CITY OF OWOSSO REGULAR MEETING OF THE CITY COUNCIL MINUTES OF FEBRUARY 20, 2024 7:30 P.M. VIRGINIA TEICH CITY COUNCIL CHAMBERS

PRESIDING OFFICER: MAYOR ROBERT J. TEICH, JR.

OPENING PRAYER: MARLENE WEBSTER

OWOSSO CITY CHURCH

PLEDGE OF ALLEGIANCE: TIM SCHMIG

PRESENT: Mayor Robert J. Teich, Jr., Mayor Pro-Tem Susan J. Osika,

Councilmembers Janae L. Fear, Jerome C. Haber, Daniel A.

Law, and Emily S. Olson.

ABSENT: Councilmember Nicholas L. Pidek.

APPROVE AGENDA

Motion by Councilmember Olson 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 FEBRUARY 5, 2024

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of February 5, 2024 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Tim Schmig, 523 E. Mason Street, shared how happy he is to live in the city of Owosso but requested that the city do more to help with blighted properties. He brought photos of a house in his neighborhood and asked for enforcement of code violations at that house.

CONSENT AGENDA

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

<u>Emergency Repair Authorization – WWTP Tertiary Pump #1</u>. Authorize the emergency repair and reinstallation of Tertiary Pump #1 at the WWTP by MJO Holdings Corporation dba Professional Pump, Inc. and further authorize payment to the contractor in the amount of \$19,820.00 upon satisfactory installation of said equipment.

RESOLUTION NO. 12-2024

AUTHORIZING EMERGENCY REPAIR OF WWTP TERTIARY PUMP #1 BY PROFESSIONAL PUMP, INC. OF BELLEVILLE, MICHIGAN

WHEREAS, the City of Owosso, Shiawassee County, Michigan, is required to handle a constant supply of wastewater from its City and regional customers in accordance with state and federal regulatory requirements, and

WHEREAS, the periodic removal and rehabilitation of equipment at the Waste Water Treatment Plant is required to maintain the ability to properly treat waste water; and

WHEREAS, WWTP Tertiary Pump #1 was removed for rehabilitation in November 2023, and the estimate for rehabilitation was deemed excessive; and

WHEREAS, time is of the essence as spring approaches and peak flows are a possibility; and

WHEREAS, the City's Director of Public Services and Utilities recommends authorizing Professional Pump, Inc. to provide the necessary services in the amount of \$19,820.00.

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

FIRST: The City of Owosso has heretofore determined that it is advisable, necessary

and in the public interest to authorize the emergency repair of WWTP Tertiary Pump #1 as proposed by Professional Pump, Inc. and to waive the competitive solicitation process as normally required by the City Purchasing Policy.

SECOND: The service agreement between the City and Professional Pump, Inc. shall be in

the form of Quote No. ch-012424-1 and a City purchase order.

THIRD: The accounts payable department is authorized to submit payment to

Professional Pump, Inc. in the amount of \$19,820.00 upon satisfactory

reinstallation of the equipment.

FOURTH: The above expenses shall be paid from account no. 599-901-977.000.

*Bid Award - Chip Seal Program. Approve bid award to Highway Maintenance and Construction Company for the 2024 Chip Seal Program in the amount of \$91,000.00, plus a contingency of \$8,000.00 to be used upon written permission, and further approve payment to the contractor up to the contract amount plus the contingency.

RESOLUTION NO. 13-2024

AUTHORIZING THE EXECUTION OF A CONTRACT WITH HIGHWAY MAINTENANCE AND CONSTRUCTION COMPANY FOR THE 2024 CHIP SEAL PROJECT

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has determined that it is in the best interest of the public to perform surface improvements along portions of selected streets as set forth in the contract documents; and

WHEREAS, the City has sufficient funds to perform said improvements from its major and local street maintenance funds to facilitate undertaking of the project; and

WHEREAS, the City of Owosso sought bids for the 2024 Chip Seal Project, and a bid was received from Highway Maintenance and Construction Company and it is hereby determined that Highway Maintenance and Construction Company is qualified to provide such services 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 employ Highway Maintenance and Construction

Company for the 2024 Chip Seal Project.

SECOND: The Mayor and City Clerk are instructed and authorized to sign the contract for

services between the City of Owosso, Michigan and Highway Maintenance and

Construction Company, in an amount not to exceed \$91,100.00.

THIRD: The Accounts Payable department is authorized to pay Highway Maintenance

and Construction Company for work satisfactorily completed on the project up to the contract amount of \$91,100, plus contingency in the amount of \$8,000.00 for

a total of \$99,100.00.

FOURTH: The above expenses shall be paid from the FY24-25 major and local street

maintenance account nos. 202-463-818.000 and 203-463-818.000.

*Bid Award - 2024 Sidewalk Program. Approve bid award to Lopez Concrete Construction, LLC for the 2024 Sidewalk Program in the amount of \$137,530.00, plus a contingency of \$20,000.00 for additional restoration and replacement services required during the fiscal year, and further approve payment to the contractor up to \$157,530.00 upon satisfactory completion of project or portion thereof.

RESOLUTION NO. 14-2024

AUTHORIZING THE AWARD OF THE 2024 SIDEWALK PROGRAM TO LOPEZ CONCRETE CONSTRUCTION, LLC OF LANSING, MICHIGAN

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined sections of the sidewalk on various streets in the City have become misaligned, deteriorated, or damaged thus replacement is advisable, necessary, and in the public's best interest; and

WHEREAS, the city of Owosso sought bids for the replacement of these sections of sidewalk as part of the 2024 Sidewalk Program, and the low responsive bid was received from Lopez Concrete Construction, LLC in the amount of \$137,530.00; and

WHEREAS, Lopez Concrete Construction, LLC is hereby determined to be qualified to provide such 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 heretofore determined that it is advisable, necessary and in the public's best interest to employ Lopez Concrete Construction, LLC to replace sections of damaged or misaligned sidewalk as part of the 2024

Sidewalk Program.

SECOND: The mayor and city clerk are instructed and authorized to sign the necessary

documents to execute the services contract with Lopez Concrete Construction,

LLC in the amount of \$137,530.00.

THIRD: The accounts payable department is authorized to pay Lopez Concrete

Construction, LLC for work satisfactorily completed on the project up to the initial contact amount of \$137,530.00 plus contingency in the amount of \$20,000.00

with prior authorization for a total of \$157,530.00.

FOURTH: The above expenses shall be paid from FY2024-25 Major and Local Street

Maintenance Funds accounts 202-463-818.000 and 203-463-818.000, and other

funds as appropriate.

<u>Bid Award – Tire Changer</u>. Authorize bid award to Mohawk Lifts, LLC for one Hunter Engineering Company Tire Changer, Model TCX53H, with accessories in the amount of \$11,773.93, and further authorize payment to the vendor upon satisfactory delivery of said equipment.

RESOLUTION NO. 15-2024

AUTHORIZING THE EXECUTION OF PURCHASE ORDER WITH MOHAWK LIFTS, LLC FOR TABLETOP CLAMPING TYPE TIRE CHANGER

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has determined that it is in the best interest of the public to maintain the City's large fleet of vehicles and equipment; and

WHEREAS, the City sought bids for a Tabletop Clamping Type Tire Changer to provide a safe working environment for staff while maintaining said equipment; and

WHEREAS, the City has sufficient funds to purchase said equipment from its fleet maintenance fund; and

WHEREAS, the City of Owosso sought bids for the Tabletop Clamping Type Tire Changer, and a bid was received from Mohawk Lifts, LLC and it is hereby determined Mohawk Lifts, LLC is qualified to provide said equipment 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 purchase one Hunter Engineering Company Tire Changer, Model TCX53H, and accessories, from Mohawk Lifts, LLC.

SECOND: The contract for this purchase will be in the form of a City Purchase Order in the

amount of \$11,773.93.

THIRD: The accounts payable department is authorized to pay Mohawk Lifts, LLC for

equipment supplied up to the purchase order amount of \$11,773.93.

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

*Contract Authorization – Gould House Real Estate Services. Authorize contract with Lucy Ham Group, Inc. dba Ham Group Realty for real estate services related to the sale of the Amos Gould House, as recommended by the Historical Commission.

RESOLUTION NO. 16-2024

AUTHORIZING CONTRACT WITH HAM GROUP REALTY FOR REAL ESTATE SERVICES IN THE SALE OF THE AMOS GOULD HOUSE

WHEREAS, the city of Owosso, Shiawassee County, Michigan, Owosso Historical Commission owns the Amos Gould House located at 515 N. Washington Street, Owosso, MI 48867; and

WHEREAS, the Owosso Historical Commission has decided the property is underused and maintenance costs are not sustainable; and

WHEREAS, the Owosso City Council has authorized the Owosso Historical Commission to sell the Amos Gould House.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Owosso, Shiawassee County, Michigan that the City of Owosso does hereby accept the terms of the Agreement as received from Lucy ham Group, Inc. dba Ham Group Realty and that the City of Owosso does hereby specifically agree, but not by way of limitation, as follows:

FIRST: The City of Owosso authorizes the contract with Lucy ham Group, Inc. dba Ham

Group Realty, substantially in the form attached, for real estate services for the

Amos Gould House.

SECOND: The City of Owosso designates the Mayor and City Clerk as the authorized

signers for contract.

Warrant No. 640. Authorize Warrant No. 640 as follows:

Vendor	Description	Fund	Amount
Gould Law PC	Services from January 9, 2024 through February 13, 2024	Various	\$13,819.78

Motion supported by Councilmember Law.

Roll Call Vote.

AYES: Councilmembers Haber, Olson, Fear, Mayor Pro-Tem Osika, Councilmember

Law, Mayor Teich.

NAYS: None.

ABSENT: Councilmember Pidek.

ITEMS OF BUSINESS

City Budget Amendment

Motion by Mayor Pro-Tem Osika to approve the resolution to adopt the 6-month budget amendments as follows:

RESOLUTION NO. 17-2024

GENERAL APPROPRIATIONS ACT (BUDGET) 6 MONTH BUDGET AMENDMENTS FOR FYE 6-30-2024

WHEREAS, pursuant to Chapter 8, Section 5 of the Owosso City Charter, the City Council has received the proposed budget for the fiscal year beginning July 1, 2023 and held a public hearing on May 1, 2023 and;

WHEREAS, pursuant to Chapter 8, Section 5 of the Owosso City Charter, the City Council approved the budget for the fiscal year beginning July 1, 2023 on May 15, 2023; and

WHEREAS, amendments to the approved budget are necessary.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Owosso hereby adopts the amended Fiscal Year 2023 – 2024 Budget with six-month amendments as reflected below:

Section 1: Estimated Expenditures

The following appropriations are hereby amended for the operations of the City Government and its activities for the fiscal year beginning July 1, 2023 and ending June 30, 2024:

FUND NUMBER	NAME OF FUND	AMENDED APPROPRIATIONS
101	GENERAL FUND	
Department 101	CITY COUNCIL	8,060
Department 171	CITY MANAGER	326,390
Department 201	FINANCE	244,107
Department 210	CITY ATTORNEY	120,000
Department 215	CLERK	319,829
Department 228	INFORMATION & TECHNOLOGY	294,655
Department 253	TREASURY	233,555
Department 257	ASSESSING	214,442
Department 261	GENERAL ADMIN	401,557
Department 262	ELECTION	63,561
Department 265	BUILDING & GROUNDS	203,875
Department 270	HUMAN RESOURCES	219,575
Department 301	POLICE	3,151,114
Department 336	FIRE	3,228,294
Department 371	BUILDING AND SAFETY	29,880
Department 441	PUBLIC WORKS	610,091
Department 528	LEAF AND BRUSH COLLECTION	317,813
Department 585	PARKING	37,444
Department 720	COMMUNITY DEVELOPMENT	80,376
Department 751	PARKS	429,758
Department 966	TRANSFERS OUT	81,921
	TOTAL GENERAL FUND APPROPRIATIONS	10,616,297
202	MAJOR STREET FUND	3,366,551
203	LOCAL STREET FUND	1,659,537
208	PARK/RECREATION SITES FUND	26,016
239	OMS/DDA REVLG LOAN FUND	43,971
243	OBRA #12 WOODWARD LOFT	134,142
248	DOWNTOWN DEVELOPMENT AUTHORITY	376,995
249	BUILDING INSPECTION FUND	267,114
254	HOUSING & REDEVELOPMENT	1,299,746
259	OBRA-DIST#15 -ARMORY BUILDING	48,472
239	OBRA FUND-DISTRICT #17 CARGILL	40,472
272	(PREV #8)	178,719
273	OBRA #9 ROBBINS LOFT	1,200
276	OBRA FUND DISTRICT #16 - QDOBA	31,472
277	OBRA FUND DISTRICT #20 - J&H OIL	53,786
283	OBRA FUND-DISTRICT#3-TIAL	20,142
287	ARPA - AMERICAN RESCUE PLAN ACT	1,387,873
297	HISTORICAL FUND	58,630
301	GENERAL DEBT SERVICE (VOTED BONDS)	782,750
469	CAPITAL PROJECTS-BUILDING AUTHORITY	10,194
588	TRANSPORTATION FUND	84,073
590	SEWER FUND	3,227,186
591	WATER FUND	12,559,365
599	WASTEWATER FUND	24,851,098
661	FLEET MAINTENANCE FUND	1,603,614
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Section 2: Estimated Revenues

The following revenues are hereby amended of the City Government for the fiscal year beginning July 1, 2023 and ending June 30, 2024 to meet the foregoing appropriations:

FUND NUMBER	NAME OF FUND	AMENDED REVENUES
101	GENERAL FUND	10,666,180
202	MAJOR STREET FUND	2,405,692
203	LOCAL STREET FUND	1,098,820
208	PARK/RECREATION SITES FUND	5,046
239	OMS/DDA REVLG LOAN FUND	30,750
243	OBRA #12 WOODWARD LOFT	134,192
248	DOWNTOWN DEVELOPMENT AUTHORITY	367,788
249	BUILDING INSPECTION FUND	362,111
254	HOUSING & REDEVELOPMENT	1,303,962
259	OBRA-DIST#15 -ARMORY BUILDING OBRA FUND-DISTRICT #17 CARGILL	48,717
272	(PREV #8)	198,942
273	OBRA #9 ROBBINS LOFT	5,821
276	OBRA FUND DISTRICT #16 - QDOBA	28,814
277	OBRA FUND DISTRICT #20 - J&H OIL	53,950
283	OBRA FUND-DISTRICT#3-TIAL	15,597
284	OPIOID SETTLEMENT FUND	5,185
287	ARPA - AMERICAN RESCUE PLAN ACT	30,000
297	HISTORICAL FUND	64,852
301	GENERAL DEBT SERVICE (VOTED BONDS)	672,803
469	CAPITAL PROJECTS-BUILDING AUTHORITY	325
588	TRANSPORTATION FUND	29,074
590	SEWER FUND	3,322,420
591	WATER FUND	11,661,938
599	WASTEWATER FUND	24,856,975
661	FLEET MAINTENANCE FUND	936,106
858	2013 SPECIAL ASSESSMENT	1,071
864	2016 SPECIAL ASSESSMENT	3,507
865	2017 SPECIAL ASSESSMENTS	14,505
866	2018 SPECIAL ASSESSMENTS	44,874
867	2019 SPECIAL ASSESSMENTS	18,562
868	2020 SPECIAL ASSESSMENTS	18,221
869	2021-20XX SPECIAL ASSESSMENTS	131,059

Section 3: Adoption of Budget by Reference

The general fund budget of the City of Owosso is hereby amended and adopted by reference, with revenues and activity expenditures as indicated in Sections 1 and 2 of this act.

Section 4: City Council Adoption

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Pidek.

*Grant Acceptance - CIS/Miner Trail Connections & Improvements

Motion by Mayor Pro-Tem Osika to approve the resolution accepting a \$4.4 million grant to connect the CIS and James Miner Trails and approving a contract with the Michigan Department of Transportation (MDOT) setting forth the terms of the grant as follows:

RESOLUTION NO. 18-2024

ACCEPTING CONTRACT NO. 24-5073 WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION FOR TRAIL CONNECTIONS AND IMPROVEMENTS FROM PRIEST ROAD TO OAKWOOD AVENUE

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has determined that park and recreation facilities are important to the community as a whole; and

WHEREAS, the City of Owosso, has applied for and been selected for \$4.4 million (\$4,400,000.00) in funding through the Fiscal Year 2024 State Earmark approved via Public Act 119 of 2023 by the State of Michigan, to be used for trail connections and improvements from Priest Road in Shiawassee County to Oakwood Avenue in the city of Owosso; and

WHEREAS, the trail connections and improvements will bring the Clinton – Ionia – Shiawassee Trail into the city of Owosso and connect it with the James S. Miner River Walk and will allow for both visitors and residents to utilize the regional trail and provide enhanced recreation opportunities.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Owosso, Shiawassee County, Michigan that the City of Owosso does hereby accept the terms of Contract No. 24-5073 as received from the Michigan Department of Transportation, and that the City of Owosso does hereby specifically agree, but not by way of limitation, as follows:

FIRST: The City of Owosso commits to construct the project and provide such funds,

services, and materials as may be necessary to satisfy the terms of said

Agreement.

SECOND: The City of Owosso designates the City Manager as the authorized signer for

said contract.

Motion supported by Councilmember Law.

Roll Call Vote.

AYES: Councilmembers Law, Fear, Mayor Pro-Tem Osika, Councilmembers Olson,

Haber, Mayor Teich.

NAYS: None.

ABSENT: Councilmember Pidek.

Gould House Deed Restrictions

Motion by Mayor Pro-Tem Osika to approve a resolution authorizing deed restrictions for the Amos Gould House as follows:

RESOLUTION NO. 19-2024

AUTHORIZING DEED RESTRICTIONS FOR THE AMOS GOULD HOUSE

WHEREAS, the city of Owosso, Shiawassee County, Michigan, Historical Commission owns the Amos Gould House located at 515 N. Washington Street, Owosso, MI 48867; and

WHEREAS, the Historical Commission has decided the property is under used and maintenance costs are not sustainable; and

WHEREAS, the Owosso City Council has authorized the Historical Commission to sell the Amos Gould House; and

WHEREAS, the City Council has decided to sell the house with deed restrictions in order to preserve the historic aesthetics of the property.

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 approve the deed restrictions for the Amos Gould House located at 515 N. Washington Street, Owosso, MI 48867 substantially in the form attached.

DEED RESTRICTIONS

RE: Lots 1,2,3, and 4, in Block 33, of the Original Plat of the Village (now City) of Owosso, Shiawassee County, Michigan.

These Deed Restrictions attached to and made a part of the Warranty Deed covering the sale of the premises to the Purchaser (Grantee) are covenants running with the land and are binding upon all the heirs, personal representatives, assignees, and subsequent purchasers from the Purchaser herein and are in addition to the zoning restrictions and uses applicable to the said real estate by virtue of the zoning regulations of the City of Owosso, Shiawassee County, Michigan.

- 1. The Grantee accepts that no significant exterior alterations (e.g. the installation of siding that is not era appropriate to the Dwelling's original construction or the reconfiguration of entryways, or new construction that expands the area/size of the Dwelling, etc.) will be made to the property without prior written permission from the City of Owosso (Grantor), its successors or assigns. It is the intention of the Grantor to preserve the historical exterior aesthetics both in a neutral color (colors which are muted shades that appear to lack color but often have underlying hues that change with different lighting, e.g. beige, taupe, gray, cream, etc.) and features as of the date of the Dwelling's original construction and/or the state of the Dwelling as of the date of this Deed. The term "Dwelling" shall be inclusive of the carriage house.
- 2. If the Grantee intends to undertake future work contrary to the aforementioned restriction that may affect the Property, the Grantee must give 45 days prior written notice to the Grantor through the Owosso City Clerk.
- 3. These restrictions shall run with the land and be binding on the Grantee, its successors and assigns. The Grantee agrees to provide notice of the Restrictions in any deed or other legal instrument in which it divests itself of either fee simple title or some other lesser estate in the Property.
- 4. This Deed constitutes the entire agreement between the parties and may only be amended in writing by the Grantee with the written approval of the Grantor. No amendment will be effective unless it is executed in the same manner as this Deed was originally executed, expressly refers to this Deed and is recorded in the Register of Deeds Office in the County of Shiawassee.
- 5. If any provision of this Deed or the restrictions within or any amendment thereto is found to be illegal or otherwise unenforceable by a court of competent jurisdiction, such provision will be severed from the remainder of the Deed and such action will not affect the enforceability of the remaining provisions of the Deed.
- 6. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant herein contained or to restrain violation thereof or to recover damages, or both, which action may be brought by the City of Owosso.

Motion supported by Councilmember Haber.

Roll Call Vote.

Councilmembers Law, Mayor Pro-Tem Osika, Councilmembers Fear, Haber, AYES:

Olson, Mayor Teich.

NAYS: None.

ABSENT: Councilmember Pidek.

COMMUNICATIONS

N. Bradley Hissong, Building Official. January 2024 Building Department Report.

N. Bradley Hissong Building Official. January 2024 Code Violations Report.

N. Bradley Hissong Building Official. January 2024 Inspections Report.

N. Bradley Hissong Building Official. January 2024 Certificates Issued Report.

Kevin D. Lenkart, Public Safety Director. January 2024 Police Report. Kevin D. Lenkart, Public Safety Director. January 2024 Fire Report.

Parks & Recreation Commission. Minutes of January 24, 2024.

<u>Downtown Development Authority/Main Street</u>. Minutes of February 7, 2024.

Historical Commission. Minutes of February 12, 2024.

CITIZEN COMMENTS AND QUESTIONS

None.

NEXT MEETING

Monday, March 04, 2024, 7:30 p.m. - Regular

BOARDS AND COMMISSIONS OPENINGS

Building Board of Appeals – Alternate - term expires June 30, 2024 Building Board of Appeals – Alternate - 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 Law for adjournment at 7:48 p.m.

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

Robert J. Teich, Jr., Mayor

Amy K. Fuller, Assistant City Manager

^{*}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.