

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF SEPTEMBER 18, 2023
7:30 P.M.
VIRGINIA TEICH CITY COUNCIL CHAMBERS**

PRESIDING OFFICER: MAYOR ROBERT J. TEICH, JR.

OPENING PRAYER: PASTOR BRUCE NOBLE
CHURCH OF GOD (7TH DAY)

PLEDGE OF ALLEGIANCE: PASTOR BRUCE NOBLE

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 Councilmember Pidek to approve the agenda as presented.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF SEPTEMBER 5, 2023

Motion by Councilmember Olson to approve the Minutes of the Regular Meeting of September 5, 2023 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

**Proposed Special Assessment Project – Stewart Street,
from Shiawassee Street to Washington Street**

City Manager Nathan R. Henne detailed the item before Council. This is the hearing of necessity for the proposed Stewart Street reconstruction project. He noted that the estimated cost to complete the project is higher than most because the street is so wide and its classified as a major street. The street was last reconstructed in 1973. New water main will also be installed as a part of the project.

A public hearing was conducted to receive citizen comment regarding proposed Special Assessment District No. 2024-01 for Stewart Street from Shiawassee Street (M-52) to Washington Street for street reconstruction.

The following people commented regarding the proposed project:

Elden Buchholz, 802 S. Ball Street, said he would like to give back the check he received from the City for a construction easement because he didn't want to pay the amount of his estimated assessment for the work being proposed. He feels the work is extravagant in scope and there's nothing wrong with the sidewalks or curbs that should require him to pay for their replacement. He also had questions about the interest rate, when the assessment would begin, and why he wasn't notified earlier.

Bruce Noble, 215 Cass Street, said he appreciates the project being proposed because the street is in very poor condition. He said he was specially assessed a few years back and the City made it easy to spread the cost out over a number of years. He understands that costs have gone up, but he was still in favor of the project.

Tom Manke, 2910 W. M-21, said Owosso is the only community in the county that specially assesses its residents for street projects. He accused the City of thievery and said it is a laughingstock.

Suzanne Millikin, 213 W. Stewart Street, via telephone, expressed her concern that the special assessment will not be included or billed as a line item on her taxes. She also noted that people travel over 50 miles per hour on her street and asked for better enforcement.

Mayor Teich noted that residents are not charged for sidewalk replacement and the interest rate on any unpaid balances would be 3%.

City Manager Henne explained that this is the hearing of necessity, marking step 3 of a 5-step process. He said the project, if approved, would not go out to bid until the spring and construction would take place next year. He encouraged Mr. Buchholz to meet with the City Engineer Clayton Wehner about his concerns with the scope of the project. He also noted that the project is not contingent on whether or not residents approved construction easements.

There was further discussion regarding how the City uses special assessments to stretch their funding to repair as many streets as possible, that Stewart Street was last reconstructed in 1973, the increase in construction costs, and how a newly constructed street can raise property values.

Motion by Councilmember Pidek to approve the following resolution:

RESOLUTION NO. 162-2023

**AUTHORIZING SPECIAL ASSESSMENT RESOLUTION NO. 3
ESTABLISHING SPECIAL ASSESSMENT DISTRICT NO. 2024-01
STEWART STREET, FROM SHIAWASSEE STREET (M-52) TO WASHINGTON STREET
FOR STREET RECONSTRUCTION**

WHEREAS, the City Council, after due and legal notice, has met and having heard all persons to be affected by the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited:

STEWART STREET, A PUBLIC STREET, FROM SHIAWASSEE STREET (M-52) TO WASHINGTON STREET
FOR STREET RECONSTRUCTION

2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be \$1,641,326.40 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.
3. The City Council determines that of said total estimated cost, the sum of \$263,131.83 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described, and that the sum of \$1,378,194.57 of said total estimated cost shall be the obligation of the City at large because of benefit to the City at large.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied:

**Stewart Street, a Public Street, from Shiawassee Street (M-52) to Washington Street
For Street Reconstruction**

5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.
6. When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

Master Plan Implementation Goals: 3.22

CITIZEN COMMENTS AND QUESTIONS

Jeff Turner, 204 Oakwood Avenue, said that he had heard that all sidewalks in the City will be increased from 4’ wide to 5’ wide and asked if this was true. He also mentioned that Jerome Ave. needs to be repaved and widened.

Tom Manke, 2910 W. M-21, said there was lots going on in the community right now. He went on to mention the GMC motorhome event at the Fairgrounds, the opening of the new Shiawassee RESD College and Career Readiness Center in Vernon, the motorcycle races at Owosso Motorsports Park, and car racing at Owosso Speedway. He also said he was pleased to see the Kori Shook had purchased the old Matthews Building site.

Eddie Urban, 601 Glenwood Avenue, said there is a power pole on Monroe Street that was hit by a car last year and is still waiting for repair. He also said that he had recently written the story of his life here in Owosso and will be submitting it to Good Ole Days magazine for possible publication.

Ainsley Ellison, 802 S. Washington Street, said that the City Manager had mentioned that the Stewart Street project had been expedited due to the need to replace water service lines, and it was her understanding that the replacement of those lines would be at no cost to the residents. She asked if the replacement of water service lines was simply an excuse for the City to saddle residents with the cost of reconstructing the street.

Don Fields, elder at Calvary Baptist Church, described the Back-to-School Prayer event that was held recently at Bentley Park. He said attendance was good and it was a great event.

Responding to a number of the questions raised during the comment period City Manager Henne replied as follows: sidewalks are now required to be 5’ wide per the ADA; the reconstruction of Jerome Avenue was one of the projects that Council considered when delegating ARPA funds, but Council decided to use the funds for the replacement of water service lines instead; the reconstruction of Stewart Street was planned to coincide with the upgrade from a 4” water main to a 6” water main, and any lead water service lines they encounter during the project will be replaced as required by EGLE.

CONSENT AGENDA

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

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

Name	Board/Commission	Term Expires
Daylen Howard	Downtown Development Authority/Main Street Board filling unexpired term of T. Marr	06-30-2025

***MDOT Local Grade Crossing Surface Program Application – S. Chestnut Street.** Approve application to the FY2024 Local Grade Crossing Surface Program for reconstruction of the Huron & Eastern Railroad crossing on South Chestnut Street as follows:

RESOLUTION NO. 163-2023

**AUTHORIZING APPLICATION TO THE
MDOT LOCAL GRADE CROSSING SURFACE PROGRAM FOR FY2024
FOR THE HURON & EASTERN RAILROAD CROSSING ON S. CHESTNUT STREET**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Engineering Department recommends the reconstruction of the Huron & Eastern railroad crossing on S. Chestnut Street; and

WHEREAS, the Michigan Department of Transportation offers its portion of state funds for this work via the Local Grade Crossing Surface Program; and

WHEREAS, the City of Owosso proposes an application to the Program for the 2024 fiscal year to secure a Local Grade Crossing Surface Program project for said crossing; sixty percent (60%)

of which shall be paid for by an MDOT Grant and forty percent (40%) by the Huron & Eastern Railroad, as outlined in the application.

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 proceed with the proposed project to reconstruct the Huron & Eastern Railroad crossing on S. Chestnut Street.
- SECOND: staff is directed to submit an application for an MDOT Local Grade Crossing Surface Program award for said work and the City declares its willingness to participate in this program.
- THIRD: the appropriate city staff members are authorized to execute all documents necessary for application.

Master Plan Implementation Goals: 3.7, 5.2

***MDOT Local Grade Crossing Surface Program Application – S. Chipman Street.** Approve application to the FY2024 Local Grade Crossing Surface Program for reconstruction of the Huron & Eastern Railroad crossing on South Chipman Street as follows:

RESOLUTION NO. 164-2023

**AUTHORIZING APPLICATION TO THE
MDOT LOCAL GRADE CROSSING SURFACE PROGRAM FOR FY2024
FOR THE HURON & EASTERN RAILROAD CROSSING ON S. CHIPMAN STREET**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Engineering Department recommends the reconstruction of the Huron & Eastern railroad crossing on S. Chipman Street; and

WHEREAS, the Michigan Department of Transportation offers its portion of state funds for this work via the Local Grade Crossing Surface Program; and

WHEREAS, the City of Owosso proposes an application to the Program for the 2024 fiscal year to secure a Local Grade Crossing Surface Program project for said crossing; sixty percent (60%) of which shall be paid by an MDOT Grant and forty percent (40%) by the Huron & Eastern Railroad, as outlined in the application.

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 proceed with the proposed project to reconstruct the Huron & Eastern Railroad crossing on S. Chipman Street.
- SECOND: City staff is directed to submit an application for an MDOT Local Grade Crossing Surface Program award for said work and the City declares its willingness to participate in this program.
- THIRD: the appropriate City staff members are authorized to execute all documents necessary for application.

Master Plan Implementation Goals: 3.7, 5.2

***MDOT Local Grade Crossing Surface Program Application – Woodlawn Avenue.** Approve application to the FY2024 Local Grade Crossing Surface Program for reconstruction of the Huron & Eastern Railroad crossing on Woodlawn Avenue as follows:

RESOLUTION NO. 165-2023

**AUTHORIZING APPLICATION TO THE
MDOT LOCAL GRADE CROSSING SURFACE PROGRAM FOR FY2024
FOR THE HURON & EASTERN RAILROAD CROSSING ON WOODLAWN AVENUE**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Engineering Department recommends the reconstruction of the Huron & Eastern railroad crossing on Woodlawn Avenue; and

WHEREAS, the Michigan Department of Transportation offers its portion of state funds for this work via the Local Grade Crossing Surface Program; and

WHEREAS, the City of Owosso proposes an application to the Program for the 2024 fiscal year to secure a Local Grade Crossing Surface Program project for said crossing; sixty percent (60%) of which shall be paid for by an MDOT Grant and forty percent (40%) by the Huron & Eastern Railroad, as outlined in the application.

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 proceed with the proposed project to reconstruct the Huron & Eastern Railroad crossing on Woodlawn Avenue.
- SECOND: staff is directed to submit an application for an MDOT Local Grade Crossing Surface Program award for said work and the City declares its willingness to participate in this program.
- THIRD: the appropriate city staff members are authorized to execute all documents necessary for application.

Master Plan Implementation Goals: 3.7, 5.2

Street Closure Request - 2023 Annual Beer Run. Approve request from Shiawassee Regional Chamber of Commerce for the closure of various streets for the 2023 Annual Beer Run on Friday, October 20, 2023 from 6:00 p.m. to 8:00 p.m. and authorize Traffic Control Order No. 1506 formalizing the action.

Master Plan Implementation Goals: 1.17, 4.2, 4.6, 5.9, 5.12, 6.7

Change to Street Lighting Contract – Streetlight Reconfiguration Hickory/King. Authorize amendment to the Street Light Contract with Consumers Energy to reflect the removal of the HPS streetlight at the King Street/Hickory Street intersection and the installation of two new Cobrahead LED street lights at said intersection in advance of the Safe Routes to School project, authorize the Mayor and City Clerk to execute appropriate documents, and approve payment to Consumers Energy in the amount of \$8,048.00 as follows:

RESOLUTION NO. 166-2023

REMOVING A LIGHT FROM THE STANDARD STREET LIGHTING CONTRACT DATED 10/01/2013

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the City of OWOSSO, dated 10/1/2013, in accordance with the Authorization for Change in Standard Lighting Contract dated 09/18/2023, heretofore submitted to and considered by this council as follows:

GENERAL SERVICE UNMETERED LIGHTING RATE GUL, STANDARD HIGH INTENSITY DISCHARGE

<i>Number of Luminaires</i>	<i>Nominal Watts</i>	<i>Luminaire Type</i>	<i>Fixture Type</i>	<i>Install Remove</i>	<i>Location</i>
1	100	HPS	Center Suspension	Remove	Intersection of Hickory and King Streets

RESOLVED, further, that the Mayor and Clerk be and are authorized to execute such authorization for change on the behalf of the City.

And,

RESOLUTION NO. 167-2023

ADDING LIGHTS TO THE STANDARD STREET LIGHTING CONTRACT DATED 09/27/2018

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the City of OWOSSO, dated 09/27/2018, in accordance with the Authorization for Change in Standard Lighting Contract dated 09/18/2023, heretofore submitted to and considered by this council as follows:

GENERAL UNMETERED LIGHT EMITTING DIODE LIGHTING RATE GU-LED

<i>Number of Luminaires</i>	<i>Nominal Watts</i>	<i>Luminaire Type</i>	<i>Fixture Type</i>	<i>Fixture Style</i>	<i>Install Remove</i>	<i>Location</i>
2	40	LED	Cobrahead	Cutoff	Install	Intersection of Hickory and King Streets

***Change Order – Main Street Plaza Masonry Repair.** Approve Change Order No.1 to the Main Street Plaza Masonry Repair contract with Bornor Restoration, Inc. increasing the contract amount by \$4,970.00 for the installation of additional footings and authorize payment to the contractor up to the amount of \$39,830.00 upon satisfactory completion of the project as follows:

RESOLUTION NO. 168-2023

**AUTHORIZING CHANGE ORDER NO. 1
TO THE CONTRACT BETWEEN THE CITY OF OWOSSO AND
BORNOR RESTORATION, INC.
FOR THE MAIN STREET PLAZA MASONRY REPAIR**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved a contract with Bornor Restoration, Inc. on May 15, 2023 for masonry repairs in Main Street Plaza; and

WHEREAS, the existing footings were discovered to be insufficient, and installation of additional footings is necessary; and

WHEREAS, Bornor Restoration, Inc. has agreed to supply all labor, material, equipment, and insurance for said work and a change order is necessary to increase the contract amount.

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 approve Change Order No. 1 to the Main Street Plaza Masonry Repair contract with Bornor Restoration, Inc. increasing the contract in the amount of \$4,970.00 for installation of additional footings, bringing the contract total to \$39,830.00.
- SECOND: The Mayor and City Clerk are instructed and authorized to sign the document substantially in form attached as Change Order No. 1 to the Contract for Services between the City of Owosso and Bornor Restoration, Inc.
- THIRD: The accounts payable department is authorized to pay Bornor Restoration, Inc. for work satisfactorily completed up to the revised contract amount of \$39,830.00.
- FOURTH: The above expenses for Change Order No. 1 in the amount of \$4,970.00 shall be paid from Downtown Development Authority Fund Account No. 248-200-930.000.

Master Plan Implementation Goals: 3.17

***Bid Award – 2023-24 DPW Inventory Parts.** Accept the low bid from Michigan Pipe and Valve-Saginaw, Inc. for water distribution system parts for the DPW inventory and authorize payment in accordance with unit prices not to exceed \$33,196.20 as follows:

RESOLUTION NO. 169-2023

**AUTHORIZING PURCHASE OF DPW INVENTORY PARTS FROM
MICHIGAN PIPE AND VALVE-SAGINAW, INC.**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has determined that it is necessary and in the public's best interest to maintain a water system that provides quality potable drinking water; and

WHEREAS, high quality parts are required to maintain the water distribution system, and additional inventory parts are needed; and

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

WHEREAS, the City of Owosso sought bids to restock the DPW's parts inventory 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 DPW Inventory 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 \$33,196.20.
- THIRD: The accounts payable department is authorized to pay Michigan Pipe and Valve-Saginaw, Inc. according to unit prices for materials supplied up to the purchase order amount of \$33,196.20.
- FOURTH: The above expenses shall be paid from account no. 591-000-101.000.

Master Plan Implementation Goals: 3.4

Warrant No. 633. Authorize Warrant No. 633 as follows:

Vendor	Description	Fund	Amount
Gould Law PC	Legal Services from August 15, 2023 - September 11, 2023	Varies	\$10,272.08
Waste Management	Services from August 16, 2023 – September 1, 2023	WWTP	\$10,679.76

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

Mayor Teich thanked Daylen Howard for stepping forward to become the newest member of the DDA.

ITEMS OF BUSINESS

None.

COMMUNICATIONS

- Clayton Wehner, Director of Engineering. Ridge and Stewart Alley Petition.
- Melissa Wheeler, Downtown Development Authority. Letter of Resignation.
- Tanya S. Buckelew, Planning & Building Director. August 2023 Building Department Report.
- Tanya S. Buckelew, Planning & Building Director. August 2023 Code Violations Report.
- Tanya S. Buckelew, Planning & Building Director. August 2023 Inspections Report.
- Tanya S. Buckelew, Planning & Building Director. August 2023 Certificates Issued Report.
- Kevin D. Lenkart, Public Safety Director. August 2023 Police Report.
- Kevin D. Lenkart, Public Safety Director. August 2023 Fire Report.
- Historic District Commission. Minutes of August 16, 2023.
- Downtown Development Authority/Main Street. Minutes of September 6, 2023.
- Owosso Historical Commission. Minutes of September 11, 2023.

CITIZEN COMMENTS AND QUESTIONS

Eddie Urban, 601 Glenwood Avenue, said he feels that people who register complaints during Council meetings should be required to stay until the end of the meeting, noting that the gentleman that took issue with the Stewart Street project missed out on the City Manager's explanation of how street projects and water main replacements are coordinated.

Councilmember Olson highlighted that there is one more vacancy on the DDA with the resignation of Melissa Wheeler. She encouraged everyone to keep an eye out for perspective board members. She went on to note that the Mini Golf Madness event held by the DDA last weekend turned out great and people really seemed to have a good time. Councilmember Pidek said that Foster Coffee participated in the event and thought it was a great way to get people into local businesses.

Councilmember Law noted that the railroad crossing on Gould Street near Monroe Street has collapsed again. He said it was repaired 2-3 years ago but needs attention once again.

City Manager Henne asked that people keep retired firefighter Arthur Hart in their thoughts as he is experiencing serious health problems.

NEXT MEETING

Monday, October 02, 2023

BOARDS AND COMMISSIONS OPENINGS

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

ADJOURNMENT

Motion by Mayor Pro-Tem Osika for adjournment at 8:20 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.