.

Emergency Purchase Authorization – John Deere Utility Tractor. Authorize emergency purchase of one 2022 John Deere 5065E Utility Tractor for use by the DPW from Hutson, Inc. of Williamston, Michigan in the amount of \$37,343.84, and further authorize payment to the vendor upon satisfactory delivery of the equipment as follows:

RESOLUTION NO. 147-2023

**AUTHORIZING EMERGENCY PURCHASE OF
A 2022 JOHN DEERE 5065E UTILITY TRACTOR
FROM HUTSON, INC. OF WILLIAMSTON, MICHIGAN
FOR USE IN THE FLEET MOTOR POOL**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has an emergent need in the Fleet Motor Pool Replacement Fund for the replacement of a 4X4 Tractor to be used for grounds maintenance of City owned properties; and

WHEREAS, the existing New Holland 4X4 tractor purchased in 2005 has broken down and expended its useful life; and

WHEREAS, the City of Owosso Director of Public Services & Utilities has reviewed the current model year replacement equipment on the State of Michigan MiDEAL Contract as priced by Hutson, Inc. as well as a previous years' model, and recommends authorizing a purchase agreement between the City of Owosso and Hutson, Inc. for the purchase of a new end-of-model-year 2022 John Deere utility tractor directly from Hutson, Inc.

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 Hutson, Inc. of Williamston, Michigan for the emergency purchase of a 2022 John Deere 5065E utility tractor and corresponding service and parts manuals, for use in the Fleet Motor Pool, in the amount of \$37,343.84, and to waive the competitive bidding process as normally required by the City Purchasing Policy.
- SECOND: The contract between the City of Owosso and Hutson, Inc. shall be in the form of a City Purchase Order in an amount not to exceed \$37,343.84.
- THIRD: The accounts payable department is authorized to submit payment to Hutson, Inc. in the amount of \$37,343.84.
- FOURTH: The above expenses shall be paid from account no. 661-901-979.000.

Sole Source Purchase Authorization – WWTP Primary Sludge Pump Replacement. Waive competitive bidding requirements, approve the sole source purchase of a Penn Valley Pump double-disc pump Model No. 4DDX30CNU-MK3 for replacement of the current primary sludge pump at the Wastewater Treatment Plant from HESCO Group, Inc. in the amount of \$29,000.00, and authorize payment to contractor upon satisfactory delivery of equipment as follows:

RESOLUTION NO. 148-2023

**AUTHORIZING THE SOLE SOURCE PURCHASE
OF A PRIMARY SLUDGE PUMP FOR THE
WASTEWATER TREATMENT PLANT FROM HESCO GROUP, INC.**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, the Primary Sludge Pump at the Wastewater Treatment Plant requires replacement due to maintenance issues; and

WHEREAS, City staff investigated pump replacement options, and recommends the purchase of a Penn Valley Pump 4-inch double-disc pump, and it is hereby determined that HESCO Group, Inc. is the sole authorized provider of Penn Valley Pumps equipment for our region; and

WHEREAS, waiver of the purchasing policy formal bid requirements is requested for this sole source purchase.

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 authorize the sole source purchase of a Penn Valley Pump double-disc pump, Model No. 4DDSX30CNU-MK3, at a cost of \$29,000.00.
- SECOND: The purchase agreement between the City and HESCO Group, Inc. shall be in the form of a City Purchase Order.
- THIRD: The Accounts Payable department is authorized to submit payment to HESCO Group, Inc. upon satisfactory delivery of said equipment.
- FOURTH: The above expenses shall be paid from the WWTP Equipment Fund Account No. 599-901-977.000.

Master Plan Implementation Goals: 3.4

Bid Award – Commercial Water Service Parts. Approve bid award to Ferguson Waterworks for commercial water service parts in the amount of \$20,490.00 and further approve payment to the contractor according to unit prices upon satisfactory receipt of said parts as follows:

RESOLUTION NO. 149-2023

AUTHORIZE PURCHASE OF COMMERCIAL WATER SERVICE PARTS FROM MICHIGAN PIPE & VALVE-SAGINAW, INC.

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has determined that it is in the best interest of the public to provide commercial water services, and to replace noncompliant water service lines; and

WHEREAS, water service parts are required to install commercial water services. As well as required to replace noncompliant water service lines. Thus, additional water service parts are needed; and

WHEREAS, the City has sufficient funds to purchase said parts from its water funds; and

WHEREAS, the City of Owosso sought bids for the Commercial Water Service Parts, and a bid was received from Michigan Pipe and Valve-Saginaw, Inc. and it is hereby determined Michigan Pipe and Valve-Saginaw, Inc. is qualified to provide said parts and that it has submitted the lowest responsible and responsive bid.

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

- FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to award the Commercial Water Service Parts Bid to Michigan Pipe and Valve-Saginaw, Inc.
- SECOND: The contract between the City of Owosso and Michigan Pipe and Valve-Saginaw, Inc. shall be in the form of a City Purchase Order in an amount not to exceed \$20,972.00.
- THIRD: The accounts payable department is authorized to pay Michigan Pipe and Valve-Saginaw, Inc. for materials supplied up to the purchase order amount of \$20,972.00.
- FOURTH: The above expenses shall be paid from Account No. 591-000-101.000.

Master Plan Implementation Goals: 3.4, 3.10

***Contract Authorization - Public Safety Vehicle Equipment Changeovers.** 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 two new police utility vehicles in an amount not to exceed \$26,332.74, and further authorize payment to the vendor upon satisfactory completion of the work as follows:

RESOLUTION NO. 150-2023

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

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has purchased two new police vehicles that need to have equipment and Axon cameras installed in them; and

WHEREAS, the new vehicles 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 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 heretofore 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 two new City Police vehicles in the amount of \$13,166.37 per vehicle.
- 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 an amount not to exceed \$26,332.74 upon delivery of the equipment and satisfactory completion of the work.
- FOURTH: The above expenses shall be paid from the Police equipment fund 101-301-978.000.

Master Plan Implementation Goals: 3.2

***Professional Services Agreement – 2024 DWSRF Water Main Replacement Project – Engineering Services.** Approve a professional services agreement with ENG, Inc. for the 2024 DWSRF Water Main Replacement Project – Engineering Services Contract in the amount of \$108,060.00 for construction engineering services and \$7,765.00 for limited design engineering services, with construction services contingent upon receipt of a FY2024 DWSRF loan, and further approve payment up to the contract amount upon satisfactory completion of the work or portion thereof as follows:

RESOLUTION NO. 151-2023

**AUTHORIZING CONTRACT ADDENDUM NO. 2024-02
TO THE FY2023-2024 GENERAL
ENGINEERING SERVICES CONTRACT WITH
ENG, INC.
FOR LIMITED DESIGN AND CONSTRUCTION ENGINEERING SERVICES
FOR THE 2024 DWSRF WATER MAIN PROJECT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved a contract for general engineering services with ENG, Inc. on June 5, 2023 for the term of July 1, 2023 to June 30, 2024; and

WHEREAS, the city desires to make necessary upgrades to its water distribution system through the State of Michigan Department of Environment, Great Lakes, and Energy Drinking Water State Revolving Fund (DWSRF) for Fiscal Year 2024; and

WHEREAS, this work requires the services of a professional engineering firm to provide limited design engineering and construction engineering services for the project; 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 limited design engineering services of said project, in an amount not to exceed \$7,765.00 and construction engineering services of said project, in an amount not to exceed \$108,060.00.

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 ENG, Inc. to provide limited design and construction engineering for the 2024 DWSRF Water Main Project.
- SECOND: The Mayor and City Clerk are instructed and authorized to sign the necessary documents as an Agreement for General 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 \$7,765.00 to ENG, Inc. upon successful completion of limited design engineering work.
- FOURTH: The above limited design engineering expenses shall be paid from Water Fund Acct No. 591-901-972.000.
- FIFTH: The Accounts Payable department is authorized, contingent upon the city receiving a FY2024 DWSRF Loan, to make payment up to the amount of \$108,060.00 to ENG, Inc. upon successful completion of construction engineering work.
- SIXTH: The above construction engineering expenses shall be paid from Water Fund Acct No. 591-901-972.000.

Master Plan Implementation Goals: 3.4, 3.7, 3.8, 6.6

***Professional Services Agreement – 2024 Sanitary Sewer Lining Project-Engineering Services.** Approve a professional services agreement with OHM Advisors to provide design and construction engineering services in an amount not to exceed \$30,000.00 for the 2024 Sewer Lining Project and further approve payment to the engineer upon satisfactory completion of the project or portion thereof as follows:

RESOLUTION NO. 152-2023

**APPROVE ADDENDUM NO. 2024-01
TO THE FY2023-2024 GENERAL ENGINEERING SERVICES CONTRACT
WITH
OHM ADVISORS
FOR DESIGN AND CONSTRUCTION ENGINEERING SERVICES FOR THE
2024 SEWER LINING PROJECT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved a contract for general engineering services with OHM Advisors on June 5, 2023 for the term of July 1, 2023 to June 30, 2024; and

WHEREAS, the City desires to make necessary repairs to its sanitary sewer collection system and its storm sewer system; and

WHEREAS, this work requires the services of a professional engineering firm to complete design and construction engineering of the project; and

WHEREAS, the City has reviewed the proposal as provided from OHM Advisors in the amount of \$30,000.00, and has determined that the scope of services as submitted for design and construction engineering for the repair of sanitary and storm sewers is acceptable and recommends approval of the same; and

WHEREAS, Section 2-346 of the City of Owosso Code of Ordinances allows competitive bidding to be waived for professional services.

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 OHM Advisors to provide design and construction engineering services for the 2024 Sewer Lining Project.
- SECOND: The Mayor and City Clerk are instructed and authorized to sign the necessary documents substantially in the form attached as Addendum No. 2024-01 to the FY2023-2024 General Engineering Services Contract between the City of Owosso, Michigan and OHM Advisors.

THIRD: The Accounts Payable department is authorized to make payment up to the amount of \$30,000.00 to OHM Advisors upon successful completion of stated work.

FOURTH: The above expenses shall be paid from Sewer Fund Acct No. 590-901-973.000-SEWERREHAB (\$18,000.00), local street account number 203-463-818.000 (\$12,000.00), and other funds as appropriated.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

MML Annual Meeting Delegate

City Manager Henne indicated that he and three Councilmembers plan on attending the MML Convention in October.

Motion by Councilmember Olson designating Mayor Pro-Tem Susan Osika as the City's official delegate for the MML Annual Meeting, and further designating Councilmember Janae Fear as the alternate delegate.

Motion supported by Councilmember Haber.

Roll Call Vote.

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

NAYS: None.

Master Plan Implementation Goals: 3.5

MERS Annual Business Meeting Delegates

Designate the City's Officer Delegate and confirm election of the City's Employee Delegate, and their alternates, for the 2023 MERS Annual Business meeting.

Motion by Mayor Pro-Tem Osika to appoint City Manager Nathan Henne as the City's Officer Delegate, further appoint Assistant City Manager Amy Fuller as Officer Alternate, confirm the election of Community Policing Officer Michael Olsey as the City's Employee Delegate, and further confirm the election of Finance Specialist Lucais Allen and the Employee Alternate for the 2023 MERS Annual Business meeting.

Motion supported by Councilmember Haber.

Roll Call Vote.

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

NAYS: None.

Establishment of Early Voting Center

City Clerk Amy K. Kirkland explained that with the passage of Proposition 2022-02 in November 2022 the City is now required to provide registered voters with a nine-day opportunity to vote early prior to each state or federal election. Council must now decide how to fulfill this requirement by either hosting its own early voting precinct, teaming up with another Shiawassee County municipality to co-host an early voting precinct, or contracting with the County to provide said precinct.

She further explained that the County Clerk has offered to host an early voting (EV) precinct on behalf of the local municipalities (though they have no legal obligation to do so) and nearly all of

the locals have signed on to participate. The City could also sign on with the County and save some money, though it would mean relinquishing local control of that portion of our elections.

If the City hosts its own EV precinct there will be up-front costs, along with on-going costs. The State has indicated that a one-time pot of grant money will be available through the County Clerk's Office for expenses related to early voting but the deadline for application is in early September, so the City needs to make a decision as soon as possible. If we miss the window for grant funding, there is no guarantee that additional funds will become available in the future. Another stumbling block if the City were to host its own EV precinct is the location. The new law stipulates that if a municipality cannot find a suitable location that meets the requirements of the law, then they must contract with another government entity in the County to host the EV precinct.

There was significant back-and-forth discussion among the Councilmembers and the Clerk regarding the details of the EV requirement, the desire to maintain local control of elections, costs related to EV and whether such costs were already included in the budget, working with the County as a grant pass-through entity, and suggestions for possible EV precinct locations.

Motion by Councilmember Olson for the City of Owosso to conduct early voting as a single municipality separate from any other municipality as provided by MCL 168.720e.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

Vacant Commercial Building Fire Inspection Program and Fees

City Manager Henne indicated that this item is being presented to Council based on a recent Council Discussion Period discussion regarding the potential need for an inspection program to proactively prevent the deterioration of commercial properties to the point where they require demolition. He briefly detailed the proposed policy resolution, indicating it will establish a timeline and fees for the implementation of a Vacant Commercial Building Fire Inspection Program. The rules for the program will be governed by the provisions of the International Fire Code, which the City has already adopted, there would be no charge for the first two inspections, and the program would be operated on a three-year timeline with 1/3 of vacant commercial properties being inspected each year.

There was significant discussion among Council regarding the length of time a building would need to be vacant to require registration and inspection, details of the registration process, whether a mandatory registration process would be cumbersome to building owners, the fact that the current policy is complaint based leading to delays in inspection and further deterioration, the necessity of establishing penalties for non-compliance, how such an inspection program could be used against the City, what happens when building owners don't have the money for repairs, trying to catch problems that lead to buildings eventually falling down, safety issues presented by neglected buildings, the fact that a similar plan has been found to be successful in the City of Fenton, and the necessity of striking a balance between over regulating building owners and the desire to prevent the massive failure of historic buildings. Councilmembers Law and Fear both expressed an appeal to see the proposed policy more clearly spelled out in the form of an ordinance.

Motion by Councilmember Law to direct staff to develop and present an ordinance establishing a Vacant Commercial Building Fire Inspection Program and the associated fees.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: Councilmember Pidek.

COMMUNICATIONS

Ryan Suchanek, Utilities Director. Consumers Energy Demand Response Contract – WWTP & WTP.
Tanya S. Buckelew, Planning & Building Director. July 2023 Building Department Report.
Tanya S. Buckelew, Planning & Building Director. July 2023 Code Violations Report.
Tanya S. Buckelew, Planning & Building Director. July 2023 Inspections Report.
Tanya S. Buckelew, Planning & Building Director. July 2023 Certificates Issued Report.

Kevin D. Lenkart, Public Safety Director. July 2023 Police Report.
Kevin D. Lenkart, Public Safety Director. July 2023 Fire Report.
Downtown Development Authority/Main Street Board. Minutes of August 2, 2023.
Owosso Historical Commission. Minutes of August 15, 2023.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 2910 W. M-21, commented about how very complicated the last issue is, saying that developers seeking government money to assist in the rehabilitation of one of their properties aren't allowed to make money from the property in the meantime. Leading to empty buildings and fewer means to maintain those buildings. He asked what you do when the owners of a property don't have the money.

Patty VanLuven, 6143 Pittsburgh Road, said she owns several residential rental properties and inspections of those properties are constant and simply part of the business. She went on to say that Council needed to keep in mind the type of developers they want to attract, that good, reliable developers will look for property in communities with a stable framework of regulation. She said poor regulations penalize good property owners by allowing the deterioration of individual buildings which have a negative effect on adjacent buildings and the general neighborhood. She advised Council to set the standards for the type of community they want to be.

Ed Sharoian, 409 Michigan Avenue, addressed the truck traffic on Michigan Avenue again, saying there are lots of children in the area and he has heard semis blow their horns for a child in the street three times this summer alone. He said Michigan and Cass are residential streets and there is no need for trucks to use these streets to get to Webcor.

Eddie Urban, 601 Glenwood Avenue, advised everyone never to say "To tell you the truth judge..." to a judge. He went on to tell a story about how he got a building inspector fired for illegally searching his property up north.

Councilmember Law noted that his high school class had just held their 40th reunion over the weekend, and he thanked his fellow classmate, Chris Owens, owner of Owosso Candle Company and two other businesses in the City, for the wonderful candles they gave as party favors.

Mayor Teich encouraged everyone to attend the Vintage Motorcycle Days taking place this Friday and Saturday in downtown Owosso.

Councilmember Fear asked if there was going to be a Labor Day Bridge Walk. Mayor Teich indicated he did not know if the event would be held this year or not.

Councilmember Olson reminded everyone to please be extra careful when driving and watch out for kids who will be returning to school this week.

NEXT MEETING

Tuesday, September 05, 2023

BOARDS AND COMMISSIONS OPENINGS

Building Board of Appeals – Alternate - term expires June 30, 2024
Building Board of Appeals – Alternate - term expires June 30, 2025
Downtown Development Authority – Resident – term expires June 30, 2025
Zoning Board of Appeals – Alternate – term expires June 30, 2024
Zoning Board of Appeals – Alternate – term expires June 30, 2025

ADJOURNMENT

Motion by Councilmember Fear for adjournment at 10:00 p.m.

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

Robert J. Teich, Jr., 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.