

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF JUNE 17, 2024
7:30 P.M.
VIRGINIA TEICH CITY COUNCIL CHAMBERS**

PRESIDING OFFICER: MAYOR ROBERT J. TEICH, JR.

OPENING PRAYER: PASTOR DEB GRAZIER
FIRST CONGREGATIONAL CHURCH

PLEDGE OF ALLEGIANCE: GARLAND GRAZIER

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

ABSENT: Councilmember Emily S. Olson.

APPROVE AGENDA

Motion by Councilmember Pidek to approve the agenda with the following change:

Remove Consent Agenda item 7. Change Order – Public Safety Vehicle Equipment Changeover

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF JUNE 3, 2024

Motion by Councilmember Pidek to approve the Minutes of the Regular Meeting of June 3, 2024 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Guy Stuart, IV, 1000 W. Oliver Street, once again expressed his interest in purchasing the Gould House, saying his plans for the property coincide with the City's goal of increasing tourism. He asked for serious consideration of his cash offer when Council makes a decision as to whom the property should be sold.

Tom Manke, 2910 W. M-21, said he would like to see the Gould House sold to Mr. Stuart because he is an Owosso resident and Council should make deals with local people before they deal with outsiders. He went on to accuse the Council of accepting bribes.

Councilmember Law noted that he made an error on the date when he announced the annual Firefighter Memorial BBQ at the last meeting. The BBQ will be held September 14th from 3:00 p.m. until 11:00 p.m. at the Conservation Club.

Mayor Pro-Tem Osika thanked City Manager Henne for filling in for her as an announcer so that she could walk in the Heritage Parade. She said it had been another great Curwood weekend.

Mayor Teich said he was happy to have Mayor Pro-Tem Osika walk with him in the parade, saying they make a good team. He also thanked Dakota Woodworth for agreeing to serve on the DDA.

CONSENT AGENDA

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

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

Name	Board/Commission	Term Expires
Dakota Woodworth	Downtown Development Authority	06-30-2028

*Indicates reappointment

Proposed Special Assessment Project – Howell Street. Authorize Resolution No. 1 for proposed Special Assessment District No. 2025-01 for Howell Street from the south end to Clinton Street for street resurfacing as follows:

RESOLUTION NO. 96-2024

**HOWELL STREET
FROM SOUTH END TO CLINTON STREET
SPECIAL ASSESSMENT RESOLUTION NO. 1**

WHEREAS, the City Council of the City of Owosso deems it necessary to acquire and construct the following described improvement:

**Howell Street from south end to Clinton Street:
Street Resurfacing**

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The matter of making said public improvement is hereby referred to the City Manager, who shall prepare a report thereon, which shall include plans and detailed estimates of the cost thereof and a description of the special assessment district and such other pertinent information as will permit the City Council to decide the cost, extent and necessity of the public improvement and what proportion of the cost should be paid by the City at large.
2. The City Manager shall present said report to the City Council when same has been prepared.

Master Plan Implementation Goals: 3.4, 3.10

Proposed Special Assessment Project – Lynn Street. Authorize Resolution No. 1 for proposed Special Assessment District No. 2025-02 for Lynn Street from the west end to Howell Street for street resurfacing as follows:

RESOLUTION NO. 97-2024

**LYNN STREET
FROM WEST END TO HOWELL STREET
SPECIAL ASSESSMENT RESOLUTION NO. 1**

WHEREAS, the City Council of the City of Owosso deems it necessary to acquire and construct the following described improvement:

**Lynn Street from west end to Howell Street:
Street Resurfacing**

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The matter of making said public improvement is hereby referred to the City Manager, who shall prepare a report thereon, which shall include plans and detailed estimates of the cost thereof and a description of the special assessment district and such other pertinent information as will permit the City Council to decide the cost, extent and necessity of the public improvement and what proportion of the cost should be paid by the City at large.
2. The City Manager shall present said report to the City Council when same has been prepared.

Master Plan Implementation Goals: 3.4, 3.10

Bid Award – Self-Propelled Concrete Saw. Approve bid award to Lady Liberty Equipment LLC for the purchase of a 26" self-propelled concrete saw in the amount of \$17,925.00 and approve payment to the contractor upon satisfactory delivery of said equipment as follows:

RESOLUTION NO. 98-2024

**AUTHORIZING PURCHASE AGREEMENT FOR
A CORE CUT SELF-PROPELLED CONCRETE SAW
FROM LADY LIBERTY EQUIPMENT LLC**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Department of Public Works requires the use of a 26" self-propelled concrete saw; and

WHEREAS, the City of Owosso, has sought bids for a new 26" self-propelled concrete saw to provide a reliable, safer, deeper cutting tool; and

WHEREAS, the City of Owosso Director of Public Services & Utilities has reviewed the current replacement model and type, this is a budgeted item for replacement, from lowest responsible bidder, Lady Liberty Equipment LLC.

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 contract with Lady Liberty Equipment LLC for the purchase of one (1) new Core Cut model CC3538JK-26 26" self-propelled concrete saw with a cost to the City of Owosso of \$17,925.00.
- SECOND: the Mayor and City Clerk are instructed and authorized to sign the document substantially in the form attached, Contract for Services between the City of Owosso, Michigan and Lady Liberty Equipment LLC up to the amount of \$17,925.00.
- THIRD: the above expenses shall be paid from the account no. 661-901-979.000.

***Professional Services Agreement – Local Well No. 1.** Waive competitive bidding requirements, authorize professional services agreement with Northern Pump & Well, Inc. for well cleaning and pump rebuild or replacement of Local Well No. 1 in the amount of \$40,918.00, and further authorize payment to contractor upon satisfactory completion of the project as follows:

RESOLUTION NO. 99-2024

**AUTHORIZING SERVICES AGREEMENT WITH NORTHERN PUMP & WELL, INC.
FOR CLEANING AND REBUILD OR REPLACEMENT OF PUMP FOR LOCAL WELL NO. 1
AT THE WATER TREATMENT PLANT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, is required to maintain a constant supply of water to its city and regional customers in accordance with state and federal regulatory requirements; and

WHEREAS, the ability to pump and deliver treated water on demand to customers is compromised when raw water production wells become plugged or inoperable; and

WHEREAS, the City Director of Public Services and Utilities has reviewed the necessity for the purchase of services to clean and rebuild or replace the pump for Local Well No. 1, and recommends authorizing Northern Pump & Well, Inc. to provide these services in the amount of \$40,918.00.

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

- FIRST: it has heretofore determined that it is advisable, necessary and in the public interest to enter into a services agreement with Northern Pump & Well, Inc. of Lansing, Michigan for well cleaning and the rebuild or replacement of the pump for Local Well No. 1.
- SECOND: the mayor and/or city clerk are instructed and authorized to sign the services agreement as prepared by the city clerk.
- THIRD: the accounts payable department is authorized to submit payment to Northern Pump & Well, Inc. in an amount not to exceed \$40,918.00.
- FOURTH: the above expenses shall be paid from account no. 591-553-833.100.

Master Plan Implementation Goals: 1.5, 3.4, 3.10

***Change Order No. 1 – 2022-2024 Water Service Line Replacement Project.** Authorize Change Order No. 1 with Green Tech Systems, LLC for the 2022-2024 Water Service Line Replacement Project, a 2022 DWSRF project, in the amount of \$12,077.80 increasing the contract from \$3,331,600.00 to \$3,343,677.80 and further approve payment to the contractor up to the contract amount plus Change Order No. 1 as follows:

RESOLUTION NO. 100-2024

**AUTHORIZING CHANGE ORDER NO. 1
TO THE CONTRACT WITH
GREEN TECH SYSTEMS, LLC
FOR THE 2022-2024 WATER SERVICE LINE REPLACEMENT PROJECT**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, approved a contract with Green Tech Systems, LLC on March 21, 2022 for the 2022-2024 Water Service Line Replacement Project for the replacement of lead and galvanized water service lines on various streets throughout the city; and

WHEREAS, the Michigan Department of Environment, Great Lakes, and Energy (EGLE) has requested that the installation of water service line at 1991 Herman Street be included in the project scope; and

WHEREAS, Green Tech Systems, LLC has agreed to complete this additional water service line installation in the amount of \$12,077.80.00, and a change order is necessary to increase the contract amount.

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

- FIRST: it has heretofore determined that it is advisable, necessary and in the public interest to amend the 2022-2024 Water Service Line Replacement contract with Green Tech Systems, LLC to increase the contract amount to complete an additional water service line replacement.
- SECOND: the mayor and city clerk are instructed and authorized to sign the document substantially in form attached as Change Order No. 1 in the amount of \$12,077.80; an increase to the Contract for Services between the City of Owosso and Green Tech Systems LLC, revising the total current contract amount from \$3,331,600.00 to \$3,343,677.80.
- THIRD: the accounts payable department is authorized to pay Green Tech Systems, LLC for work satisfactorily completed up to the revised contract amount of \$3,343,677.80.
- FOURTH: the above expenses shall be paid from Water Fund Account 591-552-818.000-LSLREPLACE to be reimbursed by EGLE.

Master Plan Implementation Goals: 3.4

Change Order No. 2 – Public Safety Vehicle Equipment Changeovers. (This item was removed from the agenda.)

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Olson.

ITEMS OF BUSINESS

2023-24 City Budget Amendment

Motion by Councilmember Pidek to adopt the 12-month budget amendments to the 2023-2024 Budget as follows:

RESOLUTION NO. 101-2024

**GENERAL APPROPRIATIONS ACT (BUDGET)
12 MONTH BUDGET AMENDMENTS FOR FYE 06-30-2024**

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

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

WHEREAS, pursuant to Chapter 8, Section 6 of the Owosso City Charter, the City Council received six-month budget amendments for the fiscal year beginning July 1, 2023 and adopted them on February 20, 2024; and

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT the City Council of the City of Owosso hereby adopts the amended fiscal year 2023 – 2024 budget with twelve-month budget amendments as shown below:

Section 1: Estimated Expenditures

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

General Fund Expenditures

APPROPRIATIONS		
101	CITY COUNCIL	8,060
171	CITY MANAGER	336,579
201	FINANCE	243,945
210	CITY ATTORNEY	121,000
215	CLERK	280,940
228	INFORMATION & TECHNOLOGY	294,655
253	TREASURY	233,555
257	ASSESSING	214,442
261	GENERAL ADMIN	386,302
262	ELECTION	74,605
265	BUILDING & GROUNDS	205,023
270	HUMAN RESOURCES	218,945
301	POLICE	3,251,502
336	FIRE	3,277,192
371	BUILDING AND SAFETY	29,880
441	PUBLIC WORKS	662,195
528	LEAF AND BRUSH COLLECTION	331,898
585	PARKING	72,304
720	COMMUNITY DEVELOPMENT	199,067
751	PARKS	573,348
966	TRANSFERS OUT	70,931
TOTAL APPROPRIATIONS		11,086,368

Major Streets Fund Expenditures

APPROPRIATIONS		
451	CONSTRUCTION	2,200,250
463	STREET MAINTENANCE	535,792
473	BRIDGE MAINTENANCE	166,128
474	TRAFFIC SERVICES-MAINTENANCE	17,356
478	SNOW & ICE CONTROL	171,265
480	TREE TRIMMING	86,453
482	ADMINISTRATION & ENGINEERING	214,664
485	LOCAL STREET TRANSFER	350,000
486	TRUNKLINE SURFACE MAINTENANCE	3,950
488	TRUNKLINE SWEEPING & FLUSHING	2,000
490	TRUNKLINE TREE TRIM & REMOVAL	1,000
491	TRUNKLINE STORM DRAIN, CURBS	900

Major Streets Fund Expenditures, continued...

492	TRUNKLINE ROADSIDE CLEANUP	718
494	TRUNKLINE TRAFFIC SIGNS	760
497	TRUNKLINE SNOW & ICE CONTROL	22,200
TOTAL APPROPRIATIONS		3,773,436

Local Streets Fund Expenditures

APPROPRIATIONS		
451	CONSTRUCTION	714,748
463	STREET MAINTENANCE	634,278
474	TRAFFIC SERVICES-MAINTENANCE	1,500
478	SNOW & ICE CONTROL	72,578
480	TREE TRIMMING	128,547
482	ADMINISTRATION & ENGINEERING	122,861
TOTAL APPROPRIATIONS		1,674,512

Park/Recreation Sites Expenditures

APPROPRIATIONS		
751	PARKS	26,016
TOTAL APPROPRIATIONS		26,016

OMS/DDA Revolving Loan Fund Expenditures

APPROPRIATIONS		
200	GEN SERVICES	43,971
TOTAL APPROPRIATIONS		43,971

Downtown Development Authority Fund Expenditures

APPROPRIATIONS		
200	GEN SERVICES	214,037
261	GENERAL ADMIN	86,119
704	ORGANIZATION	700
705	PROMOTION	17,505
706	DESIGN	7,000
707	ECONOMIC VITALITY	30,333
905	DEBT SERVICE	22,065
TOTAL APPROPRIATIONS		377,759

Building Inspection Expenditures

APPROPRIATIONS		
200	GEN SERVICES	109,953
371	BUILDING AND SAFETY	158,661
TOTAL APPROPRIATIONS		268,614

Housing & Redevelopment Expenditures

APPROPRIATIONS		
200	GEN SERVICES	1,470,502
TOTAL APPROPRIATIONS		1,470,502

ARPA – American Rescue Plan Act Fund Expenditures

APPROPRIATIONS		
552	WATER UNDERGROUND	
966	TRANSFERS OUT	1,287,873
TOTAL APPROPRIATIONS		1,287,873

Historical Commission Fund Expenditures

APPROPRIATIONS		
797	HISTORICAL COMMISSION	28,977
798	CASTLE	35,446
799	GOULD HOUSE	15,228
800	COMSTOCK/WOODARD	1,300
TOTAL APPROPRIATIONS		80,951

General Obligation Debt Fund Expenditures

APPROPRIATIONS		
905	DEBT SERVICE	782,750
TOTAL APPROPRIATIONS		782,750

Capital Projects – Building Authority Fund

APPROPRIATIONS		
901	CAPITAL OUTLAY	12,182
TOTAL APPROPRIATIONS		12,182

Transportation Fund Expenditures

APPROPRIATIONS		
200	GEN SERVICES	84,073
TOTAL APPROPRIATIONS		84,073

Sewer Fund Expenditures

APPROPRIATIONS		
200	GEN SERVICES	2,260,393
549	SEWER OPERATIONS	303,736
901	CAPITAL OUTLAY	728,315
905	DEBT SERVICE	126,553
TOTAL APPROPRIATIONS		3,418,997

Water Fund Expenditures

APPROPRIATIONS		
200	GEN SERVICES	1,220,228
552	WATER UNDERGROUND	3,446,578
553	WATER FILTRATION	1,410,086
901	CAPITAL OUTLAY	6,038,601
905	DEBT SERVICE	409,684
TOTAL APPROPRIATIONS		12,525,177

Waste Water Treatment Fund Expenditures

APPROPRIATIONS		
200	GEN SERVICES	36,299
548	WASTEWATER OPERATIONS	2,065,715
901	CAPITAL OUTLAY	22,373,041
905	DEBT SERVICE	329,620
TOTAL APPROPRIATIONS		24,804,675

Fleet Fund Expenditures

APPROPRIATIONS		
594	FLEET MAINTENANCE	425,442
901	CAPITAL OUTLAY	1,161,150
TOTAL APPROPRIATIONS		1,586,592

Brownfield Redevelopment Authority Funds Expenditures

Fund 243 - BRA / OBRA #12 WOODWARD LOFT

APPROPRIATIONS		
721	PROFESSIONAL SERVICES	1,058
964	TAX REIMBURSEMENTS	133,142
TOTAL APPROPRIATIONS		134,200

Fund 259 - OBRA-DIST#15 -ARMORY BUILDING

APPROPRIATIONS		
721	PROFESSIONAL SERVICES	5,792
964	TAX REIMBURSEMENTS	42,710
TOTAL APPROPRIATIONS		48,502

Fund 272 - OBRA FUND-DISTRICT #17 CARGILL (PREV #8)

APPROPRIATIONS		
721	PROFESSIONAL SERVICES	10,720
905	DEBT SERVICE	167,998
TOTAL APPROPRIATIONS		178,718

Fund 273 - OBRA #9 ROBBINS LOFT

APPROPRIATIONS		
721	PROFESSIONAL SERVICES	1,200
TOTAL APPROPRIATIONS		1,200

Fund 276 - OBRA FUND DISTRICT #16 - QDOBA

APPROPRIATIONS		
721	PROFESSIONAL SERVICES	4,237
905	DEBT SERVICE	28,171
TOTAL APPROPRIATIONS		32,408

Fund 277 - OBRA FUND DISTRICT #20 - J&H OIL

APPROPRIATIONS		
721	PROFESSIONAL SERVICES	3,809
964	TAX REIMBURSEMENTS	49,977
TOTAL APPROPRIATIONS		53,786

Fund 283 - OBRA FUND-DISTRICT#3-TIAL

APPROPRIATIONS		
721	PROFESSIONAL SERVICES	750
905	DEBT SERVICE	19,392
TOTAL APPROPRIATIONS		20,142

Section 2: Estimated Revenues

The following amounts are hereby amended for revenues of the City Government for the FISCAL YEAR BEGINNING JULY 1, 2023 and ENDING JUNE 30, 2024:

General Fund Revenues

ESTIMATED REVENUES		
000	REVENUE	10,650,468
TOTAL ESTIMATED REVENUES		10,650,468

Major Streets Fund Revenues

ESTIMATED REVENUES		
000	REVENUE	2,729,940
TOTAL ESTIMATED REVENUES		2,729,940

Local Streets Fund Revenues

ESTIMATED REVENUES		
000	REVENUE	1,152,712
TOTAL ESTIMATED REVENUES		1,152,712

Parks and Recreation Sites Fund Revenues

ESTIMATED REVENUES		
000	REVENUE	10,050
TOTAL ESTIMATED REVENUES		10,050

OMS/DDA Revolving Loan Fund Revenues

ESTIMATED REVENUES		
000	REVENUE	36,892
TOTAL ESTIMATED REVENUES		36,892

Downtown Development Authority Fund Revenues

ESTIMATED REVENUES		
000	REVENUE	370,805
TOTAL ESTIMATED REVENUES		370,805

Building Inspection Fund Revenues

ESTIMATED REVENUES		
000	REVENUE	323,475
TOTAL ESTIMATED REVENUES		323,475

Housing & Redevelopment Fund Revenue

ESTIMATED REVENUES		
000	REVENUE	1,386,747
TOTAL ESTIMATED REVENUES		1,386,747

Opioid Settlement Fund Revenues

ESTIMATED REVENUES		
000	REVENUE	26,495
TOTAL ESTIMATED REVENUES		26,495

ARPA – American Rescue Plan Act Fund Revenues

ESTIMATED REVENUES		
000	REVENUE	207,900
TOTAL ESTIMATED REVENUES		207,900

Historical Commission Fund Revenues

ESTIMATED REVENUES		
000	REVENUE	64,802
TOTAL ESTIMATED REVENUES		64,802

Debt Service Fund Revenues

ESTIMATED REVENUES		
000	REVENUE	711,257
TOTAL ESTIMATED REVENUES		711,257

Capital Projects Building Authority Fund Revenues

ESTIMATED REVENUES		
000	REVENUE	557
TOTAL ESTIMATED REVENUES		557

Transportation Fund Revenues

ESTIMATED REVENUES		
000	REVENUE	19,879
TOTAL ESTIMATED REVENUES		19,879

Sewer Fund Revenues

ESTIMATED REVENUES		
000	REVENUE	3,379,453
TOTAL ESTIMATED REVENUES		3,379,453

Water Fund Revenues

ESTIMATED REVENUES		
000	REVENUE	10,920,937
TOTAL ESTIMATED REVENUES		10,920,937

Waste Water Treatment Fund Revenues

ESTIMATED REVENUES		
000	REVENUE	24,333,966
TOTAL ESTIMATED REVENUES		24,333,966

Fleet Fund Revenues

ESTIMATED REVENUES		
000	REVENUE	1,101,378
TOTAL ESTIMATED REVENUES		1,101,378

Brownfield Development Authority Funds Revenue

Fund 243 - BRA / OBRA #12 WOODWARD LOFT

ESTIMATED REVENUES		
000	REVENUE	134,227
TOTAL ESTIMATED REVENUES		134,227

Fund 259 - OBRA-DIST#15 -ARMORY BUILDING

ESTIMATED REVENUES		
000	REVENUE	48,717
TOTAL ESTIMATED REVENUES		48,717

Fund 272 - OBRA FUND-DISTRICT #17 CARGILL (PREV #8)

ESTIMATED REVENUES		
000	REVENUE	198,943
TOTAL ESTIMATED REVENUES		198,943

Fund 273 - OBRA #9 ROBBINS LOFT

ESTIMATED REVENUES		
000	REVENUE	6,621
TOTAL ESTIMATED REVENUES		6,621

Fund 276 - OBRA FUND DISTRICT #16 - QDOBA

ESTIMATED REVENUES		
000	REVENUE	28,814
TOTAL ESTIMATED REVENUES		28,814

Fund 277 - OBRA FUND DISTRICT #20 - J&H OIL

ESTIMATED REVENUES		
000	REVENUE	53,950
TOTAL ESTIMATED REVENUES		53,950

Fund 283 - OBRA FUND-DISTRICT#3-TIAL

ESTIMATED REVENUES		
000	REVENUE	15,598
TOTAL ESTIMATED REVENUES		15,598

Special Assessment Fund Revenues

Fund 858 - 2013 SPECIAL ASSESSMENT

ESTIMATED REVENUES		
000	REVENUE	1,071
TOTAL ESTIMATED REVENUES		1,071

Fund 864 - 2016 SPECIAL ASSESSMENT

ESTIMATED REVENUES		
000	REVENUE	3,507
TOTAL ESTIMATED REVENUES		3,507

Fund 865 - 2017 SPECIAL ASSESSMENTS

ESTIMATED REVENUES		
000	REVENUE	18,716
TOTAL ESTIMATED REVENUES		18,716

Fund 866 - 2018 SPECIAL ASSESSMENTS

ESTIMATED REVENUES		
000	REVENUE	45,621
TOTAL ESTIMATED REVENUES		45,621

Fund 867 - 2019 SPECIAL ASSESSMENTS

ESTIMATED REVENUES		
000	REVENUE	20,401
TOTAL ESTIMATED REVENUES		20,401

Fund 868 - 2020 SPECIAL ASSESSMENTS

ESTIMATED REVENUES		
000	REVENUE	21,661
TOTAL ESTIMATED REVENUES		21,661

Fund 869 - 2021-20XX SPECIAL ASSESSMENTS

ESTIMATED REVENUES		
000	REVENUE	170,169
TOTAL ESTIMATED REVENUES		170,169

Section 3: Adoption of Amended Budget by Reference

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

Section 4: City Council Adoption

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Olson.

Ordinance Adoption - Bonding for CWSRF Financing – Project No. 5919-01

Master Plan Implementation Goals: 3.4, 3.7

Motion by Councilmember Pidek to adopt the following ordinance authorizing and providing for the issuance of revenue bonds for CWSRF financing of the cost of improvements at the Wastewater Treatment Plant (secondary clarifier) under the provisions of Act 94, Public Acts of Michigan, 1933, as amended.

ORDINANCE NO. 846

A SUPPLEMENTAL ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF REVENUE BONDS TO PAY THE COST OF THE ACQUISITION AND CONSTRUCTION OF IMPROVEMENTS TO THE WASTEWATER TREATMENT SYSTEM OF THE CITY OF OWOSSO; TO PRESCRIBE THE FORM OF THE BONDS; TO PROVIDE FOR THE COLLECTION OF REVENUES FROM THE SYSTEM SUFFICIENT FOR THE PURPOSE OF PAYING THE COSTS OF OPERATION AND MAINTENANCE OF THE SYSTEM AND TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS; TO PROVIDE FOR SECURITY FOR THE BONDS; TO PROVIDE FOR THE SEGREGATION AND DISTRIBUTION OF REVENUES OF THE SYSTEM; TO PROVIDE FOR THE RIGHTS OF THE HOLDERS OF THE BONDS IN ENFORCEMENT THEREOF; AND TO PROVIDE FOR OTHER MATTERS RELATING TO THE BONDS AND THE SYSTEM.

THE CITY OF OWOSSO ORDAINS:

2024 SUPPLEMENTAL ORDINANCE. This ordinance (hereinafter referred to as the “2024 Supplemental Ordinance”) is adopted in accordance with Section 21 of the Prior Ordinance (defined below) and pursuant to the authority in Act 94.

DEFINITIONS. Except as hereinafter provided, all terms which are defined in Section 1 of the Prior Ordinance shall have the same meanings in this 2024 Supplemental Ordinance. In addition, whenever used in this 2024 Supplemental Ordinance, except when otherwise indicated by context, the following definitions shall apply to the terms in this 2024 Supplemental Ordinance:

“Authority” means the Michigan Finance Authority, or any successor agency.

“Authorized Officer” means the Mayor, City Manager, Finance Director, or Public Utilities Director of the City, or any one or more of them.

“Bonds” as defined in the Prior Ordinance shall include the Series 2024 Bonds that are being issued on a parity with the Series 2020 Bond, the Series 2022 Bonds, and the Series 2023 Bonds pursuant to Section 20 of the Prior Ordinance.

“Contract Documents” means the Purchase Contract between the City and the Authority, the Supplemental Agreement by and among the City, the Authority and the State of Michigan acting through the Department of Environment, Great Lakes, and Energy, and the Issuer’s Certificate for the Series 2024 Bonds, and such other closing documents required by the Authority for the issuance of the Series 2024 Bonds.

“Improvements” means the design, acquisition and construction of improvements to the System, including 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, equipment, and site improvements necessary and incidental to these improvements.

“Issue Date” means the date on which the Series 2024 Bonds are delivered to the original purchaser thereof.

“Prior Ordinance” means Ordinance No. 807 adopted by the City Council on April 20, 2020, Ordinance No. 826 adopted by the City Council on February 7, 2022, and Ordinance No. 840 adopted by the City Council on June 20, 2023.

“Series 2024 Bonds” means the Bonds authorized in Sections 5 and 6.

NECESSITY, PUBLIC PURPOSE. It is hereby determined to be necessary for the public health, safety and welfare of the City to acquire and construct the Improvements to the System in accordance with the maps, plans and specifications therefor prepared by the City’s consulting engineers, which are hereby approved.

ESTIMATED COST; PERIOD OF USEFULNESS. The cost of the Improvements has been estimated not to exceed \$5,200,000 including the payment of legal, engineering, financial and other expenses, which estimate of cost is approved and confirmed, and the period of usefulness of the Improvements is estimated to be not less than forty (40) years.

ISSUANCE OF BONDS. To pay all or a portion of the cost of designing, acquiring, and constructing the Improvements and to pay the legal and financial expenses and all other expenses incidental to the issuance of the Series 2024 Bonds, the City shall borrow the sum of not to exceed \$5,200,000 and issue its revenue bonds pursuant to the provisions of Act 94. The Series 2024 Bonds shall be issued in the aggregate principal sum of not to exceed \$5,200,000, as finally determined by the Authorized Officer at the time of sale, or such lesser amount thereof as shall have been advanced to the City pursuant to the Contract Documents. The remaining cost of the Improvements, if any, shall be paid from City funds on hand and legally available for such use.

During the time funds are being drawn down by the City under the Series 2024 Bonds, the Authority will periodically provide the City a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the City of its obligation to repay the outstanding principal amount actually advanced, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of the Series 2024 Bonds.

SERIES 2024 BOND DETAILS. The Series 2024 Bonds shall be designated “Wastewater Treatment System Junior Lien Revenue Bonds, Series 2024.” The Series 2024 Bonds shall be issued as one fully registered bond, shall be sold and delivered to the Authority in the denomination of the principal amount of the Series 2024 Bonds. The Series 2024 Bonds shall be dated the date of delivery to the Authority, or such other date approved by the Authorized Officer, and shall be payable on the dates determined by the Authorized Officer at the time of sale provided the final maturity shall be no later than forty (40) years after the date of issuance. The Series 2024 Bonds shall bear interest at a rate of not to exceed 3.00% per annum as determined by the Authorized Officer, payable semiannually on the dates determined by the Authorized Officer at the time of sale.

Notwithstanding the above, the final amount of any maturity and terms of the Series 2024 Bonds shall be as provided in the Contract Documents and will be finally determined by the Authorized Officer.

PAYMENT OF SERIES 2024 BONDS; CONFIRMATION OF STATUTORY LIEN. The principal of, premium, if any, and interest on the Series 2024 Bonds shall be payable solely from the Net Revenues, and, to secure such payment from the Net Revenues, the statutory lien upon the whole of the Net Revenues established by Act 94 and the pledge created in Section 6 of the Prior Ordinance is hereby confirmed in favor of the Series 2024 Bonds and lien shall be of equal standing and priority with the Series 2020 Bond, the Series 2022 Bonds, and the Series 2023 Bonds, but junior and subordinate to the lien of all, if any, subsequently issued Senior Lien Bonds.

The Series 2024 Bonds, including both principal and interest thereon, shall not be a general obligation of the City and shall not constitute an indebtedness of the City for the purpose of any debt limitations imposed by any constitutional or statutory provisions.

The statutory lien on the Net Revenues with respect to the Series 2024 Bonds will continue until payment in full of the principal of and interest on the Series 2024 Bonds, or until sufficient cash or Sufficient Government Obligations, or a combination thereof, have been deposited in trust for the payment in full of the principal of and interest on the Series 2024 Bonds to maturity, or, if called for redemption, to the date fixed for redemption, together with the amount of the redemption premium, if any. Upon deposit of cash or Sufficient Government Obligations, or a combination thereof, as provided in the previous sentence, the statutory lien shall be terminated with respect to the Series 2024 Bonds, the holder of the Series 2024 Bonds shall have no further rights under the Ordinance except for payment from the deposited funds, and the Series 2024 Bonds shall be considered to be defeased and shall not longer be considered to be outstanding under the Ordinance.

STATE REVENUE SHARING PLEDGE. If required by the Authority, as additional security for repayment of the Series 2024 Bonds, the City Council agrees to pledge the state revenue sharing payments that the City is eligible to receive from the State of Michigan under Act 140, Public Acts of Michigan, 1971, as amended, to the Authority as purchaser and holder of the Series 2024 Bonds. The Authorized Officer is authorized to execute and deliver a revenue sharing pledge agreement between the City and the Authority.

PRIOR REDEMPTION. The Series 2024 Bonds issued and sold to the Authority shall be subject to redemption prior to maturity upon the terms and conditions set forth in the form of Series 2024 Bonds contained in Section 12 hereof.

PAYING AGENT AND REGISTRATION.

Appointment of Paying Agent. From time to time the Authorized Officer shall designate and appoint a Paying Agent, which shall also act as transfer agent and bond registrar. The initial Paying Agent shall be the City Treasurer. In the event of a change in the Paying Agent, notice shall be given in writing, by certified mail, to each Registered Owner not less than sixty (60) days prior to the next interest payment date. The Paying Agent shall keep the official books for the recordation of the Registered Owners of the Bonds.

Registration of Bonds. Registration of the Bonds shall be recorded in the registration books of the City to be kept by a Paying Agent. Bonds may be transferred only by submitting the same, together with a satisfactory instrument of transfer signed by the Registered Owner or the Registered Owner's legal representative duly authorized in writing, to the Paying Agent, after which a new Bond or Bonds shall be issued by the Paying Agent to the transferee (new registered owner) in any denomination, in the same aggregate principal amount as the Bond submitted for transfer. No transfer of Bonds shall be valid unless and until recorded on the bond registration books in accordance with the foregoing. The person in whose name any Bond is registered may for all purposes, notwithstanding any notice to the contrary, be deemed and treated by the City and the Paying Agent as the absolute owner thereof, and any payment of principal and interest on any Bond to the Registered Owner thereof shall constitute a valid discharge of the City's liability upon such Bond to the extent of such payment. No Bond shall be transferred less than fifteen (15) days prior to an interest payment date nor after the Bond has been called for redemption.

Authority's Depository. Notwithstanding any other provision of the Prior Ordinance, this 2024 Supplemental Ordinance or the Series 2024 Bonds, so long as the Authority is the owner of the Series 2024 Bonds: (a) the Series 2024 Bonds shall be payable in lawful money of the United States; (b) the Series 2024 Bonds are payable as to principal, premium, if any, and interest at U.S. Bank Trust Company, National Association, or at such other place as shall be designated in writing to the City by the Authority (the "Authority's Depository"); (c) the City agrees that it will deposit with the Authority's Depository payments of the principal of, premium, if any, and interest on the Series 2024 Bonds in immediately available funds by 12:00 p.m. (noon) at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; in the event that the Authority's Depository has not received the City's deposit by 12:00 p.m. (noon) on the scheduled day, the City shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to

that late payment; and (d) written notice of any redemption of the Series 2024 Bonds shall be given by the City and received by the Authority's Depository at least 40 days prior to the date on which such redemption is to be made.

SALE OF BONDS. The Series 2024 Bonds shall be sold to the Authority by means of a negotiated sale. The City determines that a negotiated sale to the Authority is in the best interest of the City because the terms offered by the Authority are more favorable than those available from other sources of funding.

BOND FORM. The Series 2024 Bonds shall be in substantially the following form with such completions, changes and additions as may be required by the Authority or as recommended by the City's Bond Counsel and approved by the officers of the City signing the Series 2024 Bonds:

**UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF SHIAWASSEE**

CITY OF OWOSSO

WASTEWATER TREATMENT SYSTEM REVENUE BOND, SERIES 2024

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>
	See Schedule I	_____, 2024

Registered Owner: Michigan Finance Authority

Principal Amount:

The City of Owosso, Shiawassee County, Michigan (the "Issuer"), acknowledges itself indebted and, for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, out of the net revenues of the Wastewater Treatment System of the City (the "System"), including all appurtenances, additions, extensions and improvements thereto after provision has been made for reasonable and necessary expenses of operation, maintenance and administration of the System (the "Net Revenues"), the amounts and on the Dates of Maturity set forth on Schedule I herein, together with interest thereon from the dates of receipt of such funds, or such later date to which interest has been paid, at the Interest Rate per annum specified above, first payable on _____ 1, 20__, and semiannually thereafter on the first day of April and October of each year, except as the provisions hereinafter set forth with respect to redemption of this Bond prior to maturity may become applicable hereto.

The Issuer promises to pay to the Michigan Finance Authority (the "Authority") the principal amount of this Bond or so much thereof as shall have been advanced to the Issuer pursuant to a Purchase Contract between the Issuer and the Authority and a Supplemental Agreement by and among the Issuer, the Authority and the State of Michigan acting through the Department of Environment, Great Lakes and Energy, and the Order of Approval issued by the Department of Environment, Great Lakes and Energy.

Interest on this Bond is payable to the registered owner of record as of the close of business on the 15th day of the month immediately preceding any interest payment as shown on the registration books of the Issuer kept by the Treasurer of the Issuer, as bond registrar and paying agent, by check or draft mailed by the Treasurer of the Issuer to the registered owner at the registered address. Interest on this Bond shall be computed on the basis of a 360-day year comprised of twelve 30-day months. During the time funds are being drawn down by the Issuer under this Bond, the Authority will periodically provide the Issuer a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the Issuer of its obligation to repay the outstanding principal amount actually advanced, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of this Bond.

Notwithstanding any other provision of this Bond, so long as the Authority is the owner of this Bond, (a) this Bond is payable as to principal, premium, if any, and interest at U.S. Bank Trust Company, National Association, or at such other place as shall be designated in writing to the Issuer by the Authority (the "Authority's Depository"); (b) the Issuer agrees that it will deposit with the Authority's Depository payments of the principal of, premium, if any, and interest on this Bond in immediately available funds by 12:00 p.m. (noon) at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; in the event that the Authority's Depository has not received the Issuer's deposit by 12:00 p.m. (noon) on the scheduled day, the Issuer shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment; and (c) written notice of any redemption of this Bond shall be given by the Issuer and received by the Authority's Depository at least 40 days prior to the date on which such redemption is to be made.

This Bond, being one fully registered bond, is issued in accordance with the provisions of Act 94, Public Acts of Michigan, 1933, as amended, Ordinance No. 807 adopted by the City Council of the Issuer on April 20, 2020, as supplemented on February 7, 2022, as supplemented on June 20, 2023, and as supplemented again on June 17, 2024 (as supplemented, the "Ordinance"), for the purpose of paying the cost of acquiring and constructing improvements to the System. This Bond is a self-liquidating bond, and is not a general obligation of the Issuer within any constitutional, statutory or charter limitation, but is payable, both as to principal and interest, solely from the Net Revenues of the System. The principal of and interest on this Bond are secured by a statutory lien on the Net Revenues.

The Issuer hereby covenants and agrees 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 principal of and interest upon all such Bonds as and when the same become due and payable, to maintain a bond and interest redemption account and to provide for the payment of expenses of administration and operation and such expenses for maintenance of the System as are necessary to preserve the same in good repair and working order, and to provide for such other expenditures and funds for the System as are required by the Ordinance. **The City has reserved the right, on the conditions stated in the Ordinance, to issue additional bonds of prior and senior or equal standing of priority of lien with this Bond as to the Net Revenues.** For a complete statement of the revenues from which, and the conditions under which, this Bond is payable, a statement of the conditions under which additional bonds of equal or superior standing may hereafter be issued, and the general covenants and provisions pursuant to which this Bond is issued, reference is made to the Ordinance.

Bonds of this series may be subject to redemption prior to maturity by the Issuer only with the prior written consent of the Authority and on such terms as may be required by the Authority.

In the event of a default in the payment of principal or interest hereon when due, whether at maturity, by redemption or otherwise, the amount of such default shall bear interest (the "additional interest") at a rate equal to the rate of interest that is two percent above the Authority's cost of providing funds (as determined by the Authority) to make payment on the bonds of the Authority issued to provide funds to purchase this Bond but in no event in excess of the maximum rate of interest permitted by law. The additional interest shall continue to accrue until the Authority has been fully reimbursed for all costs incurred by the Authority (as determined by the Authority) as a consequence of the Issuer's default. Such additional interest shall be payable on the interest payment date following demand of the Authority. In the event that (for reasons other than the default in the payment of any municipal obligation purchased by the Authority) the investment of amounts in the reserve account established by the Authority for the bonds of the Authority issued to provided funds to purchase this Bond fails to provide sufficient available funds (together with any other funds that may be made available for such purpose) to pay the interest on outstanding bonds of the Authority issued to fund such account, the Issuer shall and hereby agrees to pay on demand only the Issuer's pro rata share (as determined by the Authority) of such deficiency as additional interest on this Bond.

It is hereby certified and recited that all acts, conditions and things required by law, precedent to and in the issuance of this Bond, exist and have been done and performed in regular and due time and form as required by law and that the total indebtedness of the Issuer including this Bond, does not exceed any charter, constitutional or statutory limitation.

IN WITNESS WHEREOF, the City of Owosso, Shiawassee County, Michigan, by its City Council, has caused this Bond to be signed, by the manual or facsimile signatures of its Mayor and City Clerk, all as of the ____ day of _____, 2024.

Robert Teich Jr., Mayor

Amy K. Kirkland, City Clerk

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____

(please print or type social security number or taxpayer identification number and name and address of transferee)

the within bond and all rights thereunder, and does hereby irrevocably constitute and appoint _____ attorney to transfer the within bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____, 20__

Notice: The signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular,

without alteration or enlargement or any change whatever. When assignment is made by a guardian, trustee, executor or administrator, an officer of a corporation, or anyone in a representative capacity, proof of his/her capacity to act must accompany the bond.

In the presence of: _____

Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guaranty program.

Signature Guaranteed: _____

Name of Issuer: CITY OF OWOSSO

EGLE Project No: 5919-01

EGLE Approved Amount: \$

SCHEDULE I

Based on the schedule provided below, unless revised as provided in this paragraph, repayment of principal of the Bond shall be made until the full amount advanced to the Issuer is repaid. In the event the Order of Approval issued by the Department of Environmental Quality (the "Order") approves a principal amount of assistance less than the amount of the Bond delivered to the Authority, the Authority shall only disburse principal up to the amount stated in the Order. In the event (1) that the payment schedule approved by the Issuer and described below provides for payment of a total principal amount greater than the amount of assistance approved by the Order or (2) that less than the principal amount of assistance approved by the Order is disbursed to the Issuer by the Authority, the Authority shall prepare a new payment schedule that shall be effective upon receipt by the Issuer.

Due Date	Amount of Principal Installment Due
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Interest on the Bond shall accrue on that portion of principal disbursed by the Authority to the Issuer from the date principal is disbursed, until paid, at the rate of ____% per annum, payable _____ 1, 20__, and semiannually thereafter.

The Issuer agrees that it will deposit with U.S. Bank Trust Company, National Association, or at such other place as shall be designated in writing to the Issuer by the Authority (the "Authority's Depository") payments of the principal of, premium, if any, and interest on this Bond in immediately available funds by 12:00 p.m. (noon) at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise. In the event that the Authority's Depository has not received the Issuer's deposit by 12:00 p.m. (noon) on the scheduled day, the Issuer shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment.

[END OF BOND FORM]

SALE, ISSUANCE, DELIVERY, TRANSFER AND EXCHANGE OF SERIES 2024 BONDS. The Series 2024 Bonds shall be sold at a private, negotiated sale to the Authority, as authorized by Act 227, Public Acts of Michigan, 1985, as amended. The City Council determines that the sale and delivery of the Series 2024 Bonds to the Authority as provided in this 2024 Supplemental Ordinance will provide the City with the lowest cost of borrowing money for the Improvements. The sale shall be made pursuant to the terms and conditions to be set forth in a Purchase Contract (the "Purchase Contract") and a Supplemental Agreement (the "Supplemental Agreement") related to the Series 2024 Bonds. The Authorized Officer is authorized to execute and deliver the Supplemental Agreement and the Purchase Contract in such forms as shall be approved by the Authorized Officer, with such approval to be evidenced by the Authorized Officer's signature thereon. Notwithstanding any other provision of this 2024 Supplemental Ordinance, the Series 2024 Bonds shall be initially sold to the Authority as one bond, numbered 1, in the aggregate principal amount of not to exceed the original principal amount of the Series 2024 Bonds. In addition, the Authorized Officer and other City employees and officials are authorized to execute and deliver to the Authority and such certificates and documents as the Authority or bond counsel shall require and to do all other things necessary to effectuate the sale, issuance, delivery, transfer and exchange of the Series 2024 Bonds in accordance with the provisions of this 2024 Supplemental Ordinance. The Authorized Officer is authorized to execute any orders, receipts, agreements, pledge agreements, documents or certificates necessary to complete the transaction, including, but not limited to, any issuers certificate, any certificates relating to federal or state securities laws, rules or regulations, and any revenue sharing pledge agreement. The Authorized Officer is authorized to seek a credit assessment, or similar, from Standard & Poor's or another nationally recognized rating organization

and to execute and file any applications to the Michigan Department of Treasury, including an Application for State Treasurer's Approval to Issue Long-Term Securities and any other applications to the Michigan Department of Treasury and to seek any waivers from the Michigan Department of Treasury. Any prior actions of the Authorized Officer in furtherance of this Section 13 and the transactions contemplated by this 2024 Supplemental Ordinance are hereby ratified and confirmed.

TAX COVENANT. The City covenants to comply with all requirements of the Code necessary to assure that the interest on the Series 2024 Bonds will be and will remain excludable from gross income for federal income tax purposes. The Authorized Officer and other appropriate officials of the City are authorized to do all things necessary to assure that the interest on the Series 2024 Bonds will be and will remain excludable from gross income for federal income tax purposes.

EXECUTION OF BONDS. The Mayor or the Mayor Pro Tem, and the Clerk or Deputy Clerk of the City, are hereby authorized and directed to sign the Series 2024 Bonds, either manually or by facsimile signature, on behalf of the City. Upon execution, the Series 2024 Bonds shall be delivered to the purchaser upon receipt of the purchase price or upon compliance with the terms and conditions of the Purchase Contract.

CONSTRUCTION FUND. The City Treasurer is hereby directed to create and maintain a construction fund for the Improvements (the "Construction Fund"), into which the proceeds of the Series 2024 Bonds shall be deposited. Such moneys shall be used solely for the purpose for which the Series 2024 Bonds were issued. Any unexpected balance in the Construction Fund remaining after completion of the Improvements may be used for such purposes as allowed by law. After completion of the Improvements and disposition of remaining Series 2024 Bond proceeds, if any, pursuant to the provisions of this Section, the Construction Fund shall be closed.

SERIES 2024 BOND PROCEEDS. The proceeds of the sale of the Series 2024 Bonds shall be used solely to pay the costs of the Improvements and any engineering, legal and other expenses incident thereto; provided that the City Council shall not authorize the payment of any such moneys for acquisition and construction of any part of the Improvements until there shall have been first filed with it by the consulting engineer in charge of such work, a written statement to the effect that the sum so to be paid is in full or partial payment of a contractual obligation in connection with the Improvements and that the City has received the consideration for such payment. The statement of the consulting engineer shall also show the cost of acquisition and construction of the Improvements that has theretofore been approved by him for payment and the amount of the balance that will be required for completion of the Improvements.

PUBLICATION AND RECORDATION. This 2024 Supplemental Ordinance shall be published once in full in a newspaper of general circulation in the City qualified under state law to publish legal notices, and the same shall be recorded in the records of the City and such recording authenticated by the signature of the City Clerk.

ORDINANCE SUBJECT TO MICHIGAN LAW. The provisions of this 2024 Supplemental Ordinance are subject to the laws of the State of Michigan.

SECTION HEADINGS. The section headings in this 2024 Supplemental Ordinance are furnished for convenience of reference only and shall not be considered to be a part of this 2024 Supplemental Ordinance.

SEVERABILITY. If any section, paragraph, clause or provision of this 2024 Supplemental Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this 2024 Supplemental Ordinance.

RATIFICATION OF PRIOR ORDINANCE; CONFLICTING ORDINANCES. The Prior Ordinance, as supplemented by the 2022 Supplemental Ordinance and this 2024 Supplemental Ordinance, is hereby ratified and confirmed. All ordinances or parts thereof, insofar as the same may be in conflict herewith, are hereby repealed to the extent of the conflict; provided, that the foregoing shall not operate to repeal any provision thereof, the repeal of which would impair the obligation on the Series 2020 Bond, the Series 2022 Bonds, the Series 2023 Bonds, or the Series 2024 Bonds.

EFFECTIVE DATE OF ORDINANCE. Pursuant to Section 6 of Act 94, this 2024 Supplemental Ordinance shall be approved on the date of first reading and this 2024 Supplemental Ordinance shall be effective immediately upon its adoption and publication pursuant to Act 94.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Olson.

Property Sale – 515 North Washington Street – Amos Gould House

Master Plan Implementation Goals: 3.20

City Manager Henne reminded the Council that the sale of real property requires at least five affirmative votes to be enacted.

There was discussion among Councilmembers as to the reasons why the Historical Commission recommended the proposal of the Harringtons over that of Mr. Stuart.

Motion by Mayor Pro-Tem Osika to approve the sale of city-owned property at 515 North Washington, known as the Gould House, to Sean Harrington in the amount of \$250,000.00 as follows:

RESOLUTION NO. 102-2024

**APPROVING PROPERTY SALE
BETWEEN THE CITY OF OWOSSO AND SEAN HARRINGTON
FOR THE AMOS GOULD HOUSE
LOCATED AT 515 N. WASHINGTON STREET**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, received an offer to purchase parcel # 050-470-033-001-00 for \$250,000 from Sean Harrington; and

WHEREAS, the City of Owosso published the offer for 21 days in accordance with City Charter provisions governing sale of City-owned real estate; and

WHEREAS, the 21-day posting period has expired; and

WHEREAS, the property is currently zoned Residential Multi Family RM-1; and

WHEREAS, the City of Owosso desires to complete a purchase agreement with Sean Harrington for sale of the property located at 515 North Washington Street to Sean Harrington in the amount of \$250,000.

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

FIRST: the City of Owosso agrees to sell parcel #050-470-033-001-00 to Sean Harrington for the sum of Two Hundred and Fifty Thousand Dollars (\$250,000.00), due at the time of closing.

SECOND: the Mayor and City Clerk are instructed and authorized to sign the documents as necessary to complete the sale of 515 North Washington Street between the City of Owosso and Sean Harrington.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Olson.

Rescind Resolution No. 95-2024 – Professional Services Agreement Termination – Planning & Zoning Services

Motion by Councilmember Pidek to rescind Resolution No. 95-2024, which authorized the termination of the Professional Services Agreement with CIB Planning, Inc. for planning and zoning services, and reinstate the original contract terms approved in June 2022 as follows:

RESOLUTION NO. 103-2024

**RESCIND RESOLUTION NO. 95-2024
REGARDING THE 30-DAY TERMINATION NOTICE FOR THE
PROFESSIONAL PLANNING SERVICES AGREEMENT
WITH CIB PLANNING, INC.**

WHEREAS, on June 3, 2024, City Council approved Resolution No. 95-2024 terminating the professional planning services agreement with CIB Planning, Inc.; and

WHEREAS, upon further review, the City now recommends that Resolution No. 95-2024 be rescinded in order to reinstate the contract with CIB Planning, Inc. as originally approved in June 2022 for site plan reviews, master plan drafting, and development advisory services contributing to our city's development and compliance with state planning and zoning laws.

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

FIRST: that Resolution No. 95-2024, originally authorized June 3, 2024, is hereby rescinded and the original contract with CIB Planning, Inc. is reinstated as approved in June of 2022.

SECOND: the mayor is instructed and authorized to sign the document substantially in the form attached, Contract Reinstatement Agreement between the City of Owosso, Michigan and CIB Planning, Inc., effective immediately.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmembers Olson.

COMMUNICATIONS

Tanya S. Buckelew, Planning & Building Director. May 2024 Building Department Report.

Tanya S. Buckelew, Planning & Building Director. May 2024 Code Violations Report.

Tanya S. Buckelew, Planning & Building Director. May 2024 Inspections Report.

Tanya S. Buckelew, Planning & Building Director. May 2024 Certificates Issued Report.

Kevin D. Lenkart, Public Safety Director. May 2024 Police Report.

Kevin D. Lenkart, Public Safety Director. May 2024 Fire Report.

WWTP Review Board. Minutes of May 28, 2024.

Downtown Development Authority. Minutes of June 5, 2024.

CITIZEN COMMENTS AND QUESTIONS

Bill Moull, 1335 W. North Street, Historical Commission Member, noted that the OHC has worked diligently on the Gould House project for some time and the in-kind offer from the Harringtons was never considered when they vetted the proposals. He also noted that he spoke with Mr. Stuart and let him know that his passion for the home was recognized by the Commission and that their recommendation had not been reached easily.

Tom Manke, 2910 W. M-21, said he felt Council made a mistake in accepting the OHC's recommendation for the Gould House and accused them of accepting a bribe.

Mayor Pro-Tem Osika wished Councilmember Law a happy birthday.

Councilmember Fear invited everyone to attend Owosso Pride this coming weekend.

NEXT MEETING

Monday, July 01, 2024

BOARDS AND COMMISSIONS OPENINGS

Building Board of Appeals – Alternate - term expires June 30, 2024

Building Board of Appeals – Alternate - term expires June 30, 2025

Zoning Board of Appeals – Alternate – term expires June 30, 2024

Zoning Board of Appeals – Alternate – term expires June 30, 2025

ADJOURNMENT

Motion by Mayor Pro-Tem Osika for adjournment at 7:59 p.m.

Motion supported by Councilmember Pidek 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.