

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF DECEMBER 4, 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: RYAN E. SUCHANEK,
DIRECTOR OF PUBLIC SERVICES & UTILITIES

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

ABSENT: None.

APPROVE AGENDA

Motion by Councilmember Pidek to approve the agenda as presented.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF NOVEMBER 20, 2023

Motion by Councilmember Pidek to approve the Minutes of the Regular Meeting of November 20, 2023 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

Retirement Proclamation – Debbie Hebert

This item was postponed until the meeting of December 18, 2023.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 2910 W. M-21, questioned the status of the property at 300 West Main Street and commented on the contents of a new business in town reputed to be selling adult toys.

Eddie Urban, 601 Glenwood Avenue, recognized the recent anniversary of the passing of former City of Owosso Building Official John Archer. He said he was a good man and a great craftsman, having built the dais in the Council Chambers.

City Manager Nathan R. Henne responded to Mr. Manke saying that the Downtown Historic District Commission (HDC) is hoping to get an application from the new owners for work on the Matthews Building.

Mr. Henne went on to clarify the criteria that would require the new store owner to apply for an adult entertainment license, saying the ordinance dictates that a business basing more than 20% of its use or activity on adult related content must obtain an adult entertainment license.

CONSENT AGENDA

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

2024 Income Threshold Poverty Exemptions. Adopt the 2024 Income Threshold Poverty Exemptions, as required by Public Act No. 390 of 1994 as follows:

RESOLUTION NO. 197-2023

CITY OF OWOSSO POVERTY EXEMPTION GUIDELINES FOR 2024

WHEREAS, the adoption of guidelines for poverty exemptions is within the purview of the City Council, and

WHEREAS, the homestead of persons who by reason of poverty are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under Public Act 390, 1994(MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994, City of Owosso, Shiawassee County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the applicant and all persons residing in the household; and

WHEREAS, pursuant to Public Act 191 of 2023, if a person qualifies, the Board of Review shall grant either a 100%, 75%, 50% or 25% reduction in taxable value for the applicable tax year, or any other percentage reduction approved by the state tax commission. However, the City of Owosso elects to give only 100% reduction to approved applicants; and

To be eligible, a person shall do all the following on an annual basis:

- Be the owner and occupy the principal residence of the property for which an exemption is applied.
- Submit an application on the form provided by the State of Michigan, available through the City Assessor’s office. The application constitutes an appearance before the Board of Review for the purpose of preserving the applicant’s right to appeal.
- Provide proof of residency for all residents in the home.
- Supply a copy of federal and state income tax returns filed in the current year for all adult residents if available, or immediately preceding year if current is unavailable, and/or a signed affidavit stating income tax returns are not required to be filed (Treasury Form 4988).
- Supply copies of six months-worth of income evidence for the previous year (pay stubs, benefit statement, etc.) for all residents 18 years old and over. Additional stubs may be requested later.
- **If the applicant fails to supply all the required documents or if it is found that the information supplied is fraudulent, the application shall be denied.**

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Owosso City Council that the Board of Review shall follow the above stated policy and the below stated guidelines in granting or denying an exemption.

Applicant’s income shall not exceed the poverty income thresholds listed here. Income of students under the age of 18 years shall **not** be included as income.

2024 Income Standards Poverty Threshold

Total number of persons residing in homestead	Annual allowable income
1 person	\$22,360
2 persons	\$25,560
3 persons	\$28,760
4 persons	\$31,920
5 persons	\$35,140
6 persons	\$40,280
7 persons	\$45,420
8 persons	\$50,560
Each additional person, add	\$5,140

BE IT FURTHER RESOLVED, if asset levels exceed the items/amounts below, the individual/property owner shall **not be eligible for a Property Tax Poverty Exemption**.

- Assets (except the original homestead, essential household goods and the first \$9,100 of the market value of a motor vehicle), less what is owed on said vehicle, shall not exceed \$5,700 (five thousand seven hundred dollars) for individual applicant and/or \$8,000 (eight thousand dollars) per household if more than one financial contributor.

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

Name	Board/Commission	Term Expires
Allie McGuire	Downtown Development Authority/ Main Street filling unexpired term of M. Wheeler	06-30-2024
Elaine Greenway*	Historical Commission	12-31-2026
Lance Little*	Historical Commission	12-31-2026
R. Dean Ebert*	Owosso Community Airport Shiawassee Airport Board of Trustees	12-31-2025
Dennis Mahoney	Parks & Recreation Commission filling unexpired term of D. Horton	06-30-2024

*indicates reappointment

***Change Order No. 2 – Palmer 3A and Juniper 1 Well Houses Project.** Approve Change Order No. 2 to the contract with Sorensen Gross Company for additional work on the Palmer 3A and Juniper 1 Well Houses Project increasing the contract amount by \$7,904.00 removal and replacement of soil and authorize payment to the contractor up to the amount of \$2,379,171.00 upon satisfactory completion of work or portion thereof as follows:

RESOLUTION NO. 198-2023

**AUTHORIZING CHANGE ORDER NO. 2
TO THE CONTRACT BETWEEN THE CITY OF OWOSSO
AND SORENSEN GROSS COMPANY OF FLINT, MICHIGAN
FOR THE PALMER 3A AND JUNIPER 1 WELL HOUSES PROJECT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved a contract with Sorensen Gross Company, on February 6, 2023 for the construction and installation of two (2) well houses, two (2) vertical line-shaft turbine pumps and water mains to connect water wells Palmer 3A and Juniper 1 to existing raw water mains, and said project is an approved 2023 SRF planned project; and

WHEREAS, it was discovered that unsuitable soils were present at the proposed location requiring the removal of said soil and replacement with sound, compacted materials; and

WHEREAS, the project is now underway, and a change order is necessary to reconcile contract work and supplies to be used.

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 amend the Water System Improvement Palmer 3A and Juniper 1 Well Houses project contract with Sorensen Gross Company to increase the contract amount to update contract work and supplies to be used.

SECOND: The Mayor and City Clerk are instructed and authorized to sign the document substantially in form attached as Change Order No. 2 in the amount of \$7,904.00; an increase to the Contract for Services between the City of Owosso and Sorensen Gross Company, revising the total current contract amount from \$2,371,267.00 to \$2,379,171.00.

THIRD: The Accounts Payable department is authorized to pay Sorensen Gross Company for work satisfactorily completed up to the revised contract amount of \$2,379,171.00.

FOURTH: The above expenses shall be paid from the Water Fund, and SRF Bond Funds

Master Plan Implementation Goals: 1.5, 3.4, 3.7

***Professional Services Agreement - Governmental Accounting Services.** Authorize a professional services agreement with Taylor and Morgan, C.P.A., P.C. for the provision of onsite governmental accounting services in an amount not to exceed \$30,000.00, and further authorize payment to the firm for services rendered in accordance with the contract as follows:

RESOLUTION NO. 199-2023

**AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH
TAYLOR & MORGAN, P.C.
FOR GOVERNMENTAL ACCOUNTING SERVICES**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, is required to complete an independent audit per Section 8.4 of the Owosso City Charter; and

WHEREAS, the Finance Department has statutory responsibilities per Section 7.5 of the Owosso City Charter; and

WHEREAS, Taylor & Morgan, P.C., a full-service public accounting firm, has submitted a proposal for onsite accounting services for the calendar year ending December 31, 2024; and

WHEREAS, the employment of professional services is an exception to competitive bidding per Section 2-346(2) of the City of Owosso Code of Ordinances.

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 enter into a professional service agreement with Taylor & Morgan P.C. for governmental accounting services, annual budget creation and annual independent audit preparation services.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in form attached as Professional Services Agreement between the City of Owosso and Taylor & Morgan P.C.
- THIRD: The accounts payable department is authorized to pay Taylor & Morgan P.C. for work satisfactorily completed estimated at \$30,000 under said professional services agreement.
- FOURTH: The above expenses shall be paid from General Fund Account 101.201.818.000.

***Bid Award – 2024 Storm Sewer Televising Project Contract.** Approve bid award to Duke's Root Control, Inc. for the 2024 Storm Sewer Televising Project in the amount of \$23,150.00, authorize a contingency amount of \$6,000.00 for field adjustments by City staff, and further approve payment up to \$29,150.00 to the contractor upon satisfactory completion of the work or portion thereof as follows:

RESOLUTION NO. 200-2023

**AUTHORIZING THE AWARD OF
THE 2024 STORM SEWER TELEVISIONING PROJECT BID
TO DUKE'S ROOT CONTROL, INC. OF PLYMOUTH, MICHIGAN**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has determined that it is advisable, necessary, and in the public interest to televise segments of storm sewer on various streets in the City; and

WHEREAS, the City of Owosso sought bids for the televising of these segments of storm sewer as part of the 2024 Storm Sewer Televising Project, and the low responsive and responsible bid was received from Duke's Root Control, Inc. in the amount of \$23,150.00; and

WHEREAS, Duke's Root Control, Inc. 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 Duke's Root Control, Inc. to televise segments of storm sewer as part of the 2024 Storm Sewer Televising Project.
- SECOND: The Mayor and City Clerk are instructed and authorized to sign the necessary documents to execute the services contract with Duke's Root Control, Inc. in the amount of \$23,150.00 plus additional televising services required as contingency, in the amount of \$6,000.00, for a total of \$29,150.00.
- THIRD: The accounts payable department is authorized to pay Duke's Root Control, Inc. for work satisfactorily completed on the project up to the initial contact amount of \$23,150.00 plus contingency in the amount of \$6,000.00, if required, for a total of \$29,150.00.
- FOURTH: The above expenses shall be paid from the Major and Local Street Maintenance Funds accounts 202-463-818.000 and 203-463-818.000 in the amount of \$11,575.00 each and other funds as appropriate.

Master Plan Implementation Goals: 3.4, 3.13

***Sole Source Purchase Authorization – Lift Station Control Cabinet Rehabilitation and Installation of Cruise VT SCADA System.** Waive competitive bidding requirements, approve the sole source purchase and rehabilitation of backup/alarm systems for lift station control cabinets in the amount of \$34,695.00 from Utilities Instrumentation Service (UIS) and further approve payment to the contractor upon satisfactory completion of the work or portion thereof as follows:

RESOLUTION NO. 201-2023

**AUTHORIZING REHABILITATION
OF OSBURN LAKES, WRIGHT STREET & PALMER STREET
LIFT STATION CONTROL CABINETS AND
INSTALLATION OF CRUISE VT SCADA SYSTEMS WITH
UTILITIES INSTRUMENTATION SERVICE INCORPORATED (UIS)**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, requires rehabilitating the control cabinets at Osburn Lakes, Wright Street and Palmer Street lift stations in its sewer collections system; and

WHEREAS, Utilities Instrumentation Service Incorporated (UIS) is the sole authorized provider of Cruise VT SCADA system for our region; and

WHEREAS, waiver of the purchasing policy formal bid requirements is requested, to initiate procurement upon approval and authorization.

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 rehabilitate the control cabinets at the Osburn Lakes, Wright Street and Palmer Street lift stations at a cost of \$34,695.00.
- SECOND: The purchase agreement between the City and Utilities Instrumentation Service Incorporated (UIS) shall be in the form of a City Purchase Order.
- THIRD: The above expenses shall be paid from the Capital Outlay - Sewers Account No. 590-901-973.000.

Master Plan Implementation Goals: 3.4, 3.7

***Check Register – November 2023.** Affirm check disbursements totaling \$2,222,334.66 through November 30, 2023.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

Notice of Intent to Issue Revenue Bonds and Right to Referendum - CWSRF Project No. 5919-01

City Manager Henne introduced the item saying the City wishes to sell bonds to the State of Michigan Clean Water State Revolving Fund to finance the WWTP Secondary Clarifier Project. The maximum principal to be borrowed will be \$5,200,000, with \$2,600,000 coming in the form of revenue bonds and the remaining \$2,600,000 covered by an ARPA grant. He also noted that the City's bonding attorney Eric McGlothlin was present to answer any questions.

Attorney McGlothlin indicated that the interest rate for the bonds will be 2%. Before the City can sell the bonds it must publish a Notice of Intent and Right to Referendum and provide a 45-day period in which citizens can execute their right to petition for a vote on the question of the issuance of said bonds.

Councilmember Pidek thanked all involved for their work to secure grant funding and ensure that the City borrows at the lowest rate possible.

Motion by Councilmember Pidek to approve the resolution of Notice of Intent to Issue Revenue Bonds and Right to Referendum thereof for the proposed issuance of bonds to finance 2024 CWSRF Project No. 5919-01 for the WWTP secondary clarifier project as follows:

RESOLUTION NO. 202-2023

**DECLARING OFFICIAL INTENT TO REIMBURSE PROJECT
EXPENDITURES WITH BOND PROCEEDS AND AUTHORIZING PUBLICATION
OF NOTICE OF INTENT TO ISSUE BONDS
FOR CWSRF PROJECT NO. 5919-01**

WHEREAS, the City of Owosso (the "City") proposes to issue its revenue bonds, in one or more series (the "Bonds") under Act 94, Public Acts of Michigan, 1933, as amended ("Act 94"), to finance improvements to the City's wastewater treatment system (the "System"), including without limitation, clarifier mechanism improvements at the City's wastewater treatment plant (the "WWTP") consisting of the acquisition, construction, and installation of a new circular clarifier mechanism, improvements to existing clarifiers, and other structural, mechanical, electrical, SCADA, and lighting improvements to WWTP buildings and facilities, as well as all other work and equipment necessary or incidental to these improvements (the "Project"); and

WHEREAS, it is anticipated that the City will advance a portion of the costs of the Project prior to the issuance of the Bonds, such advance to be repaid from proceeds of the Bonds upon the issuance thereof; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the "Reimbursement Regulations") specifies conditions under which a reimbursement allocation may be treated as an expenditure of bond proceeds, and the City intends by this resolution to qualify amounts advanced by the City to the Project for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations; and

WHEREAS, a notice of intent to issue the Bonds must be published in order to comply with the requirements of Section 33 of Act 94.

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

1. The Project shall consist of the sewage disposal system improvements described in the preamble hereto.
2. The maximum principal amount of Bonds expected to be issued for the Project is \$5,200,000.
3. The City hereby declares its official intent to issue the Bonds to finance the costs of the Project, and hereby declares that it reasonably expects to reimburse the City's advances to the Project as described in the preamble and as anticipated by this resolution.
4. The Bonds shall be authorized by proper proceedings subsequent to this resolution.
5. The Clerk is hereby instructed to publish the following notice attached hereto as Exhibit A once in a newspaper of general circulation in the City.
6. All prior resolutions and parts of resolutions insofar as they may be in conflict with this resolution are hereby rescinded.

EXHIBIT A

**NOTICE OF INTENT TO ISSUE
BONDS BY THE CITY OF
OWOSSO, MICHIGAN**

NOTICE IS HEREBY GIVEN, that the City of Owosso, Michigan, intends to issue revenue bonds, in one or more series, in the principal amount of not to exceed \$5,200,000 for the purpose of defraying the cost of improvements to the City's wastewater treatment system (the "System"), including without limitation, clarifier mechanism improvements at the City's wastewater treatment plant (the "WWTP") consisting of the acquisition, construction, and installation of a new circular clarifier mechanism, improvements to existing clarifiers, and other structural, mechanical, electrical, SCADA, and lighting improvements to WWTP buildings and facilities, as well as all other work and equipment necessary or incidental to these improvements, and for paying the costs of issuing the bonds and capitalized interest, if any.

The bonds will mature in not to exceed forty (40) years after the date of original issuance, and will bear interest from their date at a rate or rates to be determined at the time of sale thereof but in no event to exceed such rates as may be permitted by law.

The bonds will be issued under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and a resolution of the City Council and will be payable from the net revenues of the System and any improvements, enlargements and extensions thereto, and a statutory lien on said revenues will be established by said resolution. The City of Owosso will covenant and agree to fix and maintain at all times while any of the bonds shall be outstanding such rates for service furnished by the System as shall be sufficient to provide for payment of the necessary expenses of operation, maintenance and administration of the System and of the principal of and interest on the bonds when due and to provide for such other expenditures and funds for the System as are required by the resolution authorizing the issuance of bonds. In addition, the bonds may be secured by the full faith and credit of the City as limited by applicable constitutional, statutory, and charter limitations on the taxing power of the City.

RIGHT TO PETITION FOR REFERENDUM

This notice is given, by order of the City Council of the City of Owosso, to and for the benefit of the electors of the City of Owosso in order to inform them of their right to petition for a referendum upon the question of the issuance of the aforesaid bonds. The bonds will be issued, without submitting such a question to a vote of the electors, unless within 45 days after the date of publication of this notice a petition requesting a referendum upon such question, signed by not less than 10% or 15,000 of the registered electors in the City of Owosso, whichever is the lesser, shall have been filed with the undersigned City Clerk. In the event that such a petition is filed, the bonds will not be issued unless and until the issuance thereof shall have been approved by the vote of a majority of the electors of the City of Owosso qualified to vote and voting thereon at a general or special election.

FURTHER INFORMATION

Further information relative to the issuance of said bonds and the subject matter of this notice may be secured at the office of the City Clerk of the City of Owosso, 301 West Main Street, Owosso, Michigan 48867.

This notice is given pursuant to the provisions of Act 94, Public Acts of Michigan, 1933, as amended.

Amy K. Kirkland, CMC, City Clerk
City of Owosso

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

Master Plan Implementation Goals: 3.4, 3.7

Notice of Intent to Issue Revenue Bonds and Right to Referendum – DWSRF Project No. 7497-01

City Manager Henne introduced the item noting that the bonds in question will finance 2024 DWSRF Project No. 7497-01 for watermain replacement, lead service line replacement and water treatment plant improvements.

Motion by Councilmember Olson to approve the resolution of Notice of Intent to Issue Revenue Bonds and Right to Referendum thereof for 2024 DWSRF Project No. 7497-01 for watermain replacement, lead service line replacement and water treatment plant improvements

RESOLUTION NO. 203-2023

DECLARING OFFICIAL INTENT TO REIMBURSE PROJECT EXPENDITURES WITH BOND PROCEEDS AND AUTHORIZING PUBLICATION OF NOTICE OF INTENT TO ISSUE BONDS FOR CWSRF PROJECT NO. 5919-01

Please see page 7a for corrections made to clerical errors in Resolution No. 203-2023

WHEREAS, the City of Owosso (the "City") proposes to issue its revenue bonds, in one or more series (the "Bonds") under Act 94, Public Acts of Michigan, 1933, as amended ("Act 94"), to finance improvements to the City's wastewater treatment system (the "System"), including without limitation, clarifier mechanism improvements at the City's wastewater treatment plant (the "WWTP") consisting of the acquisition, construction, and installation of a new circular clarifier mechanism, improvements to existing clarifiers, and other structural, mechanical, electrical, SCADA, and lighting improvements to WWTP buildings and facilities, as well as all other work and equipment necessary or incidental to these improvements (the "Project

Resolution No. 203-2023 - Correction of Clerical Errors

The City Council minutes of December 4, 2023 inadvertently copied the text from Resolution No. 202-2023 in place of the text for Resolution No. 203-2023. Council had been presented with the correct text for both resolutions at the time of their action. The error in the minutes is simply clerical in nature. Only the text of Resolution No. 203-2023 was affected. The motion, second, and vote are correct as shown in the original minutes.

The following is the corrected version of Resolution No. 203-2023 with the amended text highlighted:

RESOLUTION NO. 203-2023

DECLARING OFFICIAL INTENT TO REIMBURSE PROJECT EXPENDITURES WITH BOND PROCEEDS AND AUTHORIZING PUBLICATION OF NOTICE OF INTENT TO ISSUE BONDS FOR DWSRF PROJECT NO. 7497-01

WHEREAS, the City of Owosso (the "City") proposes to issue its revenue bonds, in one or more series (the "Bonds") under Act 94, Public Acts of Michigan, 1933, as amended ("Act 94"), to finance improvements to the City's water supply system (the "System"), consisting of (i) improvements to, and replacement of components of, the City's water treatment plant and gravity filters, including without limitation underdrains, support gravel, media, backwash troughs, surface wash piping, surface wash arms, and all other work and equipment necessary and incidental to these improvements, and (ii) replacement of water mains and service lines, as well as the restoration of property, streets, rights-of-way and easements affected by the improvements, and all other work necessary and incidental to these improvements (collectively, the "Project"); and

WHEREAS, it is anticipated that the City will advance a portion of the costs of the Project prior to the issuance of the Bonds, to be repaid from proceeds of the Bonds upon the issuance thereof; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the "Reimbursement Regulations") specifies conditions under which a reimbursement allocation may be treated as an expenditure of bond proceeds, and the City intends by this resolution to qualify amounts advanced by the City to the Project for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations; and

WHEREAS, a notice of intent to issue the Bonds must be published in order to comply with the requirements of Section 33 of Act 94.

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

1. The project shall consist of the water supply system improvements described in the preamble hereto.
2. The maximum principal amount of bonds expected to be issued for the project is \$3,490,000.
3. The city hereby declares its official intent to issue the bonds to finance the costs of the project, and hereby declares that it reasonably expects to reimburse the city's advances to the project as described in the preamble and as anticipated by this resolution.
4. The bonds shall be authorized by proper proceedings subsequent to this resolution.
5. The clerk is hereby instructed to publish the following notice attached hereto as exhibit a once in a newspaper of general circulation in the city.
6. All prior resolutions and parts of resolutions insofar as they may be in conflict with this resolution are hereby rescinded.

EXHIBIT A

NOTICE OF INTENT TO ISSUE BONDS BY THE CITY OF OWOSSO, MICHIGAN

NOTICE IS HEREBY GIVEN, that the City of Owosso, Michigan, intends to issue revenue bonds, in one or more series, in the principal amount of not to exceed \$3,490,000 for the purpose of defraying the cost of improvements to the City's water supply system (the "System"), consisting of (i) improvements to, and replacement of components of, the City's water treatment plant and gravity filters, including without limitation underdrains, support gravel, media, backwash troughs, surface wash piping, surface wash arms, and all other work and equipment necessary and incidental to these improvements, (ii) replacement of water mains and service lines, as well

as the restoration of property, streets, rights-of-way and easements affected by the improvements, and all other work necessary and incidental to these improvements, and (iii) payment of the costs of issuing the bonds and capitalized interest, if any.

The bonds will mature in not to exceed forty (40) years after the date of original issuance, and will bear interest from their date at a rate or rates to be determined at the time of sale thereof but in no event to exceed such rates as may be permitted by law.

The bonds will be issued under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and a resolution of the City Council and will be payable from the net revenues of the System and any improvements, enlargements and extensions thereto, and a statutory lien on said revenues will be established by said resolution. The City of Owosso will covenant and agree to fix and maintain at all times while any of the bonds shall be outstanding such rates for service furnished by the System as shall be sufficient to provide for payment of the necessary expenses of operation, maintenance and administration of the System and of the principal of and interest on the bonds when due and to provide for such other expenditures and funds for the System as are required by the resolution authorizing the issuance of bonds. In addition, the bonds may be secured by the full faith and credit of the City as limited by applicable constitutional, statutory, and charter limitations on the taxing power of the City.

RIGHT TO PETITION FOR REFERENDUM

This notice is given, by order of the City Council of the City of Owosso, to and for the benefit of the electors of the City of Owosso in order to inform them of their right to petition for a referendum upon the question of the issuance of the aforesaid bonds. The bonds will be issued, without submitting such a question to a vote of the electors, unless within 45 days after the date of publication of this notice a petition requesting a referendum upon such question, signed by not less than 10% or 15,000 of the registered electors in the City of Owosso, whichever is the lesser, shall have been filed with the undersigned City Clerk. In the event that such a petition is filed, the bonds will not be issued unless and until the issuance thereof shall have been approved by the vote of a majority of the electors of the City of Owosso qualified to vote and voting thereon at a general or special election.

FURTHER INFORMATION

Further information relative to the issuance of said bonds and the subject matter of this notice may be secured at the office of the City Clerk of the City of Owosso, 301 West Main Street, Owosso, Michigan 48867.

This notice is given pursuant to the provisions of Act 94, Public Acts of Michigan, 1933, as amended.

Amy K. Kirkland, CMC, City Clerk
City of Owosso

End of correction.

WHEREAS, it is anticipated that the City will advance a portion of the costs of the Project prior to the issuance of the Bonds, such advance to be repaid from proceeds of the Bonds upon the issuance thereof; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the "Reimbursement Regulations") specifies conditions under which a reimbursement allocation may be treated as an expenditure of bond proceeds, and the City intends by this resolution to qualify amounts advanced by the City to the Project for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations; and

WHEREAS, a notice of intent to issue the Bonds must be published in order to comply with the requirements of Section 33 of Act 94.

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

1. The Project shall consist of the sewage disposal system improvements described in the preamble hereto.
2. The maximum principal amount of Bonds expected to be issued for the Project is \$5,200,000.
3. The City hereby declares its official intent to issue the Bonds to finance the costs of the Project, and hereby declares that it reasonably expects to reimburse the City's advances to the Project as described in the preamble and as anticipated by this resolution.
4. The Bonds shall be authorized by proper proceedings subsequent to this resolution.
5. The Clerk is hereby instructed to publish the following notice attached hereto as Exhibit A once in a newspaper of general circulation in the City.
6. All prior resolutions and parts of resolutions insofar as they may be in conflict with this resolution are hereby rescinded.

EXHIBIT A

NOTICE OF INTENT TO ISSUE BONDS BY THE CITY OF OWOSSO, MICHIGAN

NOTICE IS HEREBY GIVEN, that the City of Owosso, Michigan, intends to issue revenue bonds, in one or more series, in the principal amount of not to exceed \$3,490,000 for the purpose of defraying the cost of improvements to the City's water supply system (the "System"), consisting of (i) improvements to, and replacement of components of, the City's water treatment plant and gravity filters, including without limitation underdrains, support gravel, media, backwash troughs, surface wash piping, surface wash arms, and all other work and equipment necessary and incidental to these improvements, (ii) replacement of water mains and service lines, as well as the restoration of property, streets, rights-of-way and easements affected by the improvements, and all other work necessary and incidental to these improvements, and (iii) payment of the costs of issuing the bonds and capitalized interest, if any.

The bonds will mature in not to exceed forty (40) years after the date of original issuance, and will bear interest from their date at a rate or rates to be determined at the time of sale thereof but in no event to exceed such rates as may be permitted by law.

The bonds will be issued under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and a resolution of the City Council and will be payable from the net revenues of the System and any improvements, enlargements and extensions thereto, and a statutory lien on said revenues will be established by said resolution. The City of Owosso will covenant and agree to fix and maintain at all times while any of the bonds shall be outstanding such rates for service furnished by the System as shall be sufficient to provide for payment of the necessary expenses of operation, maintenance and administration of the System and of the principal of and interest on the bonds when due and to provide for such other expenditures and funds for the System as are required by the resolution authorizing the issuance of bonds. In addition, the bonds may be secured by the full faith and credit of the City as limited by applicable constitutional, statutory, and charter limitations on the taxing power of the City.

RIGHT TO PETITION FOR REFERENDUM

This notice is given, by order of the City Council of the City of Owosso, to and for the benefit of the electors of the City of Owosso in order to inform them of their right to petition for a referendum upon the question of the issuance of the aforesaid bonds. The bonds will be issued, without submitting such a question to a vote of the electors, unless within 45 days after the date of publication of this notice a petition requesting a referendum upon such question, signed by not less

than 10% or 15,000 of the registered electors in the City of Owosso, whichever is the lesser, shall have been filed with the undersigned City Clerk. In the event that such a petition is filed, the bonds will not be issued unless and until the issuance thereof shall have been approved by the vote of a majority of the electors of the City of Owosso qualified to vote and voting thereon at a general or special election.

FURTHER INFORMATION

Further information relative to the issuance of said bonds and the subject matter of this notice may be secured at the office of the City Clerk of the City of Owosso, 301 West Main Street, Owosso, Michigan 48867.

This notice is given pursuant to the provisions of Act 94, Public Acts of Michigan, 1933, as amended.

Amy K. Kirkland, CMC, City Clerk
City of Owosso

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

Master Plan Implementation Goals: 3.4, 3.7

New Year's Eve Fireworks Permit Request

Motion by Councilmember Pidek to approve the request by Owosso Main Street/DDA for permission to hold a public fireworks display operated by Wolverine Fireworks Display, Inc. during the City's annual New Year's Event as follows:

RESOLUTION NO. 204-2023

**AUTHORIZING A PUBLIC FIREWORKS DISPLAY PERMIT
FOR WOLVERINE FIREWORKS DISPLAY, INC**

WHEREAS, Owosso Main Street / Downtown Development Authority holds an annual New Year's Eve celebration which includes a fireworks display at midnight; and

WHEREAS, as the legislative body of the City of Owosso, the City Council is required by Public Act 256 of 2011 to approve any public fireworks displays within its jurisdiction; and

WHEREAS, an application has been made by the OMS/DDA and operator Wolverine Fireworks Display, Inc. requesting a permit for a public fireworks display to be held during the New Year's Eve event; and said application has been reviewed by staff; and

WHEREAS, this is a budgeted item from 248-705-818.790.

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

FIRST: it has theretofore determined that it is advisable, necessary and in the public interest to approve a public fireworks display permit for the annual downtown New Year's Eve event, with Wolverine Fireworks Display, Inc. serving as operator.

SECOND: the Accounts Payable department is authorized to pay the operator in the amount of \$3,000.00 upon the successful conduct of the display.

THIRD: the above expense shall be paid from Account No. 248-705-818.790.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

Master Plan Implementation Goals: 4.2, 4.6, 4.16, 5.9, 5.12

Consumers Energy Permanent Easement – Juniper Municipal Well

Motion by Councilmember Pidek to grant permanent easements on City owned parcel 050-540-000-001-00, 1040 Juniper Street, to Consumers Energy for the construction, operation and maintenance of electrical and gas facilities for the Juniper Municipal Well as follows:

RESOLUTION NO. 205-2023

**GRANTING PERMANENT EASEMENTS
FOR ELECTRIC AND GAS FACILITIES FOR THE JUNIPER MUNICIPAL WELL SITE
TO CONSUMERS ENERGY**

WHEREAS, Consumers Energy desires to install electric and gas facilities on/under City owned parcel 050-540-000-001-00 to provide electricity and gas services to the new City municipal wellsite at 1040 Juniper St as described in Exhibit A; and

WHEREAS, Consumers Energy has requested the City grant permanent easements to allow for construction, operation, maintenance, and inspection of said facilities; and

WHEREAS, City staff has reviewed the request and concurs with the proposed locations; and

WHEREAS, the City of Owosso is willing to grant permanent easements for the portions of parcel 050-540-000-001-00 as described in each Exhibit B of the easement agreements.

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

FIRST: The City of Owosso has determined that it is advisable, necessary and in the public interest to grant permanent easements as outlined by the terms set forth in the attached Easements for both Electric Facilities and Gas Facilities between the City of Owosso and Consumers Energy.

SECOND: The Mayor and City Clerk are instructed and authorized to execute said easement documents.

EXHIBIT A

Owner's Land

PARCEL 1 -The West 1/2 of the Northeast 1/4 and the West 1/2 of the East 1/2 of the Northeast 1/4 of Section 18, Township 7 North, Range 3 East, Caledonia Township, Shiawassee County, Michigan.

PARCEL 2 - The South 1/6 of the West 1/2 of the Southeast 1/4 of Section 7, and the South 1/6 of the West 1/2 of the East 1/2 of the Southeast 1/4 of Section 7; all in Township 7 North, Range 3 East, Township of Caledonia, Shiawassee County, Michigan.

EXCEPT lands conveyed to Shiawassee County Road Commission for highway purposes.

ALSO EXCEPT lands conveyed under Deed recorded at Page 256 of Liber 661 of the records in the Offices of the Register of Deeds of Shiawassee County, Michigan, more particularly described as follows: That part of the West 1/2 of the Southeast 1/4 of Section 7, Township 7 North, Range 3 East, Caledonia Township, Shiawassee County, Michigan, described as: Beginning at a point on the North-South 1/4 line distant North 01°03'30" West 50.01 feet from the South 1/4 corner of said Section 7: thence continuing North 01°03'30" West 381.28 feet along said North-South 1/4 line; thence South 89°06' 11" East 755.00 feet along the North line of the South 1/6 of said West 1/2 of the Southeast 1/4; thence South 01°02'41" East 383.83 feet; thence North 88°54'34" West 755.00 feet parallel with and distant 50.00 feet from the South line of said Section 7 to the point of beginning. Said parcel having rights of ingress and egress across adjoining property by means of a 100 foot wide easement described below as 100 foot Wide Access Easement.

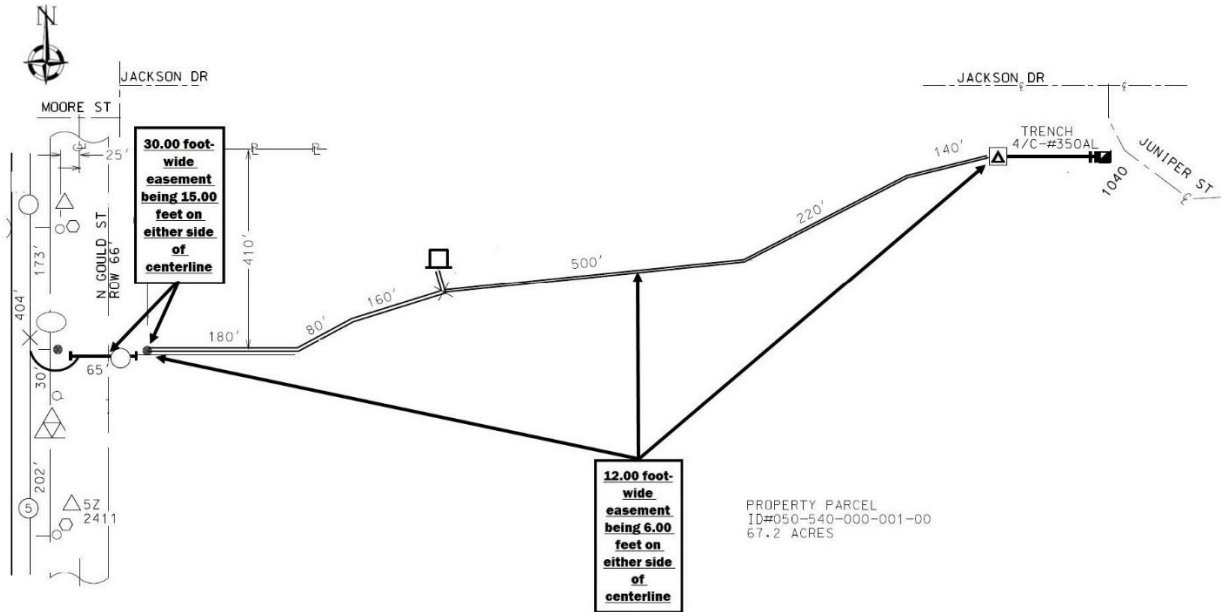
Together with an easement for ingress and egress described as: That part of the West 1/2 of the Southeast 1/4 of Section 7, Township 7 North, Range 3 East, Caledonia Township, Shiawassee County, Michigan, beginning at a point on the North-South 1/4 line distant North 01°03'30" West 50.01 feet from the South 1/4 corner of said Section 7; thence South 88° 54'34" East 370.00 feet; thence South 01°03'30" East 100.02 feet parallel with said North-South 1/4 line; thence North 88°54'04" West 370.00 feet; thence North 01°03'30" West 50.01 feet to the point of beginning.

ALSO EXCEPT a non-exclusive grant of access and utilities, easements and right-of-way granted to Rural Housing Corporation, d/b/a Centrum Development Company and Greenwood Limited Dividend Housing Association Limited Partnership by instrument recorded at Liber 661, Page 260 in the Offices of the Register of Deeds in Shiawassee County, Michigan.

EXHIBIT B

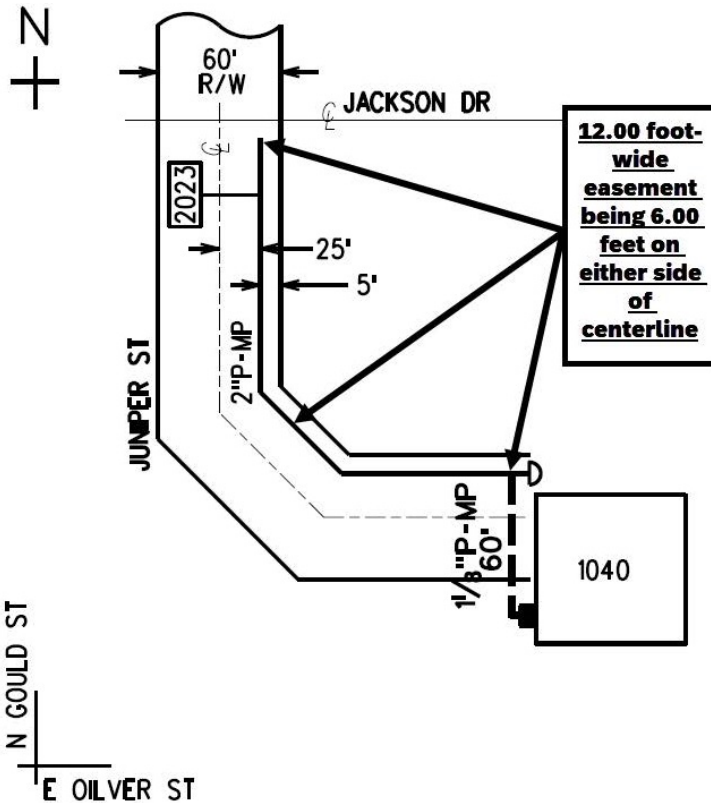
Easement Area 1

A 30.00 foot wide strip of land, being 15.00 feet on each side of the centerline of the overhead line and a 12.00 foot wide strip of land, being 6.00 feet on each side of the centerline of the underground line constructed on Owner's Land, the centerline to be located approximately as shown in the attached drawing.



Easement Area 2

A 12.00-foot-wide strip of land, being 6.00 feet on each side of the centerline of the pipeline constructed on Owner's Land, the centerline to be located approximately as shown in the attached drawing.



Motion supporte

Roll Call Vote.

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

NAYS: None.

Master Plan Implementation Goals: 3.4

COMMUNICATIONS

Parks & Recreation Commission. Resignation of Donald Horton.
Brad A. Barrett, Finance Director. FY2023 Pension & OPEB Report.
Brad A. Barrett, Finance Director. Financial Report – October 2023.
Owosso Historical Commission. Minutes of November 13, 2023.
Planning Commission. Minutes of November 27, 2023.
WWTP Review Board. Minutes of November 28, 2023.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 2910 W. M-21, shared his concerns about boarding up windows on the second floor of buildings in the Historic District.

Eddie Urban, 601 Glenwood Avenue, urged Council to assist him with the reinstallation of a guy wire on a power pole near his home as it presents a danger not only to him but to the neighborhood. He said he called five different utility companies in an attempt to get someone to fix it, but no one would take responsibility. He begged Council to do something about the situation.

Councilmember Law showed Councilmembers pictures of the pole he had taken for Mr. Urban and said that he shared Eddie's concern with the situation. Utilities Director Ryan E. Suchanek volunteered to look into the matter.

Councilmember Fear gave a Planning Commission update, saying they are still working on the new zoning ordinance but are targeting a January 2024 presentation to City Council. She also asked about the Gould House inventory. Mayor Pro-Tem Osika indicated that Curwood related items would be moved to the Castle, the rest will be inventoried.

Councilmember Fear inquired about the status of the county-wide group looking into curbside recycling options. Councilmember Haber indicated that the group had not yet met.

Mayor Pro-Tem Osika reminded everyone that the Historical Commission would be celebrating the 100th anniversary of Curwood Castle at their Roaring 20's holiday party this Saturday at the Conservation Club.

Councilmember Pidek thanked everyone involved in putting on the fantastic Glow Parade Events on Thanksgiving weekend. He said it was very well attended and excitement could be felt in the air.

City Manager Henne congratulated Utilities Director Suchanek on obtaining his S-3 water distribution system certification. Mr. Suchanek received applause for his achievement.

Mayor Teich thanked those members of the community that were reappointed to a City board or commission, commending them for stepping up. He also thanked two departing board members for their service.

NEXT MEETING

Monday, December 18, 2023, 7:30 p.m. - Regular

BOARDS AND COMMISSIONS OPENINGS

Board of Review – term expires December 31, 2028
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 Olson for adjournment at 8:03 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.