

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF MAY 6, 2024
7:30 P.M.
VIRGINIA TEICH CITY COUNCIL CHAMBERS**

PRESIDING OFFICER: MAYOR ROBERT J. TEICH, JR.

OPENING PRAYER: PASTOR KATIE WALLEN
FIRST BAPTIST CHURCH OF OWOSSO

PLEDGE OF ALLEGIANCE: VICE COMMANDER MARK DRAYTON
VFW POST 6455

PRESENT: Mayor Robert J. Teich, Jr., Mayor Pro-Tem Susan J. Osika,
Councilmembers Janae L. Fear (8:01 p.m.), Jerome C. Haber,
Daniel A. Law, Emily S. Olson, and Nicholas L. Pidek.

ABSENT: None.

APPROVE AGENDA

Motion by Mayor Pro-Tem Osika to approve the agenda as presented with the following addition:

PROCLAMATIONS / SPECIAL PRESENTATIONS

1. Buddy Poppy Sale Kickoff.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF APRIL 15, 2024

Motion by Councilmember Pidek to approve the Minutes of the Regular Meeting of April 15, 2024 as presented.

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

APPROVAL OF THE MINUTES OF SPECIAL MEETING OF APRIL 29, 2024

Motion by Councilmember Haber to approve the Minutes of the Special Meeting of April 29, 2024 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

Buddy Poppy Sale Kickoff (This item was added to the agenda.)

VFW Post 9455 Poppy Queen Helena Alto made an appearance to sell the ceremonial first Buddy Poppy to Mayor Robert J. Teich, Jr. marking the start of the annual Buddy Poppy Sale in Owosso.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 2910 W. M-21, asked if there are any updates on the Fifth Third building, remarked about a slip and fall incident at City Hall, and said he would like to see Council take a stand on whether zoning issues should stay local or be decided by the State.

Mayor Teich said he had the pleasure of attending the soft opening of Barrister Brewery in Westown, recommending the establishment to everyone. He also thanked each of the citizens that volunteered to serve on a City board or commission.

It was noted that the City Manager provides an update on the Fifth Third building in his City Manager Report each month on the City website.

CONSENT AGENDA

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

Set Public Hearing - 2024-2025 City Budget. Set required Public Hearing pursuant to Chapter 8 of the City Charter for Monday, May 20, 2024 at 7:30 p.m. in Council Chambers at City Hall, 301 West Main Street, to receive citizen comment regarding the 2024-2025 Proposed City Budget.

Master Plan Implementation Goals: 3.4, 3.6, 3.7, 3.10, 3.13

***Set Public Hearing - DWSRF 5-year Project Plan.** Set a public hearing for Monday, May 20, 2024 at 7:30 p.m. in the City Hall Council Chambers to receive citizen comment regarding the Michigan Department of Environmental Quality Drinking Water State Revolving Fund 5-year Project Plan to replace water mains and lead service lines throughout the City and improvements to the Water Treatment Plant as follows:

RESOLUTION NO. 59-2024

SETTING A PUBLIC HEARING TO RECEIVE CITIZEN COMMENT REGARDING THE DWSRF 5 YEAR PROJECT PLAN TO REPLACE AGING INFRASTRUCTURE

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has been working to detail the next phase of infrastructure improvements at the Water Treatment Plant and in the distribution system; and

WHEREAS, these improvements are required to comply with regulatory requirements and to increase the reliability of service to residents and customers, and

WHEREAS, a 5-year project plan has been developed for replacement of water mains, lead service line replacement, WTP upgrades, design/construction engineering and planning, with an estimated cost of \$81,440,000.00; and

WHEREAS, the City is seeking funding for the project from EGLE’s Drinking Water State Revolving Fund (DWSRF); and

WHEREAS, the DWSRF program requires that a hearing be held to receive public comment regarding the proposed project plan.

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

FIRST: a public hearing is set for Monday, May 20, 2024 at 7:30 p.m. in the City Hall Council Chambers to review the City’s 5-Year Project Plan for the replacement of lines and lead service lines and upgrades to the Water Treatment Plant, as required by EGLE’s Drinking Water State Revolving Fund program.

Master Plan Implementation Goals: 3.4, 3.7

First Reading & Set Public Hearing – Ordinance Amendment - Washington Park PILOT. Conduct first reading and set a public hearing for Monday, May 20, 2024 at 7:30 p.m. to receive citizen comment regarding the proposed addition of Division 3, Washington Park, to Article III, *Service Charge in Lieu of Taxes for Certain Housing Developments*, of Chapter 32, Taxation, establishing a PILOT for the proposed Washington Park project as follows:

RESOLUTION NO. 60-2024

AUTHORIZING FIRST READING & SETTING A PUBLIC HEARING FOR THE PROPOSED ADDITION OF DIVISION 3, WASHINGTON PARK, TO CHAPTER 32, TAXATION, OF THE CODE OF ORDINANCES TO ESTABLISH A PILOT AGREEMENT FOR THE WASHINGTON PARK DEVELOPMENT

WHEREAS, the Shiawassee County Land Bank Authority has recently agreed to sell the vacant land on North Washington Street to Venture, Inc. of Pontiac, Michigan; and

WHEREAS Venture, Inc. plans to convert the vacant land into a residential development with residential spaces catering to people with low incomes funded in part by low-income housing tax credits; and

WHEREAS, the City of Owosso agrees to forego property tax payments on the property to assist in the financial feasibility of the project; and

WHEREAS, the City of Owosso is authorized to establish a service charge in lieu of property taxes for such developments; and

WHEREAS, said service charges are instituted by the adoption of an ordinance; and

WHEREAS, it is the long-standing practice of the City Council to hold a public hearing to receive citizen comment regarding any and all proposed ordinance amendments.

NOW, THEREFORE, BE IT RESOLVED, THAT THE CITY OF OWOSSO ORDAINS THAT:

SECTION 1. ADDITION. That Division 3, Washington Park, be added to Article III, *Service Charge in Lieu of Taxes for Certain Housing Developments*, of Chapter 32, Taxation, of the Code of Ordinances of the City of Owosso as follows:

ARTICLE III. - SERVICE CHARGE IN LIEU OF TAXES FOR CERTAIN HOUSING DEVELOPMENTS

Secs. 32-57—32-59.-Reserved.

DIVISION 3. – WASHINGTON PARK

Sec. 32-60. - Preamble.

It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for its citizens of low income and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the State Housing Development Authority Act of 1966 (1966 PA 346, as amended, MCL 125.1401 et seq.). The City is authorized by this Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this Act at any amount it chooses not to exceed the taxes that would be paid but for this Act.

It is further acknowledged that such housing for persons of low income is a public necessity, and as the City will be benefited and improved by such housing, the encouragement of the same by providing certain real estate tax exemption for such housing is a valid public purpose; further, that the continuance of the provisions of this article for tax exemption and the service charge in lieu of taxes during the periods contemplated in this article are essential to the determination of economic feasibility of housing developments which are constructed and financed in reliance on such ordinance and service charge.

The City further acknowledges that Venture, Inc., a nonprofit corporation (a sponsor), has offered subject to receipt of a mortgage loan from the authority, to erect, own and operate a housing development identified as Washington Park on certain property located at (see legal description on file with the City Clerk) in the City to serve persons of low income, and that the sponsor has offered to pay the City on account of the development an annual service charge for public services in lieu of all taxes.

The City further acknowledges that Venture, Inc., a nonprofit corporation, has offered subject to receipt of low income housing tax credits from the authority, to erect, own and operate a housing development to the City's required standards, identified as the Washington Park on certain property located at the southwest corner of Welsey Street and Washington Street in the City, hereinafter referred to as the "Site" and further described as:

COMMENCING 358 NORTH AND 33 FEET WEST OF THE INTERSECTION OF THE SOUTH LINE OF SECTION 12 AND THE CENTERLINE OF NORTH WASHINGTON STREET; THENCE WEST 231 FEET; THENCE NORTH 6 FEET; THENCE WEST 133.7 FEET; THENCE NORTH 279 FEET; THENCE EAST 364.21 FEET; THENCE SOUTH 284 FEET TO THE POINT OF BEGINNING, PART OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 12, T7N-R2E.

Parcel Number: 050-535-000-001-00

to persons of low income, and that the sponsor has offered to pay the City on account of the development an annual service charge for public services in lieu of all taxes.

Sec. 32-61. - Definitions.

[The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Act means the State Housing Development Authority Act, being Public Act 346 of 1966, of the State of Michigan, as amended.

Annual shelter rents means the total collections during an agreed annual period from all occupants of a housing development representing rents or occupancy charges exclusive of charges for gas, electricity, heat or other utilities furnished to the occupants.

Authority means the Michigan State Housing Development Authority.

Contract rents are as defined by the U.S. Department of Housing and Urban Development in regulations promulgated pursuant to Section 8 of the U.S. Housing Act of 1937, as amended.

Housing development means a development which contains a significant element of housing for elderly persons of low income or persons of low income and such elements of other housing, commercial, recreational, industrial, communal, and educational facilities as the authority determines improve the quality of the development as it relates to housing for persons of low income.

HUD means the Department of Housing and Urban Development of the United States Government.

Mortgage loan means a loan to be made by the authority or Farmers Home Administration or the Department of Housing and Urban Development to a sponsor for the construction and permanent financing of a housing development or a mortgage loan insured by HUD or a federally aided mortgage as otherwise defined by the Act.

Persons of low income means persons and families eligible to move into a housing development; families and persons who cannot afford to pay the amounts at which private enterprise, without federally- aided mortgages or loans from the authority, is providing a substantial supply of decent, safe, and sanitary housing and who fall within income limitations set in this act or by the authority in its rules. Among low income or moderate-income persons, preference shall be given to the elderly and those displaced by urban renewal, slum clearance, or other governmental action.

Sponsor means persons or entities which have applied to either the authority for a mortgage loan to finance a housing development or to another governmental entity or is a federally aided mortgage, as otherwise defined by the Act.

Utilities means fuel, water, sanitary sewer service and/or electrical service which are paid by the housing development.

Sec. 32-62. - Class of housing developments.

It is determined that the class of housing developments to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be multiple dwellings for persons of low income which are financed or assisted by the authority or which have a federally aided mortgage, as defined in the Act. It is determined that Washington Park is of this class.

Sec. 32-63. - Establishment of annual service charge for Washington Park.

The housing development identified as Washington Park and the property on which it shall be constructed shall be exempt from all property taxes from and after the commencement of construction. The City, acknowledging that the sponsor and the authority have established the economic feasibility of the housing development in reliance upon the enactment and continuing effect of this article and the qualification of the housing development for exemption from all property taxes and a payment in lieu of taxes as established herein, and in consideration of the sponsor's offer, subject to receipt of a mortgage loan from the authority, to construct, own and operate the housing development, hereby agrees to accept payment of an annual service charge for public services in lieu of all property taxes. The annual service charges shall be equal to ONE (1) percent of the difference between contract rents actually collected and utilities.

Sec. 32-64. - Payment of service charge.

The service charge in lieu of taxes as determined under this article shall be payable in the same manner as general property taxes are payable to the City except that the annual payment shall be paid on or before March 31 of each year.

Sec. 32-65. - Duration.

The tax exempt status of a housing development approved for such status by the City council shall remain in effect and shall not terminate so long as the mortgage loan for such housing development remains outstanding and unpaid, as long as the property is subject to

restrictive rents in compliance with the low income housing tax credit program administered by MSHDA, or for such period as the authority or other governmental entity has any interest in the property; provided, the construction of such housing development commences within two (2) years from the effective date the City council approves the housing development for tax exempt status as provided in this article.

Sec. 32-66. - Contractual effect.

Notwithstanding the provisions of section 15a(5) of the Act (MCL 125.1415a(5)), to the contrary, a contract between the City and the sponsor with the authority as third part beneficiary thereunder, to provide tax exemption and accept payments in lieu thereof as previously described is effected by enactment of this article.

Secs. 32-67 – 32-69. - Reserved

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, May 20, 2024 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed amendment to the Code of Ordinances.

SECTION 3. EFFECTIVE DATE. This amendment shall become effective twenty days after passage.

SECTION 4. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

Master Plan Implementation Goals: 1.2, 1.4, 1.9, 1.11, 2.12, 5.11

Street Closure Request – John Hankerd for Mr. Owosso 2024 5K Run. Waive the insurance requirement, approve the request from John Hankerd for the closure of various streets for the John Hankerd for Mr. Owosso 2024 5K Run on Friday, May 31, 2024 from 5:30 p.m. to 7:00 p.m., and authorize Traffic Control Order No. 1514 formalizing the action.

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

Curwood Festival Traffic Control Order. Authorize application from the Curwood Festival for use of various parking lots and streets from June 5, 2024 at 6:00 a.m. through June 10, 2024 at 6:00 a.m. for the annual Curwood Festival and further authorize Traffic Control Order No. 1515 formalizing the action.

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

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

Name	Board/Commission	Term Expires
Michael Dowler*	City of Owosso Building Authority	06-30-2027
Kevin Maurer*	Building Board of Appeals	06-30-2026
William Gilbert*	Downtown Development Authority	06-30-2028
Allie McGuire*	Downtown Development Authority	06-30-2028
Emily Olson*	Downtown Development Authority	06-30-2028
William J. Byrne*	Downtown Historic District Commission	06-30-2027
Steven Teich*	Downtown Historic District Commission	06-30-2027
Gregory Brodeur*	LDFA/Brownfield Redevelopment Authority	06-30-2028
Janae Fear*	Planning Commission	11-09-2026
Francis Livingston*	Planning Commission	06-30-2027
Dennis Mahoney*	Parks and Recreation Commission	06-30-2026
Carol Smith*	Parks and Recreation Commission	06-30-2026
Thomas Taylor*	Zoning Board of Appeals	06-30-2027

* Indicates reappointment

Emergency Purchase Authorization – Boiler for Curwood Castle. Authorize payment to Williams Heating - Cooling, Inc. for the emergency purchase and installation of a boiler system for Curwood Castle in the amount of \$13,980.00 as follows:

RESOLUTION NO. 61-2024

**AUTHORIZING PAYMENT TO WILLIAMS HEATING – COOLING, INC.
FOR THE EMERGENCY PURCHASE AND INSTALLATION OF A BOILER
AT CURWOOD CASTLE**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, opens Curwood Castle to visitors each year in early April; and

WHEREAS, the boiler for Curwood Castle failed in late March and required immediate replacement; and

WHEREAS, Williams Heating – Cooling, Inc. provided the lowest quote for installing a new boiler.

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

- FIRST: it concurs that it was necessary to purchase and install a boiler for Curwood Castle on an emergency basis from Williams Heating – Cooling, Inc. in the amount of \$13,980.00.
- SECOND: the accounts payable department is authorized to submit payment to Williams Heating – Cooling, Inc. for services up to the amount of \$13,980.00.
- THIRD: the above expenses shall be paid from the Owosso Historical Commission fund balance.

Master Plan Implementation Goals: 4.1, 4.16, 4.26

Change Order – Tandem Truck Cab. Approve Change Order No. 1 to purchase order #45224 with D. & K. Truck Company for the purchase of one Freightliner 108SD Plus Conventional Chassis, changing the model year requested to 2025 and increasing the contract by \$6,358.00, for a total of \$103,652.00, and further approve payment upon satisfactory delivery of equipment as follows:

RESOLUTION NO. 62-2024

AUTHORIZING CHANGE ORDER NO. 1 TO PURCHASE ORDER NO. 45224 WITH D. & K. TRUCK COMPANY FOR THE PURCHASE OF A DUMP BODY

WHEREAS, the Council of the City of Owosso, Shiawassee County, Michigan, approved Purchase Order No. 45224 for the purchase of one 2024 Freightliner 108SD Plus Tandem Dump Body from D. & K. Truck Company; and

WHEREAS, there are no more 2024 model dump bodies available for sale and the City must amend its request; and

WHEREAS, Purchase Order No. 45224 must be amended to reflect a change in the model year to 2025 and an increase in the price of \$6,358.00.

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 amend Purchase Order No. 45224 as detailed above.
- SECOND: the accounts payable department is authorized to submit payment to D. & K. Truck Company in the amount of \$97,294.00, plus \$6,358.00 for Change Order No. 1, for a total of \$103,652.00 and expense from account 599-901-977.000.

***Amendment No. 2 – Professional Engineering Services Agreement.** Approve Amendment No. 2 to the professional services agreement with Fishbeck for the WWTP Solids Handling Project in the amount of \$10,000.00 and authorize payment up to the revised contract amount of \$114,000.00 upon satisfactory completion of the project or portion thereof as follows:

RESOLUTION NO. 63-2024

AUTHORIZING AMENDMENT NO. 2 TO THE WWTP SOLIDS HANDLING PROJECT ENGINEERING SERVICES AGREEMENT

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved a contract with Fishbeck, on October 4, 2021 for the engineering of improvements to the solids/sludge handling process equipment system, known as the Wastewater Treatment Plant (WWTP) Solids Handling project, an approved 2022 SRF planned project; and

WHEREAS, the project is now underway, and an amendment is necessary to reconcile engineering work required.

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 Wastewater Treatment Plant (WWTP) Solids Handling Project Engineering Services Agreement with Fishbeck increasing the contract for services to assist with the electrical system of the dewatering process and to coordinate work on the make-up air system.
- SECOND: the Mayor and City Clerk are instructed and authorized to sign the document substantially in form attached as Amendment No. 2 to the Contract for Services between the City of Owosso and Fishbeck in the amount of \$10,000.00; an increase revising the total current contract amount from \$104,000.00 to \$114,000.00.
- THIRD: the Accounts Payable department is authorized to pay Fishbeck for work satisfactorily completed up to the revised contract amount of \$114,000.00.
- FOURTH: the above expenses shall be paid from account no. 599-901-977.000-CWSRF5710.01.

Master Plan Implementation Goals: 3.4

Check Register – April 2024. Affirm check disbursements totaling \$3,028,106.73 for April 2024.

Warrant No. 643. Authorize Warrant No. 643 as follows:

Vendor	Description	Fund	Amount
Waste Management	Services rendered April 1, 2024 – April 15, 2024	WWTP	\$11,608.59

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Fear.

ITEMS OF BUSINESS

***Gould House Purchase Agreement Modification – 21 Day Posting**

Master Plan Implementation Goals: 3.20

City Manager Henne noted that the prospective buyers submitted a long and comprehensive list of issues with the building when they modified their offer. The Historical Commission unanimously voted to accept the modified offer.

There was discussion about whether or not the buyers will complete a rehab of the home. It was noted that the family plans on living in the home, has proposed putting down 45% of the purchase price, and they went to great effort to secure bids from local contractors for the repairs they deemed necessary.

Councilmember Olson said she thought the original price was a fixer-upper price and asked the realtor how the sales price was determined. She went on to say that she struggles with the idea that the home would be worth less than the approximately \$250,000 that was recently invested in repairs and replacements. She asked if there had been any other interest at the original sales price. Realtor Lucy Ham indicated that the house had been shown several times, but most people thought the house needed too much work. Councilmember Olson asked how the Council was supposed to sell something for less than they had just put in it. Councilmember Law said that was the reason why the City needs to sell the property. Mayor Pro-Tem Osika pointed out that the Historical Commission had tried to get more than \$237,000 but was not successful.

Councilmember Fear joined the meeting at 8:01 p.m.

Mayor Teich said the original offer had been made contingent upon inspection and the home needs extensive work. He said he would like to get more but feels the offer in front of them is a solid offer that must be considered. It was pointed out that a recent appraisal of the home came in at less than \$237,000. Councilmember Olson said she does not like the idea of signing off on someone else's conclusion. City Manager Pidek said he understood Councilmember Olson's perspective, but the money the City spent on the home was intended only to stabilize it. He said he would love to see the City fully rehab the home, but they must also recognize that other needs in the City are substantial. He felt the offer would be a win simply because the new owners plan to rehab it.

Motion by Mayor Pro-Tem Osika to approve the revised purchase offer for the Amos Gould House, 515 N. Washington Street, in the amount of \$237,000 from Sean Harrington following a home inspection and authorize 21-day posting period for the proposed sale per the City Charter as follows:

RESOLUTION NO. 64-2024

**AUTHORIZING 21- DAY POSTING OF PURCHASE AGREEMENT
FOR THE SALE OF CITY-OWNED PROPERTY AT
515 N. WASHINGTON STREET – THE “AMOS GOULD HOUSE”**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, owns parcel 050-470-033-001-00; and

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has received an offer to purchase the property for two hundred and thirty-seven thousand dollars (\$237,000); and

WHEREAS, this is a revised offer following the buyer's completion of a home inspection; and

WHEREAS, the Owosso Historic Commission (OHC) recommended City Council accept this offer at their April 16, 2024 special meeting; and

WHEREAS, the OHC wishes to retain certain items of personal property still in the home.

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 sell the aforementioned parcel to Sean Harrington of Crestwood, Kentucky in the amount of \$237,000.

SECOND: said agreement shall be posted for a period of at least twenty-one (21) days for public inspection per Section 14.3(b)(2) of the city charter.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: Councilmembers Olson and Fear.

***Consumers Energy Electric Facilities Easement**

Master Plan Implementation Goals: 1.5, 3.4

Motion by Councilmember Olson granting Consumers Energy a 30' permanent easement to construct, operate, maintain, inspect (including aerial patrol), survey, replace, reconstruct, improve, remove, relocate, change the size of, enlarge, and protect a line or lines of electric facilities in, on, over, under, across, and through a portion of 1233 E Oliver Street to service the City's Osburn wellsite as follows:

RESOLUTION NO. 65-2024

**GRANTING PERMANENT EASEMENT FOR
ELECTRIC FACILITIES TO CONSUMERS ENERGY
AT 1233 EAST OLIVER STREET**

WHEREAS, Consumers Energy desires to install electric facilities on/under City owned land to provide electric services to the City municipal wellsite at 1233 East Oliver Street; and

WHEREAS, Consumers Energy has requested the City grant permanent easement 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 easement for the portions of property as described in Exhibit B in the easement agreement.

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 easement as outlined by the terms set forth in the attached Easement for Electric Facilities between the City of Owosso and Consumers Energy.

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

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: None.

MDOT Resolution of Support – M-71 (Washington Street) Reconstruction

Master Plan Implementation Goals: 5.5

City Manager Henne indicated that MDOT intends to reconstruct M-71 from Jerome Avenue to Corunna Avenue in 2025. Plans call for a reduction from four lanes to three lanes, in line with the City's Master Plan.

Councilmember Law objected to the proposed changes saying that MDOT really screwed up when they narrowed M-52, and he expects the same results if they narrow M-71. He detailed how he believes the proposed changes will impede traffic and said that making the changes would be a massive mistake. City Manager Henne indicated that the reduction made sense given that Washington Street north of Jerome is two lanes and south of Corunna Avenue is four lanes. He also pointed out that MDOT had held a meeting about the proposed lane reduction last fall and no negative comments were received.

Motion by Councilmember Olson authorizing a resolution of support for the MDOT project to reconstruct M-71 (Washington Street) from Water Street/Jerome Avenue to Corunna Avenue, including conversion of the four-lane section to a three-lane section with bike lanes as follows:

RESOLUTION NO. 66-2024

AUTHORIZING SUPPORT OF THE MICHIGAN DEPARTMENT OF TRANSPORTATION PROJECT ALONG M-71 (WASHINGTON STREET) FROM CORUNNA AVENUE TO WATER STREET / JEROME AVENUE

WHEREAS, the Michigan Department of Transportation plans road improvements along M-71 (Washington Street) from Water Street/Jerome Avenue to Corunna Avenue in the City of Owosso during the summer of 2025 construction season; and

WHEREAS, the project includes roadway reconstruction, water main, storm sewer, curb and gutter, signal modernization, sidewalk, bike lanes, and ramp improvements to comply with the Americans with Disabilities Act; and

WHEREAS, the project will also involve a conversion from four lanes to three lanes in the section of M-71 (Washington Street) from Water Street / Jerome Avenue to Corunna Avenue; and

WHEREAS, the Michigan Department of Transportation held a public hearing on Tuesday, December 5, 2023 about the project and no negative comments were received; and

WHEREAS, the Michigan Department of Transportation requests that the Owosso City Council adopt a resolution of support for the project, the conversion of the traffic lanes, and the addition of bike lanes.

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

FIRST: The City of Owosso does hereby support the roadway reconstruction, water main, storm sewer, curb and gutter, signal modernization, sidewalk, bike lanes, and ramp improvements proposed as a part of the MDOT reconstruction project along M-71.

SECOND: The City of Owosso supports the conversion of the four-lane section of road to a three-lane section with bike lanes from Water Street / Jerome Avenue to Corunna Avenue.

Motion supported by Councilmember Fear.

Roll Call Vote.

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

NAYS: Councilmember Law.

***MDOT Consent to Grade – 21-day Posting**

Master Plan Implementation Goals: 3.10, 3.18, 5.7, 5.26, 5.34

Motion by Councilmember Pidek authorizing twenty-one (21) day posting period for the sale of Consent to Grade rights for the City-owned property at 310 S. Washington Street in the amount of \$500.00 as follows:

RESOLUTION NO. 67-2024

RESOLUTION AUTHORIZING 21- DAY POSTING OF PURCHASE AGREEMENT FOR GRADING RIGHTS ALONG RIVER TRAIL – MDOT M-71 PROJECT

WHEREAS, the City of Owosso, Shiawassee County, Michigan, owns the James S. Miner River Walk; and

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has received an offer to purchase the grading rights for a small portion of the trail near the Washington Street Bridge, commonly known as 310 S. Washington Street, for five hundred dollars (\$500); and

WHEREAS, these grading rights have not been actively marketed, thereby triggering the 21-day public inspection period set forth in Section 14.3(2) of the Owosso City Charter; and

WHEREAS, the Michigan Department of Transportation (MDOT) wishes to purchase the grading rights to facilitate the M-71 rehabilitation project; and

WHEREAS, it has been determined that this activity will not adversely affect the public's use of the river walk.

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 post the purchase agreement for the property described above for a 21-day period to allow for citizen comment and other offers per Section 14.3(B)(2) of the City Charter.

SECOND: the proposed agreement be returned to Council at the meeting of Monday, June 3, 2024 for potential final disposition.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

Lot Split Authorization – VL on Howard Street

Motion by Mayor Pro-Tem Osika authorizing the division of a City lot under the Michigan Subdivision Control Act for platted lot known as Parcel # 050-651-000-004-00, vacant land located on Howard Street as follows:

Current Description:

Address	Status	Parcel #1
VL on Howard Street	Before Split	050-651-000-004-00
Description: RESERVE 8 (EX W 120') AL WILLIAMS ADD TO THE CITY		

Description After Split – Parent Parcel:

Address	Status	Parcel #1
V/L on Howard Street	After Split	050-651-000-004-00
Description: Part of Reserve 8 of "A.L. Williams' Addition to the City of Owosso," according to that plat thereof as recorded in Plat Liber 1, Page 110, Shiawassee County Records, described as beginning at a point that is S00°39'59"W 1522.28 feet from the Northeast corner of Section 24, T7N-R2E, said point of beginning being the Southeast corner of said Reserve 8; thence N71°19'40"W on the Northerly right-of-way line of Howard Street a distance of 353.92 feet; thence N01°00'47"E 83.76 feet to the Southerly right-of-way line of the former Toledo-Ann Arbor Railroad; thence on said right-of-way line on a curve to the right having a radius of 1385.50 feet, a central angle of 15°21'57" and a chord bearing and distance of S64°27'27"E 370.46 feet; thence S00°39'59"W 37.33 feet to the point of beginning, containing 0.54 of an acre, more or less. Subject to all easements and restrictions of record.		

Description After Split – New Parcel:

Address	Status	Parcel #2
V/L on E. Howard Street	After Split	050-651-000-034-00
Description: Part of Reserve 8 of "A.L. Williams' Addition to the City of Owosso," according to that plat thereof as recorded in Plat Liber 1, Page 110, Shiawassee County Records, described as beginning at a point that is S00°39'59"W 1522.28 feet to the Southeast corner of Reserve 8 and N71°19'40"W on the Northerly right-of-way line of Howard Street a distance of 353.92 feet from the Northeast corner of Section 24, T7N-R2E; thence continuing N71°19'40"W 459.74 feet; thence N01°11'14"E on a line which is 120.00 feet East of and parallel with the East line of Washington Street a distance of 26.78 feet to the Southerly right-of-way line of the former Toledo-Ann Arbor Railroad; thence S79°59'36"E on said right-of-way line a distance of 254.92 feet; thence continuing on said right-of-way line on a curve to the right having a radius of 1385.50 feet, a central angle of 7°54'20" and a chord bearing and distance of S76°05'32"E 191.02 feet; thence S01°00'47"W 83.76 feet to the point of beginning, containing 0.60 of an acre, more or less. Subject to all easements and restrictions of record.		

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

Marijuana License Transfer Requests – 1115 Corunna Avenue

Master Plan Implementation Goals: 1.17

Motion by Councilmember Olson authorizing the transfer in ownership of the Medical Marijuana Provisioning Center License and the Adult Use Recreational Retail License located at 1115 Corunna Avenue from Classic Roots Farm dba DCAD, LLC to Hazed Owosso, LLC as follows:

RESOLUTION NO. 68-2024

**AUTHORIZATION TO TRANSFER THE MEDICAL MARIHUANA
PROVISIONING LICENSE AND ADULT USE RECREATIONAL RETAIL
LICENSE FROM
CLASSIC ROOTS FARM dba DCAD, LLC TO HAZED OWOSSO, LLC**

WHEREAS, Classic Roots Farm dba DCAD, LLC has been operating a Medical Marijuana Provisioning Center and Adult Use Recreational Retail store at 1115 Corunna Avenue, Owosso since April of 2022; and

WHEREAS, the City Council approved Ordinance Nos. 817 & 818 in May of 2021 to allow the transfer of Medical Marihuana Facilities Licenses and Recreational Marijuana Establishment Licenses with the consent of City Council; and

WHEREAS, Classic Roots Farm dba DCAD, LLC desires to transfer its Medical Marihuana License and the Adult Use Recreational Retail License to Hazed Owosso, LLC; and

WHEREAS, the request is for the license transfer only as the building at 1115 Corunna Avenue is not owned by Hazed Owosso, LLC.

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 transfer the Medical Marihuana Provisioning License and the Adult Use Recreational Retail License from Classic Roots Farm dba DCAD, LLC to Hazed Owosso, LLC.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

Brush Burning at Aiken Road Site

Motion by Councilmember Pidek approving the conduct of controlled burns at the City-owned Aiken Road Brush Site to cost-efficiently reduce the volume of brush at the site as follows:

RESOLUTION NO. 69-2024

AUTHORIZING THE BURNING OF BRUSH AT THE AIKEN ROAD BRUSH SITE

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has seen a massive influx of brush at the City's Aiken Road Brush Site; and

WHEREAS, this brush needs to be managed and handled with limited funding; and

WHEREAS, the City is seeking permission to hold controlled burns at the City's Aiken Road Brush Site, away from residents, now and into the foreseeable future as a means of cost effectively disposing of excess brush; and

WHEREAS, the City of Owosso's Director of Public Services & Utilities has worked in cooperation with City of Owosso staff, including the Owosso Fire Department, and recommends the controlled brush burns.

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

FIRST: it has heretofore determined that it is advisable, necessary and in the public interest to approve controlled burns at the City's Aiken Road Brush Site by the Department of Public Works, in coordination with the Fire Department.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: Councilmembers Olson and Fear.

COMMUNICATIONS

Brad A. Barrett, Finance Director. Revenue & Expenditure Report – March 2024.

Brownfield Authority. Minutes of March 6, 2024.

Planning Commission. Minutes of March 25, 2024.

Owosso Historical Commission. Minutes of April 16, 2024 Special Meeting.

Planning Commission. Minutes of April 22, 2024.

WWTP Review Board. Minutes of April 23, 2024.

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

Councilmember Law left the meeting at 8:40 p.m.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 2910 W. M-21, complained that the City Manager Report is not available on the City website. He wanted to know when the City would step in and demand action.

Don Michaels, E. Wesley Drive, said his property is immediately adjacent to the City limits and changes to nearby properties in the City have caused flooding on his land. He asked when the City would do something about it.

Ross Michaels, E. Wesley Drive, said he has seen situations like this payout in court to the detriment of the city. He suggested the City get ahead of the problem.

Councilmember Pidek noted the City Manager Report can be found at <http://www.ci.owosso.mi.us/Departments-Services/City-Manager>.

NEXT MEETING

Monday, May 20, 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 8:51 p.m.

Motion supported by Councilmember Fear 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.