

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF OCTOBER 2, 2023
7:30 P.M.
VIRGINIA TEICH CITY COUNCIL CHAMBERS**

PRESIDING OFFICER: MAYOR ROBERT J. TEICH, JR.

OPENING PRAYER: PASTOR KENNETH HERBRUCK
OWOSSO ASSEMBLY OF GOD

PLEDGE OF ALLEGIANCE: RICHARD HARSH

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 Law and concurred in by unanimous vote.

APPROVAL OF THE MINUTES OF REGULAR MEETING OF SEPTEMBER 18, 2023

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of September 18, 2023 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Eddie Urban, 601 Glenwood Avenue, encouraged people to stay for the entire meeting, particularly if they are present to register a complaint. He said they may miss out on relevant information if they leave the meeting early.

Ann Eno, 221 N. Ball Street, said she has questions regarding downtown parking enforcement. She said that from what she has seen the parking attendant will issue tickets when it's not appropriate and will play favorites by letting obvious violations go in some instances. Public Safety Director Lenkart said he would be happy to speak with Ms. Eno after the meeting about the specifics of her situation.

CONSENT AGENDA

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

***Change Order No. 1 – 2023 North Street Rehabilitation Project - Engineering Services Contract**. Approve Change Order No. 1 to the 2023 North Street Rehabilitation Project – Engineering Services Contract with Eng., Inc. for additional construction administration services due to conditions found in the field in the amount of \$16,780.00 and authorized payment up to the revised contract amount of \$159,342.50 upon satisfactory completion of the project or portion thereof as follows:

RESOLUTION NO. 170-2023

**AUTHORIZING CHANGE ORDER NO. 1 TO
THE 2023 NORTH STREET REHABILITATION PROJECT ENGINEERING SERVICES
CONTRACT WITH ENG., INC.**

WHEREAS, the City of Owosso, Shiawassee County, Michigan approved the 2023 North Street Rehabilitation Project Engineering Services Agreement with ENG., Inc. on February 22, 2022 in the amount of \$142,562.50; and

WHEREAS, the agreement must be modified to increase the contract amount due to the additional inspection time necessary to complete the project; and

WHEREAS, the Director of Engineering has reviewed the change order as requested and has determined it to be fair and reasonable.

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

- FIRST: it has theretofore determined that it is advisable, necessary and in the public interest to approve Amendment No. 1 to the 2023 North Street Rehabilitation Project Engineering Services Agreement with ENG., Inc., increasing the contract amount \$16,780.00 for additional construction administration services due to conditions in the field.
- SECOND: the mayor and city clerk are requested and authorized to sign Change Order No. 1 to the 2023 North Street Rehabilitation Project Engineering Services Agreement between the City of Owosso, Michigan and ENG., Inc.
- THIRD: the accounts payable department is authorized to pay ENG., Inc. for work satisfactorily completed up to the revised contract amount of \$159,342.50.
- FOURTH: the additional expenses shall be paid from Major Street Fund Account No. 202-451-818.000-NORTHSTR23 (\$8,390.00) and Water Fund Account No. 591-901-972.000-NORTHSTR23 (\$8,390.00).

Proposed Special Assessment District No. 2023-103 – Hazards & Nuisances. Authorize Resolution No. 1 setting a public hearing for Monday, October 16, 2023 at 7:30 p.m. to receive citizen comment regarding proposed Special Assessment District No. 2023-103, Hazards & Nuisances, as it relates to unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances as follows:

RESOLUTION NO. 171-2023

**SPECIAL ASSESSMENT DISTRICT NO. 2023-103
HAZARDS AND NUISANCES**

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, October 16, 2023 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:

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 property listed below.

PARCEL #	PROPERTY ADDRESS	SERVICE	TOTAL DUE
050-602-002-010-00	1325 W. Stewart	Clean	\$ 270.69
050-651-000-013-00	415 Genesee St.	Clean	251.61
050-666-000-026-00	113 N. Oak	Clean	219.65
050-480-000-010-00	1455 Industrial	Clean	1543.76
050-115-002-019-00	1149 S. Shiawassee	Snow	203.30
050-250-000-008-00	602 N. Shiawassee	Snow	229.30
050-536-000-043-00	126 N. Shiawassee	Snow	258.80
050-536-000-093-00	1221 N. Shiawassee	Snow	258.80
050-010-032-029-00	719 Frazer	Water	1578.95
050-114-003-004-00	1031 S. Chipman	Water	311.89
050-380-003-020-00	825 E. Exchange	Water	217.80
050-420-007-024-00	700 Broadway	Water	318.89
050-660-023-019-00	709 Lynn	Water	303.92
050-010-015-001-00	667 Glenwood	Weeds	150.00
050-010-015-001-00	667 Glenwood	Weeds	145.00
050-010-016-006-00	629 Alger	Weeds	140.00
050-010-016-006-00	629 Alger	Weeds	140.00
050-050-000-038-00	114 S. Cedar	Weeds	140.00
050-113-017-007-00	1415 Lynn	Weeds	150.00
050-113-017-007-00	1415 Lynn	Weeds	150.00
050-180-004-020-00	326 S. Dewey	Weeds	153.00
050-180-004-020-00	326 S Dewey	Weeds	153.00
050-240-002-019-00	643 Hickory	Weeds	140.00
050-240-002-019-00	643 Hickory	Weeds	140.00
050-250-000-008-00	602 N. Shiawassee	Weeds	138.00
050-250-000-008-00	602 N. Shiawassee	Weeds	138.00
050-250-000-008-00	602 N. Shiawassee	Weeds	140.00
050-250-000-008-00	602 N. Shiawassee	Weeds	140.00
050-250-000-008-00	602 N. Shiawassee	Weeds	140.00
050-250-000-008-00	602 N. Shiawassee	Weeds	140.00
050-390-004-012-00	1260 Adams	Weeds	138.00
050-390-004-012-00	1260 Adams	Weeds	138.00
050-390-004-012-00	1260 Adams	Weeds	138.00
050-390-004-012-00	1260 Adams	Weeds	140.00
050-390-004-012-00	1260 Adams	Weeds	140.00
050-390-004-012-00	1260 Adams	Weeds	140.00
050-420-004-001-00	Monroe St.	Weeds	150.00
050-420-004-001-00	Monroe St.	Weeds	150.00
050-420-004-001-00	Monroe St.	Weeds	150.00
050-420-005-009-00	755 Division	Weeds	145.00
050-470-027-003-00	200 E. Main	Weeds	168.00
050-536-000-010-00	909 Adams	Weeds	140.00
050-536-000-010-00	909 Adams	Weeds	140.00
050-536-000-043-00	1265 N. Shiawassee	Weeds	145.00
050-536-000-043-00	1265 N. Shiawassee	Weeds	145.00
050-560-000-056-00	1108 Meadow Dr.	Weeds	145.00
050-560-000-056-00	1108 Meadow	Weeds	145.00
050-602-008-011-00	937 Kenwood	Weeds	138.00
050-603-002-011-00	1444 W. King	Weeds	138.00
050-621-002-006-00	321 State	Weeds	140.00
050-621-002-006-00	321 State	Weeds	140.00
050-651-000-022-00	501 S. Shiawassee	Weeds	150.00
050-652-008-004-00	808 Division	Weeds	138.00
050-652-008-004-00	808 Division	Weeds	140.00
050-652-008-004-00	808 Division	Weeds	140.00
050-652-008-004-00	808 Division	Weeds	140.00
050-660-014-012-00	104 N. Lansing	Weeds	138.00
050-710-001-012-00	915 Corunna	Weeds	168.00
050-710-001-012-00	915 Corunna	Weeds	168.00
050-710-001-012-00	915 Corunna	Weeds	145.00

PARCEL #	PROPERTY ADDRESS	SERVICE	TOTAL DUE
050-710-001-012-00	915 Corunna	Weeds	145.00
050-710-001-012-00	915 Corunna	Weeds	\$ 145.00
			<u>\$ 12,894.36</u>

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 assessment 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, October 16, 2023 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.

- The City Treasurer is directed to write-off the following hazards and nuisances charges, consisting of unpaid invoices that are unable to be leined due to the Shiawassee County tax sale process:

INV #	SRVC CODE	PARCEL #	NAME	AMOUNT
4909	Damage by auto	Unknown Address/No Ins.	Andrea Brandt	285.00
6518	Clean	050-114-006-001-00	Shiawassee County Treasurer	930.00
6524	Mow	050-113-003-005-00	Jeffrey Ruby	153.00
6532	Mow	050-660-022-004-00	Shiawassee County Treasurer	168.00
6541	Mow	050-113-003-005-00	Jeffrey Ruby	153.00
6544	Mow	050-660-022-004-00	Shiawassee County Treasurer	168.00
6550	Mow	050-114-006-001-00	Shiawassee County Treasurer	138.00
				<u>\$1,995.00</u>

***Contract Amendment – Professional Engineering Services.** Approve Amendment No. 1 to the professional services agreement with Fishbeck for the WWTP Solids Handling Project in the amount of \$20,000.00 and authorize payment up to the revised contract amount of \$104,000.00 upon satisfactory completion of the project or portion thereof as follows:

RESOLUTION NO. 172-2023

**AUTHORIZING AMENDMENT NO. 1
TO THE
WWTP SOLIDS HANDLING PROJECT ENGINEERING SERVICES AGREEMENT
WITH FISHBECK**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved an agreement with Fishbeck, on October 4, 2021 for engineering services for the Wastewater Treatment Plant (WWTP) Solids Handling project, an approved 2022 SRF planned project; and

WHEREAS, during the demolition/construction phase of the project the need for additional structural work became apparent requiring additional engineering services.

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

- FIRST: it has heretofore determined that it is advisable, necessary and in the public interest to amend the Wastewater Treatment Plant (WWTP) Solids Handling Project Engineering Services Agreement with Fishbeck, increasing the contract for engineering of additional structural work identified during the demolition/construction phase.

- SECOND: the Mayor and City Clerk are instructed and authorized to sign the document substantially in form attached as Amendment No. 1 to the Contract for Services between the City of Owosso and Fishbeck, in the amount of \$20,000.00; an increase revising the total current contract amount from \$84,000.00 to \$104,000.00 (including a \$5,000 contingency).
- THIRD: the Accounts Payable department is authorized to pay Fishbeck for work satisfactorily completed, up to the revised contract amount of \$104,000.00.
- FOURTH: the above expenses shall be paid from the Wastewater Fund, and SRF Bond Funds.

***Professional Services Agreement – WTP Filters Improvements Project.** Authorize a professional services agreement between the City of Owosso and Fishbeck of Lansing, Michigan for engineering design and construction administration services for the WTP Filters Improvements Project in the amount of \$294,825.00 as follows:

RESOLUTION NO. 173-2023

**AUTHORIZING THE EXECUTION OF AN AGREEMENT
FOR PROFESSIONAL ENGINEERING SERVICES
WITH FISHBECK
FOR THE WTP FILTERS IMPROVEMENTS PROJECT**

WHEREAS, key components of the four gravity filters located at the City of Owosso Water Filtration Plant have reached the end of their useful life and require replacement and/or improvement; and

WHEREAS, 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 proposed services as necessary for the design, bid specification development, and construction administration services for the project, and hereby recommends authorizing Fishbeck to provide the required engineering services in the amount of \$294,825.00; and

WHEREAS, the City of Owosso, Shiawassee County, Michigan, will fund said improvements from the State of Michigan's Drinking Water State Revolving Fund (DWSRF).

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

- FIRST: it has heretofore determined that it is advisable, necessary and in the public interest to waive competitive bidding requirements and enter into an agreement with Fishbeck for professional engineering design services and construction administration for the Water Treatment Plant (WTP) Filters Improvements Project.
- SECOND: Tasks 3 – 5 of said agreement shall be contingent upon the City securing loan funding through the State's DWSRF program.
- THIRD: the mayor and city clerk are instructed and authorized to sign the necessary documents as an Agreement for Professional Engineering Services between the city of Owosso, Michigan and Fishbeck.
- FOURTH: the accounts payable department is authorized to submit payment to Fishbeck in the amount of \$294,825.00 for these services.
- FIFTH: the above expenses shall be paid from fund 591-901-972.200.

Traffic Control Order – Owosso High School Marching Band Festival. Approve request from Jillian Kowalczyk, Owosso High School Band Director, for the closure of various streets in the southeast quadrant of the City for the Owosso High School Marching Band Festival from 3:00 p.m.-10:00 p.m. on Monday, October 9, 2023 (rain date Monday, October 16, 2023), waive the insurance requirement, and approve Traffic Control Order No. 1507 formalizing the permission.

***Check Register – September 2023.** Affirm check disbursements totaling \$4,633,080.69 through September 22, 2023.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

***Apparatus Sales Agreement – HME, Inc. Core Top-Mount Pumper Truck**

City Manager Nathan R. Henne indicated that Councilmembers were in receipt of all 149 pages of the sales agreement establishing all of the options and equipment that will be installed during the manufacturing process of the City's future pumper fire truck.

Motion by Councilmember Pidek to approve the final purchase agreement with HME, Inc. for one HME Core Top-Mount Pumper truck as follows:

RESOLUTION NO. 174-2023

AUTHORIZING THE APPROVAL OF AN APPARATUS SALES AGREEMENT WITH HME, INC. OF WYOMING, MICHIGAN FOR ONE HME CORE TOP-MOUNT PUMPER TRUCK

WHEREAS, the City of Owosso, Shiawassee County, Michigan operates a fire department requiring the use of fire vehicles; and

WHEREAS, the replacement schedule calls for the replacement of one unit in 2023; and

WHEREAS, the Owosso City Council approved the purchase of an HME Core Top-Mount Pumper truck on September 5, 2023, in the amount of \$789,988.00; and

WHEREAS, HME, Inc. and Owosso City Staff have finalized an Apparatus Sales Agreement requiring Council review and approval.

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 Apparatus Sales Agreement between the City of Owosso and HME, Inc. for the purchase of one (1) HME Core Top-Mount Pumper truck in the amount of \$789,988.00.

SECOND: the mayor and city clerk are instructed and authorized to sign the Apparatus Sales Agreement substantially in the form attached.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

Lot Split Authorization – 1400 West Oliver Street

City Manager Henne explained that the owner of the parcel in question would like to split off and sell the portion of the property containing the pole barn. All established easements will remain in place and staff recommends approval.

Motion by Councilmember Pidek to authorize the division of a City lot under the Michigan Subdivision Control Act for platted lot at 1400 West Oliver Street, parcel # 050-537-000-051-00 on the condition that a permanent easement on the current parcel is granted for the construction, maintenance, and removal of water main along with a permanent easement for ingress and egress to said water main easement as follows:

Current Description:

Address	Status	Parcel #1
1400 W. Oliver Street	Before Split	050-537-000-051-00

Description: PART OF N 1/2 OF SE 1/4 SEC 14 T7N R2E CITY OF OWOSSO COM AT INTERSECTION OF W R/W MCRR & E OLIVER ST EXTD W'LY 811.5' FROM W LN CHIPMAN ST TH S 77*17' W 202. 9' (220.9') TH S 48*30' W 83.8' TH S 43*23' E 177.7' TH S 46*45' E 180' TH N 47*35' E ALG BRK WALL 242.3' TO W R/W MCRR TH N 42*7' W 256.4' TO BEG
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Descriptions After Split:

Address	Status	Parcel #1
1400 W. Oliver Street	After Split	050-537-000-051-00
Description: PART OF N 1/2 OF SE 1/4 SEC 14 T7N R2E CITY OF OWOSSO BEG AT INT OF W R/W MCRR & E OLIVER ST EXTD W'LY 811.5 FT FROM W LN CHIPMAN ST, TH S77*17"W 202.9', TH S48*30"W 83.8 FT, TH S43*23"E 177.7 FT, TH S46*45"E 180 FT, TH N47*35"E ALG BRICK WALL 242.3 FT TO W R/W MCRR, TH N42*7"W 256.4 FT TO POB; EXC PCL DESC AS BEG AT PT ON E-W ¼ LN W 1866.23 FT & S42*07'00"E ON SW'LY R/W LN GTW RR A DISTANCE OF 995.17 FEET FROM E ¼ COR SEC 14, TH CONT S42*07'00"E 206.44 FT, TH S47*52'47"W 82.85 FT, TH N42*00'42"W 202.77 FT, TH N45*20'12"E 82.53 FT TO POB; 1.49 AC +/-		

Address	Status	Parcel #2
1500 W. Oliver Street	After Split	050-537-000-052-00
Description: PART OF SE 1/4 SEC 14 T7N R2E CITY OF OWOSSO DESC AS BEG AT PT ON E-W ¼ LN W 1866.23 FT & S42*07'00"E ON SW'LY R/W LN GTW RR A DISTANCE OF 995.17 FEET FROM E ¼ COR SEC 14, TH CONT S42*07'00"E 206.44 FT, TH S47*52'47"W 82.85 FT, TH N42*00'42"W 202.77 FT, TH N45*20'12"E 82.53 FT TO POB, 0.39 AC +/-		

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

COMMUNICATIONS

Brad A. Barrett, Finance Director. Financial Report – August 2023.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 2910 W. M-21, asked if the price for the fire truck had changed.

Eddie Urban, 601 Glenwood Avenue, said he has 8 tickets for the Renaissance Festival if anyone wants them.

Councilmember Olson said there will be another downtown cleanup on October 7, 2023. Those interested in volunteering can sign up on the DDA website.

Mayor Pro-Tem Osika announced the Historical Commission's 2023 Christmas Party will be celebrating the 100th birthday of Curwood Castle. The event will be held December 9th at the Conservation Club and tickets are \$20. She also noted that she was present for the dedication of Habitat for Humanity's most recent home build. She said the home is beautiful and the new homeowners were grateful and proud.

Mayor Teich noted that this Habitat Home is the first of 6 homes that will be built in the county over the course of the next 12-24 months.

Mayor Teich indicated the price for the fire truck remains the same.

Councilmember Fear said that the plaster repairs in the Council Chambers looked great and it was nice to see the place looking good again.

NEXT MEETING

Monday, October 16, 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 Mayor Pro-Tem Osika for adjournment at 7:50 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.