

OWOSSO CITY COUNCIL

DECEMBER 1, 2014

7:30 P.M.

PRESIDING OFFICER: MAYOR BENJAMIN R. FREDERICK

OPENING PRAYER: PASTOR DAVID WOODBY
REDEEMER LUTHERAN CHURCH

PLEDGE OF ALLEGIANCE: MAYOR BENJAMIN R. FREDERICK

PRESENT: Mayor Benjamin R. Frederick, Mayor Pro-Tem Christopher T. Eveleth, Councilpersons Loreen F. Bailey, David B. Bandkau, Burton D. Fox, Elaine M. Greenway, and Robert J. Teich, Jr.

ABSENT: None.

APPROVE AGENDA

Motion by Mayor Pro-Tem Eveleth to approve the agenda as presented.

Motion supported by Councilperson Bailey and concurred in by unanimous vote.

Mayor Frederick noted for Council the modified resolution for approval of the Brownfield Plan for the Armory.

APPROVAL OF THE MINUTES OF REGULAR MEETING OF NOVEMBER 17, 2014

Motion by Councilperson Fox to approve the Minutes of the Regular Meeting of November 17, 2014 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Eddie Urban, 601 Glenwood Avenue, invited everyone to the Corunna library on Saturday to listen to WWII veteran Irene Hoskins speak.

CITY MANAGER REPORT

City Manager Donald D. Crawford detailed the Project Status Report.

Councilperson Bailey congratulated the I69 Trade Corridor organization upon receiving national recognition.

CONSENT AGENDA

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

Special Assessment District No. 2014-02 – Hazards and Nuisances. Authorize Resolution No. 1 setting a public hearing for Monday, December 15, 2014 to receive citizen comment regarding Special Assessment District No. 2014-02, Hazards and Nuisances, as it relates to unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances as follows:

RESOLUTION NO. 165-2014

**SPECIAL ASSESSMENT DISTRICT NO. 2014-02
HAZARDS AND NUISANCES**

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances more particularly hereinafter described to the properties specially benefited by said public improvement, and the same has been presented to the Council by the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll is hereby accepted and shall be filed in the office of the City Clerk for public examination.
2. The Council shall meet at the Owosso City Hall, Owosso, Michigan at 7:30 o'clock p.m., on Monday, December 15, 2014 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same.
3. The City Clerk is directed to publish the notice of said hearings once in *The Argus Press*, the official newspaper of the City of Owosso, not less than ten (10) days prior to said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of the property subject to assessment, as indicated by the records in the City Assessor's office as shown on the general tax rolls of the City, at least ten (10) days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.

The notice of said hearing to be published and mailed shall be in substantially the following form:

**NOTICE OF HEARING TO REVIEW
SPECIAL ASSESSMENT ROLL – HAZARDS AND NUISANCES
CITY OF OWOSSO
COUNTY OF SHIAWASSEE, MICHIGAN**

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

TAKE NOTICE that a Special Assessment Roll-Hazards and Nuisances has been prepared for the purpose of defraying the unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances of the above described property.

PARCEL NUMBER	ADDRESS	BALANCE
050-011-020-001-00	902 CORUNNA	\$ 167.35
050-537-000-055-00	1542 W MAIN	\$ 141.68
050-390-005-030-00	1101 N BALL	\$ 250.13
050-651-007-002-00	222 CASS	\$ 121.50
050-602-012-010-00	1616 FREDERICK	\$ 121.50
050-536-000-034-00	1230 N SHIAWASSEE	\$ 144.50
050-390-004-012-00	1260 ADAMS	\$ 121.50
050-580-000-140-00	930 JEROME	\$ 144.50
050-710-001-012-00	915 CORUNNA	\$ 144.50
050-010-003-015-00	702 GLENWOOD	\$ 121.50
050-602-007-005-00	1803 W STEWART	\$ 250.23
050-560-000-025-00	1001 MEADOW	\$ 172.94
050-010-025-016-00	553 HARRISON	\$ 187.49
050-660-011-001-00	219 N CEDAR	\$ 189.40
050-010-033-013-00	620 FRAZER	\$ 189.51
050-390-004-012-00	1260 ADAMS	\$ 143.27
050-420-007-009-00	719 LINGLE	\$ 143.27
050-010-004-010-00	703 GLENWOOD	\$ 186.52
050-111-001-020-00	814 E KING	\$ 186.52
050-601-000-037-00	221 W STEWART	\$ 184.44
050-490-000-058-00	1600 W MAIN	\$ 65.30
050-710-001-012-00	915 CORUNNA	\$ 266.62
050-660-007-012-00	1018 BEEHLER	\$ 340.71
050-580-000-140-00	930 JEROME	\$ 188.75
050-652-007-009-00	813 S PARK	\$ 236.88
050-602-007-005-00	1803 W STEWART	\$ 224.36
050-390-004-012-00	1260 ADAMS	\$ 221.80
050-601-000-064-00	319 W RIDGE	\$ 377.60
050-660-011-001-00	219 N CEDAR	\$ 186.04
050-602-012-010-00	1616 FREDERICK	\$ 362.72
050-580-000-140-00	930 JEROME	\$ 202.85
050-651-007-001-00	309 GREEN	\$ 455.73
050-250-000-050-00	514 PINE	\$ 221.17
050-420-017-023-00	710 BROADWAY	\$ 349.06
050-536-000-034-00	1230 N SHIAWASSEE	\$ 463.58
050-010-025-016-00	553 HARRISON	\$ 545.75
050-110-017-024-00	621 WOODLAWN	\$ 195.70
050-660-012-009-00	202 N CEDAR	\$ 167.79

PARCEL NUMBER	ADDRESS	BALANCE
050-570-000-026-00	1700 W STEWART	\$ 387.07
050-580-000-137-00	706 JEROME	\$ 824.56
050-602-024-006-00	1410 HERMAN	\$ 372.95
050-470-024-001-00	300 W MAIN	\$ 398.54
050-751-000-008-00	1171 JACKSON	\$ 130.01
		<u>\$10,497.79</u>

TAKE NOTICE THAT ANY HAZARDS/NUISANCES INVOICES OR CHARGES REMAINING UNPAID AS OF THEIR DUE DATE WILL BE INCLUDED ON THIS ROLL.

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

TAKE FURTHER NOTICE that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter and his or her personal appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessments may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall, Owosso, Michigan at 7:30 p.m. on Monday, December 15, 2014 for the purpose of reviewing said Special Assessment Roll-Hazards and Nuisances and for the purpose of considering all objections to said roll submitted in writing. If you have questions regarding this notice, please contact the City Treasurer's Office at 725-0599.

2015 Schedule of Meetings. Adopt the 2015 Boards and Commissions Meeting Schedule as follows:

**CITY OF OWOSSO
SCHEDULE OF REGULAR MEETINGS
FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2015**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act 267, Public Acts of 1976, of the schedule of Regular Meetings of the City of Owosso, County of Shiawassee, State of Michigan for the calendar year beginning January 1, 2015. The Board, dates, time and place of said regular meetings shall be as follows:

CITY COUNCIL					
The 1 st and 3 rd Monday of each month, except as noted – 7:30 p.m., local prevailing time					
Owosso City Hall, Council Chambers					
JAN 05	MAR 02	MAY 04	JUL 06	SEP 08*	NOV 02
JAN 20*	MAR 16	MAY 18	JUL 20	SEP 21	NOV 16
FEB 02	MAR 30	JUN 01	AUG 03	OCT 05	NOV 30
FEB 17*	APR 06	JUN 15	AUG 17	OCT 19	DEC 07
	APR 20		AUG 31		DEC 21
DOWNTOWN DEVELOPMENT AUTHORITY / OWOSSO MAIN STREET			DOWNTOWN HISTORIC DISTRICT COMMISSION		
The 1 st Wednesday of each month, except as noted – 7:30 a.m., local prevailing time			The 3 rd Wednesday of each month - 6:00 p.m., local prevailing time		
Owosso City Hall, Council Chambers			Owosso City Hall, Council Chambers		
JAN 07	MAY 06	SEP 02	JAN 21	MAY 20	SEP 16
FEB 04	JUN 03	OCT 07	FEB 18	JUN 17	OCT 21
MAR 04	JUL 01	NOV 04	MAR 18	JUL 15	NOV 18
APR 01	AUG 05	DEC 02	APR 15	AUG 19	DEC 16
EMPLOYEES RETIREMENT SYSTEM BOARD			OWOSSO HISTORICAL COMMISSION		
The 3 rd Thursday of even months, except as noted - 7:15 a.m., local prevailing time			The 2 nd Monday of each month, except as noted – 7:00 p.m., local prevailing time		
Owosso City Hall, Council Chambers			Gould House, 100 West Oliver Street		
FEB 19	JUN 18	OCT 15	JAN 12	MAY 11	SEP 14
APR 16	AUG 20	DEC 17	FEB 09	JUN 08	OCT 13*
			MAR 09	JUL 13	NOV 09
			APR 13	AUG 10	DEC 14

PARKS & RECREATION COMMISSION			PLANNING COMMISSION		
The 4th Monday of each month, except as noted – 6:00 p.m., local prevailing time			The 4 th Monday of each month, except as noted – 7:00 p.m., local prevailing time		
Owosso City Hall, Council Chambers			Owosso City Hall, Council Chambers		
JAN 26	MAY 26*	SEP 28	JAN 26	MAY 26*	SEP 28
FEB 23	JUN 22	OCT 26	FEB 23	JUN 22	OCT 26
MAR 23	JUL 27	NOV 23	MAR 23	JUL 27	NOV 23
APR 27	AUG 24	DEC 14*	APR 27	AUG 24	DEC 14*
ZONING BOARD OF APPEALS			* = Rescheduled due to legal holiday on regular meeting date or other scheduling conflict		
The 3 rd Tuesday of each month, except as noted – 9:30 a.m., local prevailing time					
Owosso City Hall, Council Chambers					
JAN 20	MAY 19	SEP 15			
FEB 17	JUN 16	OCT 20			
MAR 17	JUL 21	NOV 17			
APR 21	AUG 18	DEC 15			

Boards and Commissions Appointment. Approve the Mayoral appointment of Barbara Bakeromero as the City of Owosso representative on the Shiawassee Council on Aging Board of Directors for a term expiring June 30, 2017 (filling the unexpired term of V. Teich).

***Mutual Aid Law Enforcement Agreement – Corunna.** Approve Mutual Aid Law Enforcement Agreement with the City of Corunna for the mutual provision of police protection as necessary as follows:

RESOLUTION NO. 166-2014

RESOLUTION AUTHORIZING THE APPROVAL OF A MUTUAL LAW ENFORCEMENT AID AGREEMENT WITH THE CITY OF CORUNNA

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Police Department provides police services within the City of Owosso; and

WHEREAS, there may be instances which arise that the OPD does not have the capacity to handle on an immediate basis; and

WHEREAS, the City of Owosso desires to enter into a Mutual Law Enforcement Aid Agreement with the City of Corunna and the City of Corunna Police Department to fill this need, to the benefit of both communities.

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

FIRST: The Mutual Aid Law Enforcement Agreement between the City of Corunna and the City of Owosso is hereby approved.

SECOND: The Mayor and City Clerk are hereby authorized to sign the agreement as presented.

Warrant No. 493. Authorize Warrant No. 493 as follows:

Vendor	Description	Fund	Amount
Rehmann Robson	Audit of FY 13/14 - Progress billing #1	General	\$17,000.00

***Check Register–October 2014.** Affirm check disbursements totaling \$1,538,909.89 for the month of October 2014.

Motion supported by Councilperson Bailey.

Roll Call Vote.

AYES: Councilpersons Bailey, Teich, Greenway, Bandkau, Fox, Mayor Pro-Tem Eveleth, and Mayor Frederick.

NAYS: None.

*Full text of this item can be found on file in the Clerk’s Office.

ITEMS OF BUSINESS

LOT SPLIT AUTHORIZATION – 109 NORTH WASHINGTON STREET

(This item was postponed from the meetings of October 6 & November 3, 2014.)

Motion by Mayor Pro-Tem Eveleth to table the proposed lot split for 109 North Washington Street at the behest of the applicant.

Motion supported by Councilperson Fox.

Roll Call Vote.

AYES: Councilpersons Bandkau, Bailey, Teich, Fox, Greenway, Mayor Pro-Tem Eveleth, and Mayor Frederick.

NAYS: None.

BROWNFIELD REDEVELOPMENT PLAN AMENDMENT #1 DISTRICT #15 – ARMORY

Community Development Director Susan K. Montenegro indicated the major change to the plan involved the incorporation of capture of the local school tax which had not been a part of the plan previously. She went on to say that the Brownfield Authority had approved the plan and tonight's consideration was contingent upon approval by the Downtown Development Authority at their meeting on Wednesday.

Motion by Mayor Pro-Tem Eveleth to approve Amendment #1 to the Brownfield Redevelopment Plan for District #15 – Armory, contingent upon approval of the amended plan by the Downtown Development Authority/Owosso Main Street Board.

RESOLUTION NO. 167-2014

**RESOLUTION APPROVING BROWNFIELD PLAN
“DISTRICT #15, ARMORY BUILDING AMENDMENT #1”
201 & 215 N. WATER STREET
FOR THE CITY OF OWOSSO PURSUANT TO AND IN ACCORDANCE
WITH THE PROVISIONS OF ACT 381 OF THE
PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996, AS AMENDED**

WHEREAS, the Brownfield Redevelopment Authority (the “Authority”) of the City of Owosso, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the “Act”), has prepared and recommended for approval by the City of Owosso Council, a Brownfield Plan entitled “District #15, Armory Building - Amendment #1” (the “Plan”), pursuant to and in accordance with Section 13 of the Act, to be carried out within the Brownfield Redevelopment Zone (the “Zone”), said zone being the entire City and with said District #15 described as:

City of Owosso, Shiawassee County, Michigan, COM AT A PT 88' W & 2'6" S OF A PT WHERE S LN EXCH ST EXT'D W'LY TO SHIA RIVER INT W LN WATER ST TH W'LY PAR W/SD S LN OF EXCH ST SO EXT'D 38' TH N 2' TH W'LY PAR W/SD S LN EXCH ST SO EXT'D TO SHIA RIVER TH NLY ALG SD RIVER TO A PT 6" N OF A PT WHERE N LN EXCH ST EXT'D W'LY WOULD INTER SD RIVER TH E ON A LN PAR TO N LN EXCH ST SO EXT'D TO A PT 126' W OF W LN WATER ST TH N 2' TH E ON A LN PAR W/N LN EXCH ST SO EXT'D 38' TH S ON A LN PAR TO W LN WATER ST TO POB;

and,

COM AT A PT W LINE WATER ST 10' N S LN EXCHANGE ST EXT'D W'LY TH W'LY 88' N 79' E'LY 88' S 79' TO POB -RESERVE #2; and

WHEREAS, on behalf of the City Council, the Owosso Brownfield Authority held a public hearing for District #15 on November 19, 2014 at its regular meeting having provided notice to and fully informed all taxing jurisdictions which are affected by the Financing Plan (the “Taxing Jurisdictions”) about the fiscal and economic implications of the proposed Financing Plan, and the Council has previously provided to the Taxing Jurisdictions a reasonable opportunity to express their views and recommendations regarding the Financing Plan and in accordance with Sections 13(10) and 14(1) of the Act; and

WHEREAS, the Council has made the following determinations and findings:

- A. The Plan constitutes a public purpose under the Act;
- B. The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;

- C. The proposed method of financing the costs of the eligible activities, as described in the Plan is feasible and the Authority has the ability to arrange the financing;
- D. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act;
- E. The amount of captured taxable value estimated to result from the adoption of the Plan is reasonable; and

WHEREAS, as a result of its review of the Plan and upon consideration of the views and recommendations of the Taxing Jurisdictions, the Council desires to proceed with approval of the Plan, contingent upon Plan approval by the Owosso Downtown Development Authority/Main Street Board.

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

- FIRST: Plan Amendment Approved. Pursuant to the authority vested in the Council by the Act, and pursuant to and in accordance with the provisions of Section 14 of the Act, Brownfield Redevelopment Plan, Amendment #1 for District #15 "Armory Building" is hereby approved in the form considered by the Council on December 1, 2014 and maintained on file in the office of the City Clerk, contingent upon Plan approval by the Downtown Development Authority.
- SECOND: Severability. Should any section, clause or phrase of this Resolution be declared by the Courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
- THIRD: Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Motion supported by Councilperson Bailey.

Roll Call Vote.

AYES: Mayor Pro-Tem Eveleth, Councilpersons Teich, Fox, Greenway, Bailey, Bandkau, and Mayor Frederick.

NAYS: None.

*Full text of the amended plan is on file in the Clerk's Office.

BUDGET TRANSPARENCY DISCUSSION

Councilperson Bandkau indicated he had asked for this discussion after reviewing Charter Section 8.6c which requires a monthly revenue & expenditure report.

City Manager Crawford said that due to a shortage in staff and preparations for the City's annual audit the report had been temporarily delayed. He said he anticipated a report would be issued next month.

Councilperson Bandkau said he was looking forward to the report and noted that he would prefer it be regularly included on the agenda for the 2nd meeting of the month.

COMMUNICATIONS

Amy K. Kirkland, City Clerk. Council on Aging Appointment.
Downtown Development Authority/Main Street. November 5, 2014 meeting – no quorum.
Historical Commission. Minutes of November 10, 2014.

CITIZEN COMMENTS AND QUESTIONS

There were no citizen comments.

Mayor Pro-Tem Eveleth expressed his appreciation for all those that turned out and helped with the Glow events over the holiday weekend, saying they were a success.

Councilperson Bailey thanked the media and the community at large for their support of the feral cat solution (Trap/Neuter/Release Program). She reminded everyone the next date for transport of cats requiring neutering services would be December 11th. If enough animals are not scheduled by that date the transport will be cancelled until after the winter months.

Councilperson by congratulated Mayor Pro-Tem Eveleth on the Glow events, and said it was great to coordinate the opening of the Gould House with the events downtown. She also congratulated Councilperson Bailey on the success of the T/N/R Program.

Councilperson Fox asked that Mayor Pro-Tem Eveleth request warmer weather for the Glow events next year.

NEXT MEETING

Monday, December 15, 2014

BOARDS AND COMMISSIONS OPENINGS

Owosso Community Airport Board, term expiring December 31, 2015.

ADJOURNMENT

Motion by Mayor Pro-Tem Eveleth for adjournment at 7:52 p.m.

Motion supported by Councilperson Fox and concurred in by unanimous vote.

Benjamin R. Frederick, Mayor

Amy K. Kirkland, City Clerk