

**CITY OF OWOSSO  
REGULAR MEETING OF THE CITY COUNCIL  
MINUTES OF JANUARY 17, 2023  
7:30 P.M.  
VIRGINIA TEICH CITY COUNCIL CHAMBERS**

**PRESIDING OFFICER:** MAYOR ROBERT J. TEICH, JR.

**OPENING PRAYER:** PASTOR BILL MOULL  
OWOSSO FREE METHODIST CHURCH

**PLEDGE OF ALLEGIANCE:** COUNCILMEMBER JANA E. L. FEAR

**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 with the following additions:

**CONSENT AGENDA**

8. Boards and Commissions Appointments. Approve the following Mayoral boards and commissions appointments:

<b>Name</b>	<b>Board/Commission</b>	<b>Term Expires</b>
Robert Hooper	Owosso Historical Commission	12-31-2025
Toni Marr	<b>OMS/DDA Board - filling unexpired term of D. Acton</b>	<b>06-30-2025</b>

**ITEMS OF BUSINESS - ADDITION**

2. American Legion Post 57 Exterior Work Project - Letter of Support. Consider authorizing a letter of support pledging the advance of \$32,824.00 to American Legion Post 57 for exterior rehabilitation work to their hall, contingent upon the receipt of a SHPO grant reimbursing the City.

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

**APPROVAL OF THE MINUTES OF REGULAR MEETING OF JANUARY 3, 2023**

Motion by Councilmember Fear to approve the Minutes of the Regular Meeting of January 3, 2023 as presented.

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

**PROCLAMATIONS / SPECIAL PRESENTATIONS**

**2021-22 Audit Presentation**

Matthew Holland, CPA, with Gabridge & Company, PLC presented the audit for the year ending June 30, 2022. The City received an unmodified opinion, the highest opinion an auditor can bestow on a municipality. No single audit was required this year. No internal control deficiencies were found, no funds had deficit balances, and there were no budget deficiencies requiring a corrective action plan.

Mayor Teich asked for clarification on pension funding. City Manager Nathan R. Henne indicated that the pension system was 97% funded as of December 31, 2021, but Council needed to keep in mind that was before smoothing and before the market losses since the beginning of 2022.

Councilmember Pidek inquired whether governmental units have something akin to a debt ratio in the business world. CPA Holland said there is no hard, fast rule but a good rule of thumb would be to keep debt to less than 10% of the assessed value of all real and personal property in the City. Keeping in mind that revenue bonds do not count toward the 10% figure.

Councilmember Pidek asked Mr. Holland for a list of the most important financial figures City Council should be keeping track of. Mr. Holland indicated that Council should monitor fund balances to make sure they are appropriate, continue to forecast future plans (CIP plans) so you

have an idea of future costs, and make sure there is enough cash flow in the business funds so that there is enough operating capital for the utilities.

City Manager Henne noted that the City currently has a healthy level of unassigned monies in the general fund (27%) to assist in operations if necessary.

**PUBLIC HEARINGS**

**Special Assessment District No. 2023-04      **Center Street, from King Street to North Street****

**Master Plan Implementation Goals: 3.10**

City Manager Henne briefly detailed the current condition of the street, the work proposed, and how the assessments were calculated.

A public hearing was conducted to receive citizen comment regarding the authorization of Resolution No. 5 for Special Assessment District No. 2023-04 for Center Street from King Street to North Street for street resurfacing.

The following people commented regarding the proposed special assessment roll:

Paula Ray, 820 Center Street, said her main concern is that the street has been torn up for months to install new water main, and now it will be torn up again for paving. Her lawn was damaged by heavy equipment used to install the water main and she has had to move her motor home to a paid storage area because she can't get it out of the driveway due to the construction. She is upset about the inconvenience and the cost and she feels she had no say in the process.

Valeria Sawicki, 814 Center Street, said she has lived in her home for seven years and never realized that streets weren't included in her taxes. She said she feels the community is way too expensive and the taxes and fees she pays create a definite hardship. (Ms. Sawicki also submitted a letter to this effect received January 13, 2023.)

Lora McNew, 765 Center Street, said she has lived on a crappy road for 28 years and she is incredulous that she now has to pay to have it fixed. She asked if she would still be responsible for the special assessment if she sells the house before November. City Manager Henne indicated the assessment would stay with the property.

Whereas, the Council, after due and legal notice, has met and having heard all interested parties, motion by Councilmember Pidek that the following resolution be adopted:

**RESOLUTION NO. 05-2023**  
**DISTRICT NO. 2023-04**  
**CENTER STREET**  
**FROM KING STREET TO NORTH STREET**  
**SPECIAL ASSESSMENT RESOLUTION NO. 5**

Resolution 05-2023 was rescinded and replaced by Resolution 36-2023 correcting the roll on 03-06-2023.

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement:

**Center Street from King Street to North Street  
Street Resurfacing**

and;

WHEREAS, all interested parties were heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$135,453.82 is hereby confirmed and shall be known as Special Assessment Roll No. 2023-04.
2. Said special assessment roll shall be divided into ten (10) installments, the first of which shall be due and payable on September 1, 2023, 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, 2023.
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, 2023 and shall be paid annually on each installment due date.

4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her 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, Pidek, Law, Olson, Mayor Pro-Tem Osika, and Mayor Teich.

NAYS: None.

### **CITIZEN COMMENTS AND QUESTIONS**

Mayor Teich asked that people keep things civil and direct all comments and questions to him.

Rob VanGorder, owner of Grease Rag Customs, responded to some of the negative comments made during the public hearing, saying that Corunna Avenue was redone quite nicely, and it was worth the inconvenience.

Tom Manke, 2910 W. M-21, asked why the parks rules were being changed so that night fishing at Hopkins Lake would no longer be permitted. He also said he was very upset that the proposed changes would also prohibit concealed weapons license holders from carrying a gun in a park. Lastly, he asked if the sidewalk between Jerome Street and the river was considered to be park land or simply a sidewalk.

Judy Ford, 649 Adams Street, said she feels that holding a prayer at the beginning of a city meeting is a violation of the Constitution. Citizens can demonstrate their allegiance to the Country by showing up to government meetings and paying their taxes. She asked that religion and government not be mixed. Lastly, she noted that putting limits on when and where guns can be carried makes her feel safer.

Paula Ray, 820 Center Street, asked if all cities use special assessments to pay for street improvements, drainage, and the like. She also said that she supports Ms. Ford's comments asking for the separation of religion and government.

Kimberly Singer, president of the Shiawassee Owosso Morning Kiwanis group, presented the City with a brand-new Bible. She said that someone had recently borrowed her Bible for a swearing-in ceremony and the group saw fit to give the City a Bible for everyone to use in the future.

Bonnie Wood, 1705 Leland Road, Ovid, said that prayer is an individual choice and she encouraged the Council to think about holding a moment of silence instead of a prayer. She went on to commend each Councilmember for their service, telling them to stay steadfast in their commitments and don't be ashamed about who you are.

Eddie Urban, 601 Glenwood Avenue, thanked City Engineer Clayton Wehner for his help in ensuring the sidewalk in front of his house has been properly fixed and will no longer trap standing water.

City Manager Henne addressed Mr. Manke's comments concerning firearms in City parks, noting that the language in the proposed Parks Rules regarding firearms is not changing. Firearms are allowed in the parks by Federal law.

Mr. Henne went on to address Ms. Ray's question regarding special assessments. He said each municipality is different in how they pay for street work, some may sell bonds, some may request a special millage, some may specially assess, and others may have the cash to perform the necessary work. It depends on the quantity of streets a city has as well as its tax-base. The City of Owosso has a long history of using special assessments to assist in street maintenance, going back to at least 1911. The City has approximately 76 miles of streets it must maintain and it is essential to stretch every dollar to obtain the maximum amount of work. For example, special assessments allowed the City to maximize the recent \$10 million street bond to receive \$18 million of work.

Mayor Teich asked what would happen if the City did not specially assess residents for street maintenance. City Manager Henne indicated the City wouldn't do nearly as much maintenance or a street millage spreading the cost to all City residents would need to be passed.

Mayor Teich noted that he felt the pain of people that purchased their homes and didn't realize they could be specially assessed for the repaving of their street, saying it had happened to him

when he purchased his first house in Owosso many years ago. He explained that special assessments allow them to stretch the City's dollars and maximize what can get done.

Councilmember Law pointed out there is no constitutional requirement to separate church and state, saying no such language exists in the U.S. Constitution. He said he was taught to respect the customs and culture of the people you are with, and no one asking anyone to subscribe to a particular religion.

Mayor Teich addressed the Bible donation, thanking the Morning Kiwanis group. He went on to note that he has been a Kiwanis member for 46 years, that it is a global service group whose focus is about giving back to the community and it is not religiously affiliated in any way. He indicated the Bible will be located in the Mayor's Office and will be available for anyone that would like to use it. He went on to note that the official swearing in of Councilmembers is not a religious ceremony, but those that wish may use the Bible for a ceremonial swearing in after the organizational meeting has concluded.

**CONSENT AGENDA**

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

**Special Assessment District No. 2023-01 – North Street.** Authorize Resolution No. 4 setting a public hearing for Monday, February 6, 2023 to receive citizen comment regarding the proposed special assessment roll for Special Assessment District No. 2023-01 for North Street from Shiawassee Street (M-52) to Hickory Street for street rehabilitation as follows:

**RESOLUTION NO. 06-2023**

**SPECIAL ASSESSMENT RESOLUTION NO. 4  
SETTING A PUBLIC HEARING  
TO RECEIVE COMMENT REGARDING  
SPECIAL ASSESSMENT DISTRICT NO. 2023-01  
NORTH STREET, A PUBLIC STREET, FROM SHIAWASSEE STREET (M-52) TO HICKORY  
STREET**

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements 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 p.m., on Monday, February 6, 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.
4. 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  
CITY OF OWOSSO, COUNTY OF SHIAWASSEE, MICHIGAN**

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

**North Street, a Public Street, from Shiawassee Street (M-52) to Hickory Street**

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described improvements:

**Street Rehabilitation**

The said Special Assessment roll is on file for public examination with the City Clerk and any objections to said Special Assessment roll must be filed in writing with the City Clerk prior to the close of the hearing to review said Special Assessment roll.

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 assessments 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, February 6, 2023 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

Master Plan Implementation Goals: 3.10

**Special Assessment District No. 2023-03 – Lee Street.** Authorize Resolution No. 4 setting a public hearing for Monday, February 6, 2023 to receive citizen comment regarding the proposed special assessment roll for Special Assessment District No. 2023-03 for Lee Street from Clark Street to Ada Street for street resurfacing as follows:

**RESOLUTION NO. 07-2023**

**SPECIAL ASSESSMENT RESOLUTION NO. 4  
SETTING A PUBLIC HEARING  
TO RECEIVE COMMENT REGARDING  
SPECIAL ASSESSMENT DISTRICT NO. 2023-03  
LEE STREET, A PUBLIC STREET, FROM CLARK AVENUE TO ADA STREET**

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the cost of the public improvements 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 p.m., on Monday, February 6, 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.
4. 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  
CITY OF OWOSSO, COUNTY OF SHIAWASSEE, MICHIGAN**

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

**Lee Street, a Public Street, from Clark Avenue to Ada Street**

TAKE NOTICE that a Special Assessment roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described improvements:

**Street Resurfacing**

The said Special Assessment roll is on file for public examination with the City Clerk and any objections to said Special Assessment roll must be filed in writing with the City Clerk prior to the close of the hearing to review said Special Assessment roll.

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 assessments 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, February 6, 2023 for the purpose of reviewing said special assessment roll and for the purpose of considering all objections to said roll submitted in writing.

Master Plan Implementation Goals: 3.10

**Bid Award – 2023 Storm Sewer Lining Project.** Approve bid award to Insituform Technologies USA, LLC for the 2023 Storm Sewer Lining Project in the amount of \$63,519.10, plus a contingency of \$20,000 for additional lining services required during the calendar year, and further approve payment to the contractor up to the contract amount, plus the contingency, upon satisfactory completion of the work or portion thereof as follows:

**RESOLUTION NO. 08-2023**

**AUTHORIZING THE AWARD OF THE 2023 STORM SEWER LINING PROJECT  
TO INSITUFORM TECHNOLOGIES USA, LLC OF CHESTERFIELD,  
MISSOURI**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has determined that segments of the storm sewer system on various streets in the City have deteriorated or become damaged and that rehabilitation is advisable, necessary and in the public interest; and

WHEREAS, the City of Owosso sought bids for the lining of these segments of storm sewer as part of the 2023 Storm Sewer Lining Project, and the low responsive and responsible bid was received from Insituform Technologies USA, LLC in the amount of \$63,519.10; and

WHEREAS, Insituform Technologies USA, 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 interest to employ Insituform Technologies USA, LLC to line segments of deteriorated or damaged storm sewer as part of the 2023 Storm Sewer Lining Project.
- SECOND: The Mayor and City Clerk are instructed and authorized to sign the necessary documents to execute a services contract with Insituform Technologies USA, LLC in the amount of \$63,519.10, plus a contingency amount of \$20,000.00, for additional lining services required during the calendar year, for a total of \$83,519.10.
- THIRD: The accounts payable department is authorized to pay Insituform Technologies USA, LLC for work satisfactorily completed on the project up to the initial contact amount of \$63,519.10, plus a contingency in the amount of \$20,000.00 to be utilized only upon written authorization, for a total of \$83,519.10.
- FOURTH: The above expenses shall be paid from the FY2022-2023 Major and Local Street Maintenance Funds accounts 202-463-818.000 and 203-463-818.000.

Master Plan Implementation Goals: 3.4

**Bid Award – 2023 Street Program – Contract No. 1.** Approve bid award to The Glaeser-Dawes Corporation for the 2023 Street Program – Contract No. 1 in the amount of \$463,416.02, authorize a contingency amount of \$40,000.00 to be utilized upon written authorization, and further approve payment to the contractor up to the contract amount, plus the contingency, upon satisfactory completion of the work or portion thereof as follows:

**RESOLUTION NO. 09-2023**

**AUTHORIZING THE EXECUTION OF A CONTRACT WITH  
THE GLAESER-DAWES CORPORATION FOR  
THE 2023 STREET PROGRAM – CONTRACT 1**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that it is in the best interest of the public to perform street improvements along Center Street as set forth in the contract documents; and

WHEREAS, the city has sufficient funds to perform said improvements from its Local Street funds to facilitate undertaking of the project; and

WHEREAS, the city of Owosso sought bids for the 2023 Street Program – Contract 1, and a bid was received from The Glaeser-Dawes Corporation, and it is hereby determined that The Glaeser-Dawes Corporation 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 The Glaeser-Dawes Corporation for the 2023 Street Program – Contract 1.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit A, Contract for Services between the city of Owosso, Michigan and The Glaeser-Dawes Corporation in the amount of \$463,416.02.
- THIRD: The accounts payable department is authorized to pay The Glaeser-Dawes Corporation for work satisfactorily completed on the project up to the Contract amount of \$463,416.02, plus a contingency amount of \$40,000.00 for field adjustments to be utilized upon written authorization, for a total of \$503,416.02.
- FOURTH: The above expenses shall be paid from Local Street Account No. 203-451-818.000-CENTERST21.

Master Plan Implementation Goals: 3.10

**Professional Services Agreement – Fire/EMS Billing.** Authorize a professional services agreement with AccuMed Billing, Inc. for Fire and EMS billing services in the amount of 6.3% of monies collected as follows:

**RESOLUTION NO. 10-2023**

**AUTHORIZING THE EXECUTION OF PROFESSIONAL SERVICES  
AGREEMENT  
FOR BILLING AND CLAIMS MANAGEMENT SERVICES WITH  
ACCUMED BILLING, INC.**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that providing ambulance and fire services to the residents of Owosso is advisable, necessary and in the public interest; and

WHEREAS, it is necessary to obtain professional billing and claims management services for the collection of service charges from individuals, insurance companies, Medicare and public aid related to the provision of said ambulance and fire services; and

WHEREAS, the billing and collection of charges for services is difficult because of complex procedures and regulations, which require the skills of a billing and claims management service firm.

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 the firm Accumed Billing, Inc. to provide professional billing and claims management services for ambulance and fire services.
- SECOND: The mayor and city clerk are hereby instructed and authorized to sign the document attached as Exhibit A, Billing Service Agreement for professional billing and claims management services with AccuMed Billing, Inc. with a service fee of 6.3% of monies collected.

**2023 Park Rules and Regulations.** Approve proposed revisions to the Park Rules and Regulations for 2023 as follows:

**RESOLUTION NO. 11-2023**

**APPROVING  
THE 2023 CITY OF OWOSSO PARKS RULES AND REGULATIONS**

WHEREAS, the City of Owosso maintains parks and recreation facilities within the City and within Owosso Township; and

WHEREAS, City of Owosso ordinances apply throughout all parks located in the City, and city park rules, as adopted per ordinance Section 21-1, apply to all City parks in all jurisdictions; and

WHEREAS, the Owosso Parks and Recreation Commission has reviewed the current edition of park rules and recommended changes to accommodate the public's needs and uses.

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

FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to approve the 2023 edition of the Owosso Parks Rules and Regulations.

SECOND: The city council hereby directs staff to print and publish these rules in accordance with local ordinance.

**CITY OF OWOSSO  
PARK RULES AND REGULATIONS  
2023**

**AUTHORITY.** These rules are promulgated pursuant to the provisions of Section 21-1 of the Code of Ordinances of the City of Owosso, Michigan.

**APPLICABILITY.** These rules apply to City of Owosso parks, play fields, and other public grounds, hereafter called parks.

**CLOSING HOURS.** Parks shall be closed to public use between dusk and dawn, except as follows:

1) Bentley Park, Collamer Park, Grove Holman Park (for sledding only), Bennett Field and Rudy DeMuth Fields shall be closed from 11:00 p.m. to dawn.

**SWIMMING PROHIBITED.** Swimming is prohibited except in designated areas.

**FIRES.** Fires are restricted to barbecue grills and then only for preparing food.

**PROPER DISPOSAL OF REFUSE.** Refuse generated during park activities shall be properly disposed of in containers provided for that purpose. Disposal of household refuse in park refuse containers is prohibited.

**VEHICLE REGULATIONS.** 1) Motorcycles, mopeds, snowmobiles, all-terrain vehicles, and the like are prohibited from all park areas except for roadways designated for public travel in accordance with state and local laws, 2) The speed limit in all parks shall be ten miles per hour, 3) Parking shall be restricted to areas designated for that purpose, 4) and no person shall operate any vessel propelled by any machinery other than an electric trolling motor.

**PAVILION RESERVATION.** Picnic pavilions shall be available on a first-come, first-served basis on the day of use except as follows: Advanced reservations will be taken for each calendar year for the pavilion Bentley Park and Harmon Patridge (Green Meadows) Park. Reservations will be taken beginning the first business day of the New Year.

**ALCOHOL USE.** Alcoholic beverages shall be prohibited in all parks.

**SMOKING.** Smoking is strongly discouraged in the city parks. Smoking is prohibited in areas of concentrated use, such as bleacher seats, dugouts, play equipment, and pavilions, if posted.

**DOGS.** Except as described in the Dog Park section below, dogs shall be leashed and kept under reasonable control at all times.

**FIREARMS AND WEAPONS.** It shall be unlawful for any person to carry on his or her person or in the passenger compartment of any motor vehicle any dangerous weapon, including but not limited to, segments of chain, hunting knives, jackknives having one (1) or more blades which exceed three (3) inches in length, club, metal pipe, or any other dangerous weapon, unless carried in the normal course of a business or profession, excluding firearms. It shall be unlawful



for any person to discharge any firearm, air rifle, air pistol, bow and arrow, sling shot or wrist rocket within the city unless part of an exposition, tournament or range under adult supervision after issuance of a permit by the police department.

**USE BY ORGANIZATIONS.** Shiawassee County-based organizations shall be permitted the exclusive control of designated areas of city parks, including control during hours the parks are closed to the public, subject to the following conditions:

- 1) Approved by the city manager or his/her designee;
- 2) Areas used shall be those not regularly frequented by the public or the areas occupied shall be open to the public; although a fee may be charged for such access;
- 3) The organizations' use of the park area shall not violate any local or state law nor unreasonably interfere with the use and enjoyment of adjacent park areas by others;
- 4) The organizations shall hold the City harmless from liability for incidents arising out of the organizations' use of the park area and shall provide evidence of insurance coverage;
- 5) The City reserves the right to direct where organizations' structures are installed and activities conducted to minimize damage to park property and facilities and to limit interference with the use of adjacent areas of the park.

**SCHEDULING AND USE OF ATHLETIC FIELDS.**

- 1) Priority in the use of ball fields, soccer fields and similar athletic facilities in City parks shall be given to organizations scheduling regular games or matches. When the city manager determines that coordination of organizations' use of such facilities is necessary to avoid scheduling conflicts, he or she shall provide for the development of schedules for such facilities. The city manager shall have the authority to designate organizations to provide for scheduling and oversight of use of athletic fields. Such organizations shall schedule use of the fields in a way that accommodates use by all interested organizations to the greatest extent feasible and to provide for compliance by these rules and regulations by all organizations using the athletic facilities.
- 2) The city manager shall have the authority to restrict use of athletic fields to avoid excessive wear and tear on facilities.
- 3) The city manager may authorize organizations to sell concessions at athletic fields and to use City facilities designated for that purpose. Preference in selling concessions may be given to organizations designated to provide scheduling and oversight of the use of athletic fields. Organizations selling concessions at athletic fields shall be responsible for the cleaning of restroom facilities at such fields.
- 4) Organizations providing for the scheduling and oversight of athletic fields may be permitted to provide for the installation of signs recognizing program sponsors. Such signs shall not advertise specific products or services but shall be limited to the names and logos of sponsors and brief descriptions of the nature of the sponsor's business. All sponsor signs shall be constructed of material that will withstand customary weather conditions and shall be maintained by the organizations installing them. Signs shall be installed on existing fences so that the message content of the signs is visible from within the athletic fields only. Signs shall be installed only during the usual seasons during which organizations schedule games and matches on the fields.
- 5) Organizations using athletic fields for scheduled games, matches and practices shall be responsible for removing litter from the areas used for their activities. In addition, organizations shall be responsible for removing and storing any equipment used in their activities. Installation of bleachers or similar facilities must be authorized by the city manager or his/her designee.
- 6) The city will provide utilities (except for telephone service), refuse disposal and the maintenance of athletic fields in coordination with the needs and schedules of organizations using the fields. Organizations using athletic fields that undertake specific activities uniquely required for their particular use of the fields such as the installation of bases or nets, the painting of lines on fields, etc. require prior approval.

**DOG PARK REGULATIONS.** Within the designated dog park area in Collamer Park, dogs are permitted under the following regulations. Elsewhere in the city, the city code applies.

- 1) All dogs must be leashed in the dog exercise area parking lot.
- 2) Any person bringing a dog or dogs to the dog exercise area must have one leash per dog.
- 3) There shall be no more than three dogs per person allowed in the dog exercise area. Any person bringing a dog or dogs to the dog exercise area must have at least one dog feces waste bag per dog in his or her possession and must remove any feces deposited by the dog(s) in their care.
- 4) Persons under sixteen years of age visiting the dog exercise area must be accompanied and supervised by a parent or guardian or other responsible adult with permission of the parent or guardian.

- 5) No persons under sixteen years of age are allowed in the dog agility area unless accompanied and supervised by a parent or guardian or other responsible adult with permission of the parent or guardian.
- 6) Each dog shall always be under visual and voice control of the owner or other responsible person at least 16 years of age.
- 7) All dogs must have current vaccinations and licenses and shall wear a collar with tags as proof thereof.
- 8) Aggressive dogs, as defined below, are not permitted in or around the dog exercise area, including but not limited to, the parking lot. Owners or other responsible persons will be held legally responsible for any injury caused by a dog that they bring in or around the dog exercise area.  
An aggressive dog means:
  - a. A dog that bites a person. However, a dog shall not be considered aggressive if the dog bites a person wrongfully assaulting the dog or the dog's owner, or if the dog bites a person after being provoked by that person.
  - b. A dog that injures or kills another domestic animal without provocation while at the dog exercise area.
- 9) Female dogs in heat are not permitted in or around the dog exercise area including, but not limited to, the parking lot.
- 10) Dog owners or other responsible persons shall provide dogs with drinking water while visiting the dog exercise area when weather conditions require.
- 11) Dog owners or other responsible persons shall not keep dogs enclosed in a vehicle during hot weather which may cause injury to the dog.
- 12) Any person having knowledge of a dog having bitten, scratched, or injured a person or other animal within the dog exercise area, including but not limited to the parking lot, shall report the incident to the police department.

**COMMUNITY GARDENS.** Community gardens, as designated on public lands, whether leased or available to the public, shall operate with the following regulations.

- 1) Garden users must complete the community garden individual waiver as provided by the city in the Building Department.
- 2) Work on plots must begin within 10 days after the garden has been tilled, if applicable.
- 3) No synthetic fertilizers, herbicides, pesticides or insecticides are to be used.
- 4) Work on gardens may only occur between dawn and dusk.
- 5) No mechanized equipment may be used before 9:00 A.M.
- 6) Gardens must be kept free from weeds, rotten produce, and plant debris.
- 7) Stakes, plastics, and garbage must be disposed of in a timely manner.
- 8) Shared paths between garden plots must be maintained without digging into the main paths; such paths must be kept free of toxic materials and rocks.
- 9) Children must be supervised.
- 10) Headphones must be used to listen to the radio or other portable sound equipment.
- 11) All crops must be legal, non-toxic, and non-hazardous.
- 12) Other plots and gardens are not to be damaged or harvested by other users.
- 13) Sales of produce and other products at the garden or in the park is strictly prohibited.
- 14) No tires are allowed at the garden site.
- 15) No pets are allowed at the garden site.

**SKATE PARK RULES.** This is a use-at-your-own risk facility. This facility is non-supervised. Skating, blading and biking are high risk/hazardous activities. By participating you accept that risk and agree to not hold the City of Owosso or its employees responsible for any injuries incurred as a result of use.

- 1) The use of motorized equipment or other wheeled vehicles is not permitted.
- 2) The use of proper protective equipment, including helmets and knee, elbow and wrist pads is strongly recommended.
- 3) Use of the facility is prohibited when wet, rainwater is present or park maintenance is being performed.
- 4) Graffiti and tagging are strictly prohibited and may result in the removal of offenders from the park and police action.
- 5) Additional obstacles and/or materials are not allowed at this facility, such as (but not limited to) homemade ramps, boxes, picnic tables, etc.

- 6) Spectators are not permitted on the ramps.
- 7) Glass containers are prohibited.

**SPLASH PARK RULES.** The City of Owosso intends to provide seasonal access to a splash park, to be used at-your-own risk. "Splash Park" is defined as the area upon the concrete pad or access sidewalks.

- 1) All persons using the splash park do so at their own risk.
- 2) Children under 12 years of age must be accompanied by an adult (18 years or older), and must be supervised by that adult at all times.
- 3) Running, undue roughness, horseplay, and other undue disturbances are strictly prohibited.
- 4) Splash Park is designed for recreation purposes and not for bathing. Soaps, detergents, shampoos, and other chemicals or cleansers are prohibited.
- 5) Climbing or playing on components is not permitted.
- 6) The City of Owosso is not responsible for lost or stolen articles.
- 7) Infants must wear swim diapers or rubber pants without diapers. Cutoffs and street shoes are prohibited.
- 8) Wheeled vehicles, except strollers, walkers and wheelchairs, are not permitted in the splash park area.
- 9) No animals, except for service animals, are permitted in the splash park area.
- 10) Radios and other acoustical devices are only permitted when used in conjunction with personal headsets.
- 11) Pool toys and floats are prohibited.
- 12) No glass containers of any kind are permitted. No drinks, gum, or food of any kind are permitted.
- 13) The use of profane language will not be tolerated.
- 14) Persons with sore or inflamed eyes, colds, nasal or ear discharges, boils or other acute or obvious skin or body infections, or cuts shall be excluded from the splash park.

**INJURY TO PARK PROPERTY.** No person shall injure, mar or damage in any manner, any monument, ornament, fence, bridge, seat, tree, fountain, shrub, flower, playground equipment, fireplaces, or other public property within or pertaining to the public parks or playgrounds. Any person convicted of damage or injury to public property shall reimburse the city for up to three (3) times the amount of the damage as determined by the court.

**VENDING.** Vending is permitted on a limited basis after application to the city manager and under the administrative rules set by the city. Applications are available at city hall.

**PUBLIC NOTICE.** The public shall be deemed to have been properly notified of the provisions of these rules and regulations upon their publication in a newspaper of general circulation in the city at least annually before April 1. Signs may be posted to insure substantial compliance with the provisions of these rules and regulations.

**Warrant No. 625.** Authorize Warrant No. 625 as follows:

Vendor	Description	Fund	Amount
Municipal Employees' Retirement System (MERS)	One Time Extra Contribution (assigned General Fund Balance)	General	\$500,000.00

**Boards and Commissions Appointments.** Approve the following Mayoral Boards and Commissions appointments:

Name	Board/Commission	Term Expires
Robert Hooper	Owosso Historical Commission	12-31-2025
Toni Marr <sup>1</sup>	OMS/DDA Board - filling unexpired term of D. Acton	06-30-2025

<sup>1</sup>This appointment was added to the agenda.

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

**ITEMS OF BUSINESS**

**Audit Acceptance**

Motion by Councilmember Pidek approving the following resolution accepting and placing on file the City of Owosso Financial Report for the Fiscal Year Ended June 30, 2022. Motion supported by Councilmember Fear and concurred in by unanimous vote.

**RESOLUTION NO. 12-2023**

**ACCEPTING AND PLACING ON FILE  
THE CITY OF OWOSSO, MICHIGAN FINANCIAL REPORT  
FOR THE FISCAL YEAR ENDED JUNE 30, 2022**

WHEREAS, the City of Owosso is required by the laws of the state of Michigan to annually have an independent audit performed in accordance with generally accepted auditing standards; and

WHEREAS, the Owosso City Charter requires an independent audit be made of all accounts of the city government at the close of each fiscal year per section 8.14; and

WHEREAS, the City of Owosso employed Gabridge & Company PLC, certified public accountants, to audit the financial records of the City of Owosso and said audit has been completed and is presented this date to the city council.

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

FIRST: The City of Owosso Annual Financial Report for the Fiscal Year Ended June 30, 2022, attached hereto and made a part hereof as Exhibit A, is hereby accepted and placed on file.

SECOND: A copy of the City of Owosso, Annual Financial Report for the Fiscal Year Ended June 30, 2022 will be maintained on file in the office of the city clerk for public examination, a copy will be placed in the Shiawassee District Library Owosso Branch for public examination, and copies will be sent to those required by law and agreement.

**American Legion Post 57 Exterior Work Project - Letter of Support**

(This item was added to the agenda.)

City Manager Henne explained that he has been working with American Legion Post 57 and the Downtown Historic District Commission (HDC) to try and take advantage of the grant funding made available to Certified Local Governments, like Owosso, by the Michigan State Historic Preservation Office. The Legion would like to rehabilitate the brick exterior of their building at 201 E. Mason Street. The HDC would like to apply to SHPO for a grant to do this work, but the Legion must show that it has the funds for the project to apply for the grant. Council is being asked to pledge the funds necessary for the project so the grant application can move forward. If the grant is approved the project will be undertaken and the City will be released of its pledge. It is estimated the City will know if the grant has been awarded in April.

Motion by Councilmember Pidek authorizing a letter of support pledging the advance of \$32,824.00 to American Legion Post 57 for exterior rehabilitation work to their hall, contingent upon the receipt of a SHPO grant reimbursing the City as follows:

**RESOLUTION NO. 13-2023**

**AUTHORIZING LETTER OF SUPPORT AND GRANT FUNDS ADVANCEMENT PLEDGE  
FOR THE SHPO AMERICAN LEGION GRANT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, wishes to apply for a Michigan State Historic Preservation Grant to rehabilitate the exterior of American Legion Post 57 located at 201 E. Mason Street; and

WHEREAS, the City of Owosso, through its Historic District Commission is eligible for SHPO grants as a Certified Local Government; and

WHEREAS, a goal of the Historic District Commission is to apply for a grant in the current fiscal year; and

WHEREAS, American Legion Post #57 qualifies for the grant as a non-profit organization per the SHPO CLG Grant Guidelines.

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

FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to pledge \$32,824.00, advanced from the general fund balance, to fund exterior rehabilitation work on the building owned by American Legion Post 57, contingent upon the award of a SHPO Grant for the project.

SECOND: The mayor is instructed and authorized to sign the Letter of Support, largely as attached.

THIRD: The above expenses shall be paid from the General Fund – assigned fund balance for economic development, with said funds to be reimbursed by the SHPO Grant upon the subsequent satisfactory completion of the project.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

### **COMMUNICATIONS**

Nathan Henne, City Manager. City Manager Report, December 2022.

Tanya S. Buckelew, Planning & Building Director. December 2022 Building Department Report.

Tanya S. Buckelew, Planning & Building Director. December 2022 Code Violations Report.

Tanya S. Buckelew, Planning & Building Director. December 2022 Inspections Report.

Tanya S. Buckelew, Planning & Building Director. December 2022 Certificates Issued Report.

Kevin D. Lenkart, Public Safety Director. December 2022 Fire Report.

Kevin D. Lenkart, Public Safety Director. December 2022 Police Report.

### **CITIZEN COMMENTS AND QUESTIONS**

Mayor Teich recognized the City's two newest boards and commissions members thanking them for volunteering their time. He went on to say that one of his goals during his tenure is to strengthen the City's boards and commissions, noting that doing so will only improve the City.

Patty VanLuven, 6143 Pittsburg Road, Laingsburg, thanked the Council for spending the City's money wisely, at the same time she said she really feels for people that struggle with the costs of home ownership. She recommended the Volunteer Income Tax Assistance (VITA) group as an organization that might be able to assist. Lastly, she encouraged everyone to think broadly about religion, and remember that this is a public space and people should not be forced to submit to any religious practice.

Tom Manke, 2910 W. M-21, reminded everyone that the County Treasurer has access to funds to assist home owners that are in danger of losing their homes for back taxes. He also thanked the City Manager for clarifying the parks rules for him.

Richard Bowen, 217 Curwood Castle Drive, said for a number of years he has been walking around town at night for exercise and has never had trouble until last Sunday. He said he was harassed by three young men causing him to feel cornered and very threatened, and he had nothing with him to defend himself. He was eventually able to get away and called the incident in to the police. He suggested people carry at least a whistle with them while they are out and about so they call attention to themselves if they need to.

Eddie Urban, 601 Glenwood Avenue, told a story about an occasion when he was once denied communion at a relative's church because he wasn't a member there and how angry it made him.

### **NEXT MEETING**

Monday, February 06, 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 Historic District Commission – term expires June 30, 2023  
Downtown Historic District Commission - term expires June 30, 2024  
Owosso Historical Commission – 1 term expires December 31, 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 Pidek for adjournment at 8:52 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.