

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MONDAY, OCTOBER 05, 2015
7:30 P.M.**

**Meeting to be held at City Hall
301 West Main Street**

AGENDA

OPENING PRAYER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OF THE AGENDA:

APPROVAL OF THE MINUTES OF REGULAR MEETING OF SEPTEMBER 21, 2015:

ADDRESSING THE CITY COUNCIL

1. Your comments shall be made during times set aside for that purpose.
2. Stand or raise a hand to indicate that you wish to speak.
3. When recognized, give your name and address and direct your comments and/or questions to any City official in attendance.
4. Each person wishing to address the City Council and/or attending officials shall be afforded one opportunity of up to four (4) minutes duration during the first occasion for citizen comments and questions. Each person shall also be afforded one opportunity of up to three (3) minutes duration during the last occasion provided for citizen comments and questions and one opportunity of up to three (3) minutes duration during each public hearing. Comments made during public hearings shall be relevant to the subject for which the public hearings are held.
5. In addition to the opportunities described above, a citizen may respond to questions posed to him or her by the Mayor or members of the Council, provided members have been granted the floor to pose such questions.

PROCLAMATIONS / SPECIAL PRESENTATIONS

1. Swearing In Ceremony- Police Department Employees. A ceremony to swear in the City's newest patrol officers: Ryan Jenkins, Branden Stockford and Adam Terry.

PUBLIC HEARINGS

1. Rezoning Request - 1405 W. North Street. Conduct a public hearing to receive citizen comment regarding the request from Covenant Eyes for the rezoning of the property commonly referred to as 1405 W. North Street from R-1 Single Family Residential to OS-1 Office Service District, contingent upon sale of the property to Covenant Eyes.

CITIZEN COMMENTS AND QUESTIONS

CITY MANAGER REPORT



Project Status Report

CONSENT AGENDA

1. Change Order No. 1 – Westown Parking Lot Project. Approve Change Order No. 1 to the Westown Parking Lot Construction contract with Sumbera Excavating, Inc. increasing the amount of the contract \$7,180.00 for the construction of a fence along the southern border of the lot as required by the building code.
2. Bid Award – Bariatric Cot. Waive bidding irregularities and approve bid award to Kodiak Emergency Vehicles for the purchase of one Stryker 6082 MS-Pro Bariatric Cot for the Fire Department in the amount of \$7,803.00 and authorize payment to the vendor upon satisfactory receipt of the equipment.

ITEMS OF BUSINESS



Brownfield Redevelopment Plan - District #16, Qdoba Site. Consider approval of the Brownfield Redevelopment Plan for District #16, Qdoba Site, located at 910 East Main Street.

2. Tree Removal Policy Amendment. Consider amending the Tree Removal Policy to allow the removal of healthy trees that are of a prohibited species.
3. Tree Removal Request – 1111 Harding Avenue. Consider request from Viberta Olney for permission to remove the City trees in front of her home at 1111 Harding Avenue.

COMMUNICATIONS



Susan K. Montenegro, Assistant City Manager. Trebor Industries update.

2. Historical Commission. Minutes of August 14, 2015.
3. Downtown Development Authority/Main Street. Minutes of September 2, 2015.
4. Downtown Historic District Commission. Minutes of September 16, 2015.

CITIZEN COMMENTS AND QUESTIONS

NEXT MEETING

Monday, October 19, 2015

BOARDS AND COMMISSIONS OPENINGS

Building Board of Appeals – Alternate (2), both terms expire June 30, 2018
Historical Commission, term expires December 31, 2017
Planning Commission, term expires June 30, 2016

ADJOURNMENT

The City of Owosso will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon seventy-two (72) hours notice to the City of Owosso. Individuals with disabilities requiring auxiliary aids or services should contact the City of Owosso by writing or calling the following: Amy K. Kirkland, City Clerk, 301 West Main Street, Owosso, MI 48867 or at (989) 725-0500. The City of Owosso Website address is www.ci.owosso.mi.us.

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF SEPTEMBER 21, 2015
7:30 P.M.**

PRESIDING OFFICER: MAYOR BENJAMIN R. FREDERICK

OPENING PRAYER: PASTOR RON HEILER
NORTHGATE WESLEYAN CHURCH

PLEDGE OF ALLEGIANCE: NATALIE TAYLOR, OWOSSO HIGH SCHOOL STUDENT

PRESENT: Mayor Benjamin R. Frederick, Mayor Pro-Tem Christopher T. Eveleth,
Councilpersons Loreen F. Bailey, Burton D. Fox, Elaine M. Greenway,
and Michael J. O'Leary.

ABSENT: Councilperson Robert J. Teich, Jr.

APPROVE AGENDA

Motion by Mayor Pro-Tem Eveleth to approve the agenda with the following additions for discussion only:

ITEMS OF BUSINESS

2. Tree Cutting Request.
3. Sale of City-owned Properties.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF SEPTEMBER 8, 2015

Motion by Mayor Pro-Tem Eveleth to approve the Minutes of the Regular Meeting of September 8, 2015 as presented.

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

STUDENT REPRESENTATIVE REPORT

Owosso High student Natalie Taylor was on hand to report recent events and upcoming activities at the High School.

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Zachary Rodriguez, 120 North Howell Street, inquired when the City would be issuing him a letter permitting him to have a swing set in his front yard saying Councilperson Fox asked that such a letter be drafted. He asked what the status of his issue was (regarding placement of a pool and a swing set in his front yard). He also asked why he was given 10 days to comply while businesses get 30 days to comply with code enforcement violations.

Eddie Urban, 601 Glenwood Avenue, talked about drones and the laws governing their use, specifically as they relate to hunting.

Mayor Frederick inquired about the status of Mr. Rodriguez's code enforcement issue. Assistant City Manager Montenegro indicated that the City Manager was researching exactly where the pool and swing set would be allowed. She further indicated she would try to have an answer by the close of business tomorrow.

Mayor Frederick applauded the recent Home Tour saying it was a great event for the community and thanking those that worked to put the event together. He also congratulated the DDA and downtown businesses on an extremely successful Art Walk, estimating that 2,000 people participated in the event. Councilperson Greenway noted that the student presenter this evening, Natalie Taylor, was a docent at one of the homes on the Home Tour this weekend. Several other high school students served as docents and did a fantastic job.

Councilperson Bailey made note of the Friends of the Shiawassee River Wine Tasting event, saying it was a wonderful event and she had a very nice time.

Councilperson Fox commented that the human statues that were "displayed" during the Art Walk defy logic and are extremely disciplined.

CITY MANAGER REPORT

Assistant City Manager Montenegro gave a report on the progress at the Trebor/Selleck properties saying that violation notices had been sent for each property and the owners had 30 days to comply. She further reported that City staff continues to work with the property owners meeting with them today at their property to discuss the placement of fencing. She noted that she will be meeting with them again in the coming days and will work to establish a time line that will be presented to Council in time for the next meeting.

There was discussion regarding continuing the two-pronged approach of proceeding with the code enforcement process and at the same time working with the owners to reach compliance, keeping Council apprised of progress on the issue, the time line for clean-up, and the height of fencing required in storage areas.

CONSENT AGENDA

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

First Reading & Set Public Hearing – Rezoning Request. Conduct first reading and set a public hearing for Monday, October 5, 2015 at 7:30 p.m. to receive citizen comment regarding the request from Covenant Eyes for the rezoning of the property commonly referred to as 1405 W. North Street from R-1 Single Family Residential to OS-1 Office Service District, contingent upon sale of the property to Covenant Eyes as follows:

RESOLUTION NO. 81-2015

**TO SET A PUBLIC HEARING TO CONSIDER AMENDING CHAPTER 38 ZONING
OF THE CODE OF ORDINANCES
TO REZONE A PORTION OF THE PARCEL AT 1405 WEST NORTH STREET
AND AMEND THE ZONING MAP**

WHEREAS, the city council of the city of Owosso received a petition from Covenant Eyes, Inc. on behalf of the owner of real property identified as 1405 W. North Street (parcel number to be assigned following lot split) to rezone the western portion of the parcel from R-1 Single Family Residential to OS-1 Office Service; and

WHEREAS, the planning commission subsequently published the request and mailed notices of the request to surrounding property owners, held a public hearing on the request, and deliberated on the request; and

WHEREAS, the city staff and planning commission recommend, without reservations or conditions, the rezoning of 1405 W. North Street as petitioned; and

WHEREAS, the item must now be considered by the city council and a public hearing by the council is required before any such ordinance amendment can be acted upon.

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

SECTION 1. OFFICIAL ZONING MAP AMENDMENT. That Chapter 38, Zoning, Sec. 38-27, Zoning Districts and Map, reflect the following change, to be noted on the official map and filed with the city clerk:

Parcel Address	Current Zoning	Amended Zoning
west portion of 1405 West North St, described as follows:	R-1, Single Family	OS-1, Office Service

Part of the Northeast 1/4 of the Northeast 1/4 of Section 14, T7N-R2E, Owosso Township, Shiawassee County, Michigan, described as beginning at a point that is S88°05'30"W on the North line of said Section 14 a distance of 962.03 feet from the Northeast corner of said Section 14; thence S00°13'38"W 31.00 feet; thence S08°42'07"E 33.60 feet; thence S29°37'59"E 33.94 feet; thence S00°13'39"W 260.02 feet; thence N69°01'18"W 402.05 feet to the North and South 1/8 line in the Northeast 1/4 of said Section 14; thence N88°05'30"E 100.00 feet; thence N00°13'39"E parallel with said North and South 1/8 line a distance of 198.00 feet to the North line of said Section 14; thence N88°05'30"E on said North line a distance of 254.10 feet to the point of beginning, containing 1.89 acres, more or less. Including a non-exclusive easement for ingress and egress described as beginning at a point that is S88°05'30"W on the North line of said Section 14 a distance of 913.87 feet from the Northeast corner of said Section 14; thence S00°13'39"W 80.48 feet; thence S60°22'01"W 30.00 feet; thence N29°37'59"W 33.94 feet; thence N08°42'07"W 33.60 feet; thence N00°13'38"E 31.00 feet to the North line of said Section 14; thence N88°05'30"E on said North line a distance of 48.16 feet to the point of beginning. Subject to the use of the Northerly 33.00 feet thereof as North Street. Also subject to all other easements and restrictions of record.

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, October 5, 2015 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendment.

SECTION 3. NOTICE. Council hereby directs staff to supply a public notice concerning the rezoning to a newspaper of general circulation within the city.

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.

SECTION 5. EFFECTIVE DATE. This amendment shall become effective twenty days after passage.

Boards & Commissions Appointment. Approve the Mayoral Appointment of Garfield Warren to the Planning Commission to fill the unexpired term of R. Woodworth ending June 30, 2016.

Oktoberfest Permission. Consider request from the Shiawassee Regional Chamber of Commerce for use of the Ball/Exchange Parking Lot (Lot # 5) and various downtown streets at various times from October 8, 2015 through October 12, 2015 for Oktoberfest 2015 and approve Traffic Control Order No. 1338 formalizing the request.

Bid Rejection – Automatic External Defibrillator. Reject the bids received for the purchase of an Automatic External Defibrillator as none of the responses met both the bid specifications and the budget parameters as follows:

RESOLUTION NO. 82-2015

**RESOLUTION AUTHORIZING THE REJECTION OF BIDS
FOR AN AUTOMATIC EXTERNAL DEFIBRILLATOR**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, requires an Automatic External Defibrillator (AED); and

WHEREAS, the City of Owosso sought bids for an AED; only two bids were received - one substantially over the budgeted amount for this purchase and the other did not meet the bid specifications.

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

FIRST: The current bids be rejected.

SECOND: Staff is directed to re-bid for this item in hopes of receiving a more robust response.

Lease Extension – WWTP Screening Equipment. Authorize extension of the agreement with Duperon Leasing & Sales, Inc. for the lease of the screening equipment at the Waste Water Treatment Plant on a month to month basis, not to exceed 12 additional months, in the amount of \$1,815.00 per month as detailed below:

RESOLUTION NO. 83-2015

**AUTHORIZING AMENDMENT NO. 2 TO AN EXISTING
LEASE AGREEMENT WITH
DUPERON LEASING AND SALES, LLC
FOR SCREENING EQUIPMENT FOR THE WASTEWATER PLANT
AT \$1,815 PER MONTH FOR UP TO 12 MONTHS**

WHEREAS, the City and Duperon Corporation entered a lease agreement dated September 10, 2013 for full scale demonstration of wastewater screening equipment, initially for 12 months and extended 12 months through September 30, 2015, and

WHEREAS, Duperon Corporation has subsequently assigned the lease to Duperon Leasing and Sales, LLC, and

WHEREAS, both parties agree to an extension of the equipment lease on a month to month basis for up to an additional 12 months at a monthly rate of \$1,815 beginning October 1, 2015,

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

FIRST: The city of Owosso has heretofore determined that it is advisable, necessary and in the public interest to extend the lease for wastewater screening equipment from Duperon Leasing and Sales, LLC at \$1,815 per month for up to an additional 12 month lease term.

SECOND: The Mayor and City Clerk are hereby authorized to sign the attached document, Amendment No. 2 to Equipment Lease Agreement, between the City of Owosso and Duperon Leasing and Sales, LLC, extending the existing lease agreement for a second time, with all terms of the original contract unchanged, save the monthly rate and lease term.

THIRD: The accounts payable department is authorized to submit the initial and subsequent monthly payments to Duperon Leasing and Sales, LLC pursuant to the agreement up to \$21,780.00.

FOURTH: The above expenses shall be paid from the Wastewater Plant Fund.

Purchase Authorization – Light Materials Bucket. Authorize purchase of one light materials bucket from AIS Construction Equipment Corporation in the amount of \$7,525.00 for use on the front end loaders and further authorize payment to the vendor upon satisfactory delivery of the equipment as follows:

RESOLUTION NO. 84-2015

RESOLUTION AUTHORIZING THE PURCHASE OF A LIGHT MATERIALS BUCKET FOR DPW LOADERS

WHEREAS, the City of Owosso, Shiawassee County, Michigan, maintains a fleet of equipment to handle the day to day operations; and the Department of Public Works requires the use of loaders and attachments to move various types of materials; and

WHEREAS, the DPW would benefit from the purchase of a large light materials bucket attachment to more efficiently move leaves, brush, and snow; and

WHEREAS, the significantly larger volume of this attachment will increase efficiency, increasing the amount of material that can be moved at one time, lowering wear and tear on equipment, reducing staff time and fuel costs; and

WHEREAS, the City of Owosso sought quotes for a light materials bucket; a competitive quote was received from AIS Construction Equipment Corporation and it is hereby determined that AIS Construction Equipment Corporation is qualified to provide such equipment and that it has submitted the responsible and responsive quote.

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

FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to purchase a 4.5 cubic yard, 114" light materials bucket, model # AT454158, from AIS Construction Equipment Corporation.

SECOND: City staff are instructed and authorized to carry out the purchase of the above named equipment from AIS Construction Equipment Corporation in the amount of \$7,525.00.

THIRD: The accounts payable department is authorized to pay AIS Construction Equipment

Corporation up to the quote amount upon satisfactory delivery of said equipment.

FOURTH: The above expenses shall be paid from the Revolving Equipment fund.

Purchase Authorization – Road Salt. Waive competitive bidding requirements, authorize purchase order with The Detroit Salt Company, LLC, via State of Michigan Contract No. 071B1300339, for 1500 tons of salt at \$61.30 per ton, and further authorize payment up to \$91,950.00 upon satisfactory receipt of the product as detailed below:

RESOLUTION NO. 85-2015

**AUTHORIZING THE EXECUTION OF A PURCHASE ORDER WITH
THE DETROIT SALT COMPANY, LLC
FOR THE WINTER SUPPLY OF ROAD SALT**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has a duty to keep its streets safe during the winter months; and that this is advisable, necessary and in the public interest; and

WHEREAS, the most efficient way to remove ice from the streets is the application of road salt onto the icy pavements; and

WHEREAS, in order to obtain the best price, it is in the best interest of the city of Owosso to waive competitive bidding requirements and utilize state-wide contract number 071B1300339 held by The Detroit Salt Company, LLC for the purchase of road salt at \$61.30 per ton.

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

- FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to purchase 1500 tons of road salt from The Detroit Salt Company, LLC in the amount of \$91,950.00.
- SECOND: The contract between the City and The Detroit Salt Company, LLC shall be in the form of a Purchase Order, with reference to State of Michigan Contract No. 071B1300339.
- THIRD: The accounts payable department is authorized to pay The Detroit Salt Company, LLC for road salt satisfactorily received, up to the purchase order amount.

FOURTH: The above expenses shall be paid from Local and Major Street Funds.

Warrant No. 509. Authorize Warrant No. 509 as follows:

Vendor	Description	Fund	Amount
Shiawassee Economic Development Partnership	Annual investment for FY 15/16	General	\$31,426.00
Michigan Municipal Risk Management Authority	1 st installment for FY 15/16 building and property insurance	General	\$117,275.00
William C. Brown PC	Professional services- August 11, 2015 – September 9, 2015	General	\$12,074.92

***Check Register – August 2015.** Affirm check disbursements totaling \$897,283.92 for the month of August 2015.

Motion supported by Councilperson Bailey.

Roll Call Vote.

AYES: Mayor Pro-Tem Eveleth, Councilpersons Fox, Greenway, Bailey, O'Leary, and Mayor Frederick.

NAYS: None.

ABSENT: Councilperson Teich.

ITEMS OF BUSINESS

Cargill Property – Progress Report & Discussion

Assistant City Manager Montenegro delivered a report concerning the progress and the issues regarding the sale of 1509 West Oliver Street to Cargill, Inc. including: the pending determination of the exact acreage involved in the sale, the development of a road to the site, and the development of a preliminary site plan. She indicated the progress was slow, but moving forward.

Tree Cutting Request. (This item was added to the agenda.)

Mayor Frederick indicated Council had received a petition from Viberta Olney asking for permission to remove the locust tree in the right-of-way in front of her house. Council was given a copy of the 1973 tree removal policy. After some discussion Council agreed that Ms. Olney's request did not qualify under the terms of the policy. There was further discussion regarding whether the policy needed to be amended.

Motion by Councilperson Fox to request the tree removal policy be returned to Council at the October 5, 2015 meeting for possible amendment, at which time the request from Ms. Olney would be formally addressed.

Motion supported by Councilperson Bailey.

Roll Call Vote.

AYES: Councilpersons O'Leary, Bailey, Fox, Greenway, Mayor Pro-Tem Eveleth, and Mayor Frederick.

NAYS: None.

ABSENT: Councilperson Teich.

Sale of City-owned Properties. (This item was added to the agenda.)

Mayor Frederick indicated the issue stems from a recent offer from Michael Cline to purchase City property that was scuttled due to price concerns. Mr. Cline was given the opportunity to detail the reasons he felt the land in question was not as valuable as the City's asking price of \$11,000. He indicated he was still interested in the property and would like to reach an agreement with the City for its purchase.

The discussion then turned to the City's policy for the sale of real property, a copy of which was distributed to Council members. Council expressed a desire to sell off any unneeded parcels

Motion by Councilperson O'Leary directing staff to prepare a list of City-owned properties eligible for sale in time for the second October meeting.

Motion supported by Councilperson Greenway.

Roll Call Vote.

AYES: Mayor Pro-Tem Eveleth, Councilpersons Bailey, O'Leary, Greenway, Fox, and Mayor Frederick.

NAYS: None.

ABSENT: Councilperson Teich.

COMMUNICATIONS

Susan K. Montenegro, Assistant City Manager. Cline Property Offer Update.

Susan K. Montenegro, Assistant City Manager. Trebor Industries update.

Charles P. Rau, Building Official. August 2015 Building Department Report.

Charles P. Rau, Building Official. August 2015 Code Violations Report.

Kevin D. Lenkart, Public Safety Director. August 2015 Police Report.

Kevin D. Lenkart, Public Safety Director. August 2015 Fire Report.

CITIZEN COMMENTS AND QUESTIONS

Justin Horvath, president and CEO of the SEDP, thanked Council for their continued support of the SEDP and indicated he was available to answer any questions Council has regarding the Cargill project.

Alberta Phillips, 401 Corunna Avenue, inquired if the City Attorney was being compensated even though he had recused himself from the Trebor/Selleck issue, why it was so expensive for a FOIA request, why her recent FOIA request yielded so little information, and if Trebor was painting racks at a different site in town. She also commented about her concerns with industrial run-off entering the river from the properties along the railroad tracks, leaning stacks of racks, and the storage of recreational vehicles on industrial property.

Amy Gray, 405 Huron Street, inquired if there had been any changes to the fencing requirements for industrial properties in the last several years. It was noted there was not. She said Trebor had years to comply with code enforcement and their finances should not be considered when determining a time line for clean-up.

Councilperson Fox inquired whether Trebor is indeed painting racks and if they have a proper paint booth. It was indicated that staff had not been inside the buildings as the source of the complaints was entirely on the exterior and they were unsure if the company was painting.

Mayor Frederick thanked Garfield Warren for stepping up to serve on the Planning Commission.

NEXT MEETING

Monday, October 05, 2015

BOARDS AND COMMISSIONS OPENINGS

Building Board of Appeals – Alternate (2), both terms expire June 30, 2018

Historical Commission, term expires December 31, 2017

Planning Commission, term expires June 30, 2016

ADJOURNMENT

Motion by Mayor Pro-Tem Eveleth for adjournment at 8:48 p.m.

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

Benjamin R. Frederick, Mayor

Amy K. Kirkland, City Clerk



MEMORANDUM

301 W. MAIN ▪ OWOSSO, MICHIGAN 48867-2958 ▪ WWW.CI.OWOSSO.MI.US

DATE: September 29, 2015
TO: City Council
FROM: Susan Montenegro, Asst. City Manager/Community Development Director
SUBJECT: Rezoning of 1405 W. North Street

RECOMMENDATION:

The Planning Commission recommends city council conduct first reading and set a public hearing for October 5, 2015 to receive citizen comment regarding request to rezone the parcel commonly known as 1405 W. North Street, from R-1 Single Family Residential to OS-1 Office Service.

BACKGROUND:

Covenant Eyes is expanding its business footprint in Owosso and is in the process of purchasing the former Owosso Public Schools Administration Building. The intent is to use this building as its customer service representative location. Covenant Eyes will use the existing building, after some minor alterations are made, to employ 15-20 employees. Currently the building is located on the same parcel as Bentley School (1375 W. North Street). The area they wish to split off (to be known as 1405 W. North Street) has been surveyed and the rezoning would apply only to that described portion of the parcel, contingent upon the completion of the sale to Covenant Eyes.

The Planning Commission, after mailing notices and holding a public hearing, voted at its regular meeting on August 24, 2015 to recommend rezoning the aforementioned western portion of the main parcel. Further, staff recommends approval of this petition to rezone property as submitted subject to the ordinance reading and public hearing process.

FISCAL IMPACTS:

This property will be added to the tax base for the city of Owosso.

Document originated by: Susan Montenegro

ORDINANCE NO.

**AN ORDINANCE AMENDING CHAPTER 38 ZONING OF THE CODE OF ORDINANCES
TO REZONE A PORTION OF THE PARCEL OF REAL PROPERTY LOCATED AT
1405 WEST NORTH STREET
AND AMEND THE ZONING MAP**

WHEREAS, the city of Owosso received a petition from Covenant Eyes, Inc. on behalf of the owner of real property identified as 1405 West North Street, to rezone the western portion of the parcel from R-1 Single Family Residential District to OS-1 Office Service District; and

WHEREAS, the Planning Commission published and mailed notices for the request, held a public hearing on the request, and deliberated on the request; and

WHEREAS, the Planning Commission finds that the proposed rezoning meets the intent and criteria for a zoning amendment as it relates to the master plan and the zoning ordinance; and

WHEREAS, the City staff and Planning Commission recommend, without reservations or conditions, the rezoning of the following parcel:

Parcel Address	Current Zoning	Amended Zoning
west portion of 1405 West North St, described as follows:	R-1, Single Family	OS-1, Office Service

Part of the Northeast 1/4 of the Northeast 1/4 of Section 14, T7N-R2E, Owosso Township, Shiawassee County, Michigan, described as beginning at a point that is S88°05'30"W on the North line of said Section 14 a distance of 962.03 feet from the Northeast corner of said Section 14; thence S00°13'38"W 31.00 feet; thence S08°42'07"E 33.60 feet; thence S29°37'59"E 33.94 feet; thence S00°13'39"W 260.02 feet; thence N69°01'18"W 402.05 feet to the North and South 1/8 line in the Northeast 1/4 of said Section 14; thence N88°05'30"E 100.00 feet; thence N00°13'39"E parallel with said North and South 1/8 line a distance of 198.00 feet to the North line of said Section 14; thence N88°05'30"E on said North line a distance of 254.10 feet to the point of beginning, containing 1.89 acres, more or less. Including a non-exclusive easement for ingress and egress described as beginning at a point that is S88°05'30"W on the North line of said Section 14 a distance of 913.87 feet from the Northeast corner of said Section 14; thence S00°13'39"W 80.48 feet; thence S60°22'01"W 30.00 feet; thence N29°37'59"W 33.94 feet; thence N08°42'07"W 33.60 feet; thence N00°13'38"E 31.00 feet to the North line of said Section 14; thence N88°05'30"E on said North line a distance of 48.16 feet to the point of beginning. Subject to the use of the Northerly 33.00 feet thereof as North Street. Also subject to all other easements and restrictions of record.

and

WHEREAS, the City Council held a public hearing October 5, 2015 and deliberated on the request; and

WHEREAS, the City Council finds that the zoning petition meets the intent and criteria for a zoning map amendment, specifically as it relates to the requirements of Section 38-555.

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

SECTION 1. OFFICIAL ZONING MAP AMENDMENT. That Chapter 38, Zoning, Sec. 38-27, Zoning Districts and Map, reflect the following change, to be noted on the official map and filed with the city clerk

Parcel Address	Current Zoning	Amended Zoning
west portion of 1405 West North St,	R-1, Single Family	OS-1, Office Service

described as follows:		
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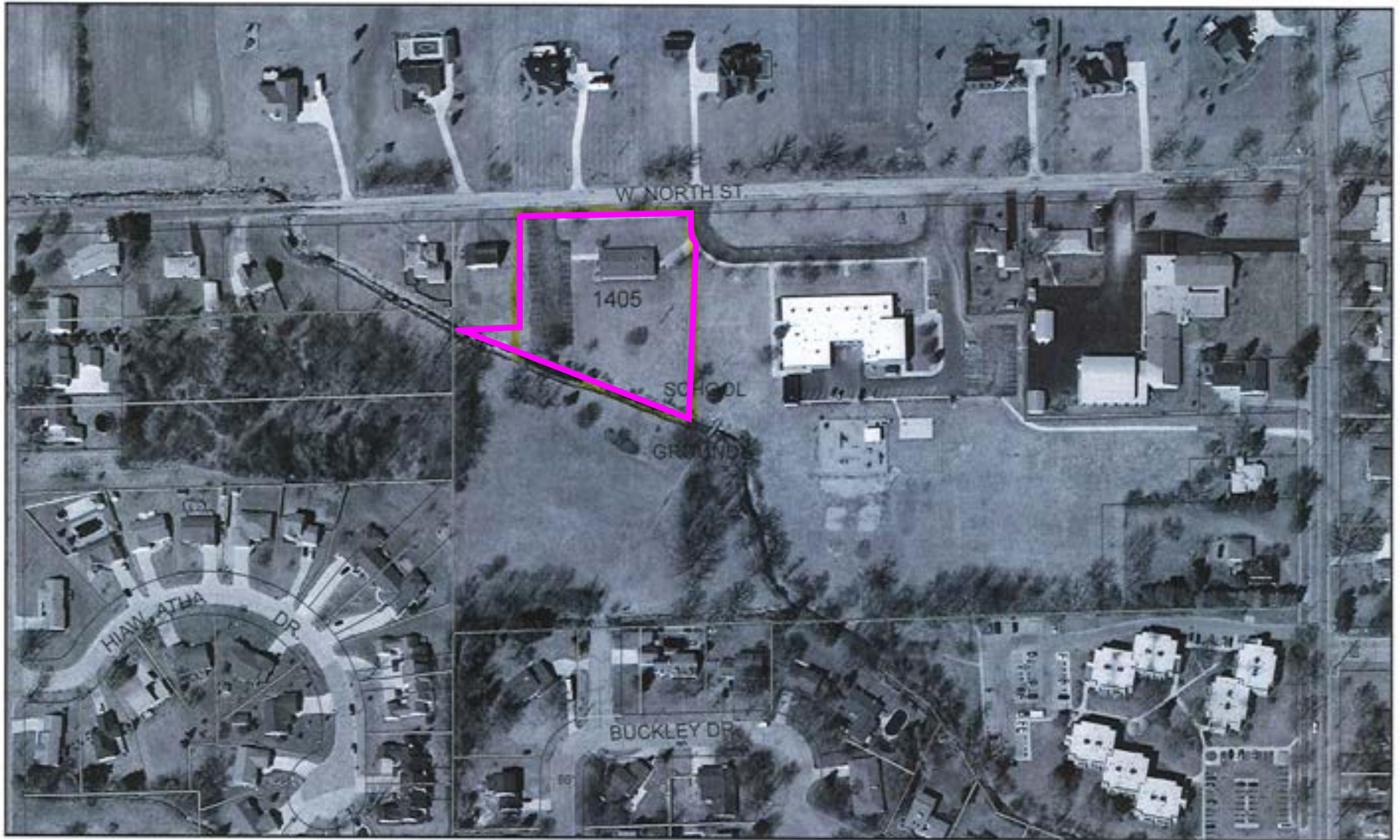
Part of the Northeast 1/4 of the Northeast 1/4 of Section 14, T7N-R2E, Owosso Township, Shiawassee County, Michigan, described as beginning at a point that is S88°05'30"W on the North line of said Section 14 a distance of 962.03 feet from the Northeast corner of said Section 14; thence S00°13'38"W 31.00 feet; thence S08°42'07"E 33.60 feet; thence S29°37'59"E 33.94 feet; thence S00°13'39"W 260.02 feet; thence N69°01'18"W 402.05 feet to the North and South 1/8 line in the Northeast 1/4 of said Section 14; thence N88°05'30"E 100.00 feet; thence N00°13'39"E parallel with said North and South 1/8 line a distance of 198.00 feet to the North line of said Section 14; thence N88°05'30"E on said North line a distance of 254.10 feet to the point of beginning, containing 1.89 acres, more or less. Including a non-exclusive easement for ingress and egress described as beginning at a point that is S88°05'30"W on the North line of said Section 14 a distance of 913.87 feet from the Northeast corner of said Section 14; thence S00°13'39"W 80.48 feet; thence S60°22'01"W 30.00 feet; thence N29°37'59"W 33.94 feet; thence N08°42'07"W 33.60 feet; thence N00°13'38"E 31.00 feet to the North line of said Section 14; thence N88°05'30"E on said North line a distance of 48.16 feet to the point of beginning. Subject to the use of the Northerly 33.00 feet thereof as North Street. Also subject to all other easements and restrictions of record.

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.

SECTION 5. EFFECTIVE DATE. This amendment shall become effective October 26, 2015.

City of Owosso

1405 W. North Street
Rezoning Request



August 5, 2015

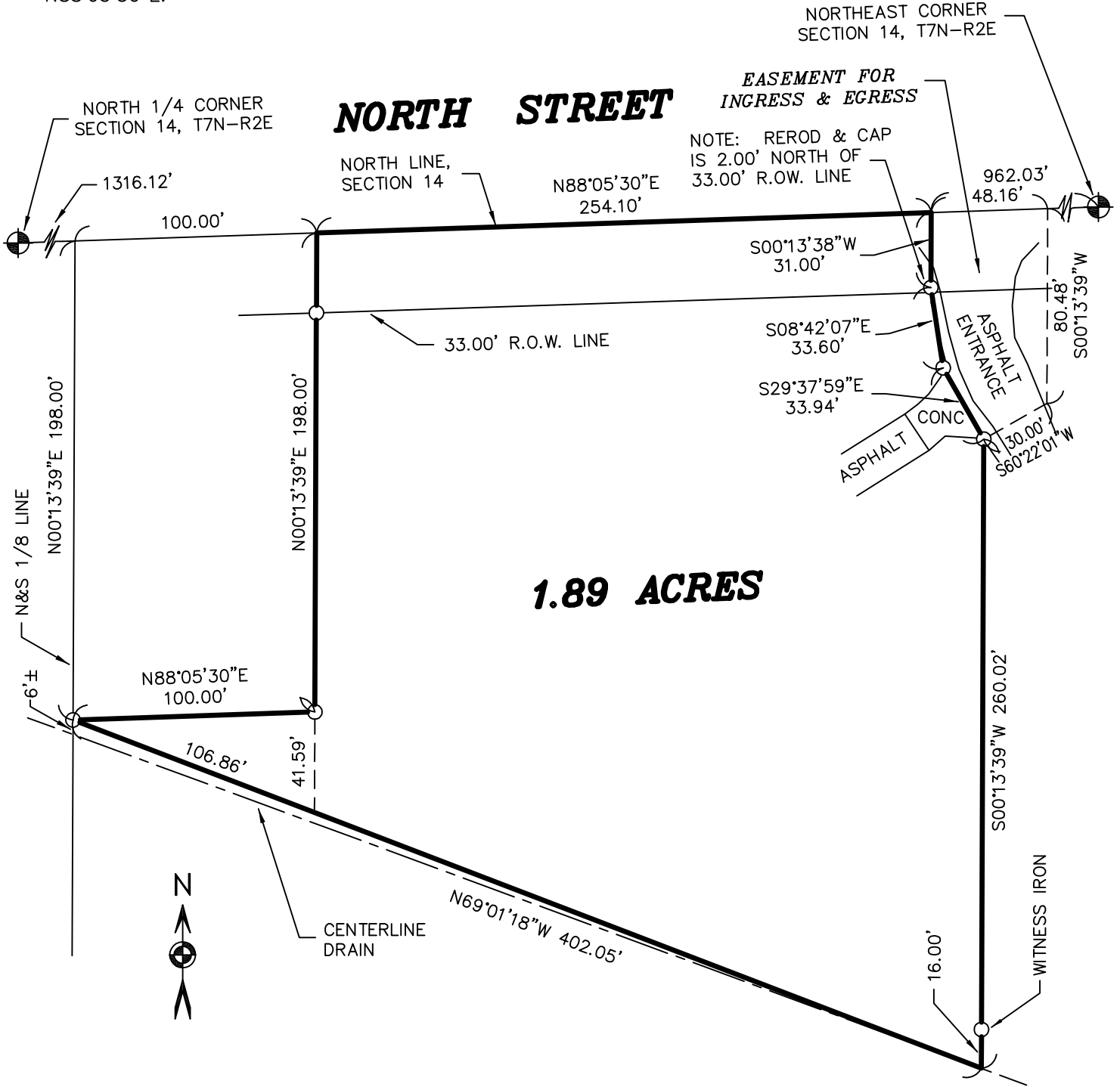
CERTIFICATE OF LAND SURVEY

SEE SHEET #2 OF 2 FOR DESCRIPTIONS.

NOTES:

- Rerods, 18" in length, with cap #24622, were driven at all points marked thus:○
- The bearing of the North line of Section 14 was assumed N88°05'30"E.

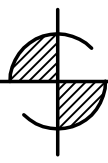
NORTH STREET



1.89 ACRES

CLIENT: <u>Covenant Eyes</u> DATE: <u>August 13, 2015</u> SCALE: <u>1" = 60'</u> JOB NO. <u>26256</u>	Section 14, T7N-R2E, Owosso Township, Shiawassee County, Michigan	Sheet #1 of 2
---	--	---------------

I hereby certify that I have surveyed and mapped the land above platted and/or described on 08/11/15 and that the ratio of closure on the unadjusted field observations of such survey was 1:10,000 and that all of the requirements of P.A. 132 of 1970 have been complied with.

	LANDMARK SURVEYING 204 N. SHIAWASSEE ST. OWOSSO, MI 48867 (989) 725-8725 (810) 659-1053 FAX (989) 725-2452 landmark@michonline.net	Mark L. VanRaemdonck, Michigan PS 24622
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CERTIFICATE OF LAND SURVEY

DESCRIPTION: Part of the Northeast 1/4 of the Northeast 1/4 of Section 14, T7N-R2E, Owosso Township, Shiawassee County, Michigan, described as beginning at a point that is S88°05'30"W on the North line of said Section 14 a distance of 962.03 feet from the Northeast corner of said Section 14; thence S00°13'38"W 31.00 feet; thence S08°42'07"E 33.60 feet; thence S29°37'59"E 33.94 feet; thence S00°13'39"W 260.02 feet; thence N69°01'18"W 402.05 feet to the North and South 1/8 line in the Northeast 1/4 of said Section 14; thence N88°05'30"E 100.00 feet; thence N00°13'39"E parallel with said North and South 1/8 line a distance of 198.00 feet to the North line of said Section 14; thence N88°05'30"E on said North line a distance of 254.10 feet to the point of beginning, containing 1.89 acres, more or less. Including a non-exclusive easement for ingress and egress described as beginning at a point that is S88°05'30"W on the North line of said Section 14 a distance of 913.87 feet from the Northeast corner of said Section 14; thence S00°13'39"W 80.48 feet; thence S60°22'01"W 30.00 feet; thence N29°37'59"W 33.94 feet; thence N08°42'07"W 33.60 feet; thence N00°13'38"E 31.00 feet to the North line of said Section 14; thence N88°05'30"E on said North line a distance of 48.16 feet to the point of beginning. Subject to the use of the Northerly 33.00 feet thereof as North Street. Also subject to all other easements and restrictions of record.

SECTION CORNER WITNESSES:

Northeast corner Section 14, T7N-R2E

Harrison Marker in Monument Box

N80°E 29.90' REI cap & nail S. face 36" Oak

S35°E 47.78' Top cen. fire hydrant

S35°W 35.00' NE face 2" dia. steel road sign post

N40°W 35.35' N&T SW face util. pole

N00°00'22"W 2640.90' Harrison marker at K-4

CLIENT: Covenant Eyes

Section 14, T7N-R2E

Sheet #2 of 2

DATE: August 13, 2015

Owosso Township

Shiawassee County

JOB NO: 26256

Michigan



By _____

MARK L. VANRAEMDONCK
Professional Surveyor
Michigan No. 24622

204 N. Shiawassee St. (M-52)
Owosso, Michigan 48867

TEL: (989) 725-8725
(810) 659-1053
FAX: (989) 725-2452
landmark@michonline.net



MEMORANDUM

301 W. MAIN ▪ OWOSSO, MICHIGAN 48867-2958 ▪ WWW.CI.OWOSSO.MI.US

DATE: October 5, 2015
TO: Owosso City Council
FROM: Mark Sedlak, Director of Public Services
SUBJECT: Westtown Parking Lot

RECOMMENDATION:

I recommend accepting quote # 2513 from Sumbera Excavating, Inc. and approve Change Order No. 1 in the amount of \$7,180.00 for construction of a fence.

BACKGROUND:

On August 3, 2015, City Council approved a contract to Sumbera Excavating, Inc. in the amount of \$40,429.68 for construction of a parking lot at 111 S. Lansing Street. City code requires construction of a fence along the southern border of the parking lot and property. The City Planning Commission has approved the site plan for a decorative style fence with proper setback as required by city code. Sumbera Excavating, Inc. has offered to construct a fence that meets these requirements in the amount of \$7,180.00. City staff has reviewed Sumbera's proposal and recommends Change Order No. 1 to the Westtown Parking Lot Construction contract to add the additional work in the amount of \$7,180.00.

FISCAL IMPACTS:

Funds for this change in the contract are available in General Fund Account No. 101-585-974.000 WESTOWNLOT.

RESOLUTION NO.

**AUTHORIZING CHANGE ORDER NO. 1
TO THE CONTRACT WITH
SUMBERA EXCAVATING, INC.
FOR CONSTRUCTION OF THE WESTOWN PARKING LOT**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, approved a contract to Sumbera Excavating, Inc. on August 3, 2015 for the construction of a new parking lot on South Lansing Street in Westown; and

WHEREAS, the City has requested additional work from Sumbera Excavating, Inc. to furnish and install a fence along the southern border of the parking lot, fulfilling requirements of the building code.

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 amend the Westown Parking Lot Construction contract to add the construction of a fence along its southern border, increasing the contract amount by \$7,180.00.
- SECOND: The accounts payable department is authorized to submit payment to Sumbera Excavating, Inc. for work satisfactorily completed up to the amount of the contract including Change Order No. 1.
- THIRD: The above expenses shall be paid from General Fund Account No. 101-585-974.000 WESTOWNLOT.

**CITY OF OWOSSO
CONTRACT CHANGE ORDER NO. 1**

TO: Sumbera Excavating

Date: 9/30/2015

CONTRACT: Westtown Parking Lot

PROJECT NO.: _____

You are hereby requested to comply with the following changes from the contract plans and specifications:

1	2	3	4
Item No.	Description of Changes - Quantities, Units, Unit Prices, Change in Completion Schedule, Etc.	Decrease Contract Price	Increase Contract Price
	Fence for Parking Lot West Town		
	80 LFT. Of 6' IND V/CL @ 24.45/LFT.		\$1,956.00
	1 2-1/2" End @ \$103.50/EA		\$103.50
	1 2-1/2" Corner @ \$130.30/EA		\$130.30
	10 LFT. Of 4' IND V/CL @ 18.85/LFT.		\$188.50
	1 2-1/2" End @ \$49.90/EA		\$49.90
	Labor @ \$2051.80/LSUM		\$2,051.80
	Lawn Restoration After Fence Installed \$500.00/LSUM		\$500.00
	ADD 80 LFT of 6' Hedgeline @ \$2000.00/LSUM		\$2,000.00
	ADD 10 LFT of 4' Hedgeline @ \$200.00/LSUM		\$200.00
	Change in contract price due to this Change Order		
	Total Decrease	\$0.00	
	Total Increase	XXXXXXXXXXXX	\$7,180.00
	Difference between Co. 3 & 4		\$7,180.00
	Net INCREASED contract price		\$7,180.00

Original Contract Price:	\$ 40,429.68
Total Net Addition or Deduction by previous C.O. No.	\$ -
Total Amount of Contract Prior to this Change Order: 1	\$ 40,429.68
Net Addition or Deduction this Change Order No.: 1	\$7,180.00
Net Amount of Contract to date:	\$ 47,609.68

This time provided for completion in contract is (unchanged) **(increased)** (decreased) by 14 calendar days. This document shall become an amendment to the contract and all provisions of the contract will apply hereto.

Recommended by: _____

Approved by: _____

Accepted by: _____

Sumbera Excavating, Inc.

6490 McBride Road
 Owosso, MI 48867
 989-723-1985
 sumberaexc@yahoo.com

ESTIMATE

Date	ESTIMATE #
9/29/2015	2513

Name / Address
CITY OF OWOSSO ATTN: ACCOUNTS PAYABLE 301 MAIN STREET OWOSSO MI 48867

Qty	Description	Rate	Total
	LOCATION: S. LANSING ST. WEST TOWN PARKING LOT - OWOSSO MI PROJECT: PRICE TO INSTALL 100' OF 6' CHAIN LINK FENCE ACCORDING TO SPECIFICATIONS RECEIVED FROM CITY OF OWOSSO.		
80	FT. OF 6' IND V/CL	24.45	1,956.00
1	2-1/2" END	103.50	103.50
1	2-1/2" CORNER	130.30	130.30
10	FT. OF 4 FT. IND V/CL	18.85	188.50
1	2-1/2" END	49.90	49.90
1	LABOR	2,051.80	2,051.80
	OPTIONS: ADD 80 FT. OF 6 FT. HEDGELINK ADD - \$2000.00 TO PRICE ADD 10 FT. OF 4 FT. HEDGELINK ADD - \$200.00 TO PRICE COLOR BLACK OR GREEN SAME PRICE.		
1	LAWN RESTORATION AFTER FENCE INSTALLED.	500.00	500.00
	NOTE: JOB TO BE COMPLETE 30 DAYS FROM ACCEPTANCE OF BID.		

Acceptance of Estimate:

By signing below we hereby accept this estimate. The specifications and prices are approved and satisfactory. Payment will be made in accordance with the terms offered. I further represent that I am authorized to sign this contract.

Sign and Date: _____

Subtotal	\$4,980.00
Sales Tax (0.00)	\$0.00
Total	\$4,980.00

ACCEPT HEDGELINK (6')
 ACCEPT HEDGELINK (4')
 TOTAL PRICE

2,000.00
 200.00
 \$7,180.00 RC



MEMORANDUM

301 W MAIN ▪ OWOSSO, MICHIGAN 48867-2958 ▪ WWW.CI.OWOSSO.MI.US

DATE: September 30, 2015
TO: Mayor Frederick and the Owosso City Council
FROM: Kevin Lenkart, Chief of Public Safety
SUBJECT: Stryker Bariatric Cot Bid Award

RECOMMENDATION:

City staff recommends council approve the purchase of one (1) Stryker Bariatric cot to be used for patient care. The cot recommended for purchase is a Stryker 6082 MX-Pro Bariatric Cot (with options) \$7,803.00. The cot will be purchased from Kodiak Emergency Vehicles located in Grand Ledge Michigan.

BACKGROUND:

The City went out to bid through MITN for the Stryker Cot and received two submissions, from Kodiak Emergency Vehicles and Moore Medical. A third company (Ferno Corp.) submitted a bid; however their bid did not meet the required specifications. Moore Medical out of Farmington Connecticut submitted the low bid of \$7,749.13. Since the bid opening, I have made repeated attempts to contact Moore Medical however they have not responded to my inquiries. Kodiak Emergency Vehicles submitted a bid of \$7,803.00 (only \$53.87 more) and can provide the cot at the listed price. Further, they have been responsive to our inquiries and questions. Recommend purchase approval of the Stryker bariatric cot from Kodiak Emergency Vehicles.

The purchase of this cot will replace one of our current Stryker ambulance cots that has reached the end of its service life and needs to be replaced. The Stryker Bariatric Cot will be an added resource for Owosso Fire personnel to provide quality medical care to the patients that we serve.

FISCAL IMPACTS:

Payment for this purchase shall come from account 101-335-978.000

RESOLUTION NO.

**AUTHORIZING THE EXECUTION OF A CONTRACT FOR
PURCHASE OF ONE BARIATRIC COT FOR AMBULANCE SERVICE
WITH KODIAK EMERGENCY VEHICLES**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has an EMS department requiring the use of cots for its ambulances; and

WHEREAS, equipment for those ambulances needs to be replaced periodically because of wear and tear; and

WHEREAS, the City sought bids for the purchase of one Stryker bariatric cot; and

WHEREAS, Moore Medical submitted the lowest responsive bid but staff was unable to contact the firm to further inquire about the purchase; and

WHEREAS, Kodiak Emergency Vehicles submitted a bid that was within \$55.00 of the Moore Medical bid, and further the company has been responsive to inquiries and has served the City well in the past.

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

- FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to waive bidding irregularities and purchase one (1) Stryker 6082 MX-Pro Bariatric Cot at a price of \$7,803.00 from Kodiak Emergency Vehicles.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Equipment Agreement between the City of Owosso, Michigan and Kodiak Emergency Vehicles.
- THIRD: The accounts payable department is authorized to submit payment to Kodiak Emergency Vehicles in the amount of \$7,803.00 upon satisfactory delivery of the equipment.
- FOURTH: The above expenses shall be paid from the Fire Division Equipment fund 101-335-978.000.

CITY OF OWOSSO BID TABULATION SHEET

DATE 9/8/2015

DEPT. _____

SUBJECT: STRYKER MX-PRO BARIATRIC COT

ITEM #	DESCRIPTION	EST. QTY	UNIT	FERNO WASHINGTON		KODIAK EMERGENCY VEHICLES		MOORE MEDICAL	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	STRYKER MX-PRO BARIATRIC COT MODEL # 6083	1	EA	\$ 5,240.25	\$ 5,240.25	\$ 7,803.000	\$ 7,803.00	\$ 7,749.130	\$ 7,749.13
				A SUBSTITUTE PRODUCT WAS SUBMITTED, FERNO 35-X PROFlexx RESCUE BED					
TOTAL BID				\$	5,240.25	\$	7,803.00	\$	7,749.13

TOTAL BID PRICING ADJUSTED FOR LOCAL PURCHASING PREFERENCE:

DEPT. _____
HEAD: _____

GENERAL LIABILITY INSURANCE
EXPIRATION DATE: _____

AWARDED: _____

PURCH. AGENT: _____

WORKERS COMPENSATION INSURANCE
EXPIRATION DATE: _____

COUNCIL APPROVED: _____

STAFF REC.: _____

SOLE PROPRIETORSHIP
EXPIRATION DATE: _____

PO NUMBER: _____



MEMORANDUM

301 W MAIN ▪ OWOSSO, MICHIGAN 48867-2958 ▪ WWW.CI.OWOSSO.MI.US

DATE: September 30, 2015
TO: Mayor Frederick and the Owosso City Council
FROM: Amy K. Kirkland, City Clerk
SUBJECT: Tree Removal Policy

RECOMMENDATION:

I recommend Council add a provision allowing the removal of otherwise healthy trees if they are of a species listed as prohibited by the Code of Ordinances.

BACKGROUND:

At the last meeting Council requested an amendment to the Street Tree Removal Policy to include a provision allowing the removal of a healthy tree if the tree is of a species prohibited by the Code of Ordinances. The policy would still require the property owner to pay for the removal of the tree and to replace the original tree with a new tree at or near the same location.

The following species of trees are prohibited by the Code of Ordinances:

- poplar (Populus Sp.)
- willow (Salix Sp.)
- box elder (Acer Negundo)
- silver maple (Acer Saccharium)
- locust (Robina Sp.)
- tree of heaven (Ailanthus Altissima)
- catalpa (Catalpa Sp.)
- mulberry (Morus Sp.)
- Siberian elm (Ulmus pumilia)

FISCAL IMPACTS:

None.

Document originated by: Amy K. Kirkland, City Clerk

RESOLUTION NO.
AMENDING
THE CITY OF OWOSSO
STREET TREE REMOVAL POLICY

WHEREAS, the City of Owosso has a long history of urban forestry, calling for the careful preservation of existing trees and the planting new trees; and

WHEREAS, in 1973 the City Council adopted a policy governing the removal of trees in the City right-of-way to ensure that the City's legacy of tree-lined streets continued into the future; and

WHEREAS, a recent request from a citizen highlighted the fact that the current tree removal policy does not include a provision allowing for the removal of trees of species prohibited by the Code of Ordinances.

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

FIRST: The Street Tree Removal Policy be amended to include a provision allowing the removal of trees of species prohibited by the Code of Ordinances.

SECOND: The amended Street Tree Removal Policy will become effective immediately.

STREET TREE REMOVAL POLICY

All street tree removals by City forces must be initiated by a valid work order issued by the Department of Public Services. No street trees will be cut without such a work order.

Under a valid work order, the City will remove any diseased, dead or hazardous street tree at no cost to the abutting property owner.

Abutting property owners who request permission to remove a healthy street tree, which is not dead, diseased, nor hazardous, will be granted permission to do so only if all the following pre-requisites are fulfilled:

1. An inspection by this Department verifies the fact that the requested removal is a matter of real necessity and no reasonable alternative exists.

or

2. **An inspection by this Department verifies the fact that the requested removal is a species of tree prohibited by the Code of Ordinances of the City of Owosso.**
3. The abutting property owner, at his expense, secures a properly insured and skilled contractor to remove the subject tree and stump and secures written permission from the Department of Public Services for each tree removal.
4. Prior to receiving permit to remove a healthy street tree, the abutting property owner must present the Department with satisfactory evidence that suitable arrangements have been made to replace each street tree to be removed with a new tree at or near the same location.



MEMORANDUM

301 W MAIN ▪ OWOSSO, MICHIGAN 48867-2958 ▪ WWW.CI.OWOSSO.MI.US

DATE: September 30, 2015
TO: Mayor Frederick and the Owosso City Council
FROM: Amy K. Kirkland, City Clerk
SUBJECT: Tree removal request – V. Olney

RECOMMENDATION:

I recommend Council consider permitting the removal of two healthy locust trees located in the right-of-way in front of 1111 Harding Avenue, contingent upon pertinent changes to the tree removal policy.

BACKGROUND:

At the September 21st meeting Council asked that the request from Viberta Olney to remove a City tree in the right-of-way at 1111 Harding Avenue be placed on the next agenda for consideration. In her letter Mrs. Olney mentioned that the tree in question was a linden tree, when in fact it is a locust tree. And there are two trees of that species located in front of the home, not just one. The Code of Ordinances lists several species of trees that are prohibited, of which the locust is one. Should you approve an amendment to the tree removal policy allowing the removal of healthy trees that are a prohibited species the removal of Mrs. Olney's trees would be permitted, otherwise her request does not fulfill all the requirements for removal.

I have included a copy of the letter Mrs. Olney sent earlier in the month as well as a typed version, as the electronic version of her letter can be difficult to read due to the light nature of her handwriting.

FISCAL IMPACTS:

None. All costs for the removal of the current trees and the planting of new trees is the responsibility of the home owner per the policy.

Dear Owosso Council Members:

I am writing this letter requesting permission to cut down a Linden tree at the front of my property.

This tree is over 40 years old. It has grown to such a size as to no longer be attractive. It creates a lot of work for me. As I am 83 years old, a widow, I can hardly cope with the debris that it sheds. I must have my yard work done, so this creates added expense. The tree roots are raising the surface of my lawn as it is destroying my yard and is making it difficult to mow. This will only get worse as the tree ages.

I am willing to pay the expense of cutting the tree down. (No expense to the city.)

I hope you will help me with this situation.

Thank You! in advance for your consideration of this request.

Sincerely,
Viberta Olney
1111 Harding Ave
Owosso, MI 48867

My phone # is 989-723-3157.

9-13-15

Dear Cross Council Members:

I am writing this letter

requesting permission to cut down a

Limbed tree at the front of my property.


This tree is over 40 yrs old.

It has grown to such a size as to
no longer be attractive. It creates a
lot of work for me. As I am 83 years

old, a widow, I can hardly cope
with the debris that it sheds. I

must hire my yard work done, so this
creates added expense. The tree roots

are raising to the surface of
my lawn, as it is destroying my



yard and is making it
difficult to mow. This will only
get worse as the tree ages.

I am willing to pay the expense
of cutting the tree down. (4/5 expense
to the city.)

I hope you will help me with
this situation.

Thank you! in advance for
your consideration of this request.

my phone # is
989-723-3157.

Sincerely,
Viberta Olney
1111 Harding Ave
Orron, Mi. 48867

OWOSSO HISTORICAL COMMISSION
Rescheduled Meeting

Friday, August 14, 2015, 7:00PM Curwood Castle

MINUTES

- CALL TO ORDER:** Elaine Greenway called the meeting to order at 7:09 PM
- PRESENT:** Elaine Greenway, Chair; Jennifer Mahoney, Vice Chair; Robert Brockway; Tracey Peltier; Adrian Montague; Dennis Mahoney; Robert Doran, Director
- ABSENT:** Dean Ebert
- APPROVAL OF AGENDA:** Robert Brockway moved to approve agenda. Elaine Greenway supported. Motion passed unanimously.
- TREASURER'S REPORT:** Jennifer Mahoney moved to accept the treasures report. Robert Brockway supported. Motion passed unanimously.
- APPROVAL OF JULY MUNITES:** Robert Brockway motioned to accept the July minutes. Jennifer Mahoney supported. Motion passed unanimously.
- CITIZEN COMMENTS:** None.
- COMMUNICATIONS:** Carrie Baker – former OHC Commission member – reached out and expressed concern about how the money from The Mitchell Foundation in the amount of \$500 – given to the OHC in 2014 – for replanting the East Garden at Gould House was spent. Robert will be sending a response in writing. Robert read the letter addressed to Ms. Baker. The commission expressed confidence in the letter as a response. (NOTE: It was subsequently discovered that Pat Skutt from accounting had called Ms. Baker inquiring about the money as to how, where and when it was spent. This was a cause for confusion since she could have easily gained that information from the Director or the Chair.)
- DIRECTORS REPORT:** The perennial garden planting at The Gould House – East, South and Shade Gardens – was discussed. Elaine Greenway, Robert Doran, Jennifer Mahoney, Robert Brockway and Dennis Mahoney were instrumental in designing, purchasing and planting the gardens. A VERY SPECIAL THANK YOU to Gordon Pennington and his Clean-Up Green-Up Crew for assisting with the entire project. We not only cleaned and planted the gardens, but we uncovered the brick walk around the driveway, trimmed trees and shrubs and removed 3 trucks of rubble from the property.
- The new tenant – Randy Rivard – is ready to move in the weekend of August 15, with the following changes: \$500 a month not including utilities except garbage and water. Previously the rent was \$600 with all utilities including television. This change will save the commission money in the long run. A \$500 security deposit was taken. He is also going to use the Carriage House to store his bicycle, and an extra \$100 deposit was taken for this. A month to month lease was agreed upon between Randy Rivard and the OHC.
- The Moonlight Market collaboration with the Owosso Historical Commission, The Downtown Farmers Market, SAC and The Owosso Amphitheater was a tremendous success. The OHC made \$500 on Curwood Castle entry fees and donations, \$90 from the gift shop and \$225 for \$2015 Home Tour Tickets.
- To date, the only bid turned in for the engineering report for Gould House was from Bud Design in Grand Blanc. Robert Doran and Don Crawford contacted other firms to see if they wanted to respond. The report will be shared with the commission and then a decision will be made and decided either at the September or October OHC regular meeting. Because the

bid is under \$5,000 it does not have to be approved by City Council. Tracey Peltier will abstain in the decision making process as her husband works for this firm.

Elaine and Jennifer cleaned the collapsed ceiling mess at Gould House. DPW picked up the plaster. The entire interior was cleaned.

OLD BUSINESS:

2015 Home Tour – Spread sheet was shared showing all the homes and number of docents needed for each home. No docents needed for Jennifer Mahoney home. Elaine went over the spread sheet. The number of Docents was discussed and adjusted, based on three shifts. They are 10:00 am to 12:30 pm; 12:30 pm till 3:00 pm, and 3:00 pm till 5:00 pm. Elaine expressed confidence that she has all docents secured and put into place. Robert Doran suggested that each Commission member recruit five to eight docent/volunteers for the event. Elaine reassured us that at this point no additional docents will be needed. Elaine further communicated that seven homes are currently scheduled to have local florists donate flower arrangements.

OHC Calendar of upcoming events:

- August 22 – Tour Our Town – Curwood Castle and Gould House from 10:00 am to 4:00 pm. Elaine Greenway will open the Castle at 10:00 am, and will be replaced by Denice Grace at 1:00 pm, who will work till closing at 5:00 pm. Robert Doran and Robert Brockway will set up a booth at the Downtown Farmers Market to sell Home Tour Tickets and Castle gift shop items from 8:00 am to 1:00 pm. At 11:00 am Robert Doran will open up Gould House. Robert Brockway will join him at 1:00 pm. They will both work until closing at 4:00 pm.
- September 11 – Art Walk –one artist yet to be determined will be showing art at Curwood Castle
- September 19 – OHC Home Tour

Additions to 2015 Home Tour Committee – Jeff Deason, Piper Brewer, Josh Adams, and Aaron Maike are all members of the 2015 OHC Home Tour Committee. They will be representing their respected organizations, and will act as “Historical Ambassadors” at OHC museums. Aaron Maike, President of Baker College will be Historical Ambassador at Curwood Castle; Jeff Deason, President of Shiawassee Chamber of Commerce will be Historical Ambassador at Gould House; Josh Adams, Main Street Manager will be Historical Ambassador at Comstock Pioneer Cabin; and Piper Brewer will be Historical Ambassador at Shiawassee Arts Center.

Deaccession of Halloween Pumpkin – Jennifer Mahoney suggested that we discuss the deaccession – selling for profit – of a vintage Halloween Pumpkin currently in the archives of the OHC. She shared the artifacts history of where it was made – Dayton, Ohio – and its apparent rarity. This was determined after research on Pinterest and various other sites. Jennifer is also a specialist and collector of vintage Halloween artifacts. Jennifer indicated that the artifact could be worth as much as \$10,000, possibly even more. Jennifer placed the following questions before the Commission: Is this something we want to deaccession? What is the intrinsic and historical value of this item to Owosso? What kind of rules and metrics do we set in place in order to begin the deaccession process? Would we possibly at some point in the future, want to retain this for our “museum?” Jennifer suggested that we start this discussion in context of going through other items from our collection that do not have intrinsic or historical value to Owosso, Shiawassee County or the OHC. Elaine Greenway suggested selling items at the home tour. Nick suggested that the Commission pick a focused time to start discussing how to move forward after the Home Tour. Elaine suggested a committee be formed.

NEW BUSINESS:

2015 Home Tour – committees and updates. Update given by Nick Pidek; the website for the Owosso Home Tour – www.OwossoHistoricHomeTour.com – is up and running, yet still going through some changes. Nick has been working with Robert Doran on obtaining content for the site.

Nick Pidek also discussed the Advertising and Media Plan developed by him in conjunction with Gordon Pennington and Burning Media. The detailed Media Plan will not cost the commission anything. The plan covers social media, billboard and TV commercial “impressions” To date, Tony Young gave \$2,500 for the Media Plan. This will cover the billboards and social media. Elaine Greenway expressed thanks to Nick and his team. The 14th of Sept is our next OHC meeting. The possibility of an additional meeting was discussed yet nothing was finalized. Tracey discussed events. We still need to discuss the price for Shannon and Levi who will entertain at the Gould House Tea. Elaine Greenway will call the pumpkin and gourd lady.

CITIZEN COMMENTS:

None

ADJOURN:

At 8:31 Tracey Peltier made a motion to adjourn. Nick Pidek supported. Motion passed unanimously.

REGULAR MEETING MINUTES
OWOSSO DDA / MAIN STREET
Council Chambers, City Hall
September 2, 2015 – 7:30 am.

MEETING CALLED TO ORDER at 7:34 a.m. by Bill Gilbert.

ROLL CALL was taken by Secretary Alaina Kraus.

MEMBERS PRESENT: Authority Members Lance Omer, Dawn Gonyou, Shar Haskins, Bill Gilbert, Kevin Wiles and Secretary Alaina Kraus

MEMBERS ABSENT: Chairman Dave Acton, Authority Member Benjamin Frederick and Ken Cushman

OTHERS PRESENT: Josh Adams, Main Street Manager; Susan Montenegro, City of Owosso; Gordon Pennington, Kevin Lenka (7:50am)

AGENDA:

MOTION BY AUTHORITY MEMBER OMER SUPPORTED BY AUTHORITY MEMBER WILES TO APPROVE THE AGENDA FOR SEPTEMBER 2, 2015.
YEAS ALL. MOTION CARRIED.

MINUTES:

MOTION BY AUTHORITY MEMBER GONYOU, SUPPORTED BY AUTHORITY MEMBER HASKINS TO APPROVE THE MINUTES FOR THE MEETING OF AUGUST 5, 2015.
YEAS ALL. MOTION CARRIED.

PUBLIC / BOARD / STAFF COMMENTS:

Pennington attended once more and asked our goal, our way of measuring that goal, and our audience. Gilbert referred to the mission statement at the top of our agenda and went over metrics like participation, business feedback, and attendance at events. Adams added that additionally vacancy rates and private investment are reported at the of the year. Pennington encouraged the board to track revenue and involvement as well.

COMMITTEE UPDATES

1) Design

The proposal for the wayfinding poles came back as over twice expected and so options are being considered with a goal to have them in before frost.

Bike racks are being revisited. Baker will be building them and potentially having input on the design. Kraus shared that Orion had progressed from bike shaped racks to replacing them because people had trouble understanding them.

A booth will be at Oktoberfest to sell drinking glasses and revenue will be used to decorate downtown this fall/winter.

2) Economic Restructuring

ER was postponed, but the business recruitment sub-committee met and began reviewing maps of businesses.

Gilbert shared his excitement at seeing long term businesses coming n.

3) Organization

Party in the Plaza is coming up on Sept 14th to honor volunteers in our program.

We are not currently planning do a membership program, but instead do a more comprehensive sponsorship program.

4) Promotion

There was no meeting this, but subcommittees are meeting.

Tour Our Town happened. SRI had the most visitors with over 750 while Friends of the River had over 110 with others falling between.

Artwalk will have over 40 artists and 10 musicians on September 11th.

Art Bike is at same time. Bikes have already begun appearing.

Glow promotions have begun with the first runners signed up and first funds coming in.

ITEMS OF BUSINESS:

1. CHECK REGISTER APPROVAL.

The Glow Owosso window painting line item is for all of the Main Street artwork in the Mueller windows.

SEE BOARD PACKET FOR CHECK REGISTER

MOTION BY AUTHORITY MEMBER GONYOU, SUPPORTED BY AUTHORITY MEMBER KRAUS TO APPROVE THE CHECK REGISTER FOR AUGUST 2015 AS PRESENTED. YEAS ALL. MOTION CARRIED.

2. BUDGET REPORT

Being the beginning of the year, there is not yet much on there. Adams brought up that budgeted this year like last year, but are getting a larger TIFF capture will give us more budget. A small capture in the winter and a large one in March. Gilbert asked about cash flow and Adams said we did well enough last year that it may not even be an issue this year.

Gilbert brought up that TIFF is a very real measure of downtown/community health. When it goes up, the property values are going up.

Pennington questioned the watering expense and how it compares to other years. Gilbert shared that it is lower this year and it is a thankless job that takes about 6 hours a day to do it right. He suggests adding in irrigation into areas like Romas and Paymaster Park. Adams

shared most communities have it covered by their DPW, but ours too stretched so it is paid by the DDA. Adams estimates that we'll spend \$20,000 on downtown maintenance this year.

3. NMS/MMS YEAR-END MEETING

Thursday, September 24th will be our meeting. Board Members are specifically requested between 11 & 12:30. We are a Master Level Main Street, but they wanted to meet with us this year.

4. PARTY IN THE PLAZA

This was covered during committee updates. About 150 invites will go out today via email and eventbrite. Table, chairs, and coney sauce will be donated by the Masons. Sides, grills, and ice will come from local restaurants.

PUBLIC / BOARD / STAFF COMMENTS:

Pennington shared that we're in a good time in our economy and it's a great year in Michigan. He asked what this means for Owosso. He went back to the information supplied to us in a National Main Street review which covered our demographic and community. He challenged the team to step up our game or we won't get a return on investment on our capital projects. He talked about Indian Trails bringing in people to Owosso from other cities.

The Historic Home Tour is getting a good response so far in analytics in looks, likes, and shares. They're looking for classic vintage automobiles.

Lula's got the best Cajun restaurant in Michigan by Trip Advisor and Open Table.

He feels there is much more to be done with the biking community. The Assenmacher may move their rest stop downtown next year.

Woodard Furniture, The Argus, and Indian Trails all have big anniversaries coming up.

Wiles said his business has increased the last 7 years.

Gonyou said her business had increased with a new tenant to them. Bellingers will be in in about 8 weeks. This is Gonyou's last board meeting as her term is up.

Omer is encouraged by the amount of foot traffic downtown.

Gilbert shared that Phil Hathaway came to his father's visitation shared stories of his father's involvement in the original DDA. He also said he had met more new people on the floor buying appliances and his business has seen an uptick.

Haskins has also seen a lot of new faces, especially whenever SRI has an event and people are interested in downtown.

Adams shared that Dollar Daze said their July was up 25% this year.

Montenegro shared that surveys have been done and had to be over 51% to be considered for facade and other grants. The survey came back at 59% and is about to be finalized with the

state. With this we can get up to 21 facades done in the next 3 years, assuming can get a third year extension. The difference between this and the census would be the specific areas surveyed.

Pennington shared that the movie museum has sold and they're looking into who bought it.

Signs will be ordered for parking next week and will go up with striping next month.

MOTION MADE BY WILES, SUPPORTED BY AUTHORITY MEMBER HASKINS TO
ADJOURN AT 8:39 AM.
YEAS ALL. MOTION CARRIED.

Alaina Kraus, Secretary

MINUTES FOR
SPECIAL MEETING
OWOSSO HISTORIC DISTRICT COMMISSION
WEDNESDAY, SEPTEMBER 16, 2015, 5:30 p.m.
218 N. PARK STREET & COUNCIL CHAMBERS

MEETING CALLED TO ORDER at 5:40 p.m. by Chairman Newman at 218 N. Park Street

PRESENT: Chairman Scott Newman, Vice-Chairman Vince Gonyou; Secretary Philip Hathaway; Commissioner Gary Wilson

OTHERS IN ATTENDANCE: Susan Montenegro, Assistant City Manager and Director of Community Development; Josh Adams, Owosso Main Street Manager; Timothy Baise, 218 N. Park Street

Item of Business:

1. 218 N. PARK STREET – FAÇADE PAINTING FINAL APPROVAL – Mr. Timothy Baise, property owner, has taped off building to reflect proposed façade painting. The board reviewed tape lines on all sides of the building and agreed the lines reflected an agreeable compromise between the Historic District Commission and Mr. Baise. The board agreed the lines reflected the motion carried at August meeting for Historic District Commission. Mr. Josh Adams took pictures of the tape lines. Board agreed to reconvene at City of Owosso Council Chambers to make motion for final approval of façade painting. Mr. Baise excused himself from remainder of meeting, as he had an appointment.

MEETING RECONVENED AT COUNCIL CHAMBERS & CALLED TO ORDER at 5:50 p.m. by Chairman Newman.

ROLL CALL was taken by Recording Secretary Bridget Cannon.

PRESENT: Chairman Scott Newman, Vice-Chairman Vince Gonyou; Secretary Philip Hathaway; Commissioner Gary Wilson

ABSENT: Commissioner Lance Omer & Commissioner Van Epps

OTHERS IN ATTENDANCE: Susan Montenegro, Assistant City Manager and Director of Community Development; Josh Adams, Owosso Main Street Manager; David Hoag, Community E.P.C., 114 N. Ball Street

AGENDA APPROVAL: Motion by Commissioner Hathaway and supported by Commissioner Wilson to approve the agenda for September 16, 2015 as presented. Yeas All. Motion was passed.

MINUTES APPROVAL: Motion by Commissioner Hathaway and supported by Commissioner Wilson to approve the minutes of the meeting for August 19, 2015 with the following amendment as revised by Commissioner Wilson: ~~He feels it is not fair the property owner made the effort to do things correctly, and was not notified by the city properly that his business is in the historic district.~~ – remit sentence
Yeas all. Motion was passed.

Communications:

1. Staff Memorandum
2. Meeting minutes of August 19, 2015

Public / Commissioner Comments: None

Committee Reports: None

Public Hearings: None

Items of Business:

1) 218 N. PARK STREET – FAÇADE PAINTING FINAL APPROVAL (CONTINUED)

All board members felt the area taped off on-site was an agreeable compromise.

Motion by Commissioner Wilson and supported by Commissioner Hathaway that the Owosso Downtown Historic District Commission, finding that the proposed façade painting at 218 N. PARK STREET do not meet the Secretary of the Interior’s Standards, and are inappropriate for the district, hereby directs staff to issue a Notice to Proceed for the work and approve the finalized details for the paint treatment of building as taped off, conditioned upon the following:

1. The north wall of the building shall have a horizontal line established approximately two bands below the roof line, which are evident on the existing paint lines. This horizontal line traces back to the East wall of the building.
2. The south wall shall have a step down feature along the windows to the newer brick on ground floor, and the newer brick can be painted.
3. The Park street treatments on the North and South walls shall also stair step and not be visible from Park Street.
4. The paint color should be as close as possible to the original brick color.

Yeas all. Motion was passed.

2.) 200 W. EXCHANGE STREET – FRONT ENTRY RECONSTRUCTION

Cadwallader Lord Hahn, Inc. Insurance Agency would like to replace the deteriorating concrete pad at their front entrance with a new brick entrance and stairs. Inquiry was made as to whether the new concrete pad would have the same outline as the existing concrete pad. Mr. Josh Adams stated it would have the same footprint, but would be brick. Mr. Michael Ardelean is going to be the contractor doing the brickwork. Commissioner Wilson asks to have board stipulate approval with new concrete pad having same footprint as existing pad.

Motion by Commissioner Hathaway and supported by Commissioner Gonyou that the Owosso Downtown Historic District Commission, finding that the proposed exterior improvements at 200 W EXCHANGE ST meets all the Secretary of the Interior’s Standards, as well as local standards, hereby directs staff to issue a Certificate of Appropriateness for the work and building permit application as applied for and

illustrated, conditioned upon the following: New concrete pad has the same footprint as the existing pad.

Yeas all. Motion carried.

3. 114 N. BALL STREET – FRONT ENTRY REPAIR

Mr. David Hoag, Community E.P.C., stated that a driver had recently run their car in to the front of the church office. The existing fiberglass door will have to be replaced, as well as the door trim and wall below front entry window. Mr. Jeremiah Martin, Martin Construction, has been contracted to complete the repair work. Mr. Hoag stated they will be replicating the front entry exactly like it was before it was hit, like-for-like.

Motion by Commissioner Hathaway and supported by Commissioner Gonyou that the Owosso Downtown Historic District Commission, finding that the proposed door and entry repair at 114 N. BALL STREET do not meet the Secretary of the Interior's Standards, and are inappropriate for the district, hereby directs staff to issue a Notice to Proceed for the work and approve the front entry repair, based upon the following: Front entry was already approved by the board in the past, and this is an exact replica of the past approved front entry.

Yeas all. Motion carried.

Public Comments: None

Board Comments:

- Historic District Reminder letter was mailed to property owners within the district 09/04/2015 (see attached);
- Commissioner Hathaway asked that an amendment to existing authorities of administrative staff be brought before the commission, which would allow staff approval of repairs and work that had been brought before the board previously;
- Chairman Newman inquired about the current protocol for addressing deteriorating downtown business facades. Mr. Adams explained the grants were back in place and business owners would be advised of façade grant meetings in the near future.

ADJOURNMENT:

It was moved by Commissioner Wilson and supported by Commissioner Gonyou to adjourn at 6:10 p.m. until October 21, 2015.

Phil Hathaway, Secretary

bac



Joshua Adams

Executive Director of Owosso Main Street/DDA

City of Owosso

josh.adams@ci.owosso.mi.us

301 W MAIN ST • OWOSSO, MI 48867-2958 • 989-725-0599 • FAX 989-725-0526

Date: September 1, 2015

Re: Historic District Reminder Letter

(Insert Parcel Number)

(Insert Owner Address)

Dear Property Owner,

On behalf of the Owosso Historic District Commission (HDC), we are sending this correspondence as a reminder that your property is located within the Owosso Downtown Historic District, pursuant to MCL 399.205 and Section 8-208 of the Owosso City Code. Our goal is to better inform property owners within the district about HDC, its process, and its standards.

HDC is composed of seven residents of the city of Owosso who are appointed by the mayor. These commissioners have demonstrated interest in historic preservation and are committed to the future of Owosso's Downtown Historic District, as well as the businesses that are located within these boundaries. The commission meets the third Wednesday of every month. Drop by the meeting and learn about some exciting changes coming to the Downtown Historic District!

HOW IT WORKS

If your property/business is located within the boundaries of the Downtown Historic District, there are special regulations that must be followed when changing the exterior of the building.

In order to ensure the district is in line with the historic preservation standards, the HDC or a staff member of the city must review and approve all work that is proposed. Work includes:

- Construction
- Addition
- Alteration
- Repair
- Moving
- Excavation
- Demolition
- Sign

Draft

NOTE: While painting does not require a building permit, painting the exterior of an unpainted brick building within the downtown historic district is strictly **PROHIBITED**. The painting of a building's exterior that has been painted (and paint is still present) is allowed, as long as the appropriate painting procedures are followed.

WORK DOES NOT INCLUDE

- Simple maintenance of the property
- Interior changes

HDC REVIEW PROCESS

A property owner planning an exterior project should contact the HDC staff to determine if the project requires HDC approval. If it is minor work that does not require the commission's approval, it can be approved by the staff member. However, larger projects will need to be reviewed by the commission at their regular meeting.

HDC can approve work projects, issuing a Certificate of Appropriateness (CoA), which means the project meets all standards, or issuing a notice to proceed, meaning not all standards are met but the project can proceed.

If the project is denied, the owner can submit an altered application to HDC for another review. The owner can also appeal the decision to the State Historic Preservation Board.

WHAT STANDARDS DOES HDC USE?

HDC and city staff follow the Secretary of the Interior's Standards for Rehabilitation of Historic Buildings. These standards can be found at www.nps.gov/hps/tps/standguide/rehab/rehab_standards.htm. They are also attached to this correspondence, along with a map showing the boundaries of the district.

These standards for rehabilitation were adopted by HDC in 2011 upon its formation by the city council. All local, state, and national historic districts follow these standards when evaluating and assessing changes in their historic districts.

THINGS TO THINK ABOUT.

- First, attempt to repair elements of the exterior before replacing them
- If the element must be replaced, **use like materials** (i.e. old wood door to new wood door not old wood door to new metal door)
- Do NOT buy new materials before obtaining a Certificate of Appropriateness from the HDC or approval from a staff member
- Owasso Main Street (OMS) is available to possibly assist with designs and incentive programs

Along with the Secretary of the Interior's Standards for Rehabilitation of Historic Buildings and the map of the district, we have included a flow chart that shows the process of approval, and a copy of our application for a Certificate of Appropriateness.

Thank you for your commitment to our downtown and efforts to preserve our beautiful, historic buildings.

If you have any questions regarding the foregoing, please telephone my office at 989.494.3344.

Sincerely,

A handwritten signature in blue ink, appearing to read "Josh Adams", with a long horizontal flourish extending to the right.

Josh Adams

Executive Director

Owosso Main Street/DDA

City of Owosso

josh.adams@ci.owosso.mi.us