

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF AUGUST 1, 2022
7:30 P.M.
VIRGINIA TEICH CITY COUNCIL CHAMBERS**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: COUNCILMEMBER NICHOLAS L. PIDEK

PLEDGE OF ALLEGIANCE: MAYOR CHRISTOPHER T. EVELETH

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

ABSENT: None.

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 JULY 18, 2022

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of July 18, 2022 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

Proposed Special Assessment District No. 2022-02 – Hazards and Nuisances

City Manager Nathan R. Henne explained the Proposed Special Assessment was for the demolition of 900 Ada Street in the amount of \$19,007.00 to be paid back over a 10-year period with 6% interest compounded. A judgement was received from the Circuit court for the approval of demolition.

Motion by Mayor Pro-Tem Osika to approve proposed Special Assessment District No. 2022-02, Hazards and Nuisances, as it relates to unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances at 900 Ada Street as follows:

RESOLUTION NO. 110-2022

**AUTHORIZING THE ROLL FOR
SPECIAL ASSESSMENT DISTRICT NO. 2022- 02 - HAZARDS & NUISANCES
FOR 900 ADA STREET**

WHEREAS, the City Council has met, after due and legal notice, and reviewed the Special Assessment Roll for Hazards and Nuisances District No. 2022-02 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 following described property:

PARCEL#	SERVICE ADDRESS	TYPE	AMOUNT
050-310-002-003-00	900 Ada Street	Demolition of structure including court costs & consulting fees	\$ 19,007.00

and

WHEREAS, after hearing all persons interested therein and after carefully reviewing said Special Assessment Roll-Hazards and Nuisances the Council deems said Special Assessment Roll-Hazards and Nuisances to be fair, just and equitable and that the assessment contained thereon results in the special assessment being in accordance with the unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances of said property.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said Special Assessment Roll-Hazards and Nuisances as prepared by the City Assessor in the amount of \$19,007.00 is hereby confirmed and shall be known as Special Assessment Roll-Hazards and Nuisances District No. 2022- 02.
2. Pursuant to MCL 211.78k(c) said special assessment roll shall be divided into ten (10) equal annual installments, the first of which shall be due and payable on September 1, 2022, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by November 1, 2022.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2022 and shall be paid annually on each installment due date.
4. Said Special Assessment Roll-Hazards and Nuisances District No. 2022-02 shall be placed on file in the office of the City Clerk who shall attach his warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, Owosso Township resident, detailed the recent 7th Annual Organic Cruise had around 9,000 attendees with an estimated 400-500 cars. He has photos and videos on his Facebook page for those interested.

Linda Haddix, 1306 S. Meadow Dr., Lennon, 48449, explained that on July 5, 2022 her vehicle was towed by the Owosso Police Department. She requested Maximum Towing perform the service, but was told the City's no-preference service provider, Allstar Towing, would be used. She was able to recover her vehicle by 9:00am the next day and was charged \$175; the company would only allow cash payment. She found the entire process to be unfair and unnecessarily restrictive. She filed a complaint and has provided receipts to the City Attorney, City Manager, Councilmember Law and Mayor Eveleth's office. She mentioned she was made aware of a similar situation where a vehicle was towed and the owner was allowed to request Maximum Towing.

City Attorney Scott Gould stated he has not had a chance to respond to the complaint, he will have to contact the County's Prosecutors office for any directive that was given at the time of the incident.

Chief Lenkart responded to Ms. Haddix that he did not get a copy of her complaint but that footage of the incident in question was reviewed and that proper policy was followed by the Police Department. The vehicle was already hooked and loaded on to Allstar's tow truck when Maximum Towing was requested. Once a vehicle is hooked to a tow truck it is considered property of the tow company for the purpose of impounding. He will send her a letter for her own record stating the same.

Councilmember Teich inquired about the requirement of cash payment and if it was acceptable practice.

Chief Lenkart responded that is their option as a private company to accept money in any manner they see fit.

Mayor Eveleth will have City Clerk Amy Kirkland look into stipulations for future bids that payments for services cannot be a cash only option.

Jeff Turner, 204 Oakwood Ave., expressed he was not impressed by the way Cruise attendees behaved. He stated they were spinning tires in the streets and causing damage that is then paid by City Tax payers; he also believes people were possibly drinking outside of the allowed social district.

Mike Cline, 204 Stratford Dr., advised he noticed a new shed was being constructed at a Councilmember's house without a proper permit. He produced a copy of an Accessory Structure permit from the Building Department and advised the fee was \$75 and would like this individual to acknowledge their wrongdoing.

Councilmember Pidek responded to Mr. Cline that he made an error in not obtaining a permit for his shed construction. He welcomes any constructive criticism, reminders, and open discussion with residents about their concerns and is thankful that neighbors are watching for any non-compliance of City procedures.

CONSENT AGENDA

Motion by Councilmember Law to approve the Consent Agenda as follows:

Bid Award – Meter Pit Parts. Accept the low bid from Etna Supply for meter pit parts and authorize payment in accordance with unit prices not to exceed \$46,725.00 as follows:

RESOLUTION NO. 111-2022

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ETNA SUPPLY FOR METER PIT PARTS

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

WHEREAS, meter pits will be required to be replaced as part of replacing noncompliant water service lines and additional meter pit 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 Meter Pit Parts, and a bid was received from Etna Supply and it is hereby determined Etna Supply 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 purchase from Etna Supply for the Meter Pit Parts bid.
- SECOND: The Mayor and City Clerk are instructed and authorized to sign the documents for the creation of a purchase order for services between the City of Owosso, Michigan and Etna Supply, in an amount not to exceed \$46,725.00.
- THIRD: The accounts payable department is authorized to pay Etna Supply for materials supplied up to the purchase order amount of \$46,725.00.
- FOURTH: The above expenses shall be paid from the account no. 591-000-101.000.

AclaraONE System Support Level Upgrade. Approval of the proposal from Aclara of St. Louis, Missouri to upgrade the current water meter reading system and support level from the base level to AclaraONE with Premier support level, for the additional amount of \$26,050.00 as follows:

RESOLUTION NO. 112-2022

APPROVAL OF PROPOSAL PROVIDED BY ACLARA OF ST. LOUIS, MISSOURI TO UPGRADE THE WATER METER READING SYSTEM TO ACLARA ONE FOR USE IN THE WATER BILLING DEPARTMENT

WHEREAS, the City of Owosso, Shiawassee County, Michigan, entered into a contract for the installation of an automatic meter reading (AMR) Fixed Network Administrator system with Aclara by the adoption of Resolution 37-2017 on March 20, 2017; and

WHEREAS, the City and Director of Public Services & Utilities sees the need to upgrade the AMR system to AclaraONE with Premier support level to avoid obsolescence of system support and to enhance management reporting tools and metered account troubleshooting capabilities not available in the prior NCC/STAR AMR system.

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 upgrade the existing NCC/STAR AMR Fixed Network Administrator system with Base to the AclaraONE with Premier AMR system for the additional amount of \$26,050.00.
- SECOND: The accounts payable department is authorized to submit payment to Aclara of St. Louis, Missouri in the total amount not to exceed \$58,450.00 for AMR maintenance services.
- THIRD: The above expenses shall be paid from the Water Fund and Sewer Fund.

Aclara ACE Customer Portal. Approval of the proposal from Aclara of St. Louis, Missouri for annual service provider fees for the Aclara Adaptive Consumer Engagement (ACE) customer access portal system in the amount of \$45,000.00

RESOLUTION NO. 113-2022

**APPROVAL OF PROPOSAL PROVIDED BY ACLARA OF ST. LOUIS, MISSOURI
FOR ANNUAL MAINTENANCE OF THE ACE CUSTOMER PORTAL SYSTEM
FOR USE IN THE WATER BILLING DEPARTMENT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, entered into a contract for the installation of an automatic meter reading (AMR) Fixed Network Administrator system with Aclara by the adoption of Resolution 37-2017 on March 20, 2017; and

WHEREAS, the City and Director of Public Services & Utilities added and implemented a new customer service to water billing information called Aclara Adaptive Consumer Engagement (ACE) system to allow customers to better understand and manage their water billing account.

WHEREAS, an annual service provider fee is required for system maintenance.

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 maintain the ACE system in the amount of \$45,000.00.
- SECOND: The accounts payable department is authorized to submit payment to Aclara of St. Louis, Missouri in an amount not to exceed \$45,000.00 over the course of years two and three of the ACE contract.
- THIRD: The above expenses shall be paid from the Water Fund 591.200.818.000 and Sewer Fund 590.200.818.000.

Traffic Control Order – Vintage Motorcycle Days. Consider request from Owosso Main Street/DDA for closure of Main Street Plaza and South Washington Street from Main Street to Jerome Avenue and Comstock St. from Water St. to Washington St. on Saturday, August 27, 2022 from 6:00 am until 6:00 pm for Owosso Vintage Motorcycle Days and approve Traffic Control Order No. 1475 formalizing the request.
Master Plan Implementation Goals: 1.7, 1.17, 4.2, 4.6, 5.9, 5.12

ArtWalk Permission. Approve the application of Owosso Main Street/DDA for use of Main Street Plaza and closure of S. Washington Street from Main Street to Comstock Street on September 10, 2022 from 10:00 am to 10:00 pm for the ArtWalk event, waive the insurance requirement, and authorize Traffic Control Order No. 1476 formalizing the requested closure.
Master Plan Implementation Goals: 1.7, 1.17, 4.2, 4.6, 5.9, 5.12

Antique Bicycle Swap Meet and Ride Traffic Control Order. Approve request from Rick Morris of Westown Merchant’s Association for closure of Lot #11, 800 West Main Street, for an Antique Bicycle Show and Swap Meet on Sunday, August 14, 2022 from 8:00 am until 3:00 pm and approve Traffic Control Order No. 1477 formalizing the request.
Master Plan Implementation Goals: 1.7, 1.17, 4.2, 4.6, 5.9, 5.12

Moonlight Market. Approve the request from Josephine Brown, Executive Director of the Downtown Owosso Farmers Market, for the street closure from Curwood Castle Drive from M-52 to Bradley Street the Moonlight Market event and approve Traffic Control Order No. 1479 formalizing the request.
Master Plan Implementation Goals: 1.7, 1.17, 4.2, 4.6, 5.9, 5.12

Check Register – July 2022. Affirm check disbursements totaling \$1,328,253.64 for July 2022.

Warrant No. 618. Authorize Warrant No. 618 as follows:

Vendor	Description	Fund	Amount
Waste Management	Service Period 6/16/2022-6/30/2022	WWTP/ Streets	\$10,597.21
Shiawassee Economic Development Partnership	2022-2023 Annual Investment	General	\$20,000.00

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

Name	Board/Commission	Term Expires
Stephen Schlaack	Planning Commission	06-30-2025

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

OMS/DDA Revolving Fund Loan & Grant Program Manual Revisions

City Manager Nathan Henne provided an explanation that the manual revisions will ensure the following:

1. The fund balance does not drop below \$250,000, currently it sits at \$562,000.
2. There is an application and processing fee of \$350.
3. A requirement of a business plan for business development loans if the applicants business is less than 1 year old.
4. Requires complete loan repayment if there is a transfer of property ownership before the loan term has expired.
5. A new grant of up to \$12,500 to assist eligible applicants in the removal or filling in of vaults under the sidewalks.
6. Overall interest rate is to be set at Prime +1.

Councilmember Pidek agreed these are good changes for the program. He doesn't agree with the interest rate of Prime +1 but understands the need for an increase and acknowledged that the DDA reviews these charges annually for what works and possibly what needs amended.

Mayor Pro-Tem Osika confirmed that at the last DDA meeting there was a lengthy discussion held regarding the interest rate being set at Prime +1 and that in a year it will be revisited for discussion once more on the impact it has had.

Motion by Councilmember Fear to approve the proposed revisions to the OMS/DDA Revolving Fund Loan & Grant Program Manual and corresponding applications as recommended by the OMS/DDA Board as follows:

RESOLUTION NO. 114-2022

**AUTHORIZE THE APPROVAL OF
OMS/DDA REVOLVING LOAN FUND MANUAL REVISIONS**

WHEREAS, in 1994 the city of Owosso established the Downtown Owosso Revolving (formerly UDAG/CDBG) Loan Program for projects within the Owosso Downtown Development Authority district; and

WHEREAS, on June 17, 2019 City Council approved the new OMS/DDA Revolving Loan & Grant Program, giving stewardship of the loan and grant process to the Owosso Main Street/DDA Board; and

WHEREAS, on Thursday, February 24, 2022 during the Revolving Loan Fund Subcommittee meeting recommended the following changes to the RLF Manual and Applications: Monies are available until the \$250,000.00 reserve is met, (4) grants per year max, \$350.00 application processing fee for those awarded funds, underground sidewalk vaults are eligible for up to a \$12,500.00 grant, and all business development loans require a small business plan if operating under one year; and

WHEREAS, on Wednesday, April 6, 2022 during the Regular Board Meeting, the OMS/DDA Board of Directors approved changes to the RLF Manual and Applications; and

WHEREAS, on Friday, June 24th, 2022 during the Revolving Loan Fund Subcommittee meeting recommended the following changes to the RLF Manual and Applications: Interest rate to increase from 3% to 5% and property development funds be paid in full if there is a transfer in the property title; and

WHEREAS, on Wednesday, July 20, 2022 during the Regular Board Meeting, the OMS/DDA Board of Directors approved changes to the RLF Manual and Applications and modified the interest rate from 5% to the prime interest rate plus 1%.

NOW THEREFORE BE IT RESOLVED by the city council of the city of Owosso, Shiawassee County, Michigan that:

FIRST: The City of Owosso approves the revisions to the OMS/DDA Loan & Grant Manual.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

OPRA/BRA Development Agreement - 123 N. Washington Street

City Manager Nathan Henne explained the resolution is to approve the required development agreement per the Tax Abatement Policy; this is for the recently approved Obsolete Property Rehabilitation certificate and Brownfield plan issued for the 123 N. Washington Street redevelopment project. The agreement requires developers to complete the project as approved in the plan and failure to complete the project per the agreement can result in charge back for the abated taxes up to that point.

Motion by Mayor Pro-Tem Osika to approve OPRA/BRA Development Agreement for the 123 N. Washington Street Project as follows:

RESOLUTION NO. 115-2022

**RESOLUTION APPROVING THE OPRA DEVELOPMENT AGREEMENT FOR
123 N WASHINGTON STREET**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved an Obsolete Property Tax Abatement certificate to Woodworth Investments, LLC (Owner) for the redevelopment project at 123 N. Washington Street at the regular council meeting of July 5, 2022; and

WHEREAS, the City of Owosso approved a Brownfield Plan for said project at the regular council meeting of July 18, 2022; and

WHEREAS, the City of Owosso Tax Abatement Policy requires the Owner and the City sign a development agreement for any tax abatement granted; and

WHEREAS, the project includes the addition of nine (9) new downtown residential units and an exterior renovation within the historic district with a total cost of \$2,932,970; and

WHEREAS, the value of the OPRA certificate is estimated at \$213,131 and the value of the Brownfield Plan is estimated at \$402,995; and

WHEREAS, the redevelopment meets the requirements of the Tax Abatement Policy and serves to further the goals of the City's master plan and the DDA's downtown development goals; and

WHEREAS, it will be required of the owner to submit plans and a permit application to the Owosso Historic District Commission for approval of appropriate exterior design and materials subject to the United States Secretary of the Interior Historic Design Standards and applicable state and local law governing said District.

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

FIRST: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, OPRA and Brownfield Development Agreement between the City and Woodworth Investments, LLC

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

Master Plan Implementation Goals: 1.9, 1.19, 3.21, 4.3, 4.7, 4.14

Changing Special Assessment Annual Installment Dates. Consider approval of changing the special assessment annual installment dates.

City Manager Nathan Henne explained that the resolution will amend the annual installment date for all special assessments to February 28. This date change will save on labor and postage cost because it will be going out with the annual tax bills.

Mayor Eveleth expressed that the change was a great idea and gave credit to staff for making small adjustments that will save money and time.

Motion by Councilmember Pidek to approve the Special Assessment Annual Installment Dates as follows:

RESOLUTION NO. 116-2022

**AUTHORIZING THE DEVIATION FROM THE
ROLL FOR SPECIAL ASSESSMENT DISTRICTS FOR
PUBLIC IMPROVEMENTS - HAZARDS & NUISANCES**

WHEREAS, the City Council has met and reviewed the Special Assessment Rolls for Public Improvements and Hazards and Nuisances Districts, affected Districts listed below, prepared for the purpose of defraying the unpaid costs incurred in the improvement for the public, altering, repairing, tearing down, abating or removing of hazards and nuisances on properties within the City; and

WHEREAS, after hearing the City of Owosso's Department of Finance request for deviating from the original annual installment dates as fixed by council, and after carefully reviewing said Special Assessment Roll-Hazards and Nuisances, the Council deems said Special Assessment Roll-Public Improvements and Hazards and Nuisances to be fair, without additional burden upon the assessed, is a minor deviation from the original specifications and shall be granted as permitted by Local Ordinance 28-8.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said Special Assessment Roll known as Special Assessment Public Improvement District Nos.:

050 201304	KRUST DR-ST RECNSTR-L
050 201601	GOULD/MAIN-CORUNNA-M
050 201701	OLIVER/WASHINGTON-OAK-M
050 201703	STEWART/CHESTNUT-CHIPMAN
050 201704	CHIPMAN/STEWART-M
050 201706	CHIPMAN/OLIVER TO KING-M
050 201707	CHIPMAN/WILLOW SPRINGS-M
050 201709	CHESTNUT/S. TO STEWART-M
050 201801	OLIVER-M
050 201802	HANOVER-L
050 201803	HARDING-L
050 201804	HOWARD-M
050 201805	OLMSTEAD-L
050 201806	STEWART-M
050 201809	INDUSTRIAL PARK-M
050 2019-01	ABREY-L
050 2019-02	ALLENDALE-L
050 2019-07	MONROE-M
050 2019-08	NORTH-L
050 2019-09	PALMER-L
050 2019-10	RYAN-L
050 2019-11	SEVENTH-M
050 2019-13	WASHINGTON-M
050 2019-14	WILLIAMS-M40-L60
050 2020-01	CEDAR - S. TO HAMPTON-M
050 2020-02	CLARK-OLIVER TO KING-L
050 2020-03	NORTH HICKORY TO GOULD M
050 2020-04	SUMMIT-ABBOTT RUBELMAN
050 2021-01	GOULD ST REHAB-M
050 2021-02	GLEN WOOD AVE-L
050 2021-03	GARFIELD AVE-L
050 2021-04	LINCOLN AVE-L
050 2021-05	MCMILLAN AVENUE-L
050 2021-06	PARK STREET-L
050 2021-07	PEARCE STREET-L
050 2022-03	MAPLE AVE-L

2. Said Special Assessment Rolls known as Special Assessment Roll-Hazards and Nuisances District Nos.:

050 2022-01	216 S ELM
050 2022-02	900 ADA STREET

Pursuant to Local ordinance 28-8, said special assessment rolls shall be noticed to the owners of assessed properties upon the same correspondence as the December 1st winter tax bills, and shall

be due and payable by February 14th, 2023, and the subsequent installments shall be due by February 14th of each and every year thereafter. Payment of the amount of the yearly special assessment installment may be made in full without additional interest or penalty by February 14, 2023.

Said deviation relating to the aforementioned Special Assessment Roll-Public Improvements and Hazards and Nuisances Districts shall be placed on file in the office of the City Clerk who shall attach his warrant to a certified copy thereof within ten (10) days commanding the Finance Department to modify the annual installment due dates accordingly as shown thereon as directed by the City Council.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

JARS Location Transfer Request

City Manager Nathan Henne stated this is a location transfer only, the new location has complied with City Ordinance in regards to location distances to schools, residential districts and other dispensaries.

Councilmember Pidek asked Councilmember's Law and Fear directly about the Ordinance surrounding Marihuana as they both sit on the Planning Commission, who helped create the Ordinance. He inquired as to how well they believe the Ordinance is working.

Councilmember Fear says the Planning Commission used careful consideration when creating the Ordinance. The goal was to try and make sure that the Marijuana businesses were wide spread and that each part of town had a new business. She questions if the 100ft requirement from similar businesses is far enough now that two of them will be so close; Planning Commission can and will review the Ordinance and could be open to a change in distance requirements.

Councilmember Law expressed he doesn't see an issue with the move and believes the downtown area could use a boost. He believes with any product, there is always oversaturation and that some companies could potentially fade out.

Mayor Pro-Tem Osika stated that this move is positive due to the fact that JARS will be renovating a building that has long been an eyesore; just as they did for their current location that will now be move-in ready for a new business.

Motion by Mayor Pro-Tem Osika to approve the location transfer request from JARS Cannabis to relocate the Provisioning Center and Adult Retail location from 901 W. Main Street to 200 E. Main Street.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

OZ Ownership Transfer Request

City Manager Nathan Henne explained the resolution is for a license transfer, the location will stay the same and is simply a change of ownership. The \$5,000 transfer application fee was paid and the change is code compliant.

Motion by Councilmember Law to approve the license ownership transfer request from Sandds Operations, LLC to Jacob Ownbey for the Provisioning Center and Adult Retail location at 117 E. Main Street.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

Demolition Authorization & Contract Approval – 1122 S Cedar Street and 917 S Park Street.

City Manager Nathan Henne updated that Smalley Construction Inc. was awarded the bid for a total cost of \$15,600. A Circuit Court Order was issued on May 9, 2022 and June 16, 2022 allowing demolition of both vacant and dilapidated structures.

Mayor Pro-Tem Osika asked if there was a timeline of demolition for 1122 S. Cedar, this property is directly across the street from Bryant School and she would like to see it gone before school resumes.

City Manager Nathan Henne stated a discussion can be had with the contractor as to a start date for 1122 S. Cedar Street since contracts have been signed.

Motion by Mayor Pro-Tem Osika to authorize the demolition of the structures at 1122 S. Cedar Street and 917 S. Park Street and approve bid award to Smalley Construction, Inc. in the amount of \$15,600, and further authorize payment to the contractor upon satisfactory completion of the work or portion thereof as follows:

RESOLUTION NO. 117-2022

**AUTHORIZING THE EXECUTION OF A CONTRACT WITH
SMALLEY CONSTRUCTION, INC.
FOR THE DEMOLITION OF THE STRUCTURES AT
1122 S CEDAR STREET AND 917 S PARK STREET**

WHEREAS, the homes at 1122 S Cedar Street and 917 S Park Street were found to be in a deplorable condition. Cedar Street has been vacant since 2017 and Park Street has been vacant since 2020; and

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that the remains of the houses should be demolished to eliminate blight in the neighborhood and to spur residential redevelopment; and

WHEREAS, the city of Owosso presented these cases to Shiawassee Circuit Court. Cedar Street on May 9, 2022 and Park Street June 16, 2022 and a judgment was entered allowing the immediate demolition of the buildings and assess the cost of such demolition to the real property; and

WHEREAS, the city of Owosso sought bids to demolish the structures at 1122 S Cedar Street and 917 S Park Street; a bid was received from Smalley Construction, Inc. and it is hereby determined that Smalley Construction, Inc. 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 demolish the structures located at 1122 S Cedar Street and 917 S Park Street.
- SECOND: The City of Owosso has further determined that it is advisable, necessary and in the public interest to employ Smalley Construction, Inc. for said demolition.
- THIRD: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Contract for Demolition of 1122 S Cedar Street and 917 S Park Street with Smalley Construction, Inc. in the amount of \$15,600.00.
- FOURTH: The accounts payable department is authorized to pay Smalley Construction, Inc. for work satisfactorily completed on the project up to the bid amount.
- FIFTH: The above expenses shall be paid from 101-371-818.000.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

Master Plan Implementation Goals: 1.1, 1.13, 2.6

COMMUNICATIONS

Planning Commission: Minutes of July 25, 2022

CITIZEN COMMENTS AND QUESTIONS

Linda Haddix of 1306 S. Meadow Dr., Lennon, 48449 responded to Chief Lenkart; she claims her vehicle was not loaded onto Allstar at the time of her request. She once again reiterated the responding officer told her she had no choice but to use Allstar. She still doesn't understand the requirement of cash payment and feels this is an unfair practice by the tow company. Once more relayed the story of an incident the following day that was similar to hers but this individual was able to use Maximum Towing, she is very upset and states she could have picked her vehicle up and the tow could've been avoided. However, she argues these options were not given to her.

Tom Manke, Owosso Township resident, pressed Council as to why the City is allowing the Farmers Market / Moonlight Market to discriminate against vendors. He read aloud a City Ordinance that strictly prohibits discrimination.

Mayor Eveleth reminded everyone the City does not control anything that happens on private property, this includes the Armory. It is outside the confines of a street closure permit for the Farmers Market. The Farmers Market is required to have an appeals option on their application for those who have been denied vendor placement.

City Manager Henne confirmed an appeals option is listed on the application for the Farmers Market and Moonlight Market.

Councilmember Law addressed the issues happening within the Market, he believes it will work itself out but until then he will attend the Farmers Market held in Caledonia Township. He shared a picture in memorial of his step daughter, Michelle.

Mike Cline, 204 Stratford Drive, thanked Councilmember Pidek for coming forth and admitting to not having a permit for his shed construction. He still feels that all sitting Councilmembers should know and follow City Ordinances.

ADJOURNMENT

Motion by Councilmember Law for adjournment at 8:21 p.m.

Motion supported by Mayor Pro-Tem Osika and concurred in by unanimous vote.

Christopher T. Eveleth, Mayor

Molly Hier, Planning & Building Dept Executive Secretary