

**CITY OF OWOSSO  
REGULAR MEETING OF THE CITY COUNCIL  
MONDAY, DECEMBER 21, 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 DECEMBER 7, 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. Bikin' for Burns Donation. Presentation of a check from Abate of Michigan- Region 20 to the City of Owosso Fire Department for the purchase of a thermal imaging camera.

**PUBLIC HEARINGS**

1. Special Assessment District No. 2015-02 – Hazards and Nuisances. Conduct a public hearing to receive citizen comment regarding Special Assessment District No. 2015-02, Hazards and Nuisances, as it relates to the annual listing of unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances.
2. Ordinance Amendment –Play Structures. Conduct a public hearing to receive citizen comment regarding the proposed amendment to Chapter 38, Zoning, Section 38-5, *Definitions*, and Section 38-379, *Accessory buildings*, to add language defining play structures and where they may be located.
3. Rezoning - M71 Corridor. Conduct a public hearing to receive citizen comment regarding the proposed rezoning of various parcels along the M71 corridor to reduce spot zoning and bring the zoning in line with the Master Plan.

4. Rezoning - 401 Howard Street. Conduct a public hearing to receive citizen comment regarding the request to rezone the property at 401 Howard Street from I-2, General Industrial District, to I-1, Light Industrial District.
5. Rezoning - 514 Division Street. Conduct a public hearing to receive citizen comment regarding the request to rezone the property at 514 Division Street from I-2, General Industrial District, to I-1, Light Industrial District.
6. Rezoning - 515 South Saginaw Street. Conduct a public hearing to receive citizen comment regarding the request to rezone the property at 515 South Saginaw Street from I-2, General Industrial District, to I-1, Light Industrial District.

**CITIZEN COMMENTS AND QUESTIONS**

**CITY MANAGER REPORT**

**CONSENT AGENDA**



1. Special Assessment District No. 2016-01. Authorize Resolution No. 2 setting a public hearing for Tuesday, January 19, 2016 for proposed Special Assessment District No. 2016-01 for Gould Street from Corunna Avenue to Main Street for street resurfacing.
2. First Reading and Set Public Hearing –Rezoning 820 East Main Street. Conduct first reading and set a public hearing for Monday, January 4, 2016 to receive citizen comment regarding the request to rezone the property at 820 East Main Street from RM-1, Multi-Family Residential District, to B-4, General Business District.
3. Boards and Commissions Appointments. Approve the following mayoral boards and commissions appointments:

<b>Name</b>	<b>Board/Commission</b>	<b>Term Expires</b>
Terry Kemp*	Board of Review	Provisional
Robert Brockway*	Historical Commission	12-31-2018

\* Indicates reappointment

4. Dancing with the Stars Permission. Approve request from the Owosso Community Players for exclusive use of the parking spaces in front of the buildings at 114 & 124 East Main Street on January 30, 2016 from 5:00 p.m. to 11:00 p.m. for use as a patron pick-up & drop-off area for the Dancing with the Stars event, waive the insurance requirement, and authorize Traffic Control Order No. 1342 formalizing the request.
5. Bid Award - Thermal Imaging Camera. Approve bid award to First Due Fire Supply Company for the purchase of one Argus Storm Thermal Imaging Camera for the Department of Public Safety - Fire Division in the amount of \$7,230.00, acknowledge the donation of \$5,060.00 for said equipment from ABATE of Michigan, and authorize payment up to the bid amount upon satisfactory delivery.
6. Bid Award – 2015 Sidewalk Replacement Program, Part II. Approve bid award to Seifert Construction, LLC for the 2015 Sidewalk Replacement Program, Part II in the amount of \$52,920.00 and authorize payment up to the contract amount upon satisfactory completion of the work or a portion thereof.

7. Warrant No. 514. Authorize Warrant No. 514 as follows:

<b>Vendor</b>	<b>Description</b>	<b>Fund</b>	<b>Amount</b>
William C Brown, PC	Professional Services- November 9, 2015 – December 10, 2015	General	\$10,677.16
Logicalis, Inc	Network engineering support- November 2015	Various	\$5,488.00
Owosso Community Airport	Annual appropriation-FY 15/16	General	\$6,978.00
State of Michigan DEQ	NPDES annual permit fee	WWTP	\$5,500.00

### **ITEMS OF BUSINESS**

1. Tax-foreclosed Property Consideration. Consider acceptance or rejection of listed tax-foreclosed property(s) that did not sell at the State tax sale in September 2015.
2. Purchase Agreement – Vacant Land along Gould Street and Wright Avenue. Consider setting the terms of a purchase agreement with Michael Cline for vacant property along Gould Street and Wright Avenue and authorize the start of the required 21-day posting period for the sale of City-owned land.
3. Waiver of Reversionary Clause – Osburn Lakes Lot 50. Consider agreement waiving the City's right to repurchase Lot 50 of the Osburn Lakes Residential Site Condominium development.

### **COMMUNICATIONS**

1. William C. Brown, City Attorney. Medical Marijuana Ordinance Examination re: Dispensaries.
2. Donald D. Crawford, City Manager. Annual Liquor License Inspection Report.
3. Charles P. Rau, Building Official. November 2015 Building Department Report.
4. Charles P. Rau, Building Official. November 2015 Code Violations Report.
5. Kevin D. Lenkart, Public Safety Director. November 2015 Police Report.
6. Kevin D. Lenkart, Public Safety Director. November 2015 Fire Report.
7. Historical Commission. Minutes of November 9, 2015.
8. Parks & Recreation Commission. Minutes of November 23, 2015.
9. Downtown Development Authority/Main Street. Minutes of December 2, 2015.

### **CITIZEN COMMENTS AND QUESTIONS**

### **NEXT MEETING**

Monday, January 04, 2016

### **BOARDS AND COMMISSIONS OPENINGS**

Building Board of Appeals – Alternate (2), both terms expire June 30, 2018  
Board of Review – term expires December 31, 2020

### **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](http://www.ci.owosso.mi.us).

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

**PRESIDING OFFICER:** MAYOR BENJAMIN R. FREDERICK

**OPENING PRAYER:** MAJOR HENRY TEMPEL  
SALVATION ARMY

**PLEDGE OF ALLEGIANCE:** MAYOR PRO-TEM CHRISTOPHER T. EVELETH

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

**APPROVAL OF THE MINUTES OF REGULAR MEETING OF NOVEMBER 16, 2015**

Motion by Councilperson Fox to approve the Minutes of the Regular Meeting of November 16, 2015 as presented.

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

**STUDENT REPRESENTATIVE REPORT**

**Owosso High School.** Student representative and Student Council Treasurer Natalie Taylor delivered a report of events at Owosso High School, including the annual canned food drive, a clothing drive, and a fund raiser held for the family of student Logan Turner who recently passed away from cancer.  
PROCLAMATIONS / SPECIAL PRESENTATIONS

**PROCLAMATIONS / SPECIAL PRESENTATIONS**

**Salvation Army Tribute.** Mayor Frederick delivered the following tribute to the Salvation Army on the occasion of their 150<sup>th</sup> year of service. Lieutenant Jonathan Tamayo, Captain Caleb Senn, and Major Henry Tempel were on hand to receive the honor:

**A PROCLAMATION OF THE MAYOR'S OFFICE OF THE CITY OF OWOSSO  
RECOGNIZING THE SALVATION ARMY  
ON THE OCCASION OF ITS  
150<sup>TH</sup> ANNIVERSARY**

**WHEREAS**, since its founding in Great Britain in 1865, the Salvation Army has provided humanitarian relief and spiritual guidance to people throughout the world. Its members assist wherever there is hunger, disease, destitution, or spiritual need; and

**WHEREAS**, working daily to feed the hungry, shelter the homeless, treat the addicted, and give hope to the hopeless, the Salvation Army has touched the lives of millions of men, women and children all over the world; and

**WHEREAS**, the Salvation Army's annual Red Kettle Campaign is a time-honored holiday tradition and its bell ringers always signal the beginning of the local Christmas season; and

**WHEREAS**, locally the Salvation Army responds to emergencies and non-emergencies alike distributing countless toys, coats and food baskets each year, making life warmer and brighter for needy families while also providing spiritual care and ministry; and

**WHEREAS**, year after year, the Salvation Army offers much needed community recreation programs, day care programs, emergency assistance, food and nutrition; and

**WHEREAS**, the Salvation Army is now in more than 120 countries, speaking more than 140 languages, following Christ's call to "love your neighbor as yourself"; and

**WHEREAS**, the Salvation Army should be commended for 150 years of dedication to helping meet the physical and spiritual needs of people across the nation and the world.

**NOW, THEREFORE**, I, Benjamin R. Frederick, Mayor of the City of Owosso, on behalf of all local residents, do hereby acknowledge the Salvation Army Owosso Citadel officers and soldiers past and present for their many contributions to this community, this country, and the world on the occasion of their 150<sup>th</sup> Anniversary. I further encourage all residents to express their appreciation for the Salvation Army's good works and to follow their example of serving a cause greater than themselves.

Proclaimed this 7<sup>th</sup> day of November, 2015.

### **PUBLIC HEARINGS**

None.

### **CITIZEN COMMENTS AND QUESTIONS**

Rick Wheeler, 6420 East M21, updated the Council on the progress of the bronze statue of James Oliver Curwood that will be donated to the City. He asked what approvals would be needed for the statue to be placed in Curwood Castle Park.

Hayley Nellis, owner of Stretch Studio, encouraged everyone to attend the Ugly Christmas Sweater 5K they are hosting on Saturday.

Patrick Sherman, addiction therapist with an office at 510 South Washington Street, expressed his concern with the marijuana dispensary proposed for a location kitty-corner to their facility, saying that addiction rehabilitation centers should have been included in the list of locations dispensaries and grow operations must avoid (schools, churches, day care centers, etc.).

Tom Manke, Owosso Township resident, said he was concerned to discover that local company Trebor would be allowed to function without a fence on a property that abuts a residential area. He went on to threaten retaliation if Council allowed the company to continue to function. He also welcomed two new businesses to the downtown: Bellinger Specialty Meats and Foster Coffee Company. Lastly he noted the theater's new digital sign and inquired whether all businesses would be allowed to install such a sign. Mayor Frederick indicated such requests would be handled by the Historic District Commission.

The Mayor then responded to Mr. Sherman's concerns saying the City had struggled with where marijuana businesses can be located but did its best to put together a decent ordinance with the knowledge they had at the time. He noted his desire to revisit the ordinance for possible revision. Councilperson Fox echoed the Mayor's sentiments requesting the City Attorney research the topic. Assistant City Manager Susan Montenegro indicated the legislature was considering the implementation of much more onerous requirements for marijuana related facilities and that left the current discussion in a bit of limbo. Councilperson O'Leary suggested instituting a business licensing program to allow the City to keep track of marijuana related businesses and where they are located. Ms. Montenegro indicated that the Planning Commission will be following the progress of the proposed legislation and will be working on potential revisions to the current ordinance.

Councilperson Greenway said she was delighted to hear about the progress on the Curwood statue. There was a brief discussion as to how tall it would be and how it would be mounted.

### **CITY MANAGER REPORT**

City Manager Donald D. Crawford distributed the latest Project Status Report to the Council and detailed select items on the report.

He then introduced the City's new Utilities Director Glenn Chinavare.

Mayor Frederick commended the DPW crews and administrative staff for their efforts on this year's leaf program, saying the pickup, web messages, and yard signs were highly effective.

Councilperson Fox inquired about when the City would be embarking on another program to fix catch basins. It was noted the City has no such program but repairs them when time permits.

### **CONSENT AGENDA**

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

**Special Assessment District No. 2015-02 – Hazards and Nuisances.** Authorize Resolution No. 1 setting a public hearing for Monday, December 21, 2015 to receive citizen comment regarding Special Assessment District No. 2015-02, 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. 109-2015**

#### **SPECIAL ASSESSMENT DISTRICT NO. 2015-02 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 21, 2015 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 following described property.

<b>PARCEL NUMBER</b>	<b>ADDRESS</b>	<b>TYPE OF NUISANCE</b>	<b>BALANCE</b>
050-115-002-003-00	1119 S SHIAWASSEE	PROPERTY CLEAN UP	\$ 183.68
050-320-011-003-00	119 ELIZABETH	MOW TALL GRASS/WEEDS	\$ 367.71
050-180-000-004-00	120 S OAK	PROPERTY CLEAN UP/MOWING	\$ 866.51
050-623-000-005-00	1210 MACK	PROPERTY CLEAN UP	\$ 234.31
050-536-000-034-00	1230 N SHIAWASSEE	MOW TALL GRASS/WEEDS	\$ 256.77
050-536-000-034-00	1230 N SHIAWASSEE	MOW TALL GRASS/WEEDS	\$ 594.55
050-537-000-040-00	1232 W MAIN	MOW TALL GRASS/WEEDS	\$ 547.72
050-390-004-012-00	1260 ADAMS	MOW TALL GRASS/WEEDS	\$ 456.14
050-390-004-012-00	1260 ADAMS	MOW TALL GRASS/WEEDS	\$ 789.03
050-040-000-026-00	1307 STATE	DEAD TREE REMOVAL	\$ 760.43
050-090-001-003-00	1408 W MAIN	CLEAR ICE/SNOW	\$ 201.59
050-090-001-004-00	1416 W MAIN	CLEAR ICE/SNOW	\$ 201.59
050-490-000-018-00	1636 W MAIN	CLEAR ICE/SNOW	\$ 201.59
050-570-000-026-00	1700 W STEWART	TRIMMING OF SHRUBS	\$ 776.76
050-602-007-005-00	1803 W STEWART	CLEAR ICE/SNOW	\$ 194.49
050-602-007-005-00	1803 W STEWART	MOW TALL GRASS/WEEDS	\$ 346.31
050-602-007-005-00	1803 W STEWART	MOW TALL GRASS/WEEDS	\$ 433.03
050-660-023-002-00	206 S HOWELL	PROPERTY CLEAN UP	\$ 697.15
050-050-000-043-00	214 S CEDAR	PROPERTY CLEAN UP	\$ 207.72
050-601-000-038-00	217 W STEWART	MOW TALL GRASS/WEEDS	\$ 182.11
050-601-000-038-00	217 W STEWART	MOW TALL GRASS/WEEDS	\$ 629.58
050-090-002-017-00	218 CARMODY	MOW TALL GRASS/WEEDS	\$ 168.75
050-100-001-015-00	221 S CHIPMAN	CLEAR ICE/SNOW	\$ 194.49
050-601-000-037-00	221 W STEWART	MOW TALL GRASS/WEEDS	\$ 182.13
050-601-000-037-00	221 W STEWART	MOW TALL GRASS/WEEDS	\$ 447.46
050-160-000-008-00	301 STRATFORD	MOW TALL GRASS/WEEDS	\$ 263.43
050-470-009-002-00	316 E WILLIAMS	MOW TALL GRASS/WEEDS	\$ 264.18
050-180-004-018-00	322 S DEWEY	CLEAR ICE/SNOW	\$ 278.93
050-680-005-004-00	413 CORUNNA	MOW TALL GRASS/WEEDS	\$ 974.24

050-430-000-005-00	419 HAMBLIN	PROPERTY CLEAN UP/SECURE	\$ 572.07
050-270-000-147-00	508 HAMPTON	MOW TALL GRASS/WEEDS	\$ 264.18
050-250-000-050-00	514 PINE	PROPERTY CLEAN UP/MOWING	\$ 460.22
050-010-016-020-00	616 GLENWOOD	CLEAR ICE/SNOW	\$ 369.89
050-470-032-007-00	618 N WASHINGTON	CLEAR ICE/SNOW	\$ 194.49
050-010-017-024-00	621 WOODLAWN	MOW TALL GRASS/WEEDS	\$ 371.86
050-470-032-008-00	622 N WASHINGTON	CLEAR ICE/SNOW	\$ 194.49
050-660-001-005-00	623 N SHIAWASSEE	CLEAR ICE/SNOW	\$ 194.49
050-420-003-009-00	626 LINGLE	PROPERTY CLEAN UP	\$ 301.92
050-420-001-013-00	628 CORUNNA	MOW TALL GRASS/WEEDS	\$ 606.94
050-240-002-015-00	631 N HICKORY	MOW TALL GRASS/WEEDS	\$ 346.31
050-010-032-006-00	714 ABREY	PROPERTY CLEAN UP/MOWING	\$ 989.06
050-060-011-010-00	721 N WATER	MOW TALL GRASS/WEEDS	\$ 554.92
050-420-011-015-00	755 BROADWAY	MOW TALL GRASS/WEEDS	\$ 264.18
050-652-007-001-00	806 S SAGINAW	MOW TALL GRASS/WEEDS	\$ 264.18
050-652-007-009-00	813 S PARK	MOW TALL GRASS/WEEDS	\$ 168.30
050-710-001-012-00	915 CORUNNA	CLEAR ICE/SNOW	\$ 293.12
050-710-001-012-00	915 CORUNNA	MOW TALL GRASS/WEEDS	\$ 204.50
050-710-001-012-00	915 CORUNNA	MOW TALL GRASS/WEEDS	\$ 504.02
			\$ 19,021.52

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 21, 2015 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.

**First Reading and Set Public Hearing – Play Structures.** Conduct first reading and set a public hearing for Monday, December 21, 2015 to receive citizen comment regarding the proposed amendment to Chapter 38, Zoning, Section 38-5, *Definitions*, and Section 38-379, *Accessory buildings*, to add language defining play structures and where they may be located as follows:

**RESOLUTION NO. 110-2015**

**SETTING A PUBLIC HEARING TO CONSIDER AMENDING  
CHAPTER 3, ZONING, OF THE CODE OF ORDINANCES  
TO DEFINE AND REGULATE PLAY STRUCTURES**



WHEREAS, questions have arisen regarding how play structures are defined and where they can be located on private property, and the Code of Ordinances is mute on the topic of play structures; and

WHEREAS, the Planning Commission has worked diligently to examine the issues resulting from the lack of regulation and has determined the Zoning Ordinance should be amended to address play structures; and

WHEREAS, the Planning Commission deliberated at its regularly scheduled meeting on November 23, 2015, to define play structures and regulate where they can be located.

WHEREAS, the recommendation 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 that Chapter 38, Zoning, Sections 38-5 and 38-379 of the Code of Ordinances of the City of Owosso, Michigan be amended as follows:

SECTION 1. ADDITION. That existing Section 38-5, *Definitions*, of Article I, In General, shall be amended to add a definition for "Play structure" as follows:

**Sec. 38-5. - Definitions.**

***Play structure.* A play structure is defined as a jungle gym, swing set, slide, platform or other similar unenclosed structure or device intended for the use of children's play.**

SECTION 2. ADDITION. That existing Section 38-379, *Accessory buildings*, of Article XVII, General provisions, shall be amended to add the permitted location(s) for play structures as follows:

**Sec. 38-379. - Accessory buildings.**

Accessory buildings, except as otherwise permitted in this chapter, shall be subject to the following regulations:

- (1) Where the accessory building is structurally attached to a main building, it shall be subject to, and must conform to, all regulations of this chapter applicable to main building.
- (2) Accessory buildings shall not be located in any required yard, except a rear yard.
- (3) Accessory play structures shall not be located in any required yard, except a rear yard.**
- (4) An accessory building shall not occupy more than twenty-five (25) percent of a required rear yard, plus forty (40) percent of any nonrequired rear yard, provided that in no instance shall the accessory building(s) exceed the ground floor area of the main building.
- (5) No detached accessory building shall be located closer than ten (10) feet to any main building nor shall it be located closer than three (3) feet to any side or rear lot line.

In those instances where the rear lot line is coterminous with an alley right-of-way the accessory building shall not be closer than one (1) foot to such rear lot line. In no instance shall an accessory building be located within a dedicated easement right-of-way.

- (6) No detached accessory building in R-1, R-2, RT-1, RM-1, RM-2, OS-1, B-1 and P-1 districts shall exceed one (1) story or fourteen (14) feet in height.

Accessory buildings in all other districts may be constructed to equal the permitted maximum height of structures in said districts, subject to board of appeals review and approval if the building exceeds one (1) story or fourteen (14) feet in height.

- (7) When an accessory building is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, the building shall not project beyond the

front yard setback required on the lot in rear of such corner lot. In no instance shall an accessory building be located nearer than nineteen (19) feet to a street right-of-way line.

- (8)** On residential lots of less than seventeen thousand five hundred (17,500) square feet, only two (2) accessory buildings shall be permitted. On residential lots seventeen thousand five hundred (17,500) square feet or greater, only three (3) accessory buildings shall be permitted. These limits shall not apply to wind energy systems, satellite dishes, or dog pens.
- (9)** All recreational vehicles, boats, snowmobiles, jet skis and comparable devices along with the trailers for these items stored on individual lots shall respect the requirements of this section applicable to accessory buildings, except that side yard storage is permitted against the wall of a principal structure when these items are beneath a legal conforming carport structure or are setback at least three (3) feet from the property line and eleven (11) feet from a principal building of an adjoining parcel. Storage in a driveway is permitted when the stored item can be placed entirely behind the front wall of the principal structure.
- (10)** Regulations for dish-type satellite receiving antennae and similar structures (hereinafter referred to as satellite dishes):
  - a. Ground mounted:
    1. In residential districts a satellite dish must be located in the rear yard. If a usable satellite signal cannot be obtained in a rear yard then a side yard location may be selected if all other provisions of this section are able to be enforced.
    2. In all commercial and industrial districts, a satellite dish may be located on a rear or side lot if all other conditions of the ordinance can be followed, and if the side yard of the commercial or industrial lot is not adjacent to a residential district or detached single family use.
    3. No satellite dish including its concrete base, slab, a similar substructure or projected portion shall be constructed less than eight (8) feet from any property line or easement of the rear or side yard, or be within twenty-five (25) feet from a right-of-way line of a public street.
    4. In residential districts no satellite dish shall be constructed without appropriate evergreen landscaping to reasonably conceal said satellite dish from view. The planting shall be completed prior to final approval by the building inspector. Vegetative screening shall not be required where reception of a usable satellite signal would be adversely affected.
    5. In residential districts a satellite dish shall not exceed a grade height of fourteen (14) feet. In all other districts the grade height limit is twenty (20) feet.
    6. All structural support shall be of corrosion resistant metal.
    7. A satellite dish shall be designed to withstand a wind force of seventy-five (75) miles per hour without the use of supporting guy wires.
    8. The color of the satellite dish cannot be contrasting with its surroundings or setting. A contrasting color is one that does not blend with the background as defined by the normal senses.
    9. In residential districts a satellite dish cannot be used as a sign.
    10. The number of satellite dishes over four (4) feet in diameter is limited to one (1) on residential lots under one (1) acre in size.
    11. No satellite dish (ground or roof mounted) shall be linked physically or electronically to a receiver which is not located on the same lot, premises, or parcel of land as is the satellite dish.
    12. Wiring beneath a satellite dish and receiver shall be installed according to the specifications of the National Electrical Code.

13. A satellite dish must be bonded to a grounding rod.
  14. Any driving motor exceeding fifty (50) volt power design shall require an electrical permit.
- b. Roof-mounted:
1. In the event that a usable satellite signal cannot be obtained by locating the antennae in the rear or side yard, such antennae may be placed on the roof of a primary or accessory structure.
  2. Satellite dishes shall be mounted directly upon the roof of a primary or accessory structure or on a ground anchored pole projecting through an eave of the structure. Satellite dishes shall not be mounted upon appurtenances such as chimneys, trees, or spires.
  3. For residential uses, a satellite dish shall not exceed a height of more than three (3) feet above the roof upon which it is mounted.
  4. In residential uses, a satellite dish shall not exceed eight (8) feet in diameter.
  5. A satellite dish shall be designed to withstand a wind force of eighty-five (85) miles per hour without the use of supporting guy wires.
  6. Any driving motor exceeding fifty (50) volt power design shall require an electrical permit.
  7. A satellite dish must be bonded to a grounding rod.
- (11)** A small wind energy system shall be an accessory building in all zoning districts subject to the following requirements:
- a. Setbacks and location, as measured from the furthest outward extension of all moving parts.
1. A STWES shall be set back a distance equal to its total height plus an additional five (5) feet from any occupied building, street or highway right-of-way; any overhead utility lines; all property lines; and any existing guy wire, anchor or small wind energy tower on the property.
  2. A SSWES shall be a minimum of fifteen (15) feet from the property line, public right-of-way, public easement, or overhead utility lines if mounted directly on a roof or other elevated surface of a structure.
  3. A SSWES shall not be affixed to the roof or wall of a structure facing a street.
  4. A STWES shall not be located in any front yard except for properties zoned and used for industrial purposes.
  5. The lowest extension of any blade or other exposed moving component of a WES shall be a least fifteen (15) feet above the ground as well as any outdoor surface intended for human use.
  6. Setbacks may be reduced to not less than twenty (20) feet if the applicant provides a registered engineer's certification that the WES is designed to collapse within a zone smaller than the height of the tower, yet still remain within the owner's property or the applicant acquires an easement to meet the required setback distance.
- b. Access.
1. All ground mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.

2. The tower shall be designed and installed so as to not provide step bolts or a ladder readily accessible to the public for a minimum height of eight (8) feet above the ground.
- c. Electrical wires. All electrical wires associated with a small wind energy system, other than wires necessary to connect the wind generator to the wind tower wiring, the wind tower wiring to the disconnect junction box, and the grounding wires shall be located underground.
- d. Lighting. A wind tower and generator shall not be artificially lighted unless such lighting is required by the Federal Aviation Administration (FAA). Lighting of other parts of the small wind energy systems, such as appurtenant structures, shall be limited to that required for safety purposes, and shall be reasonably shielded from abutting properties.
- e. Appearance, color, and finish. The wind generator and wind tower shall remain painted or finished the color or finish that was originally applied by the manufacturer.
- f. Signs. All signs, other than the manufacturer's or installer's identification, appropriate warning signs, or owner identification on a wind generator, wind tower, building, or other structure associated with a small wind energy system visible from any public road shall be prohibited.
- g. Code compliance. A small wind energy system including wind tower shall comply with all applicable construction and electrical codes.
- h. Utility notification and interconnection. Small wind energy systems that connect to the electric utility shall comply with the public service commission regulations.
- i. Small wind energy systems may be attached to any building, including guy wires, provided the city approves the submittal of documentation sealed by an engineer licensed by the State of Michigan showing the proposed connection of the system to the structure and whether any additional reinforcing is required. The city may not be found liable for damage caused by noise or vibration created by the system.
- j. Meteorological towers shall be permitted under the same standards, permit requirements, restoration requirements, and permit procedures as a small wind energy system.
- k. Each property is eligible for two (2) small wind energy systems only, except properties of at least one (1) contiguous acre may be allowed one (1) additional system for each additional one-half ( $\frac{1}{2}$ ) acre or portion thereof.
- l. A small wind energy system that is out-of-service for a continuous six-month period will be deemed to have been abandoned. The zoning administrator may issue a notice of abandonment to the owner of a small wind energy system that is deemed to have been abandoned. The owner shall have the right to respond in writing to the notice of abandonment setting forth the reasons for operational difficulty and providing a reasonable timetable for corrective action, within thirty (30) days from the date of the notice. The administrator shall withdraw the notice of abandonment and notify the owner that the notice has been withdrawn if the owner provides information that demonstrates the wind energy system has not been abandoned.
- m. If the small wind energy system is determined to be abandoned, the owner of a small wind energy system shall remove the wind generator from the wind tower at the owner's sole expense within ninety (90) days of the date of the notice of abandonment. If the owner fails to remove the wind generator from the wind tower, the administrator may pursue a legal action to have the wind generator removed at the owner's expense.
- o. Noise emanating from a small wind energy system shall not exceed fifty (50) dB(A) as measured from any offsite habitable structure or fifty-five (55) dB(A) to any lot line.
- p. Wind energy systems shall not interfere with communication systems such as radio, telephone, television, satellite, emergency communications, or Wi-Fi.

- q. Shadow flicker created by a STWES shall not exceed thirty (30) hours per year as observed on the windows or outdoor spaces (such as porches, patios, and decks) of any offsite building intended for human habitation or occupation. The zoning administrator may request a study to demonstrate the impact of a WES proposal.
- r. Public inquires and complaints by an aggrieved property owner that alleges that a STWES or SSWES does not meet noise or shadow flicker requirements shall be processed as follows:
  - 1. The property owner shall notify the city in writing regarding the concerns related to noise and/or shadow flicker.
  - 2. If the city zoning administrator or engineer deem the complaint sufficient to warrant an investigation, the city will request the aggrieved party to deposit funds in an amount sufficient to pay for a noise level test conducted by a certified acoustic technician and/or a shadow flicker study as performed by a professional.
  - 3. If the tests(s) show that the WES does not exceed the noise or shadow flicker requirements of this chapter, the city will use the deposit to pay for the test.
  - 4. If the WES is violating this chapter's noise requirements, the owner(s) shall reimburse the city for the testing and take immediate action to bring the WES into compliance, include ceasing operation of the WES till the violations are corrected. The city will refund the deposit to the aggrieved property owner.

SECTION 3. SEVERABILITY. The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of this Ordinance as a whole or any section or provision of this Ordinance other than the section or provision so declared to be unconstitutional or invalid.

SECTION 4. INCONSISTENT ORDINANCES. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are repealed.

SECTION 5. PUBLIC HEARING. A public hearing is set for Monday, December 21, 2015 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendment.

SECTION 6. NOTICE. Council hereby directs staff to supply a public notice concerning the rezoning to a newspaper of general circulation within the City.

SECTION 5. EFFECTIVE DATE. This amendment shall become effective 20 days after approval.

SECTION 6. 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.

**First Reading and Set Public Hearing –Rezoning M71 Corridor.** Conduct first reading and set a public hearing for Monday, December 21, 2015 to receive citizen comment regarding the proposed rezoning of various parcels along the M71 corridor to reduce spot zoning and bring the zoning in line with the Master Plan as follows:

**RESOLUTION NO. 111-2015**

**AN ORDINANCE AMENDING CHAPTER 38 ZONING OF THE CODE OF ORDINANCES  
TO REZONE VARIOUS PARCELS OF REAL PROPERTY ALONG THE M-71 CORRIDOR  
AND AMEND THE ZONING MAP**

WHEREAS, the City of Owosso adopted a Master Plan in 2012 which includes a future land use plan;  
and

WHEREAS, the Planning Commission desires to carefully implement prudent changes suggested by the Master Plan; and

WHEREAS, the Planning Commission recommends the rezoning of select parcels in the area to reduce spot zoning and create an area with effective zoning for potential development and economic growth while land owners to maintain the current use of their property if they so desire; and

WHEREAS, the Planning Commission published and mailed notices for the rezoning, held a public hearing at its regular meeting on July 27, 2015, and deliberated on the rezoning; and

WHEREAS, the Planning Commission finds that the proposed rezonings meet 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 parcels:

<b>Parcel Address</b>	<b>Parcel Number</b>	<b>Current Zoning</b>	<b>Proposed Zoning</b>
424 Maple	050-710-000-001-00	R-2	R-1
416 Maple	050-710-000-003-00	R-2	R-1
637 Corunna Ave	050-710-000-002-00	R-2	R-1
633 Corunna Ave	050-542-000-019-00	R-2	R-1
706 Corunna Ave	050-542-000-032-00	RM-1	B-4
625 Huron	050-542-000-022-00	I-2	I-1
460 E. Howard	050-680-003-004-00	R-2	I-1
452 E. Howard	050-680-003-003-00	R-2	I-1
446 E. Howard	050-680-003-002-00	R-2	I-1
440 E. Howard	050-680-003-001-00	R-2	I-1
509 S. Saginaw	050-651-018-002-00	I-2	I-1
S. Washington	050-651-000-005-00	I-2	I-1

and

WHEREAS, the recommendation must be considered by City Council and a public hearing by the Council is required before any such ordinance amendment can be approved.

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 changes, to be noted on the official map and filed with the city clerk:

<b>Parcel Address</b>	<b>Parcel Number</b>	<b>Current Zoning</b>	<b>Proposed Zoning</b>
424 Maple	050-710-000-001-00	R-2	R-1
416 Maple	050-710-000-003-00	R-2	R-1
637 Corunna Ave	050-710-000-002-00	R-2	R-1
633 Corunna Ave	050-542-000-019-00	R-2	R-1
706 Corunna Ave	050-542-000-032-00	RM-1	B-4
625 Huron	050-542-000-022-00	I-2	I-1
460 E. Howard	050-680-003-004-00	R-2	I-1
452 E. Howard	050-680-003-003-00	R-2	I-1
446 E. Howard	050-680-003-002-00	R-2	I-1
440 E. Howard	050-680-003-001-00	R-2	I-1
509 S. Saginaw	050-651-018-002-00	I-2	I-1

S. Washington	050-651-000-005-00	I-2	I-1
---------------	--------------------	-----	-----

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, December 21, 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.

**First Reading and Set Public Hearing –Rezoning 401 Howard Street.** Conduct first reading and set a public hearing for Monday, December 21, 2015 to receive citizen comment regarding the request to rezone the property at 401 Howard Street from I-2, General Industrial District, to I-1, Light Industrial District as follows:

**RESOLUTION NO. 112-2015**

**SETTING A PUBLIC HEARING TO CONSIDER AMENDING  
CHAPTER 38, ZONING, OF THE CODE OF ORDINANCES  
TO REZONE THE PARCEL OF REAL PROPERTY  
AT 401 E. HOWARD STREET  
AND AMEND THE ZONING MAP**

WHEREAS, the city of Owosso received a petition from the land owner of real property identified as 401 E. Howard Street, parcel 050-680-002-003-00, lots 7 8 9 BLK 2 (EX AARR R/W) WILLIAMS & LYONS ADD to rezone the parcel from I-2 General Industrial to I-1 Light Industrial; and

WHEREAS, the planning commission published notice of the request, 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 parcel 050-680-002-003-00, 401 E. Howard Street from I-2 General Industrial to I-1 Light Industrial district; and

WHEREAS, the item must now be considered by 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:

Chapter 38, Zoning Code of the City of Owosso be amended as follows:

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	Parcel Number	Current Zoning	Amended Zoning
401 E. Howard Street	050-680-002-003-00	I-2 General Industrial	I-1 Light Industrial

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, December 21, 2015 at or about 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.

**First Reading and Set Public Hearing –Rezoning 514 Division Street.** Conduct first reading and set a public hearing for Monday, December 21, 2015 to receive citizen comment regarding the request to rezone the property at 514 Division Street from I-2, General Industrial District, to I-1, Light Industrial District as follows:

**RESOLUTION NO. 113-2015**

**SETTING A PUBLIC HEARING TO CONSIDER AMENDING  
CHAPTER 38, ZONING, OF THE CODE OF ORDINANCES  
TO REZONE THE PARCEL OF REAL PROPERTY  
AT 514 DIVISION STREET  
AND AMEND THE ZONING MAP**

WHEREAS, the city of Owosso received a petition from the land owner of real property identified as 514 Division Street, parcel 050-651-018-003-00, LOTS 5 & 8 BLK 18 A L WILLIAMS ADD INCLUDING 1/2 CLOSED ALLEY to rezone the parcel from I-2 General Industrial to I-1 Light Industrial; and

WHEREAS, the planning commission published notice of the request, 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 parcel 050-651-018-003-00, 514 Division Street from I-2 General Industrial to I-1 Light Industrial district; and

WHEREAS, the item must now be considered by 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:

Chapter 38, Zoning Code of the City of Owosso be amended as follows:

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:

<b>Parcel Address</b>	<b>Parcel Number</b>	<b>Current Zoning</b>	<b>Amended Zoning</b>
514 Division Street	050-651-018-003-00	I-2 General Industrial	I-1 Light Industrial

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, December 21, 2015 at or about 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.



**First Reading and Set Public Hearing –Rezoning 515 South Saginaw Street.** Conduct first reading and set a public hearing for Monday, December 21, 2015 to receive citizen comment regarding the request to rezone the property at 515 South Saginaw Street from I-2, General Industrial District, to I-1, Light Industrial District as follows:

**RESOLUTION NO. 114-2015**

**SETTING A PUBLIC HEARING TO CONSIDER AMENDING  
CHAPTER 38, ZONING, OF THE CODE OF ORDINANCES  
TO REZONE THE PARCEL OF REAL PROPERTY  
AT 515 S. SAGINAW STREET  
AND AMEND THE ZONING MAP**

WHEREAS, the city of Owosso received a petition from the land owner of real property identified as 515 S. Saginaw Street, parcel 050-651-018-004-00, LOTS 7 BLK 18 A L WILLIAMS ADD INCLUDING 1/2 CLOSED ALLEY to rezone the parcel from I-2 General Industrial to I-1 Light Industrial; and

WHEREAS, the planning commission published notice of the request, 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 parcel 050-651-018-004-00, 515 S. Saginaw Street from I-2 General Industrial to I-1 Light Industrial district; and

WHEREAS, the item must now be considered by 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:

Chapter 38, Zoning Code of the City of Owosso be amended as follows:

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:

<b>Parcel Address</b>	<b>Parcel Number</b>	<b>Current Zoning</b>	<b>Amended Zoning</b>
515 S. Saginaw Street	050-651-018-004-00	I-2 General Industrial	I-1 Light Industrial

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, December 21, 2015 at or about 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.

**2016 Income Threshold Poverty Exemptions.** Adopt the 2016 Income Threshold Poverty Exemptions, as required by Public Act No. 390 of 1994 as follows:

**2016 Federal Income Standards Poverty Threshold**

Number of persons residing in homestead	Annual allowable income
1 person	15,440

2 persons	17,640
3 persons	20,090
4 persons	24,250
5 persons	28,410
6 persons	32,570
7 persons	36,730
8 persons	40,890
Each additional person, add	4,160

**2016 Schedule of Meetings.** Adopt the following 2016 Boards and Commissions Meeting Schedule.

**CITY OF OWOSSO  
SCHEDULE OF REGULAR MEETINGS  
FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2016**

**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, 2016. The Board, dates, time and place of said regular meetings shall be as follows:

<b>CITY COUNCIL</b>					
The 1 <sup>st</sup> and 3 <sup>rd</sup> Monday of each month, except as noted – 7:30 p.m., local prevailing time					
Owosso City Hall, Council Chambers					
JAN 04	MAR 07	MAY 02	JUL 05*	SEP 06*	NOV 07
JAN 19*	MAR 21	MAY 16	JUL 18	SEP 19	NOV 21
FEB 01	APR 04	JUN 06	AUG 01	OCT 03	DEC 05
FEB 16*	APR 18	JUN 20	AUG 15	OCT 17	DEC 19
<b>DOWNTOWN DEVELOPMENT AUTHORITY / OWOSSO MAIN STREET</b>			<b>DOWNTOWN HISTORIC DISTRICT COMMISSION</b>		
The 1 <sup>st</sup> Wednesday of each month, except as noted – 7:30 a.m., local prevailing time			The 3 <sup>rd</sup> Wednesday of each month - 6:00 p.m., local prevailing time		
Owosso City Hall, Council Chambers			Owosso City Hall, Council Chambers		
JAN 06	MAY 04	SEP 07	JAN 20	MAY 18	SEP 21
FEB 03	JUN 01	OCT 05	FEB 17	JUN 15	OCT 19
MAR 02	JUL 06	NOV 02	MAR 16	JUL 20	NOV 16
APR 06	AUG 03	DEC 07	APR 20	AUG 17	DEC 21
<b>EMPLOYEES RETIREMENT SYSTEM BOARD</b>			<b>OWOSSO HISTORICAL COMMISSION</b>		
The 4 <sup>th</sup> Wednesday of even months, except as noted - 7:15 a.m., local prevailing time			The 2 <sup>nd</sup> Monday of each month, except as noted – 7:00 p.m., local prevailing time		
Owosso City Hall, Council Chambers			Curwood Castle, 226 Curwood Castle Drive		
FEB 24	JUN 22	OCT 26	JAN 11	MAY 09	SEP 12
APR 27	AUG 24	DEC 14*	FEB 08	JUN 13	OCT 11*
			MAR 14	JUL 11	NOV 14
			APR 11	AUG 08	DEC 12
<b>PARKS &amp; RECREATION COMMISSION</b>			<b>PLANNING COMMISSION</b>		
The 4 <sup>th</sup> Monday of each month, except as noted – 6:00 p.m., local prevailing time			The 4 <sup>th</sup> 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 25	MAY 23	SEP 26	JAN 25	MAY 23	SEP 26
FEB 22	JUN 27	OCT 24	FEB 22	JUN 27	OCT 24
MAR 28	JUL 25	NOV 28	MAR 28	JUL 25	NOV 28
APR 25	AUG 22	DEC 12*	APR 25	AUG 22	DEC 12*
<b>ZONING BOARD OF APPEALS</b>			* = Rescheduled due to legal holiday on regular		

The 3 <sup>rd</sup> Tuesday of each month, except as noted – 9:30 a.m., local prevailing time			meeting date or other scheduling conflict
Owosso City Hall, Council Chambers			
JAN 19	MAY 17	SEP 20	
FEB 16	JUN 21	OCT 18	
MAR 15	JUL 19	NOV 15	
APR 19	AUG 16	DEC 20	

The City of Owosso will provide necessary auxiliary aids and services, such as signers for the hearing impaired and audiotapes 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 (989) 725-0500.

**Boards and Commissions Appointment.** Approve the appointment of Burton Fox to the Shiawassee County Operating Millage Proposal Advisory Committee.

**5K Fun Run Permission.** Approve request from The Stretch Studio for use of a single lane of various streets on December 12, 2015 from 11:30am – 1:00pm for a 5K Fun Run, waive the insurance requirement, and authorize Traffic Control Order No. 1340 formalizing the request.

**Living Nativity Scene Permission.** Approve request from First United Methodist Church for the use of Washington and Water Streets north of North Street for a Live Nativity Scene Saturday, December 12, 2015 from 5:30pm until 10:00pm, waiver of the insurance requirement, and authorization of Traffic Control Order No. 1341 formalizing the action.

**Change Order No. 1 – 2015 Street Patches Program, Part II.** Approve Change Order No. 1 to the 2015 Street Patches Program Contract, Part II with One-Way Asphalt Paving & Excavating, Inc. reducing the amount of the contract \$4,456.63 to \$39,578.62 as the result of the work completed by the first contractor as follows:

**RESOLUTION NO. 115-2015**

**AUTHORIZING CHANGE ORDER NO. 1  
TO THE CONTRACT WITH ONE-WAY ASPHALT PAVING & EXCAVATING, INC.  
FOR THE 2015 STREET PATCHES PROGRAM**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, approved a contract to One-Way Asphalt Paving & Excavating, Inc. to finish the 2015 Street Patches Program on November 2, 2015; and

WHEREAS, some of the patches were completed by the previous contractor, resulting in a contract decrease of \$4,456.63.

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

- FIRST: The City of Owosso amends the contract with One-Way Asphalt Paving & Excavating, Inc. to reflect the above changes.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit A, Amendment No. 1 to the Contract for services between the City of Owosso and One-Way Asphalt Paving & Excavating, Inc., changing the contract from \$44,035.25 to \$39,578.62.

**Change Order No. 2 – 2015 Street Patches Program, Part II.** Approve Change Order No. 2 to the 2015 Street Patches Program Contract, Part II with One-Way Asphalt Paving & Excavating, Inc. increasing the amount of the contract \$6,790.00 to \$46,368.62 for additional work along the sidewalk at Emerson School as detailed below:

**RESOLUTION NO. 116-2015**

**AUTHORIZING CHANGE ORDER NO. 2  
TO THE CONTRACT WITH ONE-WAY ASPHALT PAVING & EXCAVATING, INC.  
FOR THE 2015 STREET PATCH PROGRAM, PART II**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, approved a contract to One-Way Asphalt Paving & Excavating, Inc. to finish the 2015 Street Patches Program on November 2, 2015; and

WHEREAS, the City requested additional work from One-Way Asphalt Paving & Excavating, Inc. for a street patch on Dewey Street at Emerson School.

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

- FIRST: The City of Owosso amends the contract with One-Way Asphalt Paving & Excavating, Inc. to add additional work to their contract in the amount of \$6,790.00.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in form attached as Exhibit A, Amendment No. 2 to the Contract for services between the City of Owosso and One-Way Asphalt Paving & Excavating, Inc. increasing the total contract amount to \$46,368.62.
- THIRD: The accounts payable department is authorized to pay One-Way Asphalt Paving & Excavating, Inc. for work satisfactorily completed on Change Order No. 2.
- FOURTH: The above expenses shall be paid from General Fund Account No. 202- 463-818-000 major street maintenance fund.

**Change Order No. 2 - Westown Parking Lot Construction Project.** Approve Change Order No. 2 to the Westown Parking Lot Construction contract with Sumbera Excavating, Inc. increasing the amount of the contract \$4,973.01 for the completion of an asphalt drive approach and a street patch for the location where a storm sewer was installed for the lot, and further approve payment up to the change order amount upon satisfactory completion of the work as follows:

**RESOLUTION NO. 117-2015**

**AUTHORIZING CHANGE ORDER NO. 2  
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 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 asphalt the driveway approach to the lot and a storm sewer street patch.

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

- FIRST: The City of Owosso amends the contract with Sumbera Excavating, Inc. to add additional work to their contract.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in form attached as Exhibit B, Contract Change Order No. 2-Final to the Contract for Services Between the City of Owosso and Sumbera Excavating, Inc. – Westown Parking Lot Construction increasing the total amount by \$4,973.01.
- THIRD: The accounts payable department is authorized to pay Sumbera Excavating, Inc. for work satisfactorily completed up to amount of the contract including Change Order No. 2.
- FOURTH: The above expenses shall be paid from General Fund Account No. 101-585-974.000 WESTOWNLOT.

**Bid Award – Automatic External Defibrillator.** Approve bid award to Bound Tree Medical, LLC for one Philips HeartStart MRx Monitor Defibrillator in the amount of \$25,833.11 and further approve payment up to the bid amount upon satisfactory delivery of the equipment as detailed below:

**RESOLUTION NO. 118-2015**

**RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR PURCHASE OF PHILIPS HEARTSTART MRx MONITOR DEFIBRILLATOR**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has fire department requiring the use of a portable heart monitor/defibrillator; and

WHEREAS, bids were solicited and Bound Tree Medical, LLC responded with the lowest bid that fulfilled all the bid specifications.

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 one (1) Philips HeartStart MRx Monitor Defibrillator at a price of \$25,833.11.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Contract for Equipment between the City of Owosso, Michigan and Bound Tree Medical, LLC.
- THIRD: The above expenses shall be paid from the Fire Division Equipment fund 101-335-978.000.
- FOURTH: Payment to Bound Tree Medical, LLC is authorized in an amount not to exceed \$25,833.11 upon satisfactory delivery of the defibrillator.

**Purchase Authorization – Public Safety Vehicle Equipment Changeover.** Waive competitive bidding requirements and authorize contract with Mid Michigan Emergency Equipment Sales and Service L.L.C. for the removal, supply, and installation of public safety equipment in the new police utility vehicle in the amount of \$6,782.12. as detailed below:

**RESOLUTION NO. 119-2015**

**RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR REMOVAL, SUPPLY, AND INSTALLATION OF PUBLIC SAFETY EQUIPMENT**

**IN A NEW POLICE VEHICLE  
WITH MID MICHIGAN EMERGENCY EQUIPMENT SALES AND SERVICE LLC**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has purchased a new police vehicle that needs to have equipment and DVR cameras installed in it; and

WHEREAS, the City will retire one current police vehicle which necessitates the removal of the public safety equipment installed on the vehicle; and

WHEREAS, said equipment is proposed for re-use in the new vehicles pending installation; and

WHEREAS, the new vehicles will require additional new public safety equipment to be properly outfitted for service; and

WHEREAS, the City of Owosso received a quote from Mid-Michigan Emergency Equipment Sales and Service LLC for the removal of the old equipment, supply of select pieces of new equipment, and the installation of all said equipment; and it is hereby determined that this company is qualified to perform the work requested; and

WHEREAS, a waiver of the bidding requirements is requested as professional services are exempt from competitive bidding.

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 contract with Mid-Michigan Emergency Equipment Sales and Service LLC for the removal, purchase, and installation of public safety equipment in City Police vehicles in the amount of \$6,782.12.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Contract for Services between the City of Owosso, Michigan and Mid-Michigan Emergency Equipment Sales and Service LLC.
- THIRD: The Accounts Payable Department is hereby authorized to issue payment to Mid-Michigan Emergency Equipment Sales and Service LLC in the amount of \$6,782.12 upon delivery of the equipment and satisfactory completion of the work.
- FOURTH: The above expenses shall be paid from the Police equipment fund 101-300-978.000.

**Warrant No. 513.** Approve Warrant No. 513 as follows:

Vendor	Description	Fund	Amount
Michigan Municipal Risk Management Authority	Final installment for 7/1/15-6/30/16	General	\$142,275.00
Rehmann Robson	First progress billing for FY 14/15 audit	General	\$ 15,000.00

**Check Register – November 2015.** Affirm check disbursements totaling \$634,646.73 for the month of November 2015.\*

Motion supported by Councilperson Fox.

Roll Call Vote.

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

NAYS: None.

**ITEMS OF BUSINESS**

**Gould Street Resurfacing Cost Sharing Agreement\***

Motion by Mayor Pro-Tem Eveleth to approve a cost sharing agreement with the Michigan Department of Transportation for the resurfacing of Gould Street from Corunna Avenue to Main Street in the amount of \$88,000.00 and further approve payment up to the contract amount upon presentation of an approved invoice(s) as follows:

**RESOLUTION NO. 120-2015**

**RESOLUTION AUTHORIZING EXECUTION OF MDOT COST AGREEMENT FOR RESURFACING OF GOULD STREET FROM M-71 to M-21**

WHEREAS, Gould Street from M-71 (Corunna Ave) to M-21 (Main Street) is part of the City's secondary all season road system; and

WHEREAS, the City is required to provide a safe and expedient road system for users which requires proper maintenance of the roadway; and

WHEREAS, this maintenance is costly and requires additional sources of funds beyond the state of Michigan's regular allocation of Public Act 51 funds; and

WHEREAS, the City has applied for, and is now approved to receive, MDOT Transportation Economic Development Fund, Category F Funds to assist in the resurfacing of this road; and

WHEREAS, after review, city staff recommends approval of MDOT Cost Agreement No. 15-5527 for the proposed resurfacing of Gould Street from Highway M-71 (Corunna Avenue) northerly to Highway M-21 (Main Street); altogether with necessary related work (also referred to as 'project'); and

WHEREAS, the Michigan Department of Transportation requires the City of Owosso adopt a resolution indicating its willingness to participate in the resurfacing of Gould Street as set forth in the agreement.

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

- FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to approve MDOT Contract No. 15-5527 for the proposed resurfacing of Gould Street from Highway M-71 (Corunna Avenue) northerly to Highway M-21 (Main Street).
- SECOND: That the City of Owosso is willing to participate in the project and cost as illustrated within said contract.
- THIRD: That the Mayor and City Clerk are hereby authorized to sign the Agreement as attached.
- FOURTH: The City Council hereby directs staff to allocate \$88,000.00 from the 2010 Unlimited Obligation Bond Proceeds fund and other funds as appropriate, and directs the City Manager to proceed with the project, in accordance with the contract.

Motion supported by Councilperson Greenway.

Roll Call Vote.

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

NAYS: None.

### **Street Program Discussion**

City Manager Crawford noted the major street projects in 2016 & 2017 would be the resurfacing of Gould Street and the reconstruction of Oliver Street. East Monroe Street, South Street and Chestnut Street will be examined for potential grant funding opportunities. The City will also be conducting its annual chip sealing, crack sealing, and slurry sealing programs. Councilperson Fox indicated the streets were not getting any better and the City needed to develop a plan to fix them despite the funding issues. He said he would like a plan put forward so that a bond/millage for road work could be placed on the ballot next year. There was discussion regarding the fact that Council had already tried that plan and it hadn't worked. Mayor Frederick suggested possibly using fund balance to get work underway while Council works on a more comprehensive plan. Councilperson Teich suggested that the amount of the reserve fund withdrawal be determined with the idea of executing a portion of the plan that was put forward with the last millage request. It was decided this topic will be included in the budget discussions once again.

### **Water Main Repair/Replacement Discussion**

City Manager Crawford indicated the City has several replacement projects in the planning phase, including Gould Street, Oliver Street, South Chestnut Street, and the Cargill project. There are also numerous smaller projects on the slate that would deal with problem sections of main.

## **COMMUNICATIONS**

City-Owned Property Inventory. Susan K. Montenegro, Community Development Director.

Downtown Development Authority/Main Street. Minutes of November 4, 2015.

Planning Commission. Minutes of November 23, 2015.

Mayor Frederick highlighted the City-owned Property Inventory listed in Communications and indicated he would like to see the sale to Mike Cline move forward.

Motion by Mayor Pro-Tem Eveleth to instruct staff to draw up a purchase agreement with Mike Cline for the properties located at 607 Wright Avenue, vacant land on Wright Avenue, and 703 S. Gould Street, to be presented at the December 21, 2015 meeting for potential action to commence the 21-day posting period.

Motion supported by Councilperson Greenway.

Roll Call Vote.

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

NAYS: None.

Mayor Frederick indicated he was also interested in preparing Parcel #4 of the list for future sale.



Motion by Councilperson Fox to instruct staff to draw up a purchase agreement for auction of the vacant property located on South Gould Street to be presented at the December 21, 2015 meeting for potential action to commence the 21-day posting period.

Motion supported by Mayor Pro-Tem Eveleth.

Roll Call Vote.

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

NAYS: None.

### **CITIZEN COMMENTS AND QUESTIONS**

Rick Wheeler inquired why the roads in other states are so much better than Michigan's roads.

Tom Manke, Owosso Township resident, took Council to task for not answering his questions regarding the new sign at the Lebowsky Center and the fencing of Trebor property. He also suggested the City return some streets to gravel to induce voters to vote yes for a road bond/millage.

Mayor Frederick indicated the Historic District Commission would have made the decision on the sign at the Lebowsky Center and he would look into how they reached the decision to permit the sign.

Assistant City Manager Montenegro responded to the Trebor inquiry saying the Planning Commission had the authority to determine the necessity of fencing in an industrial area, it had deliberated on the details of the situation and reached a determination that the terrain of the parcel made fencing difficult and due to the property configuration fencing would prohibit the loading and unloading of trucks on the property. She went on to say that the Commission required bollards be installed to clearly mark the property lines. She also noted that some of the adjacent residential will be fenced by the company to provide some privacy for residents.

### **NEXT MEETING**

Monday, December 21, 2015

### **BOARDS AND COMMISSIONS OPENINGS**

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

### **ADJOURNMENT**

Motion by Mayor Pro-Tem Eveleth for adjournment at 9:08 p.m.

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

---

Benjamin R. Frederick, Mayor

---

Amy K. Kirkland, City Clerk

\*Due to their length, text of marked items is not included in the minutes. Full text of these documents is on file in the Clerk's Office.



**MEMORANDUM**

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

**DATE:** December 17, 2015  
**TO:** Mayor Frederick and the Owosso City Council  
**FROM:** Ronald J. Tobey, City Treasurer  
**SUBJECT:** Hazards and Nuisances Special Assessment Roll

Over the course of the year, the City takes action to alleviate nuisances and hazards to the public that exist on private property. The charges for these actions are invoiced to the owner of record for the property. Once a year, per section 28-10.5 of the Code, any charges left unpaid shall be established as liens to the affected property. Once the lien is established I would be authorized to add the amount to the delinquent tax roll that will be prepared for the county on March 1, 2015. Even though these invoices will be established as liens, property owners are again notified of the outstanding charges and may make payment to the City of Owosso through February of 2015 without the charge being added to the delinquent tax roll.

The associated document to this memo details the outstanding nuisance and hazard invoices since this process last took place in January of 2015 (having been postponed from the 2<sup>nd</sup> December meeting in 2014). It lists the invoice numbers, the date of the invoice, the parcel number and address, the type of nuisance or hazard and the amount of the invoice.

The process for establishing a lien is handled via special assessment. Initially, the list of outstanding invoices is presented to Council with a request to set a public hearing. Upon this action letters are sent to the affected property owners informing them of the City's intent to lien their property. They then have the opportunity to protest the proposed action at the public hearing. At the conclusion of the public hearing the Council can accept the roll as presented, make amendments to the roll, or hold off on action all together (though this is not recommended).

Please note that some of the invoices listed are less than 30 days old. Because the Code stipulates this process be taken up once per year unless there are extraordinary circumstances we have included these invoices on the list on the chance that if they are not paid we will not be forced to wait until December of 2016 to seek remedy. As stated above, if any of these invoices are paid before March 1, 2016 the invoice will be closed and no lien will be filed with the county.

Also, attached you will find a list of parcels which were invoiced during the year and were sold at the August or September tax sale. The State's tax sale process removes any outstanding balances owed on a property and as such the amounts invoiced to each parcel will be written off. No action is required on this secondary list, it is simply provided as a point of information.

Tonight, I recommend that you take action to start this process in motion by setting a public hearing for December 21, 2015, to receive citizen comment regarding this roll. An updated list of unpaid nuisance and hazard invoices will be provided to you for that meeting.

To: Owosso City Council  
 From: Ronald J. Tobey, City Treasurer  
 Date: December 17, 2015



The following special assessment roll consists of unpaid nuisances and hazards.

<u>INVOICE #</u>	<u>DATE</u>	<u>PARCEL NUMBER</u>	<u>ADDRESS</u>	<u>TYPE OF NUISANCE</u>	<u>BALANCE</u>
3846	2/11/2015	050-710-001-012-00	915 CORUNNA	CLEAR ICE/SNOW	293.12
3847	2/11/2015	050-660-001-005-00	623 N SHIAWASSEE	CLEAR ICE/SNOW	194.49
3848	2/11/2015	050-090-001-003-00	1408 W MAIN	CLEAR ICE/SNOW	201.59
3849	2/11/2015	050-090-001-004-00	1416 W MAIN	CLEAR ICE/SNOW	201.59
3850	2/11/2015	050-010-016-020-00	616 GLENWOOD	CLEAR ICE/SNOW	201.59
3853	2/16/2015	050-470-032-007-00	618 N WASHINGTON	CLEAR ICE/SNOW	194.49
3854	2/16/2015	050-470-032-008-00	622 N WASHINGTON	CLEAR ICE/SNOW	194.49
3856	2/16/2015	050-602-007-005-00	1803 W STEWART	CLEAR ICE/SNOW	194.49
3859	2/16/2015	050-100-001-015-00	221 S CHIPMAN	CLEAR ICE/SNOW	194.49
3862	2/20/2015	050-180-004-018-00	322 S DEWEY	CLEAR ICE/SNOW	278.93
3871	2/20/2015	050-490-000-018-00	1636 W MAIN	CLEAR ICE/SNOW	201.59
3920	5/21/2015	050-602-007-005-00	1803 W STEWART	MOW TALL GRASS/WEEDS	346.31
3923	5/27/2015	050-470-009-002-00	316 E WILLIAMS	MOW TALL GRASS/WEEDS	264.18
3925	5/28/2015	050-601-000-037-00	221 W STEWART	MOW TALL GRASS/WEEDS	182.13
3926	5/28/2015	050-601-000-038-00	217 W STEWART	MOW TALL GRASS/WEEDS	182.11
3929	5/28/2015	050-536-000-034-00	1230 N SHIAWASSEE	MOW TALL GRASS/WEEDS	256.77
3955	6/10/2015	050-710-001-012-00	915 CORUNNA	MOW TALL GRASS/WEEDS	204.50
3956	6/10/2015	050-390-004-012-00	1260 ADAMS	MOW TALL GRASS/WEEDS	456.14
3963	6/25/2015	050-270-000-147-00	508 HAMPTON	MOW TALL GRASS/WEEDS	264.18
3965	6/25/2015	050-652-007-001-00	806 S SAGINAW	MOW TALL GRASS/WEEDS	264.18
3967	6/25/2015	050-010-016-020-00	616 GLENWOOD	MOW TALL GRASS/WEEDS	168.30
3968	6/25/2015	050-652-007-009-00	813 S PARK	MOW TALL GRASS/WEEDS	168.30
3971	6/25/2015	050-602-007-005-00	1803 W STEWART	MOW TALL GRASS/WEEDS	433.03
3974	6/30/2015	050-537-000-040-00	1232 W MAIN	MOW TALL GRASS/WEEDS	343.22
3976	6/30/2015	050-420-001-013-00	628 CORUNNA	MOW TALL GRASS/WEEDS	345.55
3986	7/2/2015	050-601-000-038-00	217 W STEWART	MOW TALL GRASS/WEEDS	182.12
3987	7/2/2015	050-601-000-037-00	221 W STEWART	MOW TALL GRASS/WEEDS	264.18
3990	7/13/2015	050-536-000-034-00	1230 N SHIAWASSEE	MOW TALL GRASS/WEEDS	390.05
3991	7/13/2015	050-390-004-012-00	1260 ADAMS	MOW TALL GRASS/WEEDS	271.13
3992	7/13/2015	050-320-011-003-00	119 ELIZABETH	MOW TALL GRASS/WEEDS	185.59
3996	7/22/2015	050-710-001-012-00	915 CORUNNA	MOW TALL GRASS/WEEDS	299.52
3997	7/22/2015	050-420-011-015-00	755 BROADWAY	MOW TALL GRASS/WEEDS	264.18
3999	7/22/2015	050-680-005-004-00	413 CORUNNA	MOW TALL GRASS/WEEDS	185.59
4006	8/4/2015	050-160-000-008-00	301 STRATFORD	MOW TALL GRASS/WEEDS	263.43
4018	8/14/2015	050-601-000-038-00	217 W STEWART	MOW TALL GRASS/WEEDS	183.28
4019	8/14/2015	050-601-000-037-00	221 W STEWART	MOW TALL GRASS/WEEDS	183.28
4021	8/14/2015	050-390-004-012-00	1260 ADAMS	MOW TALL GRASS/WEEDS	183.28
4022	8/18/2015	050-240-002-015-00	631 N HICKORY	MOW TALL GRASS/WEEDS	346.31
4023	8/19/2015	050-090-002-017-00	218 CARMODY	MOW TALL GRASS/WEEDS	168.75
4036	9/9/2015	050-390-004-012-00	1260 ADAMS	MOW TALL GRASS/WEEDS	151.34
4045	9/21/2015	050-060-011-010-00	721 N WATER	MOW TALL GRASS/WEEDS	265.62
4046	9/21/2015	050-320-011-003-00	119 ELIZABETH	MOW TALL GRASS/WEEDS	182.12
4047	9/21/2015	050-710-001-012-00	915 CORUNNA	MOW TALL GRASS/WEEDS	204.50
4048	9/21/2015	050-537-000-040-00	1232 W MAIN	MOW TALL GRASS/WEEDS	204.50
4050	9/21/2015	050-536-000-034-00	1230 N SHIAWASSEE	MOW TALL GRASS/WEEDS	204.50
4063	10/6/2015	050-601-000-038-00	217 W STEWART	MOW TALL GRASS/WEEDS	264.18
4066	10/6/2015	050-420-001-013-00	628 CORUNNA	MOW TALL GRASS/WEEDS	261.39
4067	10/7/2015	050-390-004-012-00	1260 ADAMS	MOW TALL GRASS/WEEDS	183.28
4069	10/7/2015	050-010-017-024-00	621 WOODLAWN	MOW TALL GRASS/WEEDS	172.87
3894	4/16/2015	050-050-000-043-00	214 S CEDAR	PROPERTY CLEAN UP	207.72
4000	7/22/2015	050-010-032-006-00	714 ABREY	PROPERTY CLEAN UP/MOWIN	527.22
4005	8/3/2015	050-430-000-005-00	419 HAMBLIN	PROPERTY CLEAN UP/SECUR	572.07
4016	8/10/2015	050-680-005-004-00	413 CORUNNA	PROPERTY CLEAN UP	788.65
4025	8/24/2015	050-250-000-050-00	514 PINE	PROPERTY CLEAN UP/MOWIN	460.22
4027	8/31/2015	050-420-003-009-00	626 LINGLE	PROPERTY CLEAN UP	301.92
4037	9/9/2015	050-623-000-005-00	1210 MACK	PROPERTY CLEAN UP	234.31
4038	9/9/2015	050-115-002-003-00	1119 S SHIAWASSEE	PROPERTY CLEAN UP	183.68
4042	9/15/2015	050-060-011-010-00	721 N WATER	PROPERTY CLEAN UP	289.30
4061	10/6/2015	050-660-023-002-00	206 S HOWELL	PROPERTY CLEAN UP	697.15
4062	10/6/2015	050-010-017-024-00	621 WOODLAWN	PROPERTY CLEAN UP	198.99
4064	10/6/2015	050-180-000-004-00	120 S OAK	PROPERTY CLEAN UP/MOWIN	866.51
4065	10/6/2015	050-570-000-026-00	1700 W STEWART	TRIMMING OF SHRUBS	776.76
4070	10/7/2015	050-040-000-026-00	1307 STATE	DEAD TREE REMOVAL	760.43
4074	10/12/2015	050-010-032-006-00	714 ABREY	PROPERTY CLEAN UP/MOWIN	461.84
					<u>19,021.52</u>

The foregoing special assessment roll for nuisances and hazards for the year 2015 is acknowledged by the Assessing Officer

The foregoing special assessment roll for nuisances and hazards for the year 2015 is acknowledged by the City Clerk

To: Owosso City Council  
 From: Ronald J. Tobey, City Treasurer  
 Date: November 24, 2015



The following invoices consist of unpaid nuisances and hazards that are unable to be leined and must be written off due to State of Michigan tax sale processes in August or September 2015.

<u>INVOICE #</u>	<u>DATE</u>	<u>PARCEL NUMBER</u>	<u>ADDRESS</u>	<u>TYPE OF NUISANCE</u>	<u>BALANCE</u>
3912	6/4/2015	050-180-005-004-00	424 GROVER	PROPERTY CLEAN UP	729.94
3947	6/10/2015	050-651-007-002-00	222 CASS	MOW TALL GRASS/WEEDS	184.43
3950	6/10/2015	050-180-005-002-00	424 GROVER	PROPERTY CLEAN UP	157.92
3957	6/11/2015	050-180-005-004-00	424 GROVER	MOW TALL GRASS/WEEDS	253.64
3964	6/25/2015	050-601-000-064-00	319 W RIDGE	MOW TALL GRASS/WEEDS	266.52
3969	6/25/2015	050-660-011-001-00	219 N CEDAR	MOW TALL GRASS/WEEDS	173.98
3998	7/22/2015	050-180-005-004-00	424 GROVER	MOW TALL GRASS/WEEDS	182.12
4002	7/28/2015	050-430-000-008-00	500 E HOWARD	MOW TALL GRASS/WEEDS	161.78
4003	7/28/2015	050-430-000-002-00	425 HAMBLIN	MOW TALL GRASS/WEEDS	340.15
4007	8/4/2015	050-651-007-002-00	222 CASS	MOW TALL GRASS/WEEDS	181.42
4008	8/4/2015	050-660-011-001-00	219 N CEDAR	MOW TALL GRASS/WEEDS	263.43
4020	8/14/2015	050-601-000-064-00	319 W RIDGE	MOW TALL GRASS/WEEDS	183.28
4049	9/21/2015	050-660-011-001-00	219 N CEDAR	MOW TALL GRASS/WEEDS	182.12
4051	9/21/2015	050-180-005-004-00	424 GROVER	MOW TALL GRASS/WEEDS	264.18
					3,524.91



## MEMORANDUM

---

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

---

**DATE:** December 17, 2015

**TO:** City Council

**FROM:** Susan Montenegro, Asst. City Manager/Dir. of Community Development

**SUBJECT:** Zoning Ordinance Amendment – Play Structures

### RECOMMENDATION:

The planning commission recommends city council amend the zoning language of Section 38-5, *Definitions*, and Section 38-379, *Accessory buildings*, as proposed.

### BACKGROUND:

Planning commission has diligently worked to amend the language within Chapter 38, Zoning, of the Code of Ordinances to include the definition for play structures as well as language governing where they can be placed. They voted at their regularly scheduled meeting on November 23, 2015 to amend the zoning language in Section 38-5, *Definitions*, and Section 38-379, *Accessory buildings*, to effectively require play structures to be located in a rear yard.

### FISCAL IMPACTS:

None

Document originated by: Susan Montenegro

**ORDINANCE NO.**

**AN ORDINANCE AMENDING  
CHAPTER 3, ZONING, OF THE CODE OF ORDINANCES  
TO DEFINE AND REGULATE PLAY STRUCTURES**

WHEREAS, questions have arisen regarding how play structures are defined and where they can be located on private property, and the Code of Ordinances is mute on the topic of play structures; and

WHEREAS, the Planning Commission has worked diligently to examine the issues resulting from the lack of regulation and has determined the Zoning Ordinance should be amended to address play structures; and

WHEREAS, the Planning Commission deliberated at its regularly scheduled meeting on November 23, 2015, to define play structures and regulate where they can be located.

WHEREAS, the City Council held a public hearing December 21, 2015 and having heard all interested persons

NOW THEREFORE BE IT RESOLVED THAT THE CITY OF OWOSSO ORDAINS that Chapter 38, Zoning, Sections 38-5 and 38-379 of the Code of Ordinances of the City of Owosso, Michigan be amended as follows:

SECTION 1. ADDITION. That existing Section 38-5, *Definitions*, of Article I, In General, shall be amended to add a definition for "Play structure" as follows:

**Sec. 38-5. - Definitions.**

*Play structure.* A play structure is defined as a jungle gym, swing set, slide, platform or other similar unenclosed structure or device intended for the use of children's play.

SECTION 2. ADDITION. That existing Section 38-379, *Accessory buildings*, of Article XVII, General provisions, shall be amended to add the permitted location(s) for play structures as follows:

**Sec. 38-379. - Accessory buildings.**

Accessory buildings, except as otherwise permitted in this chapter, shall be subject to the following regulations:

- (1) Where the accessory building is structurally attached to a main building, it shall be subject to, and must conform to, all regulations of this chapter applicable to main building.
- (2) Accessory buildings shall not be located in any required yard, except a rear yard.
- (3) Accessory play structures shall not be located in any required yard, except a rear yard.
- (4) An accessory building shall not occupy more than twenty-five (25) percent of a required rear yard, plus forty (40) percent of any nonrequired rear yard, provided that in no instance shall the accessory building(s) exceed the ground floor area of the main building.
- (5) No detached accessory building shall be located closer than ten (10) feet to any main building nor shall it be located closer than three (3) feet to any side or rear lot line.

In those instances where the rear lot line is coterminous with an alley right-of-way the accessory building shall not be closer than one (1) foot to such rear lot line. In no instance shall an accessory building be located within a dedicated easement right-of-way.

- (6) No detached accessory building in R-1, R-2, RT-1, RM-1, RM-2, OS-1, B-1 and P-1 districts shall exceed one (1) story or fourteen (14) feet in height.

Accessory buildings in all other districts may be constructed to equal the permitted maximum height of structures in said districts, subject to board of appeals review and approval if the building exceeds one (1) story or fourteen (14) feet in height.

- (7) When an accessory building is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, the building shall not project beyond the front yard setback required on the lot in rear of such corner lot. In no instance shall an accessory building be located nearer than nineteen (19) feet to a street right-of-way line.
- (8) On residential lots of less than seventeen thousand five hundred (17,500) square feet, only two (2) accessory buildings shall be permitted. On residential lots seventeen thousand five hundred (17,500) square feet or greater, only three (3) accessory buildings shall be permitted. These limits shall not apply to wind energy systems, satellite dishes, or dog pens.
- (9) All recreational vehicles, boats, snowmobiles, jet skis and comparable devices along with the trailers for these items stored on individual lots shall respect the requirements of this section applicable to accessory buildings, except that side yard storage is permitted against the wall of a principal structure when these items are beneath a legal conforming carport structure or are setback at least three (3) feet from the property line and eleven (11) feet from a principal building of an adjoining parcel. Storage in a driveway is permitted when the stored item can be placed entirely behind the front wall of the principal structure.
- (10) Regulations for dish-type satellite receiving antennae and similar structures (hereinafter referred to as satellite dishes):
  - a. Ground mounted:
    1. In residential districts a satellite dish must be located in the rear yard. If a usable satellite signal cannot be obtained in a rear yard then a side yard location may be selected if all other provisions of this section are able to be enforced.
    2. In all commercial and industrial districts, a satellite dish may be located on a rear or side lot if all other conditions of the ordinance can be followed, and if the side yard of the commercial or industrial lot is not adjacent to a residential district or detached single family use.
    3. No satellite dish including its concrete base, slab, a similar substructure or projected portion shall be constructed less than eight (8) feet from any property line or easement of the rear or side yard, or be within twenty-five (25) feet from a right-of-way line of a public street.
    4. In residential districts no satellite dish shall be constructed without appropriate evergreen landscaping to reasonably conceal said satellite dish from view. The planting shall be completed prior to final approval by the building inspector. Vegetative screening shall not be required where reception of a usable satellite signal would be adversely affected.
    5. In residential districts a satellite dish shall not exceed a grade height of fourteen (14) feet. In all other districts the grade height limit is twenty (20) feet.
    6. All structural support shall be of corrosion resistant metal.
    7. A satellite dish shall be designed to withstand a wind force of seventy-five (75) miles per hour without the use of supporting guy wires.
    8. The color of the satellite dish cannot be contrasting with its surroundings or setting. A contrasting color is one that does not blend with the background as defined by the normal senses.
    9. In residential districts a satellite dish cannot be used as a sign.

10. The number of satellite dishes over four (4) feet in diameter is limited to one (1) on residential lots under one (1) acre in size.
  11. No satellite dish (ground or roof mounted) shall be linked physically or electronically to a receiver which is not located on the same lot, premises, or parcel of land as is the satellite dish.
  12. Wiring beneath a satellite dish and receiver shall be installed according to the specifications of the National Electrical Code.
  13. A satellite dish must be bonded to a grounding rod.
  14. Any driving motor exceeding fifty (50) volt power design shall require an electrical permit.
- b. Roof-mounted:
1. In the event that a usable satellite signal cannot be obtained by locating the antennae in the rear or side yard, such antennae may be placed on the roof of a primary or accessory structure.
  2. Satellite dishes shall be mounted directly upon the roof of a primary or accessory structure or on a ground anchored pole projecting through an eave of the structure. Satellite dishes shall not be mounted upon appurtenances such as chimneys, trees, or spires.
  3. For residential uses, a satellite dish shall not exceed a height of more than three (3) feet above the roof upon which it is mounted.
  4. In residential uses, a satellite dish shall not exceed eight (8) feet in diameter.
  5. A satellite dish shall be designed to withstand a wind force of eighty-five (85) miles per hour without the use of supporting guy wires.
  6. Any driving motor exceeding fifty (50) volt power design shall require an electrical permit.
  7. A satellite dish must be bonded to a grounding rod.
- (11) A small wind energy system shall be an accessory building in all zoning districts subject to the following requirements:
- a. Setbacks and location, as measured from the furthest outward extension of all moving parts.
    1. A STWES shall be set back a distance equal to its total height plus an additional five (5) feet from any occupied building, street or highway right-of-way; any overhead utility lines; all property lines; and any existing guy wire, anchor or small wind energy tower on the property.
    2. A SSWES shall be a minimum of fifteen (15) feet from the property line, public right-of-way, public easement, or overhead utility lines if mounted directly on a roof or other elevated surface of a structure.
    3. A SSWES shall not be affixed to the roof or wall of a structure facing a street.
    4. A STWES shall not be located in any front yard except for properties zoned and used for industrial purposes.
    5. The lowest extension of any blade or other exposed moving component of a WES shall be a least fifteen (15) feet above the ground as well as any outdoor surface intended for human use.
    6. Setbacks may be reduced to not less than twenty (20) feet if the applicant provides a registered engineer's certification that the WES is designed to collapse within a zone



smaller than the height of the tower, yet still remain within the owner's property or the applicant acquires an easement to meet the required setback distance.

- b. Access.
  - 1. All ground mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.
  - 2. The tower shall be designed and installed so as to not provide step bolts or a ladder readily accessible to the public for a minimum height of eight (8) feet above the ground.
- c. Electrical wires. All electrical wires associated with a small wind energy system, other than wires necessary to connect the wind generator to the wind tower wiring, the wind tower wiring to the disconnect junction box, and the grounding wires shall be located underground.
- d. Lighting. A wind tower and generator shall not be artificially lighted unless such lighting is required by the Federal Aviation Administration (FAA). Lighting of other parts of the small wind energy systems, such as appurtenant structures, shall be limited to that required for safety purposes, and shall be reasonably shielded from abutting properties.
- e. Appearance, color, and finish. The wind generator and wind tower shall remain painted or finished the color or finish that was originally applied by the manufacturer.
- f. Signs. All signs, other than the manufacturer's or installer's identification, appropriate warning signs, or owner identification on a wind generator, wind tower, building, or other structure associated with a small wind energy system visible from any public road shall be prohibited.
- g. Code compliance. A small wind energy system including wind tower shall comply with all applicable construction and electrical codes.
- h. Utility notification and interconnection. Small wind energy systems that connect to the electric utility shall comply with the public service commission regulations.
- i. Small wind energy systems may be attached to any building, including guy wires, provided the city approves the submittal of documentation sealed by an engineer licensed by the State of Michigan showing the proposed connection of the system to the structure and whether any additional reinforcing is required. The city may not be found liable for damage caused by noise or vibration created by the system.
- j. Meteorological towers shall be permitted under the same standards, permit requirements, restoration requirements, and permit procedures as a small wind energy system.
- k. Each property is eligible for two (2) small wind energy systems only, except properties of at least one (1) contiguous acre may be allowed one (1) additional system for each additional one-half ( $\frac{1}{2}$ ) acre or portion thereof.
- l. A small wind energy system that is out-of-service for a continuous six-month period will be deemed to have been abandoned. The zoning administrator may issue a notice of abandonment to the owner of a small wind energy system that is deemed to have been abandoned. The owner shall have the right to respond in writing to the notice of abandonment setting forth the reasons for operational difficulty and providing a reasonable timetable for corrective action, within thirty (30) days from the date of the notice. The administrator shall withdraw the notice of abandonment and notify the owner that the notice has been withdrawn if the owner provides information that demonstrates the wind energy system has not been abandoned.
- m. If the small wind energy system is determined to be abandoned, the owner of a small wind energy system shall remove the wind generator from the wind tower at the owner's sole expense within ninety (90) days of the date of the notice of abandonment. If the owner fails

to remove the wind generator from the wind tower, the administrator may pursue a legal action to have the wind generator removed at the owner's expense.

- o. Noise emanating from a small wind energy system shall not exceed fifty (50) dB(A) as measured from any offsite habitable structure or fifty-five (55) dB(A) to any lot line.
- p. Wind energy systems shall not interfere with communication systems such as radio, telephone, television, satellite, emergency communications, or Wi-Fi.
- q. Shadow flicker created by a STWES shall not exceed thirty (30) hours per year as observed on the windows or outdoor spaces (such as porches, patios, and decks) of any offsite building intended for human habitation or occupation. The zoning administrator may request a study to demonstrate the impact of a WES proposal.
- r. Public inquires and complaints by an aggrieved property owner that alleges that a STWES or SSWES does not meet noise or shadow flicker requirements shall be processed as follows:
  - 1. The property owner shall notify the city in writing regarding the concerns related to noise and/or shadow flicker.
  - 2. If the city zoning administrator or engineer deem the complaint sufficient to warrant an investigation, the city will request the aggrieved party to deposit funds in an amount sufficient to pay for a noise level test conducted by a certified acoustic technician and/or a shadow flicker study as performed by a professional.
  - 3. If the tests(s) show that the WES does not exceed the noise or shadow flicker requirements of this chapter, the city will use the deposit to pay for the test.
  - 4. If the WES is violating this chapter's noise requirements, the owner(s) shall reimburse the city for the testing and take immediate action to bring the WES into compliance, include ceasing operation of the WES till the violations are corrected. The city will refund the deposit to the aggrieved property owner.

SECTION 3. SEVERABILITY. The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of this Ordinance as a whole or any section or provision of this Ordinance other than the section or provision so declared to be unconstitutional or invalid.

SECTION 4. INCONSISTENT ORDINANCES. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are repealed.

SECTION 5. EFFECTIVE DATE. This amendment shall become effective January 11, 2016.

SECTION 6. 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.



MEMORANDUM

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

DATE: December 3, 2015
TO: Mayor Frederick and the Owosso City Council
FROM: Susan Montenegro, assistant city manager / community development director
SUBJECT: The Planning Commission voted at its regular meeting on July 27, 2015 to rezone the following addresses along the M-71 Corridor to reduce spot zoning and follow the future land use plan as outlined in the 2012 Master Plan.

RECOMMENDATION:

The Planning Commission recommends zoning changes to the ordinance that would rezone the following addresses to reduce spot zoning and encourage economic growth and development along the M-71 Corridor. The addresses and recommended changes are as follows:

Table with 4 columns: Parcel Address, Parcel Number, Current Zoning, Proposed Zoning. Rows include addresses like 424 Maple, 416 Maple, 637 Corunna Ave, etc.

Classifications

- R1 – One family residential
R2 – Two family residential
RM-1 Multiple-family residential
B4 – General business district
I1 – Light industrial
I2 – General industrial

BACKGROUND:

The Planning Commission continues to address areas of spot zoning within the city limits to correct the zoning and bring land use into conformity with the Master Plan. The parcels were originally presented to Council August 17, 2015 but no action was taken because they were mistakenly associated with the Trebor properties.

FISCAL IMPACTS:

No fiscal impacts.

Document originated by: Susan Montenegro

**ORDINANCE NO.**

**AN ORDINANCE AMENDING CHAPTER 38 ZONING OF THE CODE OF ORDINANCES TO REZONE VARIOUS PARCELS OF REAL PROPERTY ALONG THE M-71 CORRIDOR AND AMEND THE ZONING MAP**

WHEREAS, the City of Owosso adopted a Master Plan in 2012 which includes a future land use plan; and

WHEREAS, the Planning Commission desires to carefully implement prudent changes suggested by the Master Plan; and

WHEREAS, the Planning Commission recommends the rezoning of select parcels in the area to reduce spot zoning and create an area with effective zoning for potential development and economic growth while land owners to maintain the current use of their property if they so desire; and

WHEREAS, the Planning Commission published and mailed notices for the rezoning, held a public hearing at its regular meeting on July 27, 2015, and deliberated on the rezoning; and

WHEREAS, the Planning Commission finds that the proposed rezonings meet 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 parcels:

<b>Parcel Address</b>	<b>Parcel Number</b>	<b>Current Zoning</b>	<b>Proposed Zoning</b>
424 Maple	050-710-000-001-00	R-2	R-1
416 Maple	050-710-000-003-00	R-2	R-1
637 Corunna Ave	050-710-000-002-00	R-2	R-1
633 Corunna Ave	050-542-000-019-00	R-2	R-1
706 Corunna Ave	050-542-000-032-00	RM-1	B-4
625 Huron	050-542-000-022-00	I-2	I-1
460 E. Howard	050-680-003-004-00	R-2	I-1
452 E. Howard	050-680-003-003-00	R-2	I-1
446 E. Howard	050-680-003-002-00	R-2	I-1
440 E. Howard	050-680-003-001-00	R-2	I-1
509 S. Saginaw	050-651-018-002-00	I-2	I-1
S. Washington	050-651-000-005-00	I-2	I-1

and

WHEREAS, the City Council held a public hearing December 21, 2015, heard all interested persons, 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 of the Code of Ordinances of the City of Owosso.

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 changes, to be noted on the official map and filed with the city clerk:

<b>Parcel Address</b>	<b>Parcel Number</b>	<b>Current Zoning</b>	<b>Proposed Zoning</b>
424 Maple	050-710-000-001-00	R-2	R-1
416 Maple	050-710-000-003-00	R-2	R-1
637 Corunna Ave	050-710-000-002-00	R-2	R-1
633 Corunna Ave	050-542-000-019-00	R-2	R-1
706 Corunna Ave	050-542-000-032-00	RM-1	B-4
625 Huron	050-542-000-022-00	I-2	I-1
460 E. Howard	050-680-003-004-00	R-2	I-1
452 E. Howard	050-680-003-003-00	R-2	I-1
446 E. Howard	050-680-003-002-00	R-2	I-1
440 E. Howard	050-680-003-001-00	R-2	I-1
509 S. Saginaw	050-651-018-002-00	I-2	I-1
S. Washington	050-651-000-005-00	I-2	I-1

SECTION 2. 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 3. EFFECTIVE DATE. This amendment shall become effective January 11, 2016.

# City of Owosso

## M 71 Corridor Rezoning Map

### Legend

#### Zoning

 <all other values>

#### Z\_PRIMARY

 <Null>



 B1

 B2

 B3

 B4

 C-OS

 I1

 I2

 OS1

 P1

 PUD

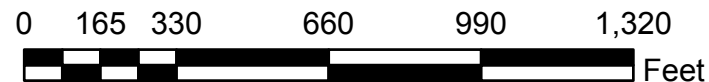
 R1

 R2

 RM1

 RM2

 Shiawassee\_River





## MEMORANDUM

---

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

---

**DATE:** December 3, 2015

**TO:** Mayor Frederick and the Owosso City Council

**FROM:** Susan Montenegro  
Asst. City Manager/Community Development Director

**SUBJECT:** Conduct first reading and set a public hearing for December 21, 2015 to receive citizen comment regarding the request to rezone the parcel commonly known as 401 E. Howard Street, from I-2, General Industrial District to I-1, Light Industrial District.

### RECOMMENDATION:

The Planning Commission and city staff recommend city council set a public hearing for December 21, 2015 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed rezoning request.

### BACKGROUND:

The city is in receipt of a rezoning request from Jed Dingens, Architect, on behalf of Robert Selleck to rezone the parcel located at 401 E. Howard Street from I-2, General Industrial District to I-1, Light Industrial District to increase the useable land space for his business.

The planning commission, after mailing notices and holding a public hearing, voted at its regular meeting on November 23, 2015 to rezone parcel 050-680-002-003-00, also known as 401 E. Howard Street. The rezoning request is in line with other uses along this street and within this area. Current zoning on this block is mixed between industrial and residential use. The Master Plan indicates the following:

#### 7.12 INDUSTRIAL

This district is designed to accommodate wholesale activities, warehouses and industrial operations whose external, physical effects are restricted to the area of the district and in no manner affect in a detrimental way any of the surrounding districts. The I-1 light industrial district is so structured as to permit, along with any specified uses, the manufacturing, compounding, processing, packaging, assembly and/or treatment of finished or semi-finished products from previously prepared material. The general goals of these use districts include, among others, the following specific purposes:

- To provide sufficient space, in appropriate locations, to meet the needs of the city's expected future economy for all types of manufacturing and related uses;
- To protect abutting residential districts by separating them from manufacturing activities, and by prohibiting the use of such industrial areas for new residential development;
- To promote manufacturing development which is free from danger of fire, explosions, toxic and noxious matter, radiation and other hazards, and from offensive noise, vibration, smoke, odor and other objectionable influences;
- To promote the most desirable use of land in accordance with the plan; and

- To protect the character and established pattern of adjacent development, and in each area to conserve the value of land and buildings and other structures, and to protect the city's tax revenue.

Heavier industrial operations that are related to the processing of raw materials, storage of petroleum, and power generation plants are permissible in the city in the I-2 general industrial district. Because of the intensity and performance of such uses, these should be limited to areas of extreme isolation and/or compatibility. Locations along the rail lines in the center of the community are no longer appropriate. These uses have obvious economic benefits; however, integration of these uses with the community must be achieved in order to preserve the character of the city. These zoning classifications should be reconsidered with a new zoning provision that provides for all uses as of right or as a special land use in a single zoning classification.

Note: Details regarding the planning commission consideration of this request can be found in the November 23, 2015 minutes which are included as a Communication with this packet.

**FISCAL IMPACTS:**

There are no direct fiscal impacts for the city

Document originated by: Susan Montenegro



**ORDINANCE NO.**

**AMENDING CHAPTER 38 ZONING OF THE CODE OF ORDINANCES  
TO REZONE THE PARCEL OF REAL PROPERTY  
AT 401 E. HOWARD STREET  
AND AMEND THE ZONING MAP**

WHEREAS, the city of Owosso received a petition from the land owner of real property identified as 401 E. Howard Street, parcel 050-680-002-003-00, lots 7 8 9 BLK 2 (EX AARR R/W) WILLIAMS & LYONS ADD to rezone the parcel from I-2 General Industrial to I-1 Light Industrial; and

WHEREAS, the planning commission published notice of the request, 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 parcel 050-680-002-003-00, 401 E. Howard Street from I-2 General Industrial to I-1 Light Industrial district; and

WHEREAS, the City Council held a public hearing on December 21, 2015, heard all interested parties, and deliberated on the request; and

WHEREAS, the City Council find 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 of the Code of Ordinances of the City of Owosso.

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

Chapter 38, Zoning Code of the City of Owosso be amended as follows:

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:

<b>Parcel Address</b>	<b>Parcel Number</b>	<b>Current Zoning</b>	<b>Amended Zoning</b>
401 E. Howard Street	050-680-002-003-00	I-2 General Industrial	I-1 Light Industrial

SECTION 2. 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 3. EFFECTIVE DATE. This amendment shall become effective January 11, 2016.

APPLICATION FOR REZONING  
CITY OF OWOSSO

301 W. Main Street, Owosso, Michigan 48867, TX 989-725-0540, FX 989-723-8854

**Note to Applicants:**

1. In order that this application may be processed, the applicant must completely fill in the application and make a non-refundable payment of Three Hundred Dollars (\$300) to the Treasurer's Office, to cover costs associated with the processing.
2. The applicant or his/her representative must be present at the Planning Commission and City Council public hearings for action to be taken on this request.

**TO THE OWOSSO CITY COUNCIL:**

I, (we), the undersigned, do hereby respectfully make application and petition the City Council to amend the Zoning Ordinance and change the Zoning Map as hereinafter requested,

1. PROPERTY TO BE REZONED: Street Address 401 E. Howard Street  
Description: (lot, block or metes and bounds) E. Howard between Division Street and Hamlin Street  
Hexagonal lot at bend in E. Howard St., which also continues into property.  
Frontage in Feet 126' Depth in Feet 122' IRREGULAR
2. PROPERTY OWNERSHIP: (Name, Address, and Phone Number)  
Carrie Reid Hoag 401 E. Howard Street 989.723.8145
3. ZONING REQUEST Current Zoning I-1 & I-2 Requested Zoning I-1  
Proposed Use of the Property Industrial Production, Handling and Storage

Indicate why, in your opinion, the requested change is consistent with the Ordinance in promoting and protecting the public health, safety, peace, morals, comfort, convenience and general welfare of the inhabitants of the City of Owosso:

Rezoning property from I-2 to I-1 would allow for a usage more consistent with current business operations. This would also create a more unified usage and zoning designation across different properties on campus. Campus wide obscure screening and product handling logistics requirements under I-1 become more consistent and reflective of uses allowed by Planning Commission indicated in Aug. 27, 2001 Planning Commission resolution.

The above information has been submitted in support of the rezoning and is accurate and truthful to the best of our knowledge.

C.H. X Carrie Reid Hoag  
(Signature of Applicant)  
B.S. X [Signature]  
(Signature of Co-Applicant)

434 E. HOWARD, OWOSSO  
(Address) 989-723-8145  
(Phone)

- Legal Representative  
 Owner  
 Option to Purchase

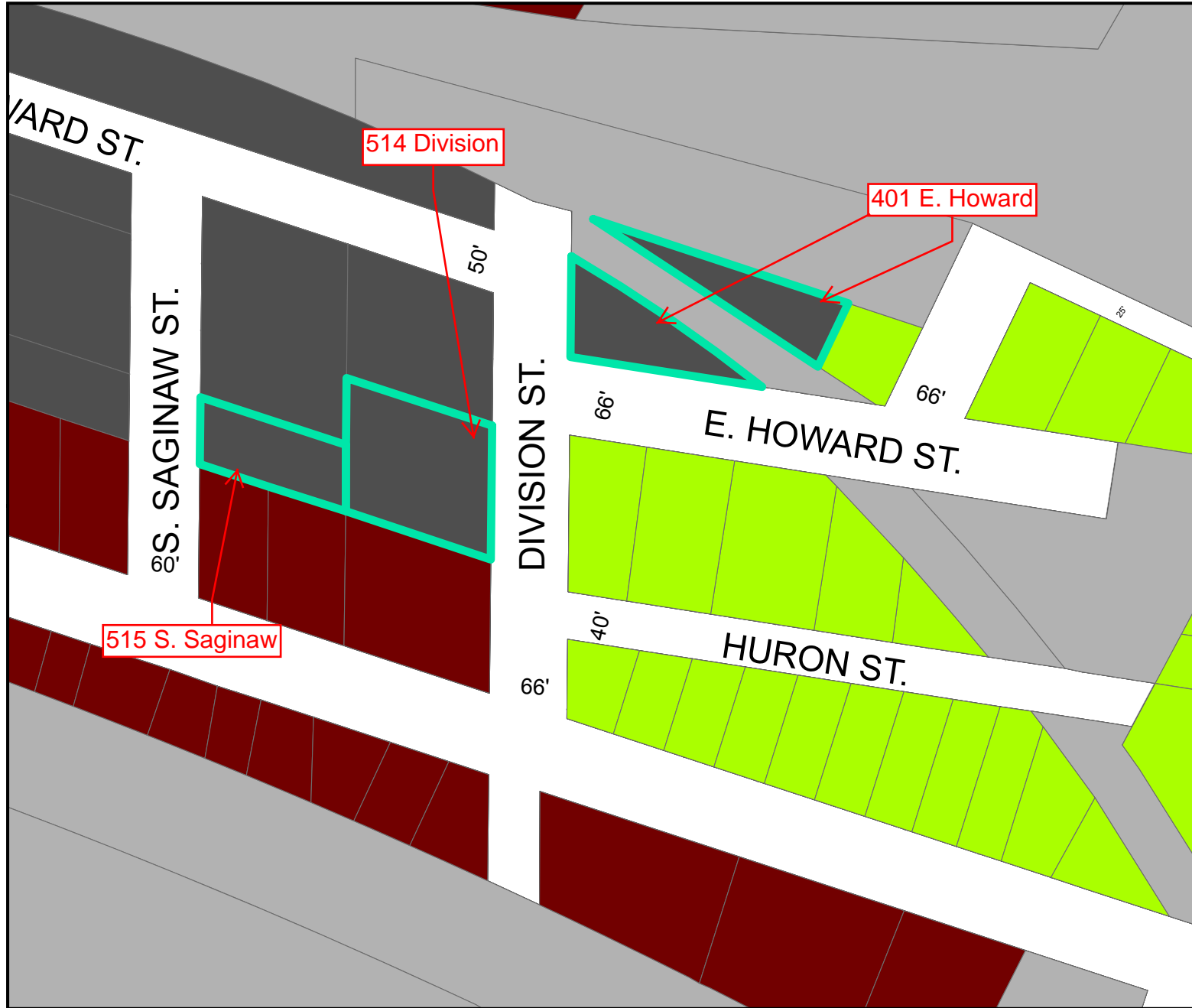
**FOR OFFICIAL USE ONLY**

Case # \_\_\_\_\_  
Receipt # \_\_\_\_\_  
Date Filed \_\_\_\_\_  
Description Checked \_\_\_\_\_

Planning Commission Hearing Date \_\_\_\_\_  
Action Taken \_\_\_\_\_  
City Council Hearing Date \_\_\_\_\_  
Action Taken \_\_\_\_\_

# City of Owosso

401 E. Howard Street  
 514 Division Street  
 515 S. Saginaw Street



## Legend

### Zoning

<all other values>

### Z\_PRIMARY

<Null>

<Null>

B1

B2

B3

B4

C-OS

I1

I2

OS1

P1

PUD

R1

R2

RM1

RM2

City Parcels 2015 Edition

Tax ID

November 3, 2015





## MEMORANDUM

---

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

---

**DATE:** December 3, 2015

**TO:** Mayor Frederick and the Owosso City Council

**FROM:** Susan Montenegro  
Asst. City Manager/Community Development Director

**SUBJECT:** Conduct first reading and set a public hearing for December 21, 2015 to receive citizen comment regarding the request to rezone the parcel commonly known as 514 Division Street, from I-2, General Industrial District to I-1, Light Industrial District.

### RECOMMENDATION:

The Planning Commission and city staff recommend city council set a public hearing for December 21, 2015 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed rezoning request.

### BACKGROUND:

The city is in receipt of a rezoning request filed by Jed Dingens, Architect, on behalf of Robert Selleck to rezone the parcel located at 514 Division Street from I-2, General Industrial District to I-1, Light Industrial District to increase the useable land space for his business.

The planning commission, after mailing notices and holding a public hearing, voted at its regular meeting on November 23, 2015 to rezone parcel 050-651-018-003-00, also known as 514 Division Street. The rezoning request is in line with other uses along this street and within this area. Current zoning on this block is mixed between industrial and residential use. The Master Plan indicates the following:

#### 7.12 INDUSTRIAL

This district is designed to accommodate wholesale activities, warehouses and industrial operations whose external, physical effects are restricted to the area of the district and in no manner affect in a detrimental way any of the surrounding districts. The I-1 light industrial district is so structured as to permit, along with any specified uses, the manufacturing, compounding, processing, packaging, assembly and/or treatment of finished or semi-finished products from previously prepared material. The general goals of these use districts include, among others, the following specific purposes:

- To provide sufficient space, in appropriate locations, to meet the needs of the city's expected future economy for all types of manufacturing and related uses;
- To protect abutting residential districts by separating them from manufacturing activities, and by prohibiting the use of such industrial areas for new residential development;
- To promote manufacturing development which is free from danger of fire, explosions, toxic and noxious matter, radiation and other hazards, and from offensive noise, vibration, smoke, odor and other objectionable influences;

- To promote the most desirable use of land in accordance with the plan; and
- To protect the character and established pattern of adjacent development, and in each area to conserve the value of land and buildings and other structures, and to protect the city's tax revenue.

Heavier industrial operations that are related to the processing of raw materials, storage of petroleum, and power generation plants are permissible in the city in the I-2 general industrial district. Because of the intensity and performance of such uses, these should be limited to areas of extreme isolation and/or compatibility. Locations along the rail lines in the center of the community are no longer appropriate. These uses have obvious economic benefits; however, integration of these uses with the community must be achieved in order to preserve the character of the city. These zoning classifications should be reconsidered with a new zoning provision that provides for all uses as of right or as a special land use in a single zoning classification.

Note: Details regarding the planning commission consideration of this request can be found in the November 23, 2015 minutes which are included as a Communication with this packet.

**FISCAL IMPACTS:**

There are no direct fiscal impacts for the city

Document originated by: Susan Montenegro

**ORDINANCE NO.**

**AMENDING CHAPTER 38 ZONING OF THE CODE OF ORDINANCES  
TO REZONE THE PARCEL OF REAL PROPERTY  
AT 514 DIVISION STREET  
AND AMEND THE ZONING MAP**

WHEREAS, the city of Owosso received a petition from the land owner of real property identified as 514 Division Street, parcel 050-651-018-003-00, LOTS 5 & 8 BLK 18 A L WILLIAMS ADD INCLUDING 1/2 CLOSED ALLEY to rezone the parcel from I-2 General Industrial to I-1 Light Industrial; and

WHEREAS, the planning commission published notice of the request, 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 parcel 050-651-018-003-00, 514 Division Street from I-2 General Industrial to I-1 Light Industrial district; and

WHEREAS, the City Council held a public hearing December 21, 2015, heard all interested persons, 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 of the Code of Ordinances of the City of Owosso.

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

Chapter 38, Zoning Code of the City of Owosso be amended as follows:

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:

<b>Parcel Address</b>	<b>Parcel Number</b>	<b>Current Zoning</b>	<b>Amended Zoning</b>
514 Division Street	050-651-018-003-00	I-2 General Industrial	I-1 Light Industrial

SECTION 2. 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 3. EFFECTIVE DATE. This amendment shall become effective January 11, 2016.

APPLICATION FOR REZONING

CITY OF OWOSSO

301 W. Main Street, Owosso, Michigan 48867, TX 989-725-0540, FX 989-723-8854

Note to Applicants:

1. In order that this application may be processed, the applicant must completely fill in the application and make a non-refundable payment of Three Hundred Dollars (\$300) to the Treasurer's Office, to cover costs associated with the processing.
2. The applicant or his/her representative must be present at the Planning Commission and City Council public hearings for action to be taken on this request.

TO THE OWOSSO CITY COUNCIL:

I, (we), the undersigned, do hereby respectfully make application and petition the City Council to amend the Zoning Ordinance and change the Zoning Map as hereinafter requested,

1. PROPERTY TO BE REZONED: Street Address 514 Division Street  
Description: (lot, block or metes and bounds) East side of Division Street between E. Howard Street and Corunna Avenue  
Frontage in Feet 56' Depth in Feet 117'-6"
2. PROPERTY OWNERSHIP: (Name, Address, and Phone Number)  
Robert "Bob" Selleck 514 Division Street 989.798.7019
3. ZONING REQUEST Current Zoning I-2 Requested Zoning I-1  
Proposed Use of the Property Industrial Production, Handling and Storage

Indicate why, in your opinion, the requested change is consistent with the Ordinance in promoting and protecting the public health, safety, peace, morals, comfort, convenience and general welfare of the inhabitants of the City of Owosso:

Rezoning property from I-2 to I-1 would allow for a usage more consistent with current business operations. This would also create a more unified usage and zoning designation across different properties on campus. Campus wide obscure screening and product handling logistics requirements under I-1 become more consistent and reflective of uses allowed by Planning Commission indicated in Aug. 27, 2001 Planning Commission resolution.

The above information has been submitted in support of the rezoning and is accurate and truthful to the best of our knowledge.

B.S.  
X [Signature]  
(Signature of Applicant)  
C.H. [Signature]  
(Signature of Co-Applicant)

330 HOWARD ST  
(Address)  
989-723-8145  
(Phone)

- Legal Representative
- Owner
- Option to Purchase

FOR OFFICIAL USE ONLY

Case # \_\_\_\_\_  
Receipt # \_\_\_\_\_  
Date Filed \_\_\_\_\_  
Description Checked \_\_\_\_\_

Planning Commission Hearing Date \_\_\_\_\_  
Action Taken \_\_\_\_\_  
City Council Hearing Date \_\_\_\_\_  
Action Taken \_\_\_\_\_

# City of Owosso

401 E. Howard Street  
514 Division Street  
515 S. Saginaw Street



## Legend

### Zoning

<all other values>

### Z\_PRIMARY

<Null>

<Null>

B1

B2

B3

B4

C-OS

I1

I2

OS1

P1

PUD

R1

R2

RM1

RM2

City Parcels 2015 Edition

Tax ID

November 3, 2015







## MEMORANDUM

Memo, application, and map reprinted from the meeting of December 7, 2015.

---

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

---

**DATE:** December 3, 2015

**TO:** Mayor Frederick and the Owosso City Council

**FROM:** Susan Montenegro  
Asst. City Manager/Community Development Director

**SUBJECT:** Conduct first reading and set a public hearing for December 21, 2015 to receive citizen comment regarding the request to rezone the parcel commonly known as 515 S. Saginaw Street, from I-2, General Industrial District to I-1, Light Industrial District.

### RECOMMENDATION:

The Planning Commission and city staff recommend city council set a public hearing for December 21, 2015 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed rezoning request.

### BACKGROUND:

The city is in receipt of a rezoning request filed by Jed Dingens, Architect, on behalf of Robert Selleck to rezone the parcel located at 515 S. Saginaw Street from I-2, General Industrial District to I-1, Light Industrial District to increase the useable land space for his business.

The planning commission, after mailing notices and holding a public hearing, voted at its regular meeting on November 23, 2015 to rezone parcel 050-651-018-004-00, also known as 515 S. Saginaw Street. The rezoning request is in line with other uses along this street and within this area. Current zoning on this block is mixed between industrial and residential use. The Master Plan indicates the following:

### 7.12 INDUSTRIAL

This district is designed to accommodate wholesale activities, warehouses and industrial operations whose external, physical effects are restricted to the area of the district and in no manner affect in a detrimental way any of the surrounding districts. The I-1 light industrial district is so structured as to permit, along with any specified uses, the manufacturing, compounding, processing, packaging, assembly and/or treatment of finished or semi-finished products from previously prepared material. The general goals of these use districts include, among others, the following specific purposes:

- To provide sufficient space, in appropriate locations, to meet the needs of the city's expected future economy for all types of manufacturing and related uses;
- To protect abutting residential districts by separating them from manufacturing activities, and by prohibiting the use of such industrial areas for new residential development;

- To promote manufacturing development which is free from danger of fire, explosions, toxic and noxious matter, radiation and other hazards, and from offensive noise, vibration, smoke, odor and other objectionable influences;
- To promote the most desirable use of land in accordance with the plan; and
- To protect the character and established pattern of adjacent development, and in each area to conserve the value of land and buildings and other structures, and to protect the city's tax revenue.

Heavier industrial operations that are related to the processing of raw materials, storage of petroleum, and power generation plants are permissible in the city in the I-2 general industrial district. Because of the intensity and performance of such uses, these should be limited to areas of extreme isolation and/or compatibility. Locations along the rail lines in the center of the community are no longer appropriate. These uses have obvious economic benefits; however, integration of these uses with the community must be achieved in order to preserve the character of the city. These zoning classifications should be reconsidered with a new zoning provision that provides for all uses as of right or as a special land use in a single zoning classification.

Note: Details regarding the planning commission consideration of this request can be found in the November 23, 2015 minutes which are included as a Communication with this packet.

**FISCAL IMPACTS:**

There are no direct fiscal impacts for the city

Document originated by: Susan Montenegro

**ORDINANCE NO.**

**AMENDING CHAPTER 38 ZONING OF THE CODE OF ORDINANCES  
TO REZONE THE PARCEL OF REAL PROPERTY  
AT 515 S. SAGINAW STREET  
AND AMEND THE ZONING MAP**

WHEREAS, the city of Owosso received a petition from the land owner of real property identified as 515 S. Saginaw Street, parcel 050-651-018-004-00, LOTS 7 BLK 18 A L WILLIAMS ADD INCLUDING 1/2 CLOSED ALLEY to rezone the parcel from I-2 General Industrial to I-1 Light Industrial; and

WHEREAS, the planning commission published notice of the request, 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 parcel 050-651-018-004-00, 515 S. Saginaw Street from I-2 General Industrial to I-1 Light Industrial district; and

WHEREAS, the City Council held a public hearing December 21, 2015, heard all interested persons, 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 of the Code of Ordinances of the City of Owosso.

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

Chapter 38, Zoning Code of the City of Owosso be amended as follows:

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:

<b>Parcel Address</b>	<b>Parcel Number</b>	<b>Current Zoning</b>	<b>Amended Zoning</b>
515 S. Saginaw Street	050-651-018-004-00	I-2 General Industrial	I-1 Light Industrial

SECTION 2. 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 3. EFFECTIVE DATE. This amendment shall become effective January 11, 2016.

APPLICATION FOR REZONING  
CITY OF OWOSSO

301 W. Main Street, Owosso, Michigan 48867, TX 989-725-0540, FX 989-723-8854

**Note to Applicants:**

1. In order that this application may be processed, the applicant must completely fill in the application and make a non-refundable payment of Three Hundred Dollars (\$300) to the Treasurer's Office, to cover costs associated with the processing.
2. The applicant or his/her representative must be present at the Planning Commission and City Council public hearings for action to be taken on this request.

**TO THE OWOSSO CITY COUNCIL:**


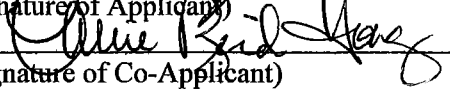
I, (we), the undersigned, do hereby respectfully make application and petition the City Council to amend the Zoning Ordinance and change the Zoning Map as hereinafter requested,

1. PROPERTY TO BE REZONED: Street Address 515 S. Saginaw Street  
Description: (lot, block or metes and bounds) West side of S. Saginaw Street between E. Howard Street and Corunna Avenue  
Frontage in Feet 105' Depth in Feet 117'-6"
2. PROPERTY OWNERSHIP: (Name, Address, and Phone Number)  
Robert "Bob" Selleck 515 S. Saginaw Street 989.798.7019
3. ZONING REQUEST Current Zoning I-2 Requested Zoning I-1  
Proposed Use of the Property Industrial Production, Handling and Storage

Indicate why, in your opinion, the requested change is consistent with the Ordinance in promoting and protecting the public health, safety, peace, morals, comfort, convenience and general welfare of the inhabitants of the City of Owosso:

Rezoning property from I-2 to I-1 would allow for a usage more consistent with current business operations. This would also create a more unified usage and zoning designation across different properties on campus. Campus wide obscure screening and product handling logistics requirements under I-1 become more consistent and reflective of uses allowed by Planning Commission indicated in Aug. 27, 2001 Planning Commission resolution.

The above information has been submitted in support of the rezoning and is accurate and truthful to the best of our knowledge.

B.S. X  
C.H. X  
  
(Signature of Applicant)  
  
(Signature of Co-Applicant)

330 HOWARD ST  
(Address)  
989-723-8145  
(Phone)

- Legal Representative
- Owner
- Option to Purchase

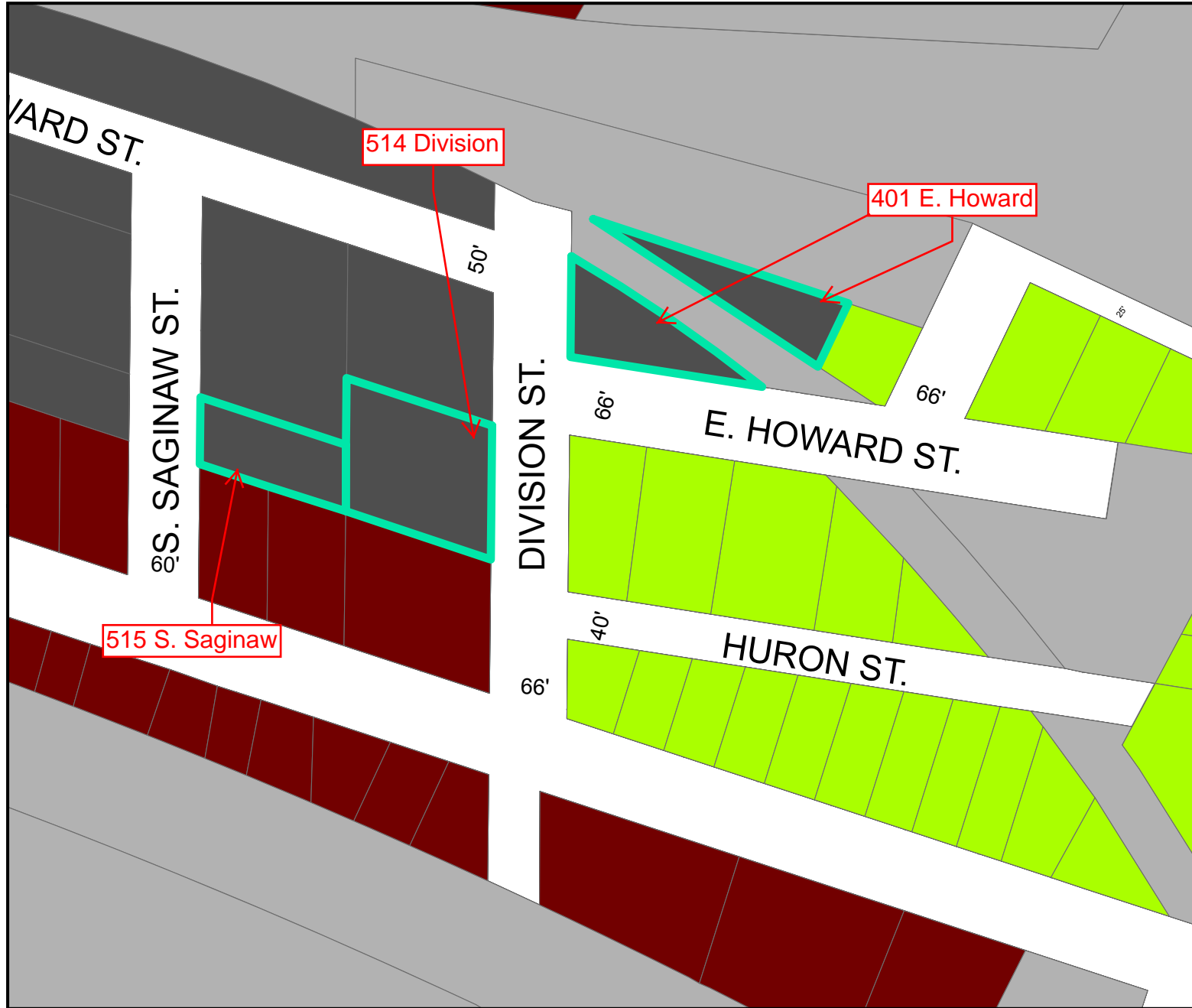
**FOR OFFICIAL USE ONLY**

Case # \_\_\_\_\_  
Receipt # \_\_\_\_\_  
Date Filed \_\_\_\_\_  
Description Checked \_\_\_\_\_

Planning Commission Hearing Date \_\_\_\_\_  
Action Taken \_\_\_\_\_  
City Council Hearing Date \_\_\_\_\_  
Action Taken \_\_\_\_\_

# City of Owosso

401 E. Howard Street  
514 Division Street  
515 S. Saginaw Street



## Legend

### Zoning

<all other values>

### Z\_PRIMARY

<Null>

<Null>

B1

B2

B3

B4

C-OS

I1

I2

OS1

P1

PUD

R1

R2

RM1

RM2

City Parcels 2015 Edition

Tax ID

November 3, 2015





## MEMORANDUM

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

**DATE:** December 16, 2015

**TO:** Mayor Frederick and the Owosso City Council

**FROM:** Susan Montenegro  
Asst. City Manager/Community Development Director

**SUBJECT:** Set Public Hearing - Rezoning of 820 E. Main Street

### RECOMMENDATION:

The Planning Commission and city staff recommend amending the zoning ordinance to rezone parcel 050-580-000-068-00, 820 E. Main Street, from RM-1 Multi-Family Residential District to B-4 General Business District.

### BACKGROUND:

The City is in receipt of a rezoning request from Michael Kovich to rezone the parcel located at 820 E. Main Street from RM-1, Multi-Family Residential District to B-4, General Business District. Mr. Kovich believes this would give more opportunity for business to expand in that particular block, especially since the corner node at Main and Gould Street was recently rezoned to a B-4 designation.

The Planning Commission, after mailing notices and holding a public hearing, voted at its regular meeting on December 14, 2015 to rezone parcel 050-580-000-068-00, also known as 820 E. Main Street. The rezoning request is in line with other uses along this street.

Staff has no objection to the proposed rezoning.

City Code Section 38-555 lists the criteria when considering the rezoning of a property as follows:

#### **Sec. 38-555. Criteria for amendment of the official zoning map.**

In considering any petition for an amendment to the official zoning map, the planning commission and city council shall consider the following criteria in making its findings, recommendations and decision:

- (1) Consistency with the goals, policies, and future land use map of the City of Owosso Master Plan. If conditions upon which the master plan was developed (such as market factors, demographics, infrastructure, traffic and environmental issues) have changed significantly since the master plan was adopted, as determined by the city, the planning commission and council shall consider the consistency with recent development trends in the area.
- (2) Compatibility of the site's physical, geological, hydrological, and other environmental features with the host of uses permitted in the proposed zoning district.
- (3) Evidence the applicant cannot receive a reasonable return on investment through developing the property with at least one (1) use permitted under the current zoning.

- (4) The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.
- (5) The capacity of the city's infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety, and welfare."
- (6) The apparent demand for the types of uses permitted in the requested zoning district in relation to the amount of land currently zoned and available to accommodate the demand.
- (7) The request has not previously been submitted within the past one (1) year, unless conditions have changed or new information has been provided.
- (8) Other factors deemed appropriate by the planning commission and city council.

**FISCAL IMPACTS:**

There are no direct fiscal impacts to the City presented by the rezoning.

Document originated by: Susan Montenegro

**ORDINANCE NO.**

**AMENDING CHAPTER 38 ZONING OF THE CODE OF ORDINANCES  
TO REZONE A PARCEL OF REAL PROPERTY  
ON 820 E. MAIN STREET  
AND AMEND THE ZONING MAP**

WHEREAS, the city of Owosso received a petition from a land owner of real property identified as 820 E. Main Street, parcel 050-580-000-068-00, LOTS 78 & 79 STAFFORD GARDNER & TRANKLES CENTRAL ADD EXC N 5' OF LOT 79, to rezone the parcel from RM-1 Residential-Multiple Family District to B-4 General Business District; and

WHEREAS, the planning commission published the request, 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 parcel 050-580-000-068-00, 820 E. Main Street from RM-1 Residential-Multiple Family District to B-4 General Business District; and

WHEREAS, the item must now be considered by 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:

Chapter 38, Zoning Code of the City of Owosso be amended as follows:

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:

<b>Parcel Address</b>	<b>Parcel Number</b>	<b>Current Zoning</b>	<b>Amended Zoning</b>
820 E. Main Street	050-580-000-068-00	RM-1 Residential – Multiple Family	B-4 General Business

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, January 4, 2016 at or about 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.



APPLICATION FOR REZONING  
CITY OF OWOSSO

301 W. Main Street, Owosso, Michigan 48867, TX 989-725-0540, FAX 989-723-8854

Note to Applicants:

1. In order that this application may be processed, the applicant must completely fill in the application and make a payment of Three Hundred Dollars (\$300) to the treasurer's office, to cover costs associated with the processing. Checks are to be made out to "City of Owosso".
2. The applicant or his/her representative must be present at the planning commission and city council public hearings for action to be taken on this request.
3. Application must be received by the end of the previous month before planning commission meeting. City council will address the rezoning at the following council meeting after planning commission meeting makes its recommendations for the rezoning.

TO THE OWOSSO CITY COUNCIL:

I, (we), the undersigned, do hereby respectfully make application and petition the city council to amend the zoning ordinance and change the zoning map as hereinafter requested,

1. PROPERTY TO BE REZONED: Street address 820 E. MAIN ST.  
Description: (lot, block or metes and bounds) LOTS 78 AND 79 OF THE PLAT OF STAFFORD, GARDNER AND TRANKLE'S CENTRAL ADDITION TO THE CITY OF OWOSSO.  
Frontage in feet 88' Depth in feet 88'
2. PROPERTY OWNERSHIP: (Name, Address, and Phone Number)  
Michael J. Kovich - 1940 BRIARCLIFF BLVD., OWOSSO, MI 48867  
989-723-6891
3. ZONING REQUEST Current zoning RESIDENTIAL Requested zoning COMMERCIAL  
Proposed use of the property FUTURE COMMERCIAL SALE.  
The trend clearly appears to be leaning towards commercializing  
properties within THIS BLOCK OF EAST MAIN STREET.

Indicate why, in your opinion, the requested change is consistent with the ordinance in promoting and protecting the public health, safety, peace, morals, comfort, convenience and general welfare of the inhabitants of the city of Owosso:

The above information has been submitted in support of the rezoning and is accurate and truthful to the best of our knowledge.

Michael J. Kovich  
(Signature of applicant)

1940 BRIARCLIFF BLVD, OWOSSO, MI  
(Address) 48867

\_\_\_\_\_  
(Signature of co-applicant)

989 723-6891  
(Phone)

- \_\_\_\_ Legal representative
- Owner
- \_\_\_\_ Option to purchase



Kaye Grubba - Shiawassee Co. DQU

3112959  
Page: 1 of 2  
11/25/2003 12:17P  
L-1051 P-399

LF298-04  
R298-04

# QUITCLAIM DEED

~~THIS QUITCLAIM DEED~~, executed this 25 day of NOVEMBER, 2003,  
by first party, Grantor, WILLIAM J. KOVICH, A SINGLE MAN  
whose post office address is 820 E. MAIN ST., OWOSSO, MICHIGAN 48867  
to second party, Grantee, WILLIAM J. KOVICH AND MICHAEL J. KOVICH  
whose post office address is 820 E. MAIN ST., OWOSSO, MICHIGAN 48867

**WITNESSETH**, That the said first party, for good consideration and for the sum of  
ZERO DOLLARS Dollars (\$0.00)  
paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release  
and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first  
party has in and to the following described parcel of land, and improvements and appurtenances thereto in  
the County of SHIAWASSEE, State of MICHIGAN to wit:

LOTS 78 AND 79 OF THE PLAT OF STAFFORD, GARDNER AND TRANKLE'S  
CENTRAL ADDITION TO THE CITY OF OWOSSO, SHIAWASSEE COUNTY,  
MICHIGAN.

RECEIVED NOV 25 2003

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of:

Meredith L. Keating  
Signature of Witness

Meredith L. Keating  
Print name of Witness

Nancy L. Blair  
Signature of Witness

Nancy L. Blair  
Print name of Witness

William J. Kovich  
Signature of First Party

WILLIAM J. KOVICH  
Print name of First Party

William J. Kovich  
Signature of First Party

WILLIAM J. KOVICH  
Print name of First Party

State of Michigan }  
County of Shiawassee }

On November 25, 2003 before me, Amy K. Kohagen  
appeared William J. Kovich

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Amy K. Kohagen  
Signature of Notary

My commission expires October 17, 2006

Affiant Known  Produced ID  
Type of ID MI-DL-K 120 887 367 625



State of \_\_\_\_\_ }  
County of \_\_\_\_\_ }

On \_\_\_\_\_ before me,

appeared \_\_\_\_\_  
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary

Affiant Known  Produced ID  
Type of ID \_\_\_\_\_

(Seal)

William J. Kovich  
Signature of Preparer

WILLIAM J. KOVICH  
Print Name of Preparer

820 E. MAIN ST., OWOSSO, MICHIGAN  
Address of Preparer 48867

Barcode with text: 3112959, Page: 2 of 2, 11/25/2003 12:17P, L-1051 P-399, Kaye Grubba - Shiawassee Co. DGU

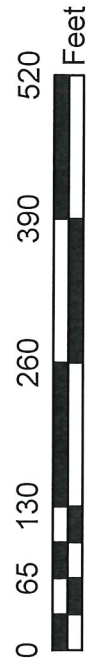
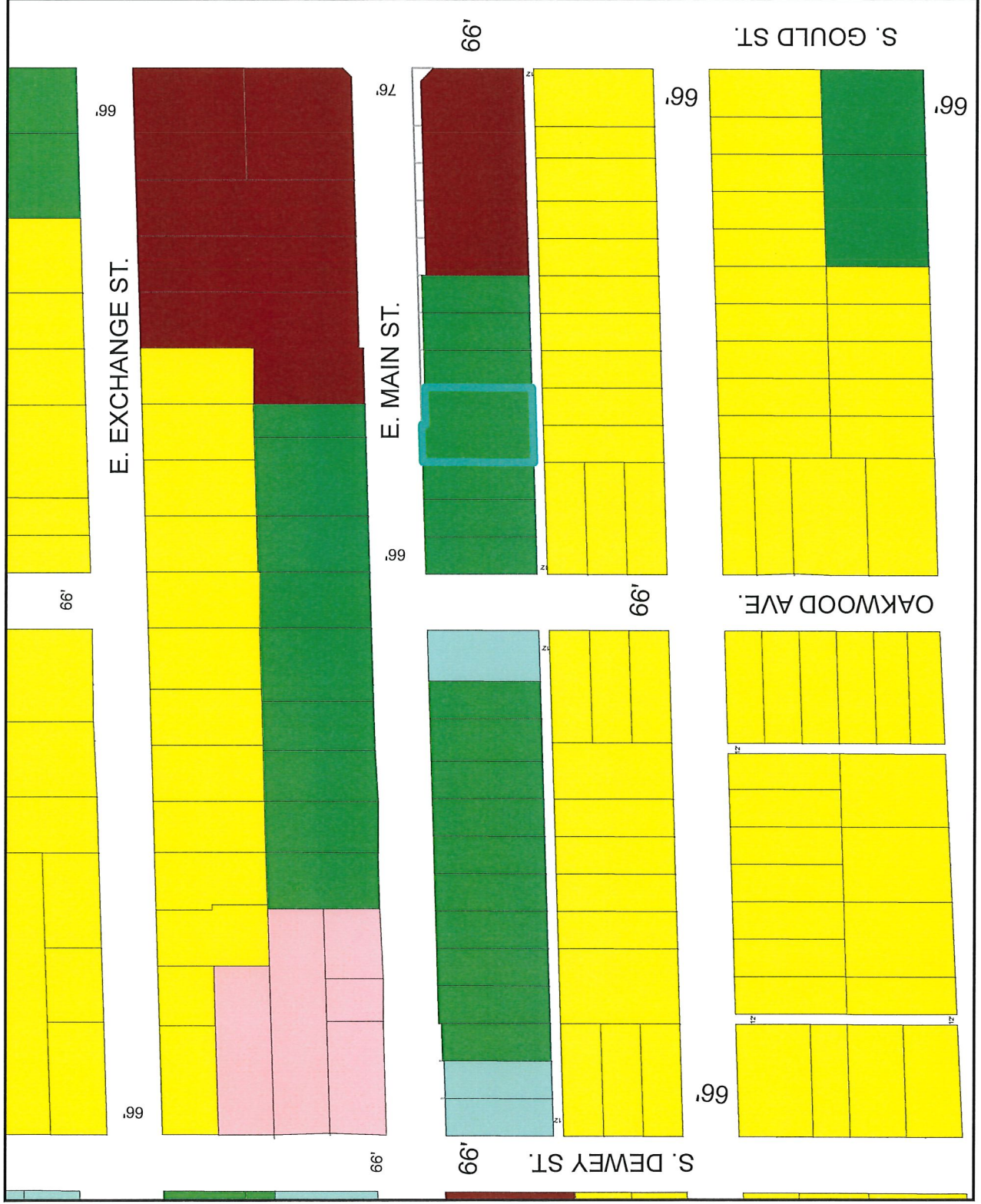
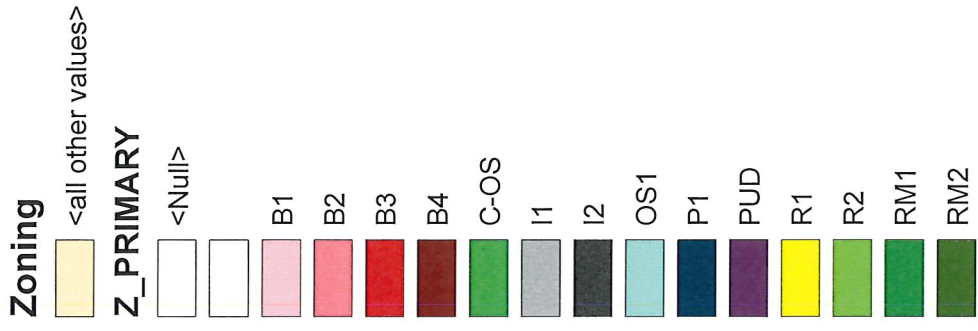
ml

# City of Owosso

## 820 E. Main Street

November 19, 2015

### Legend





301 W. MAIN • OWOSSO, MICHIGAN 48867-2958 • (989) 725-0599 • FAX (989) 723-8854

---

# ***MEMORANDUM***

---

DATE: December 3, 2015

TO: City Council

FROM: Kevin Lenkart  
Director of Public Safety

RE: Traffic Control Order #1342

---

Owosso Community Players proposes the use of the parking spaces located in front of the buildings at 124 E. Main Street and 114 E. Main Street. Owosso Community Players will be using the spaces to drop off patrons for the Dancing with the Stars event.

Requested date/time:

Saturday, January 30, 2016  
5:00 pm – 11:00 pm

The Public Safety Department has issued Traffic Control Order No. 1342 in accordance with the Rules for the Issuance of Certain Traffic Control Orders. Staff recommends approval of the request, waiver of the insurance requirement, and authorization of Traffic Control Order No. 1342 formalizing the action.

**CITY OF OWOSSO**  
**TRAFFIC CONTROL ORDER**

*(SECTION 2.53 UNIFORM TRAFFIC CODE)*

ORDER NO.	DATE	TIME
1342	12/3/15	4:00 pm

REQUESTED BY  
Kevin Lenkart – Director of Public Safety

TYPE OF CONTROL  
Parking Space Closure

LOCATION OF CONTROL  
  
Parking spaces located in front of:  
  
124 E. Main St. and 114 E. Main St.

EVENT:  
**Dancing with the Stars**  
**Saturday, January 30, 2016**  
**5:00 pm – 11:00 pm**

APPROVED BY COUNCIL  
  
\_\_\_\_\_, 20 \_\_\_\_

REMARKS



APPLICATION FOR USE OF PARKING LOTS, PARADES, OR SIMILAR EVENTS

301 W. MAIN OWOSSO, MICHIGAN 48867-2958 · (989) 725-0550 · FAX 725-0526

The request for use of the parking lots, parade, or similar event shall be submitted to the Director of Public Safety not less than 14 days nor more than 120 days before the date for which the use is requested.

The submission of a request by an individual or organization for a traffic control order pursuant to these rules and regulations shall constitute an agreement to indemnify and hold the City and its officers and employees harmless from any and all liability arising from the event or activities for which the request is made.

Name of individual or group: Owosso Community Players Date: 11-19-2015

Primary Contact Person Name: MICHAEL ASH

Title: V.P.

Address: 114 E. MAIN ST  
Owosso, MI 48867

Phone: 989-666-0237

Requested Date(s): 1-30-2016 Requested Hours: 5:00pm - 11:00pm

Area Requested (Parking Lot - Parade Route): 124 E. MAIN ST  
114 E MAIN ST

Detailed description of the use for which the request is made: No PARKING in front of  
above listed address's. OCP will use this area ~~to~~  
to Drop off patrons.

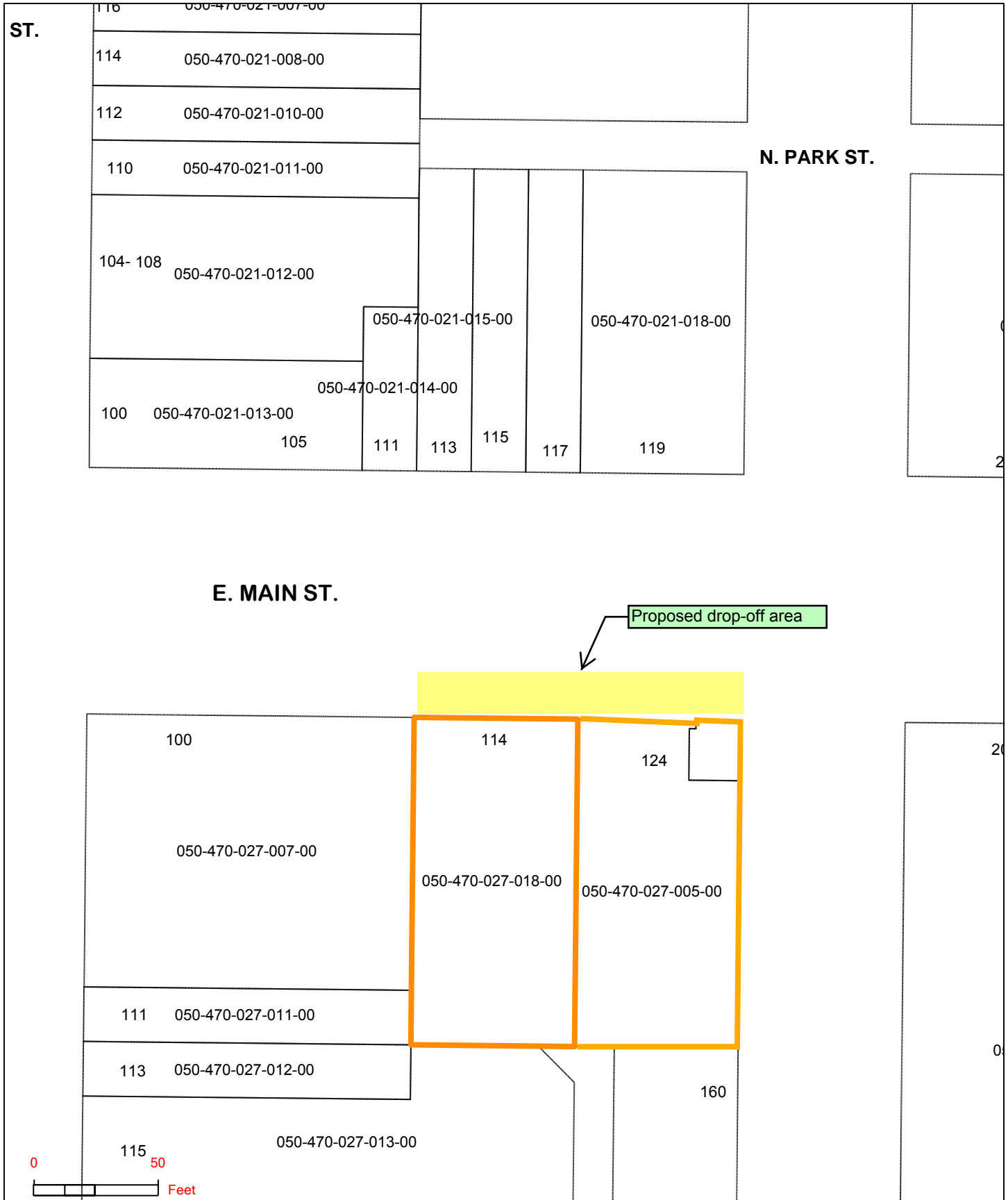
- Attach copies of any rules or policies applicable to persons participating in the event.
- Evidence to the City of insurance coverage applicable to the event or activity naming the City as an additional insured in an amount of not less than \$500,000 combined single limit.
- or
- The City Council may waive such insurance requirement if it determines that insurance coverage is unavailable or cannot be obtained at a reasonable cost and the event or activity is in the public interest or fulfills a legitimate and recognized public purpose.

Do Not Write Below This Line - For Officials Use Only

Approved  Not Approved  Date: \_\_\_\_\_ Traffic Control Order Number \_\_\_\_\_

Cc: DDA - Director  
WCIA - Chairperson

# OWOSSO







## MEMORANDUM

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

**DATE:** December 4, 2015

**TO:** Mayor Frederick and the Owosso City Council

**FROM:** Kevin Lenkart, Chief of Public Safety

**SUBJECT:** Purchase of Argus Storm Thermal Imaging Camera

### RECOMMENDATION:

City staff recommends council approve the purchase of one (1) Argus Storm Thermal Imaging Camera to be used for firefighting duties.

### BACKGROUND:

The City went out to bid through MITN for the camera and received five submissions. All of the bids met the specifications listed in the bid packet; First Due Fire Supply Company submitted the lowest responsible bid. Recommend purchase approval of the camera from First Due Fire Supply Company located in Mason, Michigan. The thermal imaging camera recommended for purchase is an Argus Storm Thermal Imaging Camera at a cost of \$ 7,230.00.

### FISCAL IMPACTS:

Payment for this purchase shall come from account 101-335-978.000. ABATE of Michigan will donate \$5,060.00 to the City of Owosso toward the purchase of the camera. The ABATE donation comes from the annual ABATE fundraiser that benefits fire departments across Michigan.

**RESOLUTION NO.**

**RESOLUTION AUTHORIZING THE PURCHASE OF A THERMAL IMAGING CAMERA  
FROM FIRST DUE FIRE SUPPLY COMPANY  
FOR THE DEPARTMENT OF PUBLIC SAFETY**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Public Safety Department desires to purchase a Thermal Imaging Camera; and

WHEREAS, ABATE of Michigan has offered to donate funds to facilitate the purchase of said equipment.

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 one (1) Argus Storm Thermal Imaging Camera at a price of \$7,230.00.
- 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 First Due Fire Supply in the amount of \$7,230.00.
- THIRD: The City of Owosso hereby accepts the donation of \$5,060.00 from ABATE of Michigan to be used toward the purchase of said equipment.
- FOURTH: Payment to First Due Fire Supply Company is hereby authorized in the amount of \$7,230.00 upon satisfactory delivery of the camera.
- FIFTH: Expenses for this purchase shall be paid from the Fire Division Equipment fund 101-335-978.000.

**CITY OF OWOSSO BID TABULATION SHEET**

DATE 9/29/2015

DEPT. FIRE DEPT.

SUBJECT: THERMAL IMAGING CAMERA

ITEM #	DESCRIPTION	EST. QTY	UNIT	ALL SAFE INDUSTRIES		ARGUS-HAZCO		FIRST DUE FIRE SUPPLY	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	THERMAL IMAGING CAMERA	1		\$ 14,080.000	\$ 14,080.00	\$ 12,850.000	\$ 12,850.00		
2	LESS TRADE IN EQUIPMENT VALUE	1		\$ 50.00	\$ 50.00	\$ 1,350.00	\$ 1,350.00		
				DRAGER UCF9000 AND TRUCK KIT 4059444		SCOTT (ISG) X 380N		ARGUS MI-320-3-STORM	\$7,230.00
<b>TOTAL BID</b>					\$ 14,030.00		\$ 11,500.00		

**TOTAL BID PRICING ADJUSTED FOR LOCAL PURCHASING PREFERENCE:**

DEPT. HEAD: Kevin Lenkart

PURCH. AGENT: \_\_\_\_\_

STAFF REC.: First Due Fire Supply

GENERAL LIABILITY INSURANCE  
EXPIRATION DATE: \_\_\_\_\_

WORKERS COMPENSATION INSURANCE  
EXPIRATION DATE: \_\_\_\_\_

SOLE PROPRIETORSHIP  
EXPIRATION DATE: \_\_\_\_\_

AWARDED: \_\_\_\_\_

COUNCIL APPROVED: \_\_\_\_\_

PO NUMBER: \_\_\_\_\_

CITY OF OWOSSO BID TABULATION SHEET

DATE 9/29/2015  
 DEPT. FIRE DEPT.

SUBJECT: THERMAL IMAGING CAMERA

				SOUTHEAST EQUIPMENT		WEST SHORE FIRE			
ITEM #	DESCRIPTION	EST. QTY	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	THERMAL IMAGING CAMERA	1				\$ 11,975.000	\$ 11,975.00		
2	LESS TRADE IN EQUIPMENT VALUE	1			\$ 500.00	\$ 500.00	\$ 500.00		
				DRAGER UCF9000	\$11,543.18	BULLARD T4-MAX			
				DRAGER UCF8000	\$10,624.40				
				DRAGER UCF9000 (DEMO UNIT)	\$8,000.00				
<b>TOTAL BID</b>							\$ 11,475.00		

TOTAL BID PRICING ADJUSTED FOR LOCAL PURCHASING PREFERENCE:



## MEMORANDUM

---

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

---

**DATE:** December 21, 2015  
**TO:** City Council  
**FROM:** Mark Sedlak, Director of Public Services  
**SUBJECT:** 2015 Sidewalk Replacement Program Part II Bid Award to Seifert Construction LLC

### RECOMMENDATION:

I recommend City Council accept the second lowest bid from Seifert Construction LLC for the completion of the remainder of the 2015 Sidewalk Replacement Program and award a contract to them in the amount of \$52,920.00.

### BACKGROUND:

This contract will finish the sidewalk program started by Black Jjack Asphalt whose contract was terminated. We are proposing the work be completed in the spring of 2016 by Seifert Construction. Seifert Construction has already finished the open sections of sidewalks not completed by Black Jack. The cost of doing which will be billed to Black Jack. The difference between the two bids (Black Jack at \$61,125.00 and Seifert at \$69,625.00) will be billed to Black Jack also (\$8,500.00). The work left to be completed amounts to \$52,920.00. In the spring, some previously installed sidewalks will also have to be repoured and repairs made due to poor workmanship by Black Jack Asphalt. These too will be billed to Black Jack Asphalt. We have been billed \$12,171.25 for work completed by Black Jack Asphalt at this time.

### FISCAL IMPACTS:

Funds for this work will be charged to the Major and Local Street Maintenance Funds, Account Nos. 203-463-728-000 and 202-463-728-000.

**RESOLUTION NO.**

**AUTHORIZING THE EXECUTION OF A CONTRACT FOR  
THE 2015 SIDEWALK REPLACEMENT PROGRAM, PART II  
WITH SEIFERT CONSTRUCTION, LLC**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined sections of the sidewalk on various streets in the City have become misaligned, deteriorated, or damaged and that replacement is advisable, necessary and in the public interest; and

WHEREAS, the city of Owosso awarded the bid for said work to Black Jack Asphalt on July 6, 2015; and

WHEREAS, the contract failed to perform to the standards required in the contract and the contract was terminated on November 16, 2015; and

WHEREAS, the next to lowest bid was received from Seifert Construction LLC; and is hereby determined that Seifert Construction LLC is qualified to provide such services and that it has submitted a responsible and responsive bid.

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

FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to employ Seifert Construction LLC for replacement of sections of damaged or misaligned sidewalk as part of the 2015 Sidewalk Replacement Program, Part II.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit A, Contract for Services between the City of Owosso, Michigan and Seifert Construction LLC, in the amount of \$52,920.00.

THIRD: The accounts payable department is authorized to pay Seifert Construction, LLC for work satisfactorily completed on the project up to the contact amount.

FOURTH: The above expenses shall be paid from the Major and Local Street Maintenance Funds, accounts 203-463-728-000 and 202-463-728-000.



# REQUEST FOR QUOTATION

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

THIS IS NOT AN ORDER

VENDOR NAME: Seifert Concrete  
ADDRESS: 608 W. Oak St.  
CITY: Ashley, MI 48806  
PHONE:  
E-MAIL:

DATE: 12/9/2015  
QUOTE DUE ON:  
NO LATER THAN:

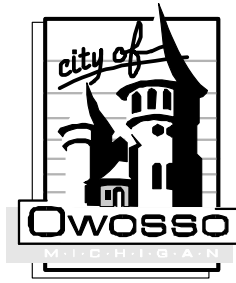
## REFERENCE:

ITEM#	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1	12000	4" Sidewalk Removal and Replacement SFT	\$3.65	\$43,800.00
2	1100	6" Concrete Removal and Replacement SFT	\$4.15	\$4,565.00
3	2600	Lawn Restoration SFT	\$0.80	\$2,080.00
4	900	Saw Cutting LFT	\$1.50	\$1,350.00
5	75	Curb and Gutter Removal and Replacement	\$15.00	\$1,125.00
			TOTAL	\$52,920.00

The City of Owosso reserves the right to reject any or all quotations and to waive irregularities on quotations and accept any quotation deemed to be in the best interest of the city.

DATE: 12-10-15 COMPANY NAME: SEIFERT CONCRETE

AUTHORIZED SIGNATURE:  TITLE: Owner



WARRANT 514  
December 15, 2015

Vendor	Description	Fund	Amount
William C Brown, PC	Professional Services-November 9, 2015 – December 10, 2015	General	\$10,677.16
Logicalis, Inc	Network engineering support-November 2015	Various	\$ 5,488.00
Owosso Community Airport	Annual appropriation-FY 15/16	General	\$ 6,978.00
State of Michigan DEQ	NPDES annual permit fee	WWTP	\$ 5,500.00
		<b>TOTAL</b>	<b>\$28,643.16</b>





## MEMORANDUM

---

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

---

**DATE:** December 17, 2015

**TO:** Mayor Frederick, City Council members

**FROM:** Susan Montenegro, assistant city manager/director of community development

**SUBJECT:** Accepting the transfer of all unsold tax reverted properties from the State of Michigan to the city of Owosso.

### RECOMMENDATION:

The state of Michigan has attempted to sell all tax reverted properties within the city of Owosso. Staff recommends accepting the following properties that did not sell at the second tax foreclosure auction:

050-430-000-003-00	LOT 13 (EX S S 136' & 59 ½')	LOUISA MERELLS ADD
050-660-001-022-00	E 10' OF LOT 16, BLK 1, AL & BO WILLIAMS ADD	
050-180-005-004-00	LOT 5 BLK 5 DEWEY & STEWARTS ADD	
050-420-003-015-00	LOT 26 & 48' LOTS 27 28 BLK 3 MAPLE RIDGE PARK RE SUBDIV	KEYTES ADD
050-420-003-016-00	W 22' OF E 70' LOTS 27 28 BLK 3 MAPLE RIDGE PARK RE SUBDIV	KEYTES ADD
050-430-000-002-00	N 45' OF S 136' LOT 13 (EX E 59 ½')	LOUISA MERELLS ADD
050-660-011-001-00	E 103' OF LOT 1 BLK 11 AL & BO WILLIAMS ADD	

### BACKGROUND:

The state law provides that on or before December 1st a list of all property not previously sold by the state shall be transferred to the city of Owosso. The city may object in writing to the transfer of one or more parcels of property on that list. On or before December 30 all property shall be transferred to the city, except those parcels of property to which the city objects. The city, village, or township may make the property available under the Urban Homestead Act, 1999 PA 127, MCL 125.2701 to 125.2709, or for any other lawful purpose.

If the city objects, the property is not transferred to the city and the property becomes the state's, title to the property shall vest in the land bank fast track authority created under section 15 of the land bank fast track act, 2003 PA 258, MCL 124.765.

The above listed properties did not sell at the second state auction in September. Staff suggestion would be to offer most of these lots at an auction sale.

### FISCAL IMPACTS:

The downside of accepting the lots will be maintaining them until sold.

Document originated by: Susan Montenegro

**RESOLUTION NO.**

**RESOLUTION ACCEPTING THE TRANSFER OF ALL UNSOLD TAX REVERTED  
PROPERTIES FROM THE STATE OF MICHIGAN TO THE CITY OF OWOSSO**

WHEREAS, the city of Owosso received from the state of Michigan a list of parcels of property in the city of Owosso foreclosed for unpaid property taxes pursuant to Public Act 123 of 1999; and

WHEREAS, under Section 78m(6) of said Act, being MCL 211.78m(6) the title to the listed parcels will be automatically transferred to the city of Owosso on December 30, 2013, unless the city objects to the transfer of all or any parcel before the transfer is made.

NOW, THEREFORE, BE IT RESOLVED the city of Owosso does not object to the transfer of title to the city of the following tax foreclosed parcels:

050-430-000-003-00	LOT 13 (EX S S 136' & 59 ½') LOUISA MERELLS ADD
050-660-001-022-00	E 10' OF LOT 16, BLK 1, AL & BO WILLIAMS ADD
050-180-005-004-00	LOT 5 BLK 5 DEWEY & STEWARTS ADD
050-420-003-015-00	LOT 26 & 48' LOTS 27 28 BLK 3 MAPLE RIDGE PARK RE SUBDIV KEYTES ADD
050-420-003-016-00	W 22' OF E 70' LOTS 27 28 BLK 3 MAPLE RIDGE PARK RE SUBDIV KEYTES ADD
050-430-000-002-00	N 45' OF S 136' LOT 13 (EX E 59 ½') LOUISA MERELLS ADD
050-660-011-001-00	E 103' OF LOT 1 BLK 11 AL & BO WILLIAMS ADD



STATE OF MICHIGAN  
DEPARTMENT OF TREASURY  
LANSING

RICK SNYDER  
GOVERNOR

NICK KHOURI  
STATE TREASURER

November 2, 2015

City of Owosso  
301 W. Main St.  
Owosso, MI 48867-2925

Dear Municipality Clerk:

SUBJECT: Tax-Foreclosed Property Title Transfer

Enclosed please find a list of parcels in your jurisdiction, which were foreclosed upon this year under Public Act 206 of 1893; MCL 211.78. The Michigan Department of Treasury has previously offered these parcels at two separate tax-foreclosed real property auctions, as required by statute, and they remain unsold.

In accordance with Public Act 206 of 1893; MCL 211.78m(6), we are providing the enclosed list to you for your consideration. **Title to the enclosed parcels will transfer to your municipality on December 31, 2015 unless you object, in writing, to any or all of them before then. Your objection must be sent to my attention, via U.S. mail, at the address listed in the final paragraph.** If you do not object one or more of the listed parcels in writing, we will send the title transfer deed directly to your county register of deeds office for recording, and will then forward the recorded deed to you, upon its return from the register of deeds' office.

Please verify your jurisdiction name and address as noted in the address line, as it will be used for the grantee information on the deed, unless corrected by you. If you accept the transfer of title, you may indicate such, in writing, at your earliest convenience, to expedite the transfer.

Objections to the transfer of title must be received, in writing, **on or before December 30, 2015** at the Michigan Department of Treasury, Property Services Division, Foreclosure Services Section, P.O. Box 30760, Lansing, Michigan 48909. If you have any questions regarding this matter, please feel free to contact me at 517-335-3113.

Sincerely,

A handwritten signature in blue ink, appearing to read "Roxanne L. Harris".

Roxanne L. Harris  
Foreclosure Services Section  
Property Services Division

Enclosure

## SHIAWASSEE COUNTY, CITY OF OWOSSO

050-430-000-003-00 LOT 13 (EX S S 136' & E 59 1/2') LOUISA MERELLS ADD	DnrRef: P1083879/L207124 <i>429 Hamblin St</i>
050-660-001-022-00 E 10' OF LOT 16, BLK 1, AL & BO WILLIAMS ADD	DnrRef: P2033652/L207177 <i>strip between 613-617 W. King St</i>
050-180-005-004-00 LOT 5 BLK 5 DEWEY & STEWARTS ADD	DnrRef: P2044988/L207097 <i>424 Grover St</i>
050-420-003-015-00 LOT 26 & E 48' LOTS 27 28 BLK 3 MAPLE RIDGE PARK RE SUBDIV KEYTES ADD	DnrRef: P2044989/L207115 <i>602 Lingle Ave</i>
050-420-003-016-00 W 22' OF E 70' LOTS 27 28 BLK 3 MAPLE RIDGE PARK RE SUBDIV KEYTES ADD	DnrRef: P2044990/L207116 <i>410 Monroe St</i>
050-430-000-002-00 N 45' OF S 136' LOT 13 (EX E 59 1/2') LOUISA MERELLS ADD	DnrRef: P2044991/L207123 <i>425 Hamblin St</i>
050-660-011-001-00 E 103' OF LOT 1 BLK 11 A L & B O WILLIAMS ADD	DnrRef: P2044998/L207181 <i>219 N. Cedar St</i>

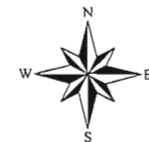
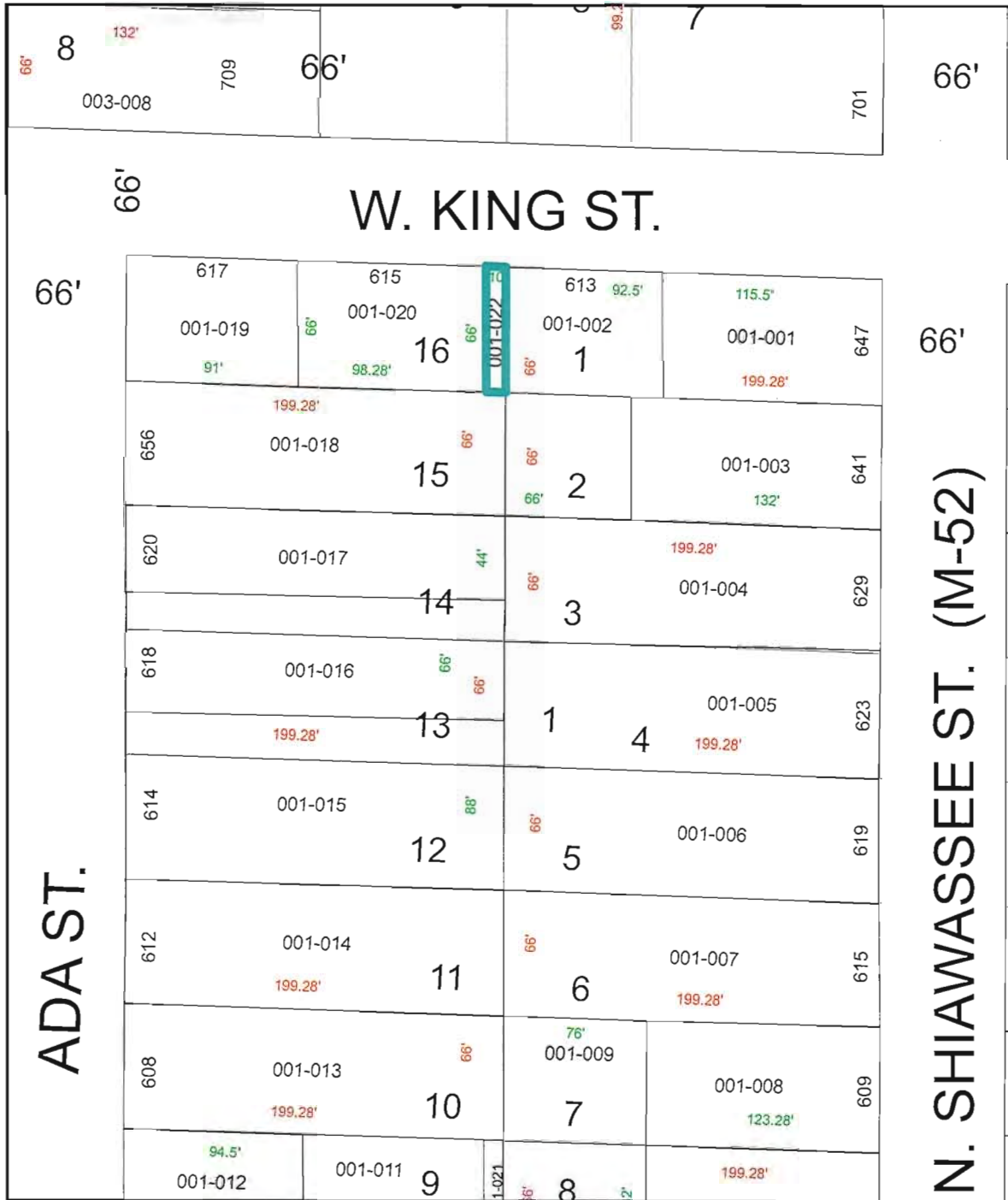
7

End of Listing

78-SHIAWASSEE, C-OWOSSO-1439

# City of Owosso

Strip between 613-617 W. King Street





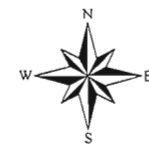
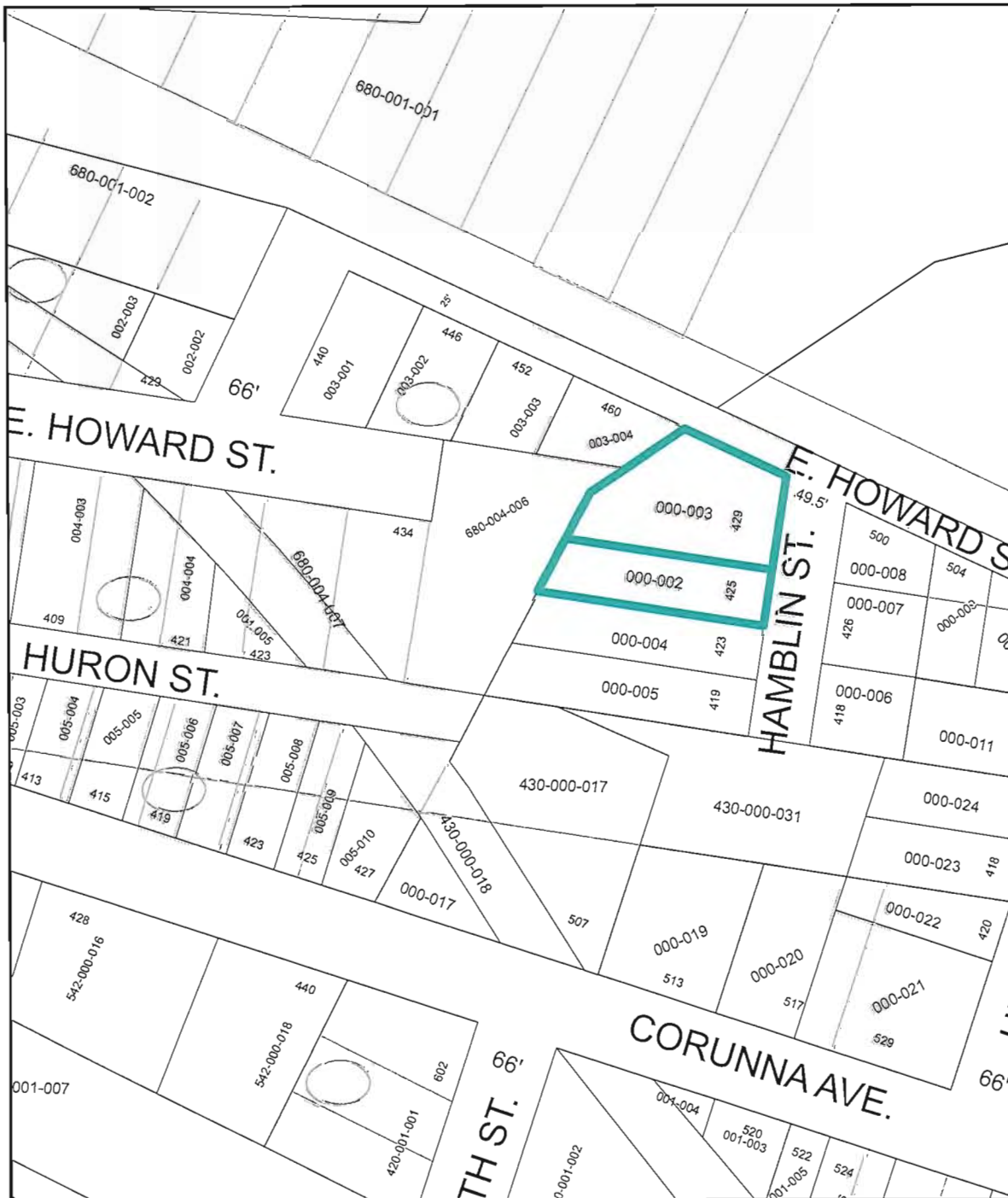
# City of Owosso

424 Grover Street



# City of Owosso

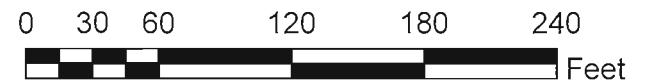
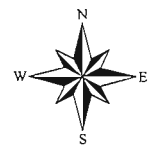
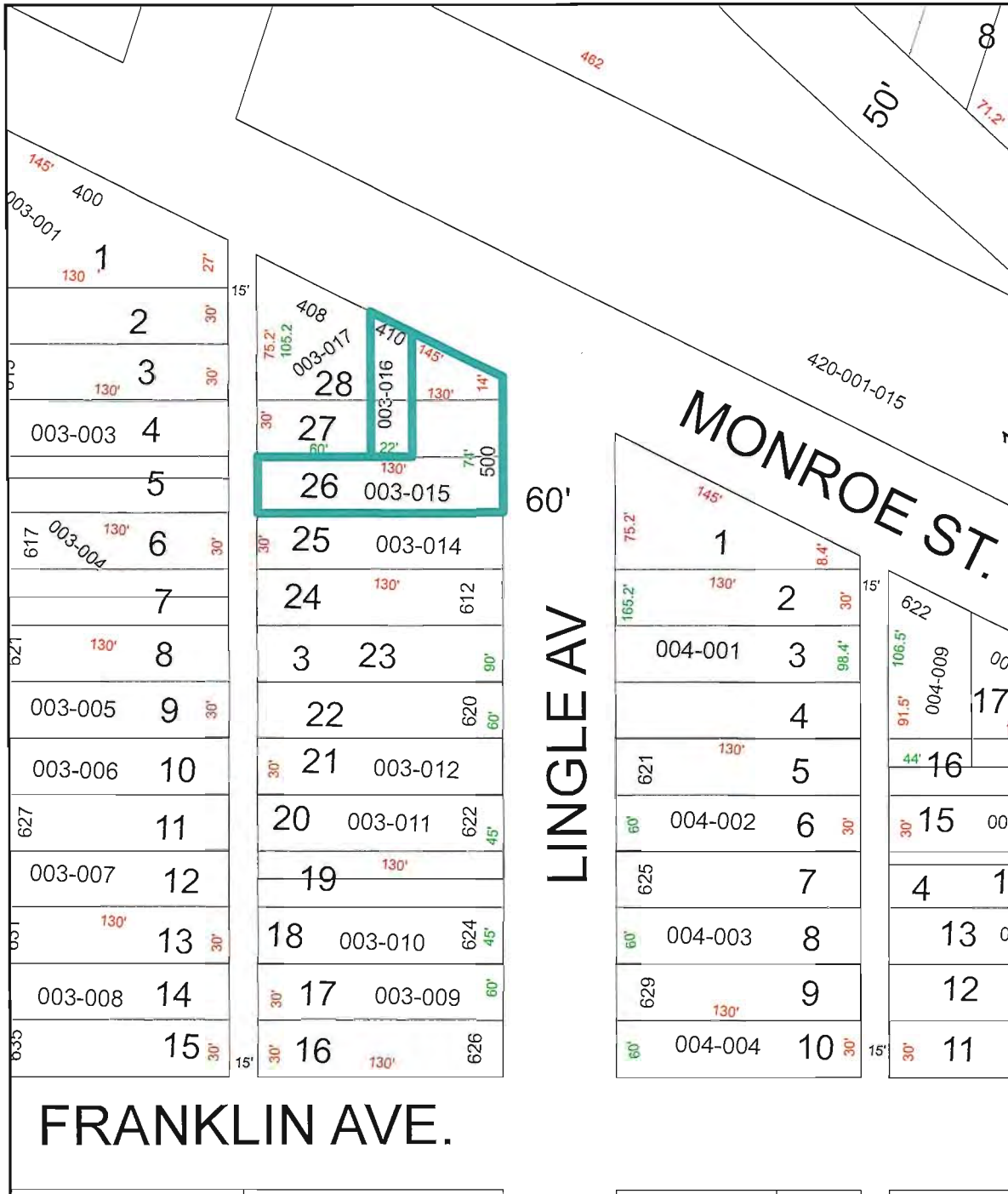
425 Hamblin Street  
429 Hamblin Street





# City of Owosso

410 Monroe Street  
602 Lingle Avenue





## MEMORANDUM

---

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

---

**DATE:** December 17, 2015

**TO:** City Council

**FROM:** Susan Montenegro, Assistant City Manager/Director of Community Development

**SUBJECT:** Purchase agreement between city of Owosso and Michael Cline – for parcels of land along Gould Street and Wright Avenue.

### RECOMMENDATION:

Staff recommendation would be to counter the \$1,000.00 offer Mr. Cline has presented.

### BACKGROUND:

City council tasked staff with preparing a purchase agreement for parcels along Gould Street and Wright Avenue. No price point was set for a minimum price on the land in question. The city assessor places a value of \$10,000.00 on the land (reduced from approximately \$26,000.00 because it is located in the flood plain). There continue to be concerns over accepting Mr. Cline's offer of \$1,000.00, setting a precedent that could affect future land sale prices of city owned property. Any potential sale would also involve completing a lot split and parcel combination once a purchase price is agreed upon by council. I've attached a copy of the Property Sale Policy adopted in November 2011 to help clarify the concerns of staff.

### FISCAL IMPACTS:

The agreed upon price for this land sale could affect future property values in the area as well as set a precedent for the future sale of properties owned by the city.

Document originated by: Susan Montenegro

**RESOLUTION NO. \_\_\_\_**

**AUTHORIZING 21-DAY POSTING OF  
PURCHASE AGREEMENT FOR THE SALE OF  
CITY-OWNED PROPERTY BETWEEN GOULD STREET AND WRIGHT AVENUE**

WHEREAS, the city owns a several parcels of property along Gould Street, Allendale Avenue and Wright Avenue; and

WHEREAS, Michael N. Cline has expressed interest in purchasing a portion of these parcels described as follows;

LOTS 22 & 23 & SOUTH 17' LOT 24 INCLUDING EAST ½ OF ADJACENT CLOSED ALLEY. ALSO, LOTS 37 - 43, BLOCK 34, INCLUDING WEST ½ OF ADJACENT CLOSED ALLEY. ALSO LAND LYING BETWEEN WEST LINE OF LOTS 37-41 AND EAST LINE OF GOULD STREET, FORMERLY VACATED STANLEY AVENUE, GEORGE T. ABREY'S WOODLAWN PARK ADDITION TO CITY OF OWOSSO. (EXCEPT BEGINNING AT SW CORNER LOT 43, THEN NORTH 33' TO NW CORNER OF LOT 43, THEN SOUTHEASTERLY TO A POINT 9.83' EAST OF SW CORNER LOT 43, THEN WEST TO POINT OF BEGINNING, SAID POINT BEING EAST RIGHT OF WAY LINE OF GOULD STREET IN THE CITY OF OWOSSO, COUNTY OF SHIAWASSEE, MICHIGAN.

and

WHEREAS, the parcel is of no use to the City and the City desires its sale; and

WHEREAS, the land in question has a value of approximately \$10,000 as set by the city assessor and according to the city's Property Sale Policy; and

WHEREAS, Michael N. Cline approached the City offering to purchase the parcel described above, for One Thousand and NO/100 (\$1,000.00) Dollars; and

WHEREAS, the City Charter requires a 21-day posting period prior to the sale of any City-owned property to allow for public comment and potential offers.

NOW THEREFORE BE IT RESOLVED by the city council of the city of Owosso, Michigan that:

1. The purchase agreement for the property described above be posted for a 21-day period to allow for citizen comment.
2. The agreement be returned to council at the meeting of January 18, 2016 for potential final disposition.



S. GOULD ST.

ALLENDALE AVE.

WRIT T AVE.

FRAZER AVE.

Property M. Cline would like to buy

235.5'

309.50'

83'

172.3'

149'

102'

010-035-002

010-035-001

710-001-013

710-001-002

01-001

710-001-012

010-036-001

033-019

033-016

033-017

033-014

033-013

033-012

033-011

033-010

033-023

033-024

033-025

033-026

033-027

033-028

033-029

033-030

034-015

034-014

034-013

034-012

034-011

034-010

034-009

034-008

034-007

034-006

034-005

0-002

0-001

032-019

032-018

032-017

032-016

032-015

032-014

032-013

032-012

032-011

032-010

**AGREEMENT FOR PURCHASE OF REAL ESTATE**

THE PURCHASER, (Michael N. Cline), hereby offers and agrees to purchase, and the SELLER, (the City of Owosso, a Michigan Municipal Corporation), hereby agrees to sell, land situated in the City of Owosso, Shiawassee County, Michigan upon the following terms and conditions.

WHEREAS Purchaser offered and wishes to purchase certain property from Seller and Seller wishes to sell the same:

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. **PROPERTY DESCRIPTION:** A parcel of land, together with all buildings, structures, rights, easements and appurtenances pertaining thereto and all improvements, trees, bushes, landscaping and foliage thereon, (the "Property"). The legal description of the parcel is as follows:

LOTS 22 & 23 & SOUTH 17' LOT 24 INCLUDING EAST ½ OF ADJACENT CLOSED ALLEY. ALSO, LOTS 37 - 43, BLOCK 34, INCLUDING WEST ½ OF ADJACENT CLOSED ALLEY. ALSO LAND LYING BETWEEN WEST LINE OF LOTS 37-41 AND EAST LINE OF GOULD STREET, FORMERLY VACATED STANLEY AVENUE, GEORGE T. ABREY'S WOODLAWN PARK ADDITION TO CITY OF OWOSSO. (EXCEPT BEGINNING AT SW CORNER LOT 43, THEN NORTH 33' TO NW CORNER OF LOT 43, THEN SOUTHEASTERLY TO A POINT 9.83' EAST OF SW CORNER LOT 43, THEN WEST TO POINT OF BEGINNING, SAID POINT BEING EAST RIGHT OF WAY LINE OF GOULD STREET IN THE CITY OF OWOSSO, COUNTY OF SHIAWASSEE, MICHIGAN.

2. **PURCHASE PRICE:** Purchaser shall pay therefore the sum of One Thousand and No/100 (\$1,000.00) Dollars (the "Purchase Price").

3. **DEPOSIT:** Purchaser herewith deposits with Seller the sum of One Hundred and No/ 100 (\$100.00) Dollars, as a deposit which shall be applied to the purchase price at closing.

4. **METHOD OF CLOSING:** The sale shall be consummated by the delivery of a Warranty Deed conveying fee simple marketable title with the balance of the purchase price to be paid in cash or by certified check at the time of closing. Consummation of this Agreement is subject to the approval of the Owosso City Council.

5. **TAXES:** All taxes and assessments due as of the closing date, including but not limited to any and all special assessments, even if payable in installments after closing, which have become a lien upon the land, whether recorded or unrecorded, at the date of this agreement shall be paid by the Seller. Purchaser shall pay all taxes and special assessments assessed after the closing date.

6. **CLOSING FEES:** Any closing fees charged for services rendered by an escrow company shall be divided equally between Purchaser and Seller except where the payment of same shall be prohibited by law.

7. **CONDITIONS PRECEDENT.** Purchaser's and Seller's obligations under this Agreement are conditioned upon the satisfaction of each of the following conditions:

- (i) Purchaser, in Purchaser's sole discretion, obtaining a Survey, surveyor's report and surveyor's certificate.
- (ii) Purchaser is buying the property on an "as is" basis. Seller strongly recommends purchaser perform a baseline environmental study.
- (iii) Approval of the purchase by the Owosso City Council.

The above duties and terms shall survive the closing.

- (iv) If Purchaser and Seller fail to satisfy or be satisfied with any one or more of the contingencies set forth above, or if Purchaser determines, at Purchaser's sole and absolute discretion, or for any reason whatsoever, to terminate this Agreement, within the inspection and approval period as defined in paragraph 9, below, then Purchaser may, on or before expiration of the inspection and approval period, as defined in paragraph 9, below, terminate this Agreement by giving written notice thereof to Seller, and this Agreement shall be deemed to be null and void and of no further force or effect, and Purchaser and Seller shall have no further rights, obligations, or liabilities under this Agreement.

8. INSPECTION: Purchaser and their employees, agents, and representatives shall at all times before Closing, have the privilege, opportunity, and right to enter upon the Property to inspect, examine, and perform surveys, soil tests, borings, structural analysis and tests, and any other tests needed to determine structural surface, subsurface, and topographic conditions of the Property, or for any other reasons deemed necessary by Purchaser for the satisfaction of the conditions set forth in paragraph 7, above. Provided, however, that Purchaser, their employees, agents and representatives shall indemnify and defend Seller from any claims arising from their activities on the property relating to this right of inspection and shall return the property to its original condition.

9. INSPECTION AND APPROVAL PERIOD: From the Effective Date, Purchaser shall have until the closing date (the "Inspection and Approval Period") to inspect the Property in the manner set forth in paragraph 8 above; and to obtain such other studies, tests, determinations, assessments and approvals, including but not limited to structural testing and inspection, site plan approval, easements, licenses, variances, curb cuts, and as otherwise set forth in paragraph 7, above, and any other determinations, assessments and approvals that are necessary to permit Purchaser's intended use of the Property, as deemed in Purchaser's sole discretion. Any delay by Seller in performing its obligations pursuant to this Agreement shall result in an extension of the Inspection and Approval Period equal to the length of the delay.

10. CLOSING: The consummation of the purchase and sale of the Property pursuant to this Agreement (the "Closing") shall be held no later than 60 days from the last date of the signatures below. Closing shall take place at the title company, or such other location, as the Seller and Purchaser may mutually agree in writing. Purchaser shall take possession at closing.

11. TITLE INSURANCE: As evidence of title, Seller shall obtain, at Seller's sole cost and expense, a commitment for title insurance issued by a title company for a policy of title insurance from an underwriter acceptable to Purchaser, insuring title with standard exceptions.

12. OBJECTIONS TO CONDITION OF TITLE: If objection to the title is made by the Purchaser, then Seller may terminate this Agreement, or at its discretion, cure the objectionable defect. If this

Agreement is terminated by Seller due to an objection to title, the deposit shall be returned to Purchaser.

13. SELLER'S REPRESENTATIONS, WARRANTIES AND COVENANTS. Seller represents, warrants and covenants to Purchaser that:

- (a) Seller (i) has complete and full authority to execute this Agreement, (ii) will execute and deliver any documents, instruments, and agreements including, but not limited to, affidavits and certificates necessary to consummate the transaction contemplated herein, and (iii) will take all additional action that is reasonably necessary or appropriate to effect and facilitate the consummation of the sale and purchase transaction contemplated herein, as may be required by the Title Company.
- (b) Seller will not further sell, encumber, convey, or assign, or contract to sell, encumber, convey, assign, pledge, or lease all or any part of the Property or restrict the use of all or any part of the Property or take or cause to be taken any action in conflict with this Agreement at any time between the Seller's acceptance hereof and (i) Closing or (ii) the earlier termination of this Agreement pursuant to its terms.
- (c) Neither the entering into of this Agreement nor the consummation of the transaction contemplated hereby will constitute or result in a violation or breach by Seller of any judgment, order, writ, injunction, or decree issued against or imposed upon it or contract to which it is a party or will result in a violation by Seller of any applicable law, order, rule, or regulation of any governmental authority. There is no action, suit, proceeding or investigation pending which would become a cloud on the title to the Property or any portion thereof or which questions the validity or enforceability of the transaction contemplated by this Agreement or any action taken pursuant hereto in any court or before or by any federal, district, county, or municipal department, commission, board, bureau, agency or other governmental instrumentality, nor does Seller have any knowledge that any such action, suit, proceeding or investigation is threatened.
- (d) Seller is not a "foreign person" as that term is defined in the Internal Revenue Code, Section 1445(F)(3) and the sale of the Property is not subject to any withholding requirements imposed by the Internal Revenue Code, including, without limitation, Section 1445(F)(3).
- (e) Seller is not a party to or bound by any contract or agreement of any kind or whatsoever, written or verbal, which might affect the Property.

14. MISCELLANEOUS:

- (a) Governing Law: This purchase agreement shall be governed by, construed and enforced in accordance with the laws of the State of Michigan.
- (b) Entire Agreement: This Agreement constitutes the entire, integrated agreement between the parties, and supersedes all prior written and unwritten negotiations, agreements, proposals and understandings. This Agreement shall not be orally amended, modified, superseded, or canceled, it being specifically understood that any of the terms, covenants, representations and conditions contained herein may be amended only by written instrument executed by all parties.

- (c) **Binding Effect:** The covenants and conditions herein shall bind and inure to the benefits of the executors, administrators, successors and assigns of the respective parties. If the parties herein be more than one or if they be of the feminine sex, or a corporation or other business entity, such words and pronouns and other relative words shall be read as if written in the plural, feminine, and neuter, respectively.
- (d) **Assignment:** This Agreement may be assigned or transferred only by written consent of the non-assigning party.
- (e) **Counterparts:** This Agreement may be executed in counterparts each of which may be deemed an original, and all such counterparts together shall be deemed one and the same agreement.
- (f) **Survival:** All warranties, covenants, duties and representations made herein shall survive closing.

15. **BROKERS:** If either party has used a broker, it shall be that party's responsibility to compensate its broker.

16. **EFFECTIVE DATE:** If this Agreement is not signed simultaneously by Seller and Purchaser it shall be considered to be an offer made by the party first executing it to the other party. In this event, that offer shall expire at midnight on the tenth (10th) calendar day following signature by the offering party. Effective date shall mean the date upon which this Agreement is accepted by the parties to whom the offer is made. Acceptance shall be deemed to have been made on the date the fully executed Agreement is received by the party first executing the Agreement.

17. **NOTICES:** All notices, requests, demands or other communications hereunder shall be in writing and deemed given (a) when delivered personally or (b) on the day said communication is deposited in the U.S. mail, by registered or certified mail, return receipt requested, postage prepaid, or (c) on the next business day after notice is sent by facsimile or (d) on the day said communication is deposited with a nationally recognized overnight courier service, addressed and/or sent by facsimile, as the case may be, as follows:



If to Seller:  
City of Owosso  
301 West Main Street  
Owosso, Michigan 48867

If to Purchaser:  
Michael N. Cline  
621 Wright Avenue  
Owosso, Michigan 48867

ATTENTION: City Clerk

ATTENTION: Michael Cline

The parties executed this Agreement for Purchase of Real Estate as of the date set forth below.

DATED: \_\_\_\_\_, 2015

DATED: \_\_\_\_\_, 2015

SELLER: City of Owosso

PURCHASER: Michael N. Cline

BY: \_\_\_\_\_

Benjamin R. Frederick

ITS: Mayor

BY: \_\_\_\_\_

Michael N. Cline

ATTEST:

\_\_\_\_\_  
Amy K. Kirkland, City Clerk

**CITY OF OWOSSO POLICY FOR  
DISPOSITION OF CITY-OWNED REAL PROPERTY**

**BACKGROUND**

The city of Owosso is or may become the owner of real property which is used for various municipal purposes, including land-banking. As public service needs change, the requirements for these properties maybe revised, and on occasion, certain parcels may be found greater than the city's current need. This requires reviewed of the site's potential for future public use and its potential economic benefit to the city.

**PURPOSE**

It is the purpose of this policy to:

- A. establish a procedure by which unused or marginally used city-owned real estate is reviewed for its potential public use and for designating unneeded parcels for lease or sale; and
- B. provide guidance for the auction, negotiated sale, or exchange of city-owned real estate; and
- C. establish the conditions under which city-owned real property may be leased.

**POLICY**

It is the city's policy to manage its real estate assets so that they may properly carry out municipal needs which rely on these assets. It is not the city's policy to speculate in real estate. The city council will review all city-owned real estate not adequately used for municipal purposes and determine the appropriate use of the property. Those properties needed for municipal purposes may be so designated. If a property is not needed for public use within the foreseeable future, it may be made available for lease or sale, or if it will be needed at a future time, it may be suitable for lease in the interim. Those properties not required for municipal use, including those acquired because the owner failed to pay taxes, or designated for lease may be designated for sale or reserved to be exchanged for other land the city needs. The city shall optimize the sale price or lease rent from city-owned real estate based on relevant factors including:

- A. an appraisal of the property which is no more than six months old at the time the sales agreement is presented to the city council,
- B. prevailing economic conditions and recent applicable trends, and
- C. any special benefits to accrue from the sale or lease.

Discounts will not be negotiated unless an extraordinary need or circumstance is recognized by city council resolution before negotiation, setting forth the amount of the discount and the justification for it. The purpose of this is to demonstrate to the community that the city is not making a gift of public assets.

The *Owosso City Charter* places limitations on the sale of property as follows:

Section 14.3(b). Limitations on Contractual Power.

- (b) The city shall not have power to purchase, sell, lease, or dispose of any real estate, unless:
  - (1) Such action is approved by the affirmative roll call vote of five or more members of the Council, and, unless;
  - (2) In the case of real estate owned by it, the resolution authorizing the sale, lease, or disposal thereof shall be completed in the manner in which it is to be finally passed and has remained on file with the Clerk for public inspection for twenty-one days after its

original introduction at a meeting of the Council before the final adoption or passage thereof and, unless;

- (3) When the proposition is to sell any park cemetery or any part thereof, except when such park is not required under an official master plan of the city, or any property bordering on a water front, the proposition to sell, lease, or dispose of the same shall also be approved by a three-fifths vote of the electors of the city voting thereon at any general or special election.

#### Section 15.5. Disposal of Municipal Utility Plants and Property.

The city shall not sell, exchange, lease, or in any way dispose of any property, easement, equipment, privilege, or asset needed to continue the operation of any municipal public utility, unless the proposition to do so is approved by a three-fifths majority vote of the electors of the city voting on such proposition at a regular or special city election. All contracts, grants, leases, or other forms of transfer in violation of this section shall be void and of no effect as against the city. The restrictions of this section shall not apply to the sale or exchange of articles of machinery or equipment of any municipally owned public utility which are no longer useful or which are replaced by new machinery or equipment, or to the leasing of property not necessary for the operation of the utility, or to the exchange of property or easements for other needed property or interests in property

#### **PROCEDURE**

##### A. Real estate review

All unused and marginally used city-owned real estate will be reviewed on a continuing basis to determine public facility needs and to implement the comprehensive plan on a timely basis. The following procedure will apply:

1. Review by appropriate city departments.
2. Review by any applicable city commission(s).
3. Review by the planning commission for consistency with the comprehensive plan and environmental impact.
4. The staff's recommendation and relevant comments along with those of the planning commission are submitted to the city council.
5. The city council then determines the designation to be applied to the property (e.g., public facility, open space, surplus, sale, or lease).

##### B. Comprehensive plan and rezoning.

Before marketing a parcel, staff will review the parcel for likely changes in density or intensity of use since the city acquired the property. If such changes are likely, then staff shall initiate a necessary rezoning and comprehensive plan amendment through the planning commission to enable marketing the property at its highest and best use. When different land-use classifications divide projects, staff will seek lot splits, lot mergers, or property-line adjustments to divide the property along use lines, to reserve rights-of-way for streets and utilities, and to be able to disclose the terms of development of the property.

##### C. Lease versus sale

City-owned real property not required for municipal uses may be designated for lease or sale using criteria listed below. At the time staff recommends whether the property should be sold, leased, or reserved for exchange purposes, council shall be provided with an appropriate analysis of the alternatives.

##### D. Sale of real estate

## 1. Auction

Unless otherwise directed by the city council, land which is readily marketable and unrestricted in its sale potential will be sold to the highest bidder at a public auction by either oral or sealed bid, provided that the highest bid equals or exceeds the minimum published price established by the city before bid opening, which price shall not be lower than the amount shown on the appraisal. Notice of the sale by bid shall be published in a newspaper of general circulation at least ten days before bid opening. If sealed bids are requested, a deposit must accompany each bid in the form of certified or cashiers' check made payable to the city in an amount equal to at least 10 percent of the bid amount. After sealed bids are opened, oral bids are permitted from bidders who can meet the 10 percent deposit requirement. The initial oral bid must be at least 5 percent higher than highest sealed bid. Subsequent oral bids must be in increments of not less than \$100.00. If the person whose bid is accepted fails to pay the total bid price within 60 days from acceptance of bid, the bidder's deposit is forfeited, and at the sole option of this city, property may be offered for sale to the next highest bidder on the same terms as granted the high bidder. The council shall be notified of bids received or, if applicable, the fact that no bids had been received. The council may reject any and all bids.

The minimum acceptable bid will usually be the appraised fair market value as determined by the city assessor or an independent Member of Appraisal Institute (MAI) appraiser. The intent of this procedure is to set a minimum bid which will ensure a fair return to the city for its property, while encouraging maximum participation in the bidding process.

The city council may determine that property should be developed in a specific manner and may issue a request for competitive proposals (RFP) based upon preestablished criteria, in which case the property would not be sold at auction but sold through public advertising and the solicitation of proposals which will be publicly examined. See appendix A.

## 2. Negotiated sales

If the property is to be developed in a manner that would satisfy a long-term objective of the city or no bids are received or no bids are deemed acceptable by the city council, the city may seek to sell land by one of the following:

*Marketing* - Competitive offers for lease or sale may be solicited from the open market. This may be accomplished through several marketing techniques, such as requests for proposals (RFPs), a marketing subscription system, direct advertising, exposure through real estate services, posting the property, and any other appropriate means.

*Direct marketing* - seeking to sell the property through direct contacts under the following circumstances:

- a. When the land is not readily marketable because of its odd shape, lack of sufficient area to meet minimum space requirements for building in the zone in which it is located, landlocked state, or other lack of sales potential, the land may be sold by taking offers or by negotiation with adjoining landowners, provided the purchase price agreed upon is within 10 percent of the appraisal or the land is exchanged for public improvements of equal or greater value that would otherwise be the obligation of the city.
- b. When the sale to a contiguous owner would correct a site deficiency or improve access to the other property in a manner desired by the city.
- c. When a fee interest in public right-of-way is no longer required, it may be sold to a contiguous owner or exchanged for public improvements of equal or greater value. A

restrictive easement of adequate width or other required easements may be reserved from said sale.

- d. When other governmental, public, and quasi-public agencies submit proposals to acquire city property, the city shall consider such requests before making the land available to the general public. Such sales shall be at fair market value, unless the council finds that selling at a lesser value is in the city's interest. Selling land at less than the appraised fair market value shall require a four-fifths vote of the city council to do so.
- e. When qualified, nonprofit institutional organizations offer to purchase city-owned land, a negotiated sale may be consummated at fair market value, providing there is (1) a development commitment and (2) a right to repurchase or a reversion upon a condition subsequent. Nonprofit and institutional organizations are required to develop under the city's conditional use permit procedure.
- f. When a property has been offered by public auction and no acceptable bids have been received, it may be sold on a negotiated basis to any applicant submitting an acceptable offer within six months following the date of auction. After six months, any offer must be based on an updated appraisal.
- g. When a property is to be developed in a manner that would satisfy a long term objective of the city, the sale may be negotiated as long as the objectives of the city are protected by the sale agreement.
- h. Real property exchanges may be consummated by direct negotiation; however, exchanges will be considered only when there is an advantage to the city, when it results in land needed for a public purpose, or to further the goals and objectives of the city's comprehensive plan.

#### E. Easements

Where the city or other governmental agency has paid for easements, rights-of-way, or access rights and requests to vacate such interests are received and approved, the city shall receive the current fair market value or equivalent compensation for the removal of the restriction. Easements may be exchanged for other easements or relocated to other locations without compensation.

#### F. Exchanges

When land is exchanged, it shall be done based on the fair market value of each property as determined by MAI appraisal. Any difference in value shall be made up by the party with the lower appraisal value.

#### G. Payment for city surplus property

Sales of real property shall be on an all cash-basis, with the following exceptions:

1. Upon written recommendation and approval by the council, a parcel of surplus real property may be sold on such credit terms as are deemed to be necessary in each case. After the required down payment has been made, the balance of the purchase price shall be secured by a note and deed of trust. The credit payment period shall not exceed five years from the date of execution of the trust deed. Interest shall be at the prevailing rate in the community, and the use of term payments shall be linked to job generation for the sale of commercial or industrial property.

2. Sales to nonprofits performing a public purpose may be in the form of a loan or residual receipts note at less than the prevailing interest rates and for more than five years, provided the note is tied to affordable housing.

#### H. Leasing

1. Rate of return. Except for the areas listed below, the city shall obtain a fair market rate of return on city-owned property being considered for lease and negotiate terms and conditions which will continue to sustain a fair rate of return through rent review, consumer price index adjustments, reappraisals, or the application of percentage rents to gross income. The rate of return shall be based upon the highest rate commensurate with the highest and best use of the property or a fair rate of return commensurate with the designated public use. Rental rates shall be established by the city council based on a current appraisal, comparative studies, or past rents received.
2. Long-term lease. A lease greater than one (1) year requires council approval.
3. Short-term lease. Unless there are special circumstances, the city manager without council approval may execute a lease term of less than one (1) year. A short-term lease may not be renewed without council approval.
4. Selection of lessee. Lease proposals shall be evaluated in terms of:
  - a. Consideration offered as rent,
  - b. Financial capability,
  - c. Expertise regarding the proposed leasehold development and operation,
  - d. Nature of proposed development,
  - e. Special public benefits to be derived (if any), and
  - f. Consistency of the intended use with the comprehensive plan and zoning.
5. Leasehold assignments. Requests for assignment of leasehold interest will be evaluated on the same basis as the criteria used in evaluating a leasehold proposal. The city manager may authorize assignments which do not require amendment of the master lease provisions and do not extend beyond the term of the lease.
6. Subleases. Requests for sublease approval will be considered on the merits of each individual transaction. No sublease shall be approved which would be detrimental to the city's rights under the master lease. The city manager may authorize subleases which meet this condition and which do not require amendment of the master lease or extend the term of the lease.
7. Amendments. Amendments of long-term leases require council authorization. Whenever there is a substantial amendment, staff shall provide the council an indication of the fair return for the leasehold. This can be accomplished by appraisals, a survey of the market rate of return, a combination of the above, or any other relevant information.
8. Updating lease terms. Lease terms shall be updated as often as practicable whenever there is a request for assignment or significant amendments or subleases are proposed.
9. Financial encumbrances. The city will generally not subordinate its fee interest to encumbrances placed against the leasehold by the lessee without specific authorization of the city council.
10. Tenant improvements. Improvements installed by the lessee will be removed at termination without cost to the city or they will revert to the city. In the event of removal, the property will be returned to "as was" condition. All leasehold improvements and

alterations require prior approval by the city manager or city council, depending on the term of the lease. Any improvements within a public right-of-way by a lessee shall be deeded to the city.

11. Lease term. Lease terms will be limited to the shortest practical time commensurate with capital investment in permanent improvements to be made by the lessee following state law.
12. Audits. The city may audit all percentage leases in the first year of operation to establish proper reporting procedures and at least once every three years afterwards. More frequent audits may be made if appropriate. The city shall reserve the right to audit all other leases and agreements if determined warranted by the director of finance or city manager. Absent a city audit, a lessee shall submit an annual report certified by a certified public accountant each year within 30 days of the anniversary date of the lease.
13. Cancellation clauses. Short-term leases shall not have cancellation clauses unless they are month-to-month leases.

#### I. Option agreements

1. Option to sell. When properties have been put up for sealed or oral bids and bids have not either been received or been rejected by the city, the city manager may enter an option agreement of up to 90 days with someone interested in purchasing surplus property. Any such option agreement shall be subject to the following minimum terms:
  - a. Shall not exceed 90 days without approval of the city council;
  - b. Shall provide time for the prospective buyer to perform due diligence to see if the property is feasible for his/her purposes;
  - c. Shall require a minimum non-refundable deposit of not less than 10 percent of the value of the property per month of the option agreement;
  - d. Shall require forfeiture of the deposit if the property is not placed in escrow within 90 days;
  - e. Shall set the minimum purchase price of the property at not less than the appraised fair market value, based on an appraisal prepared within six months of the date escrow was opened, and shall provide a non-refundable deposit in an amount agreed upon by the city council and set the length of escrow;
  - f. Shall disclose all realtors involved, if any; and
  - g. Shall disclose the name of the buyer and his/her intended use of the property.

#### J. Real estate listing

It will be the presumption that the city will act as its own agent and that any real estate agent or broker will represent the buyer. When it is determined that any real property owned by the city is to be disposed of by sale, the city council may authorize a written listing contract with a real estate broker licensed by the state of Michigan.

Selecting a real estate broker to provide real estate services will be accomplished through a competitive recruitment process based on the type of property to be marketed, relevant

experience, knowledge of the community, proposed commission, qualifications, necessary licenses in good standing, and demonstrated competence.

Absent a real estate listing, the council may still designate certain surplus property for sale or lease for which the city would pay a partial commission upon the successful conclusion of a sale or lease. The agent or broker that procures a buyer or lessee for the city would be eligible for a commission. A commission would not be paid for subleases and existing leases on city property.

While the city will allow agent or broker participation on designated properties in the sale and lease of land not covered by contract, inherent in this is the right of the city to solicit and obtain sales or leases through in-house capabilities. There will not be any discount in land values or lease rates due to the absence of a commission to real estate brokers.

#### K. Time of payment of a real estate commission for a sale

In the event an agent or broker covered by contract with the city gets a buyer who submits either the highest bid or an offer to purchase based on the fair market value of the parcel and the sale is made and completed in due course, the commission provided in the contract will be paid to the agent or broker by the escrow agent from the sales proceeds.

#### L. Real estate commissions

Unless there is a written contract between a real estate agent or broker and the city, the city shall represent itself and practice good business practices in all real estate transactions. The city may pay a real estate brokerage fee for qualified representation of a selected lessee or purchaser of city property. While the amount of rental or purchase price offered is a criterion for selecting a lessee or purchaser in competitive situations, the selection will be based on the highest net rental or net purchase price, without taking into account any brokerage fees involved in the competition.

#### M. Real estate agent or broker certification

For any sale or lease involving a real estate agent or broker not under contract to the city on designated properties, the city shall require the following:

1. That the buyer or lessee certify that the real estate agent or broker is his/her agent in the transaction and has performed a service and procured the sale or lease.
2. That the real estate agent or broker certify that he or she is not an employee of the lessee or buyer.

#### N. Use of proceeds

Unless otherwise directed by the city council, proceeds from sales or leases shall be assigned as follows:

1. To enterprise accounts, if the property was purchased using ratepayer funds.
2. To the general fund
3. To a program or grant that requires refunding if the land was purchased using a source of money with that type of restriction.

#### O. Costs to sell, lease, and market surplus properties

Unless otherwise directed, the costs to sell, lease, exchange, or market surplus properties will be charged to the fund to which the proceeds of a sale would go.



## APPENDIX A

Owosso from time to time will have parcels that are vital to community and economic development for which proposals should be sought and examined by preestablished criteria. This will normally involve redevelopment projects. In such circumstances, Owosso will follow a process similar to the following.

### 1. Preparation of a site development program

Illustrative development plans and guidelines are prepared by the city that reflect and address:

- economic parameters and feasibility
- community goals and design criteria
- physical capacity

There may be extensive public participation in the process to address critical issues such as height, orientation, parking, traffic, general design/materials, and community character. Open workshops or charrettes may be held early in the process. Typically, this task includes the services of a planning/design firm, civil engineer, and traffic planners and often the services of a development advisor. The result should be a project that is economically feasible and physically reasonable and that meets the goals of Owosso.

Development guidelines will be crafted that give prospective developers direction but still allow the community to tap the creativity and resourcefulness of the private sector.

### 2. Address development readiness of the site

There must be realistic assessment of factors that may impede development and may be difficult for the developer to address. Issues may include ownership holdouts, demolition, environmental contamination, soil conditions, storm water requirements, infrastructure status and responsibility, title exceptions and other similar problems.

Who is in the best position to address these issues must be evaluated and action taken to resolve the issues. Decisions must be made as to the role the developer may have to play in their resolution. At the very least the key issues should be disclosed.

### 3. Prepare request for qualifications and proposals

A two-step process will usually be followed, first seeking qualifications (RFQ), then requesting proposals (RFP) from only a shortlist of not more than five qualified firms or teams. The request for qualifications provides full background information on the project and seeks the experience, track record, financial capacity, and references of development teams.

The two-step process is followed because Owosso wants to advertise sale of land and other development opportunities. This creates a "beauty contest" in the eyes of qualified developers. Firms may hire an architect to prepare attractive exhibits, whether or not they represent a feasible plan or the firm has the financial and development capability to deliver. As a result, many best qualified firms will avoid a request for full proposals that is open to all and for which they cannot reasonably assess the odds of success. The cost of a full proposal is too great to incur unless there is a reasonable chance of success.

### 4. Review qualifications and determine a short list

Qualifications will be reviewed and a short list selected. The review of qualifications will include assessing the relevance and depth of the background of each team, a confidential review of

financial capacity, and interviews of references. A short list will be made. This may require interviews and staff/ consultant review.

#### 5. Solicit/receive proposals from a short list

Meetings will be held with short-listed teams to provide additional background information and to answer questions that may arise. Other discussions also may occur during this period to help the developers fully understand the municipality's goals. The full proposals will include conceptual site and building plans, financial analysis, requests for city participation, and proposed payments to the city. Each developer will approach the project differently.

#### 6. Evaluate proposals

Proposals will be evaluated in terms of overall quality, financial proposal, responsiveness, level of commitment from financing sources and tenants, etc. This is sometimes a summary and comparison or may be more evaluative. In either case, this provides information for use in interviews of the teams.

#### 7. Interviews

Developers will publicly present their proposals to the city council.

#### 8. Selection

Results of the interviews and public comment, if any, then will be considered along with the evaluation of the proposal as for quality, character, track record, ease of working relationship, price offered, and other factors.

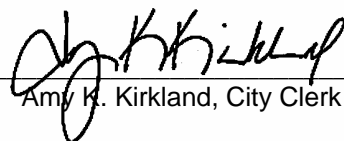
#### 9. Negotiation of redevelopment agreement

Following selection, Owosso will negotiate the business terms of the redevelopment agreement for the project. This includes both financial terms and the responsibilities of parties. City and special legal counsel may be involved. A redevelopment agreement is the basis for the public-private partnership that occurs. It will be far more than a land sale contract to ensure that Owosso gets what it wants. The typical redevelopment agreement will include:

- Approved development
- Time of performance
- Protection on undeveloped land
- Acceptable tenants
- Payments to city
- Excess profit sharing
- Financing terms and public financial role, if any
- Requirements for closing, such as full funding, in balance
- Review and monitoring provisions

This is the opportunity to provide for requirements that reflect the desire to steward the land and achieve key public goals. Some may impact the economics of the project and value of the land, but if they are affordable and acceptable, the redevelopment agreement and covenants that run with the land are the mechanisms to do so and must be done before transfer.

*I hereby certify that the foregoing document is a true copy of action taken by the Owosso City Council at the regular meeting of November 21, 2011.*

  
\_\_\_\_\_  
Amy K. Kirkland, City Clerk



## MEMORANDUM

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

**DATE:** December 17, 2015

**TO:** Mayor Frederick and the Owosso City Council

**FROM:** Donald D. Crawford, City Manager

**SUBJECT:** Waiver of Reversionary Clause

### RECOMMENDATION:

Staff recommends waiving the “reversionary clause” for Lot 50 of the Osburn Lakes Residential Site Condominium development.

### BACKGROUND:

David and Pamela Walter currently own a home located on Lot 49 of the Osburn Lakes subdivision and wish to purchase the adjacent vacant Lot 50 to expand their yard area to the east. Article VII, paragraph F, of the Master Deed grants the Developer (the City) the right to repurchase a lot if construction of a residence has not commenced within 18 months of purchase. As the Walters have no intention of building a home on the lot they are seeking formal assurance from the City and the home owner’s association that no action will be taken to repurchase the property after 18 months time.

### FISCAL IMPACTS:

The City will lose its investment in the infrastructure provided for this lot but it must be remembered that lot sales in this subdivision have been virtually non-existent since the recession and sale of this property will add the property to the tax rolls as well as relieve the City of the burden of maintenance.

## **WAIVER OF REVERSIONARY CLAUSE**

This Waiver of Reversionary Clause is entered into on the date stated below by the City of Owosso, a Michigan municipal corporation of 301 West Main Street, Owosso, Michigan 48867.

WHEREAS, the City of Owosso became the Developer of the Osburn Lakes Residential Site Condominium (“Osburn Lakes”) as established in a Master Deed recorded October 22, 2004 in Liber 1069, Page 159 of the Shiawassee County Records.

WHEREAS Article VII, paragraph F. of the Master Deed grants the Developer the right to repurchase a Unit if construction of the residence has not commenced within eighteen (18) months of an owner acquiring title to a Unit;

WHEREAS Article VII paragraph B.(v)(c) of the Master Deed reserves to the Developer the power to make exceptions to the restrictions contained in the Master Deed;

WHEREAS the economy of the State of Michigan and the housing market have changed since 2004;

WHEREAS David A. and Pamela L. Walter currently own Unit 49 of the Osburn Lakes upon which is a residence and said Unit is contiguous to Unit 50 of Osburn Lakes;

WHEREAS David A. and Pamela L. Walter have offered to purchase Unit 50 of Osburn Lakes but do not intend to construct any buildings on Unit 50;

WHEREAS the City of Owosso finds that it is in its best interest and that of current property owners in Osburn Lakes to waive the right to repurchase Unit 50.

NOW, THEREFORE, THE CITY OF OWOSSO hereby waives its right pursuant to Article VII, paragraph F. of the Master Deed to repurchase Unit 50 of Osburn Lakes for failure to commence construction of a residence.

Provided further that nothing herein bars any owner of Unit 50 from constructing a residence thereon in compliance with the Master Deed and the Ordinances of the City of Owosso.



By signing below, the Osburn Lakes Homeowners Association hereby consents to the Waiver of Reversionary Clause for Unit 50.

BY: \_\_\_\_\_

ITS: \_\_\_\_\_

PREPARED BY:  
William C. Brown P 33871  
Owosso City Attorney  
114 East Main Street, Suite 218  
Owosso, Michigan 48867  
(989)729-0071



301 WEST MAIN STREET • OWOSSO, MICHIGAN 48867-2958

# MEMORANDUM

**TO:** Owosso City Council  
Don Crawford  
Amy K. Kirkland

**FROM:** William C. Brown and Ryan M. Mueller

**DATE:** December 16, 2015

**RE:** Medical Marijuana Dispensary

WCB ZMM

In Michigan it is currently illegal to operate a medical marijuana dispensary (*People v Johnson*, 302 Mich App 450, 463 (2013)). According to the Michigan Supreme Court the only allowed sales of medical marihuana are sales between a registered caretaker and their patients. The Court also stated that a caretaker can only have five patients and must be registered with the State. (*State v. McQueen*, 828 N.W.2d 644, 493 Mich. 135 (Mich. 2013)). Thus, every time a dispensary makes a sale it is guilty of a felony. The only reason that there are as many dispensaries as there are in Michigan is because the municipalities in which they are located allow them to exist and not because they have the legal right to be in business.

This may soon change. Proposed Bill 4209 passed the House and should be in front of the full Senate sometime next year. This Bill would allow people to operate a dispensary legally and would give the municipality control over the location. The Bill would require a dispensary to acquire a state operating license and the application process would require written approval by the municipality in which the dispensary was located. The Bill also would allow municipalities, through ordinances, to control the types of marihuana facilities located within its boundaries and control the location of the facility through zoning ordinances.

In conclusion there is no legal right to operate a medical marijuana dispensary in the State of Michigan and it is solely up to the discretion of the municipality whether or not to allow them to operate without interference from law enforcement.



## MEMORANDUM

---

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

---

**DATE:** December 14, 2015  
**TO:** Mayor Frederick and the Owosso City Council  
**FROM:** Donald D. Crawford, City Manager  
**SUBJECT:** Annual Liquor License Inspections

### INFORMATION:

The Liquor Licenses and Permits - Rules and Regulations approved by the City Council in 1998 provides, in part, as follows:

**RENEWAL OF LICENSE AND PERMITS.** The City Manager shall implement the provisions of this paragraph in such a manner as to provide for investigating each licensed establishment once every three years. Not less than one hundred twenty days prior to the renewal by the Liquor Control Commission of a liquor license and its permits, the City Manager shall cause to be conducted an investigation in accordance with paragraph 6 below. A written report of the results of the investigation shall be forwarded to the City Council. Following its review of the report, the City Council shall determine whether there is sufficient cause to request that the Liquor Control Commission not renew the license. If so, the City Council shall schedule and conduct a public hearing pursuant to paragraph 7.

When the inspection process was initiated, it was anticipated that approximately one-third of the licensed establishments would be inspected each year. The Public Safety Director and Building Official recently oversaw inspections for the listed licensed establishments. All listed establishments passed the basic requirements of the rules and regulations. Full text of the compiled report is available in the Clerk's Office.

Therefore, the city council should find no reason to file any objections with the Michigan Liquor Control Commission with respect to license renewals.

### ATTACHMENTS:

2015 Annual Liquor License Inspection Memo to Staff  
Liquor Licenses and Permits – Rules and Regulations, 1998  
Liquor License On-Premise Revocation & Renewal Standards, 2009

Document originated by: Amy K. Kirkland, City Clerk



## 2015 Liquor License Inspection List

Type of License	License #	2nd Lic. Type	2nd License	Name of Establishment	Name of Licensee	Address of Establishment	Permits
CLUB	20341-2015			BPO Elks Lodge No. 47	Owosso-Saginaw BPO Elks Lodge No. 47	524 South Washington Street	Sunday Sales (PM), OD-Serv
SDM	215694-2015			Dollar General	Dolgencorp, LLC	344 West Main Street	N/A
SDD	141893-2015	SDM	141894-2015	Crossroads Market	T.C.M. Inc	800 South Chipman Street	Sunday Sales (AM & PM)
SDM	73699-2015			Harrand's Market	Harrands Market Inc.	644 Alger Street	Sunday Sales (AM)
SDM	73706-2015			Harrand's	Harrand's, Inc.	620 East Oliver Street	Sunday Sales (AM)
CLS C	70483-2015	SDM	70484-2015	Jumbo's Bar & Grill	Merkel, Inc.	200-204 South Washington St	Sunday Sales (PM), Danc-Ent, Add Bar, OD-Serv, Dir-Con - 1
CLS C	4540-2015	SDM	3065-2015	Roma's Back Door	D.J. Enterprises, Inc.	200 East Comstock Street	Sunday Sales (PM), OD-Serv, Specific Purpose Permit (Food), Danc-Ent
CLS C	131167-2015	SDM	131168-2015	Capitol Bowl	Trecha Enterprises, LLC	217-219-223 S Washington St	Sunday Sales (PM), Sunday Sales (AM), Add Bar, Specific Purpose Permit (Bowling), Danc-Ent
TRAIN	241922-2015			Steam Railroading Institute	Michigan State Trust for Railway Preservation	405 S. Washington St	N/A

**ON-PREMISE LIQUOR LICENSES – OBJECTIONS TO RENEWAL AND/OR REVOCATION**

Motion by Mayor Pro-Tem Owen to authorize a resolution establishing a procedure governing the objection to renewal and revocation of On-Premises Liquor Licenses as follows:

**RESOLUTION NO. 04-2009**

**CITY OF OWOSSO  
A RESOLUTION TO ESTABLISH A  
COMMUNITY STANDARDS REVIEW PROCESS  
FOR ON-PREMISE LIQUOR LICENSES**

WHEREAS, there are currently no community standards in place relative to the issuance, the renewal or the revocation of an on-premises, Class C Liquor License; and

WHEREAS, there are numerous problems at establishments that serve liquor that affect the safety of all City residents and that there are physical fights where persons are injured and danger exists for other people in the vicinity of such fights; and

WHEREAS, there are individuals who are served alcohol at licensed liquor establishments then drive upon the public roadways while drunk, causing danger to all who use the roadways; and

WHEREAS, there are sometimes minors who are served alcohol at licensed liquor establishments, contrary to the law of the State of Michigan and the City of Owosso; and

WHEREAS, there are loud noises from certain licensed liquor establishments that disturb the peace and quiet of nearby residents; and

WHEREAS, there are various criminal and destructive activities that occur in disproportionate frequency after alcohol is served at licensed liquor establishments; and

WHEREAS, the excessive amounts of manpower and resources needed by the City of Owosso and its Police Department to address these various disruptive, criminal and dangerous actions takes the resources of the City of Owosso away from other productive activities that would benefit all City of Owosso residents; and

WHEREAS, the adoption of community standards regarding the issuance, renewal or revocation of an on-premises Class C Liquor License would be in the best interests of the residents of the City of Owosso and provide for their health, safety and welfare: and

WHEREAS, the attached Community Standards properly set forth the standards deemed to be reasonably related to the goals of the City Council.

NOW THEREFORE BE IT RESOLVED:

THAT the City of Owosso, by a majority vote, hereby adopts the attached Community Standards regarding the issuance, renewal or revocation of an on-premises Class C Liquor License.

**CITY OF OWOSSO POLICE DEPARTMENT  
COMMUNITY STANDARDS REGARDING ISSUANCE, RENEWAL  
OR REVOCATION OF AN ON PREMISES CLASS C LIQUOR LICENSE**

I. Every three (3) years, or as needed, the City Manager or a duly authorized representative of the City shall conduct an investigation and report on each on-premises liquor licensed establishment. The investigation shall determine whether:

1. Licensee must meet all State guidelines as specified by the Michigan Liquor Commission Administrative Rules and the Michigan Liquor Control Code of 1998 or amendments thereto.
2. All licenses, fees, taxes and necessary inspections are current and in compliance.
3. Liquor License issued by the State of Michigan are current.
4. If licensee is a Corporation, Partnership, LLC or other legal entity the licensee must indicate all shareholders, officers, partners, members or managers or other parties.
5. Licensee must be in compliance with all proper zoning and site plan review standards.
6. Licensee meets and complies with all fire and safety standards.
7. The licensee, its agents or employees have violated any Federal, State, local law or regulation, relating to the operation of the Licensee.
8. Licensed establishment has engaged in improper conduct. Improper conduct is defined as:
  - A. Four (4) complaints or police calls per month or more than 48 complaints or police calls per year. This is inclusive of complaint investigation requests received from the Michigan Liquor Control Commission. (Does not include police response to business entry or hold up alarms.)

OR

B. Five (5) criminal complaints per year involving assault and battery including domestic violence assault and sexual assault occurring within the licensed premises or in the parking lot of the business whether owned by the licensee or not.

OR

C. Two (2) arrests of persons who had been consuming alcoholic beverages at the licensed establishment and are subsequently arrested for driving offences, specifically including OWI as defined by State Law and Local Ordinance within 12 months.

OR

D. Any arrest of persons who are minors for possession of alcoholic beverages or who have consumed or purchased beverages at the licensed premises within 12 months.

OR

E. Two (2) documented complaints of unnecessary loud noise or disturbance, injurious to the health, peace or quiet of the residents and property owners of the City of Owosso as defined by Ordinance Chapter 18 Section 18-8 within 12 months.

II. The City Manager or the duly authorized representative shall forward the report to the City Council. The Council may adopt a resolution setting a hearing date, and complying with Section 2 of the Procedure for Community Standards Review Hearing.

## PROCEDURE FOR COMMUNITY STANDARDS REVIEW HEARING

1. A public hearing shall be held before any action shall be taken. That hearing shall be held before the City of Owosso Council.
2. Licensee shall be given timely written notification of the hearing including:
  - a. Date, time and location of the hearing.
  - b. Reasons for the proposed actions the Council may consider taking.
  - c. State the proposed action the Council is being asked to consider which may be objecting to license renewal or seeking revocation of the Class C license.
  - d. Licensee will be informed of their rights at the hearing including the opportunity to defend by confronting any adverse witnesses and by being allowed to present witnesses, evidence, and arguments and their right to be represented by an attorney.
3. At the Council hearing the licensee will be given an effective opportunity to defend themselves by confronting any adverse witnesses and by being allowed to present witnesses, evidence, and arguments.
4. The City Council may object to the renewal of licensee's liquor license for one or more of the following reasons:
  - a. If the Licensee fails to meet all statutes and rules pertaining to liquor licenses.
  - b. If licenses, fees, taxes and necessary inspections are not current and not in compliance;
  - c. If the liquor license issued by the State of Michigan is not current;
  - d. If all interested parties are not revealed;
  - e. If Licensee is not in compliance with zoning or site plan requirements;
  - f. If Licensee is not in compliance with fire and safety standards;
  - g. If Licensee, its agents or employees, have violated an Federal, State or local law or regulation relating to the operation of Licensee;
  - h. If Licensee has engaged in improper conduct as defined in paragraph 8 of the City of Owosso Police Department Community Standards Regarding Issuance, Renewal or Revocation of an On Premises Class C Liquor License.
5. After the hearing process the Council will make a written statement of findings and adopt a resolution indicating the specific action requested.
6. The Council will send the following documents to MLCC:
  - a. Copy of the Community Standards including the date of adoption and, if applicable, the date of publication.
  - b. Certified copy of the notice sent to licensee.
  - c. Proof of service or proof of mailing of the notice.

- d. Certified copy of the resolution that was adopted by the local governing body objecting to the renewal of the license or requesting that the license be revoked.

Motion supported by Councilperson Cline.

Roll Call Vote.

AYES: Councilpersons Forster, Simmons, Martenis, Mayor Pro-Tem Owen, Councilpersons Frederick, Cline, and Mayor Bruff.

NAYS: None.

*I hereby certify that the foregoing document is a true and complete copy of action taken by the Owosso City Council at the regular meeting of January 20, 2009.*

---

Amy K. Kohagen, City Clerk

**PUBLIC HEARING**

**LIQUOR LICENSE RULES AND REGULATIONS**

A Public Hearing was held to receive citizen comment regarding proposed Liquor License Rules and Regulations. City Manager Gregg Guetschow introduced the proposed rules and regulations for discussion.

The following people addressed the City Council regarding the proposed rules and regulations:

Debbie Law, 1221 Willow Street, owner-Rainbow Bar  
Mayor Davis, on behalf of Andy Kenney, manager-Jumbo's Bar  
Al Fowler, Corunna  
Doug Allie, 625 North Ball Street  
Jack Ott, 1955 South Morrice Road

There was general City Council discussion.

Motion by Mayor Pro-Tem Heavilin to adopt the rules and regulations as follows:

**LIQUOR LICENSES AND PERMITS  
RULES AND REGULATIONS**

1. **PURPOSE.** The purpose of these rules and regulations is to delineate specific procedures to be followed by City Council and administrative staff members in processing applications for, renewing and revoking liquor licenses and/or associated permits. These rules and regulations are intended to supplement existing statutes, rules and ordinances related to the granting of liquor licenses and permits.
2. **APPLICATION FOR NEW LICENSE OR PERMIT.** When the City Clerk receives an application from the Liquor Control Commission for a new liquor license or permit, s/he shall forward copies of said application to the Police Chief, Fire Chief and Building Official. The Police Chief, Fire Chief and Building Official shall conduct inspections of the premises to assure that they comply with applicable ordinances, statutes and regulations. If the premises are found to be in compliance, the Police Chief, Fire Chief and Building Official shall notify the City Clerk in writing utilizing such form or forms which s/he shall designate. If the premises are found not to be in compliance, the applicant shall be notified that no further action will be taken in processing the application until compliance is achieved and the premises are reinspected. Following such reinspection, the receipt by the Clerk of the compliance report, the payment by the applicant of reinspection fees of \$100.00 per reinspection and the completion of any investigations or inspections required by the Liquor Control Commission, the City Clerk shall forward the application to the City Council for its consideration.
3. **RENEWAL OF LICENSE AND PERMITS.** The City Manager shall implement the provisions of this paragraph in such a manner as to provide for investigating each licensed establishment once every three years. Not less than one hundred twenty days prior to the renewal by the Liquor Control Commission of a liquor license and its permits, the City Manager shall cause to be conducted an investigation in accordance with paragraph 6 below. A written report of the results of the investigation shall be forwarded to the City Council. Following its review of the report, the City Council shall determine whether there is sufficient cause to request that the Liquor Control Commission not renew the license. If so, the City Council shall schedule and conduct a public hearing pursuant to paragraph 7.
4. **REVOCATION OF LICENSE AND PERMITS.** The City Council may request that the Liquor Control Commission revoke a liquor license and/or its associated permits at any time during the term of that license if, following an investigation and a public hearing held pursuant to paragraph 7, it finds that the licensee has failed to comply with the standards set forth in paragraph 8.

5. **TRANSFER OF LICENSE AND PERMITS.** The City may approve the transfer of an existing liquor license and its associated permits pursuant to the procedures described in paragraph 2. In addition to any inspections required by the provisions of paragraph 2, the City Manager shall cause to be performed an investigation in accordance with the provisions of paragraph 6.
6. **INVESTIGATION.** When these rules and regulations require an investigation, it shall include the following:
  - (a) An inspection of the premises to determine whether the operations conducted by the licensee and the general condition of the premises, both interior and exterior, are in compliance with all applicable city ordinances and state statutes and regulations. All inspection reports for the prior 12-month period from the county health department shall be obtained for review;
  - (b) An inspection of the premises to determine that the licensee is in compliance with the license itself, its approved site plan and plan of operation as well as any conditions imposed by the city or the Liquor Control Commission at the time of issuance or transfer of the license;
  - (c) An inspection of police files or other sources of information to determine whether any activity in connection with the licensed premises is in violation of the law, disturbs the public peace and tranquility or contributes to the disruption of the normal activities of those in the neighborhood of the licensed premises.
7. **PUBLIC HEARING.** If the City Council holds a public hearing to consider objecting to the renewal of a liquor license and/or its associated permits or requesting revocation of a liquor license and/or its associated permits, the hearing shall be conducted as follows:
  - (a) The City Council may consider the investigation and other materials prepared by the City Manager, or his designee, pursuant to paragraph 6, which materials shall be made available to the licensee. The City Council may also hear from members of the City administration, other governmental agencies or the public, and licensee shall be afforded an opportunity to question those who present information or other evidence to the City Council;
  - (b) The licensee shall have the opportunity to present written information or oral evidence s/he believes relevant to the issues before the City Council;
  - (c) The public shall be afforded a reasonable opportunity to comment upon the issues before the City Council;
  - (d) If the City Council determines to object to the renewal of a liquor license and/or its associated permits or to request revocation of a liquor license and/or its associated permits, it shall state the reasons upon which the decision is based. A certified copy of an extract of the minutes of the public hearing containing the decision shall be sent to the licensee and to the Liquor Control Commission and must be received by the Liquor Control Commission not later than fifteen days following the decision.
8. **STANDARDS.** The City Council may object to the renewal of a liquor license and/or its associated permits or request revocation of a liquor license and/or its associated permits for one or more of the following reasons:
  - (a) Licensee's failure to comply with all applicable city and state laws, rules, and regulations concerning health, safety, moral conduct or public welfare;
  - (b) Licensee's repeated violations of state liquor laws, rules or regulations;
  - (c) Licensee's maintenance of a continuing nuisance upon or in connection with the licensed premises, including but not limited to any of the following:

- i) Existing violations of building, electrical, mechanical, plumbing, zoning, health, fire or other applicable regulatory codes;
  - ii) A pattern of patron conduct in the neighborhood of the licensed premises which is in violation of the law and/or disturbs the peace, order, and tranquility of the neighborhood;
  - iii) Failure to maintain the grounds and exterior of the licensed premises, including litter, debris, or refuse blowing or being deposited upon adjoining premises;
  - iv) Entertainment on the licensed premises without a permit and/or entertainment which disturbs the peace, order and tranquility in the neighborhood of the licensed premises;
  - v) Any advertising, promotion or activity in connection with the licensed premises which by its nature causes, creates or contributes to disorder, disobedience to rules, ordinances or laws, or contributes to the disruption of normal activity of those in the neighborhood of the licensed premises;
- (d) Licensee's failure to permit the inspection of the licensed premises by the city's agents or employees in connection with the enforcement of City code;
- (e) Licensee's failure to comply with the terms of its liquor license or any conditions imposed by the City Council or the Liquor Control Commission at the time of issuance or transfer of the license;
- (f) Licensee's failure to comply with all standards and plans established and approved by the City Council at the time of original approval or transfer of the license.

Motion supported by Councilperson Smith.


Roll Call Vote.

AYES: Mayor Pro-Tem Heavilin, Councilperson Crutts, Smith, and Mayor Davis.

NAYS: Councilpersons Anderson, Hanna and Stechschulte.

**MOTION TO APPROVE THE "LIQUOR LICENSES AND PERMITS RULES AND REGULATIONS"  
PASSED ON A 4-3 AFFIRMATIVE VOTE.**

*I hereby certify that the foregoing document is a true and complete copy of action taken by the Owosso City Council at the regular meeting of December 21, 1998.*

  
\_\_\_\_\_  
Amy K. Kirkland, City Clerk



To: Owosso City Council  
 From: Charles Rau, Building Official  
 Date: 12/01/2015

Building Department Report for November, 2015

Category	Estimated Cost	Permit Fee	Number of Permits
Demolition	\$0	\$520	4
Electrical	\$0	\$845	5
Fence - Residential	\$0	\$80	1
Mechanical	\$0	\$3,690	27
Non-Res. Add/Alter/Repair	\$79,600	\$1,483	3
Plumbing	\$0	\$1,455	9
Res. Add/Alter/Repair	\$52,525	\$1,490	12
Sign	\$3,539	\$360	4
VACANT PROPERTY REGI	\$0	\$300	3
<b>Totals</b>	<b>\$135,664</b>	<b>\$10,223</b>	<b>68</b>

**2014 COMPARISON TOTALS**

		BUILDING PERMITS ONLY	-	17
NOVEMBER, 2014 TOTALS	\$86,192	\$7,280		55

# Enforcements By Category

12/01/15

1 / 3

NOVEMBER, 2015

## ANIMALS

Enforcement Number	Address	Previous Status	Status	Filed	Closed	Rental
ENF 15-0795	830 WILKINSON ST	RESOLVED	Resolved	11/05/15	11/10/15	N
<b>Total Entries:</b>				<b>1</b>		

## AUTO REP/JUNK VEH

Enforcement Number	Address	Previous Status	Status	Filed	Closed	Rental
ENF 15-0798	1501 FREEMAN ST	LETTER SENT	LETTER SENT	11/09/15		Y
ENF 15-0807	515 E COMSTOCK ST	EXTENSION GRANTED	Extension Granted	11/16/15		N
<b>Total Entries:</b>				<b>2</b>		

## BUILDING VIOL

Enforcement Number	Address	Previous Status	Status	Filed	Closed	Rental
ENF 15-0802	405 GUTE ST	RESOLVED	Resolved	11/10/15	11/11/15	N
ENF 15-0803	120 MICHIGAN AV	RESOLVED	Resolved	11/10/15	11/24/15	N
ENF 15-0805	434 E HOWARD ST	RESOLVED	Resolved	11/12/15	11/19/15	COMM
ENF 15-0811	436 GENESEE ST	LETTER SENT	LETTER SENT	11/16/15		Y
ENF 15-0815	1326 GEORGE ST	LETTER SENT	LETTER SENT	11/18/15		Y
ENF 15-0817	113 E MAIN ST	RESOLVED	Resolved	11/19/15	11/20/15	COMM
ENF 15-0818	115 E MAIN ST	RESOLVED	Resolved	11/19/15	11/20/15	COMM
ENF 15-0820	515 GLENWOOD AV	REF TO RAU	REF TO RAU	11/30/15		Y
ENF 15-0821	216 S ELM ST	REF TO RAU	REF TO RAU	11/30/15		COMM
ENF 15-0804	408 MONROE ST	REF TO TYLER	REF TO TYLER	11/11/15		N
ENF 15-0816	1301 S CEDAR ST	RESOLVED	Resolved	11/18/15	11/23/15	N
ENF 15-0822	971 S SAGINAW ST	INSPECTION (MERLE)	REF TO MECH INSPE	11/30/15		N
<b>Total Entries:</b>				<b>12</b>		

## GARBAGE & DEBRIS

Enforcement Number	Address	Previous Status	Status	Filed	Closed	Rental
--------------------	---------	-----------------	--------	-------	--------	--------

# Enforcements By Category

12/01/15

2/3

NOVEMBER, 2015

---

ENF 15-0812	1110 W MAIN ST	RESOLVED	Resolved	11/17/15	11/30/15	Y
ENF 15-0794	409 GROVER ST	LETTER SENT	Resolved	11/04/15	11/11/15	Y
ENF 15-0799	832 DIVISION ST	LETTER SENT	Resolved	11/10/15	11/18/15	Y
ENF 15-0800	715 LYNN ST	REF TO TYLER	Resolved	11/10/15	11/11/15	Y
ENF 15-0806	321 E STEWART ST	LETTER SENT	REF TO TYLER	11/16/15		N
ENF 15-0814	715 LYNN ST	LETTER SENT	Resolved	11/18/15	11/25/15	Y

---

**Total Entries:** 6

## LAWN MAINTENANCE

---

Enforcement Number	Address	Previous Status	Status	Filed	Closed	Rental
ENF 15-0819	520 CLYDE ST	REF TO TYLER	REF TO TYLER	11/30/15		N

---

**Total Entries:** 1

## MISC VEHICLE VIOL

---

Enforcement Number	Address	Previous Status	Status	Filed	Closed	Rental
ENF 15-0797	1102 S SHIAWASSEE ST	RESOLVED	Resolved	11/09/15	11/30/15	N

---

**Total Entries:** 1

## MISC.

---

Enforcement Number	Address	Previous Status	Status	Filed	Closed	Rental
ENF 15-0801	702 S WASHINGTON ST	RESOLVED	Resolved	11/10/15		Y
ENF 15-0796	216 S ELM ST	RESOLVED	Resolved	11/06/15	11/09/15	COMM

---

**Total Entries:** 2

## RENTAL UNIT INSPECT

---

Enforcement Number	Address	Previous Status	Status	Filed	Closed	Rental
ENF 15-0813	329 GILBERT ST	LETTER SENT	LETTER SENT	11/18/15		Y

---

**Total Entries:** 1

# Enforcements By Category

12/01/15

3 / 3

NOVEMBER, 2015

## RENTAL UNIT VIOL

Enforcement Number	Address	Previous Status	Status	Filed	Closed	Rental
ENF 15-0808	1701 W STEWART ST	LETTER SENT	Resolved	11/16/15	11/17/15	Y
ENF 15-0809	820 E MAIN ST	LETTER SENT	Resolved	11/16/15	11/18/15	Y
<b>Total Entries:</b>				<b>2</b>		

## VACANT PROPERTY REG

Enforcement Number	Address	Previous Status	Status	Filed	Closed	Rental
ENF 15-0810	916 N WASHINGTON ST	LETTER SENT	Resolved	11/16/15	11/19/15	N
<b>Total Entries:</b>				<b>1</b>		

---

**Total Records: 29**

Total Pages: 3

### RENTAL COLUMN DEFINITIONS

Y - Yes, it's a rental  
N - No, it's not a rental - owner occupied  
APTS - Apartment Building  
COMM - Commercial  
REPO - Repossession  
TRAIL - Trailer Park  
VAC - Vacant House  
VL - Vacant Lot  
IND - Industrial  
HOME OCC - Home Occupied



# OWOSSO PUBLIC SAFETY

202 S. WATER ST. • OWOSSO, MICHIGAN 48867-2958 • (989) 725-0580 • FAX (989) 725-0528

---

## *MEMORANDUM*

---

DATE: December 4, 2015

TO: Owosso City Council

FROM: Kevin Lenkart  
Director of Public Safety

RE: November 2015 Police Report

---

Attached are statistics for the police department for November 2015. This report includes activity for the month of November and year-to-date statistics. Also attached is a list of Field Contacts, which are incidents that the police are dispatched to that require no further follow-up than the officers initial response.

Additionally, Reported burn complaints are attached for November, and there were no citations issued.



## Case Assignment/Clearance Report For November, 2015

NOVEMBER 2015 - INCIDENTS

Offenses	Current Month		Year-To-Date		Percent Cleared
	Assigned	Cleared	Assigned	Cleared	
<i>PART I OFFENSES</i>					
ROBBERY	0	0	2	2	100 %
AGGRAVATED ASSAULT	3	3	39	45	115 %
BURGLARY	6	8	65	74	113 %
LARCENY	23	26	242	235	97 %
MOTOR VEHICLE THEFT	2	3	20	19	95 %
SIMPLE ASSAULT	26	26	199	183	91 %
ARSON	0	0	5	6	120 %
FORGERY & UTTERING	0	0	2	1	50 %
COUNTERFEITING	1	1	1	5	500 %
FRAUD	4	8	75	45	60 %
EMBEZZLEMENT	0	0	3	6	200 %
WEAPON CRIMES- CARRY, POSS,	3	4	8	9	112 %
PROSTITUTION	0	0	0	0	0 %
SEX OFFENSES 1/ UNDER AGE -	0	0	4	3	75 %
NARCOTICS VOLIATIONS	2	2	53	131	247 %
GAMBLING VIOLATIONS	0	0	0	0	0 %
VANDALISM-DAMAGE-DESTRUCTIO	0	0	0	0	0 %
HOMICIDE 1	0	0	0	1	0 %
HOMICIDE	0	0	0	1	0 %
RAPE / NON - FAMILY	0	0	3	1	33 %
SEX OFFENSES 2	5	7	33	34	103 %
PARENTAL KIDNAP	0	0	1	1	100 %
KIDNAPPING	0	0	1	1	100 %
BURGLARY RESIDENTIAL	1	1	13	13	100 %
BURGLARY COMMERCIAL	1	1	2	4	200 %
RESISTING/OBSTRUCTING	0	0	7	9	128 %
<i>PART I OFFENSES</i>	<i>77</i>	<i>90</i>	<i>778</i>	<i>829</i>	<i>106 %</i>
<i>PART II OFFENSES</i>					
PAROLE/PROBATION VIOLATION	2	2	28	29	103 %
NATURAL DEATH	0	0	8	4	50 %
RETAIL FRAUD	2	2	17	19	111 %
RUNAWAY	7	9	56	56	100 %
VIOLATION PPO/ COURT ORDER	2	2	16	15	93 %

Offenses	Current Month		Year-To-Date		Percent Cleared
	Assigned	Cleared	Assigned	Cleared	
FAMILY NONSUPPORT	0	0	0	0	0 %
SUSPICIOUS DEATH	0	1	2	5	250 %
TRAFFIC OFFENSES OTHER	4	4	59	49	83 %
CRIMINAL CASE OTHER	0	0	0	0	0 %
WARRANT ARREST	11	11	135	120	88 %
SUSPICIOUS CIRCUMSTANCES	0	2	36	27	75 %
WARRANT ADVISED	0	0	0	0	0 %
MENTAL ORDER-ECO / TDO	9	9	63	56	88 %
DOMESTIC ASSAULT/SITUATION	0	0	74	85	114 %
ILLEGAL DUMPING	0	0	0	0	0 %
FOUND PROPERTY	13	12	118	165	139 %
RECOVERED PROPERTY	0	0	1	2	200 %
ANNOYING PHONE CALLS	0	0	1	1	100 %
TRESPASSING	0	0	8	8	100 %
DOA	1	1	7	6	85 %
ANIMAL COMPLAINTS	2	2	21	20	95 %
MISSING PERSON	0	0	8	7	87 %
WARRANT OBTAINED	0	0	0	0	0 %
PROPERTY-LOST	0	0	0	0	0 %
SAFEKEEPING OF WEAPON	0	0	0	0	0 %
SUICIDE AND ATTEMPTED SUICIDES	0	0	2	1	50 %
TRAFFIC - HIT & RUN	10	13	63	61	96 %
FIRES - NOT ARSON	0	0	1	1	100 %
LOST PROPERTY	0	0	0	0	0 %
NON-CRIMINAL CASE	12	13	124	108	87 %
CRIMES AGAINST FAMILY &	1	1	15	15	100 %
DRIVING WHILE IMPAIRED	6	3	38	38	100 %
LIQUOR LAW VIOLATIONS	0	0	19	22	115 %
DISORDERLY CONDUCT	4	4	45	42	93 %
OTHER CRIMES	21	24	167	145	86 %
IMPOUND / TOW FOLLOW-UP	0	0	0	0	0 %
FALSE ALARM	0	0	0	0	0 %
MOTOR VEHICLE CRASH	33	34	326	281	86 %
THREATS	0	0	6	6	100 %
PROPERTY CRIMES, POSS, SALE,	0	0	0	0	0 %
DAMAGE TO PROPERTY	10	13	117	98	83 %
<i>PART II OFFENSES</i>	<i>150</i>	<i>162</i>	<i>1,581</i>	<i>1,492</i>	<i>94 %</i>
<b>Grand Totals:</b>	<b>227</b>	<b>252</b>	<b>2,359</b>	<b>2,321</b>	<b>98 %</b>

**Field Contact By Reason Summary Report**

NOVEMBER 2015 - FIELD CONTACT

<b>Reason for Contact</b>	<b>Count</b>
911 Hang Up	15
Abandoned Vehicle	2
False Alarm Commercial	13
False Alarm Residential	2
All Other Service Reports	19
Animal Complaints Other	19
Assist Ambulance	5
Assist To Other Dept	39
Assist Fire Dept	2
Attempt To Locate	6
Barking Dog	3
Burning Ordinance	5
Careless Driving	1
Civil Dispute	24
Disturbance	14
Found Property	2
Gun Permit/register	49
Harrassment	6
Homeless Voucher	1
Investigate Vehicle	2
Loud Music	10
Loud Party	2
Mental Pickup/transport	1
Motorist Assist	2
Open Door	1
Ordinance Violation	6
Parking Problem	15
Pawn Ticket	130
Peace Officer	7
Road Hazard	3
Suspicious Person	16
Suspicious Situation	33
Suspicious Vehicle	11



<b>Reason for Contact</b>	<b>Count</b>
Trouble With Kids	13
Trouble With Neighbor	12
Trouble With Subject	32
Trespassing	1
Phone Harassment	1
Unwanted Subject	2
Vacation Check	4
Vehicle Inspection	1
Welfare Check	17
Wire Down	4
Work Traffic	116

**REPORTED BURN COMPLAINTS - NO VIOLATION**  
NOVEMBER 2015

CASE_ID	FCDATE	STREET
201506793	11/03/2015 20:42:00	W RIVER ST
201506837	11/05/2015 14:52:00	S PEARCE ST
201506877	11/07/2015 12:45:00	W MILWAUKEE ST/S CHIPMAN ST
201506895	11/08/2015 16:58:00	W RIVER ST
201507033	11/14/2015 18:08:00	N CEDAR ST



# OWOSSO PUBLIC SAFETY

202 S. WATER ST. • OWOSSO, MICHIGAN 48867-2958 • (989) 725-0580 • FAX (989) 725-0528

---

## *MEMORANDUM*

---

DATE: December 4, 2015

TO: Owosso City Council

FROM: Kevin Lenkart  
Director of Public Safety

RE: November 2015 Fire & Ambulance Report

---

During the month of November 2015:

Fire Department responded to **259** Ambulance calls.

Fire Department responded to **35** Fire calls –

- 15 – Accidents (w/ injury)
- 1 – Accident (no injury)
- 2 – False Alarms
- 1 – Building Fire
- 3 – Fire (rubbish)
- 1 – Fire (camper/recreational vehicle)
- 1 – CO Alarm
- 4 – Dispatched & Cancelled
- 2 – Gas Leak
- 3 – Smoke Removal
- 1 – Line Down
- 1 – Electrical Problem

**OWOSSO HISTORICAL COMMISSION**  
**Regular meeting**  
**Monday November 9, 2015**  
**Curwood Castle**

- CALL TO ORDER:** Chairman Elaine Greenway called the meeting to order at 7:00 p.m.
- PRESENT:** Chairman Elaine Greenway, Vice-Chair Jennifer Mahoney, Commissioner Nick Pidek, Commissioner Robert Brockway, Commissioner Chris Eveleth, Commissioner Tracey Peltier, Commissioner Jenelle Steele-Elkins, Commissioner Dennis Mahoney, Historical Facilities Director Robert Doran.
- ABSENT:** None
- APPROVAL OF AGENDA:** **COMMISSIONER CHRIS EVELETH MADE THE MOTION TO ACCEPT THE AGENDA, SECONDED BY VICE CHAIR JENNIFER MAHONEY, AYES ALL, MOTION CARRIED.**
- TREASURERS REPORT:** **CHAIR ELAINE GREENWAY MADE THE MOTION THE ACCEPT THE TREASURES REPORT, SECONDED BY COMMISSIONER CHRIS EVELETH. AYES ALL, MOTION CARRIED.**
- APPROVAL OF MINUTES:** **MOTION MADE BY COMMISSIONER NICK PIDEK TO ACCEPT THE SEPTEMBER, 2015 MINUTES (REMOVING A SENTENCE FROM NEW BUSINESS; SEE SEPTEMBER 2015 MINUTES) SECONDED BY COMMISSIONER TRACEY PELTIER. AYES ALL, MOTION CARRIED.**
- MOTION MADE BY COMMISSIONER NICK PIDEK TO ACCEPT THE NOVEMBER, 2015 MINUTES, SECONDED BY COMMISSIONER TRACEY PELTIER. AYES ALL, MOTION CARRIED.**
- CITIZENS COMMENTS:** Tom Manke spoke from Friends and Neighbors questioning as to who will make decision as to what items would be sold from the Commission's holdings at the Gould House. He also stated that if we "sell items then we won't have enough items to do a museum." He referred to City Council meeting minutes that stated "creating a museum." Chairman Elaine Greenway spoke on having the items evaluated, and this evaluation would become part of the process. Commissioner Nick Pidek spoke on putting in systems and processes to help us determine the history, worth and value of each items before the sale of any items. Items that are valued as historical will absolutely not be sold. He also spoke of the commission's commitment to ensuring that we always do the right thing. Commissioner Nick Pidek invited Tom Manke to join a committee or subcommittee as a volunteer.
- COMMUNICATIONS:** None.

**DIRECTORS REPORT:**

Director Robert Doran welcomed a group of applied leadership students from Baker who joined us for our meeting.

Director Doran announced a joint exhibition with the Shiawassee Arts Center called "Made in Owosso" is in the planning. The exhibit will be at the Shiawassee Arts Center and the Castle, opening June 24<sup>th</sup>, through August 14<sup>th</sup>. We will be applying for a short-term planning grant, and in early 2016, a larger grant for the exhibition.

Director Doran gave a summary of the OHC working with the Non Profit Network. A breakdown of the deliverables for phase one was explained. The Cook Family Foundation generously will cover the cost of this. Director Doran gave a brief overview of the Cook Family Foundation and the Non Profit Network Group to the Baker Group so they had a better understanding of what these organizations do. This process will lay a foundation for sustainability for the OHC for the years to come.

Director Doran shared that Nov 25<sup>th</sup> a historical architect/engineer will arrive in Owosso to look at the Gould House, in preparation of a proposal for the complete renovation and restoration of the house. He asked that commission members meet on that date. This proposal will show us what work needs to be done at the Gould House and in what order.

**OLD BUSINESS:**

OHC Holiday Party/Silent Auction – December 10, 5:00 pm to 8:30 pm at Curwood Castle. Invitation addresses are needed, each commission member should bring in 10 addresses. Director Doran went over all the auction items. We have items that we are deaccessioning from the OHC holdings for the auction as follows:

- 1 Curwood Poster
- 2 Curwood Lobby Cards
- 2 needlepoint chairs
- 1 Stained glass
- 2 framed Friesseke prints
- 1 Framed blueprint Castle Poster
- 4 2016 Home Tour Tickets, 4 OHC Posters and 4 T-shirts

**COMMISSIONER DENNIS MAHONEY MOVED THAT THE LIST BE APPROVED, SECONDED BY COMMISSIONER CHRIS EVELETH. AYES ALL, MOTION CARRIED.**

Saturday, Nov 21<sup>st</sup> the crowning of the Ice Queen will take place at Curwood Castle. Discussion was held about having an artificial tree and the Commission agreed to purchase a Christmas tree for the Castle with a maximum budget of \$400.

**COMMISSIONER TRACEY PELTIER MOVED THAT WE PURCHASE A CHRISTMAS TREE FOR THE CASTLE WITH A BUDGET NOT EXCEEDING**

**\$400, SECONDED BY COMMISSIONER ROBERT BROCKWAY. AYES ALL, MOTION CARRIED.**

Volunteer Database was brought up and Robert asked that each Commission member reach out to help build our current volunteer list.

**NEW BUSINESS:**

There was a discussion regarding the Curwood Cabin which was donated to the OHC by Diane Conger, from the estate of her late mother and father, Dorothy and Ivan Conger. Research is being done about how to move the cabin, how to build the foundation and developing a plan for restoration and sustainability. Director Robert Doran is consulting with the Henry Ford and curators at Greenfield Village as they have extensive experience with similar projects. The Commission will make final decisions based on best practices.

A price quote was presented by Commissioner Tracey Peltier to the commission to purchase a used POS – point of sale – system for Curwood Castle, including an iPad. The system is from her now closed store Market On Main, and is less than one year old.

**COMMISSIONER NICK PIDEK MOVED THAT WE PURCHASE THE POS SYSTEM FOR THE AMOUNT OF \$800, SECONDED BY COMMISSIONER DENNIS MAHONEY. AYES ALL, MOTION CARRIED. COMMISSIONER TRACEY PELTIER ABSTAINED FROM THE VOTE.**

Commissioner Nick Pidek discussed the Concert at the Castle series, the dates were shared: January 30; February 27; March 26; and April 30, all in 2016. Since the last concert sold out in a few days, Nick suggested doing a second night offering it to more people. Chair Elaine Greenway and Director Robert Doran expressed an interest in doing that as well. All agreed that we would be open to having the concerts on Saturday and Sunday.

**CITIZEN COMMENTS:**

Tom Manke asked where we planned on installing the Curwood Cabin. Director Robert Doran indicated that it will be placed in the park someplace near Curwood Cabin. An exact location has yet to be determined.

**ADJOURN:**

**COMMISSIONER CHRIS EVELETH MADE THE MOTION TO ADJOURN AT 8:10, SUPPORTED BY DENNIS MAHONEY, AYES ALL, MOTION CARRIED**

**MINUTES**  
**REGULAR MEETING OF THE OWOSSO PARKS AND RECREATION COMMISSION**  
**COUNCIL CHAMBERS-OWOSSO CITY HALL**  
**MONDAY NOVEMBER 23, 2015, 6:00 P.M.**

No quorum was reached, the meeting was not held.

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

MEETING CALLED TO ORDER at 7:41 a.m. by Dave Acton.

ROLL CALL was taken by Secretary Alaina Kraus.

MEMBERS PRESENT: Chairman Dave Acton, Authority Members Kevin Wiles (left 8:42), Ken Cushman , Lance Omer, Benjamin Frederick, and Secretary Alaina Kraus

MEMBERS ABSENT: Authority Member Shar Haskins, Bill Gilbert

OTHERS PRESENT: Josh Adams, Main Street Manager; Susan Montenegro, City of Owosso; Janae Fear, The Independent; Don Crawford, City of Owosso (8:52)

AGENDA:

MOTION BY AUTHORITY MEMBER KRAUS SUPPORTED BY AUTHORITY MEMBER CUSHMAN TO APPROVE THE AGENDA FOR DECEMBER 2, 2015.  
YEAS ALL. MOTION CARRIED.

MINUTES:

MOTION BY AUTHORITY MEMBER CUSHMAN, SUPPORTED BY AUTHORITY MEMBER OMER TO APPROVE THE MINUTES FOR THE MEETING OF NOVEMBER 4, 2015 WITH SLIGHT MODIFICATIONS.  
YEAS ALL. MOTION CARRIED.

PUBLIC / BOARD / STAFF COMMENTS:

None

COMMITTEE UPDATES

1) Design

Still pending state approval on the wayfinding signs. Not certain yet if a formal application is required. Adams is filling one of in case.

Montenegro is still selling drinking glasses and sold another wayfinding sign. This puts us at seven signs, but may not go in until spring due to wait on MDOT approval.

Prepping for fundraising for the flower program and winter greenery.

Committee will be actively involved in facade grants.

2) Economic Restructuring

There was no meeting month due to the holiday.

3) Organization



There was no meeting this month.

Still working on the app for downtown. Newsletter will restart in Jan.

#### 4) Promotion

Every record was broken with GLOW. The estimate is 4500-5000 attendees and 175 runners. Over \$8500 raised so far for the year. GLOW Ice Queen was a success and raised \$19000 charity.

Ugly Sweater Saturday is coming up and will have a 5k. Promotions is coming alongside the event and will continue the model.

Kudos to Adams and Hankerd for getting lights and the tree up.

The tree was donated by Owosso Township and Miller has two more available for the future. These will be coming from a future industrial park so they'll be cut down anyway.

#### ITEMS OF BUSINESS:

##### 1. CHECK REGISTER APPROVAL.

The credit card is used mainly for online purchases. POs are filled out for each purchase and is put into one master PO under the credit card payment at the of the month.

##### SEE BOARD PACKET FOR CHECK REGISTER

MOTION BY AUTHORITY MEMBER FREDERICK, SUPPORTED BY AUTHORITY MEMBER WILES TO APPROVE THE CHECK REGISTER FOR NOVEMBER 2015 AS PRESENTED. YEAS ALL. MOTION CARRIED.

##### 2. BUDGET REPORT/BUDGET UPDATES

GLOW is expecting another \$1,500 on top of the \$8,500 already turned in with fundraising. This comes from the run (sponsorships & registration), ornament sales, and Ice Queen.

Adams said the he finds a more engaged audience with articles in the paper, but wider reach on Facebook.

##### 3. FACADE GRANT UPDATE

There was a business owner's meeting in November to go over requirements. Montenegro and Adams also met with a potential architect. One packet is already turned in. A minimum of two are needed, but Montenegro is working on additional businesses to make most of the grant. We have eight free design services are still available at three per year. The grant has been changed to 50/50 with a minimum total investment of \$30,000. A city match must be made as well. Since we have history with the program, we don't have to have a certified grant administrator. It may be possible to offer revolving loans to help businesses make the most of the grant while we have it.

#### 4. NEW COMMUNICATION TOOL

Omer shared his concerns about the disconnect between downtown and the other side of the river, especially with SRI. He shared the idea of using Interactive Voice Response where people can call in and reach different business extensions and information and whatever else we would like to. The group he's been looking at also offers reports. Estimated cost is about \$40 a month.

Acton shared that in his field IVR doesn't have a high satisfaction rate, but at the price it is worth trying. He suggests no more than two steps to any one thing.

MOTION BY AUTHORITY MEMBER OMER, SUPPORTED BY AUTHORITY MEMBER WILES TO TRY IVR FOR 6 MONTHS HEADED UP BY OMER.  
YEAS ALL. MOTION CARRIED.

#### 5. YEAR END ACCREDITATION UPDATE

The accurate private investment number on the MMS annual report graphic is \$859,485 not \$1,859,485. This is being updated by the state to the correct number. We already have over \$500,000 in investment for 2015/2016. Over 30 new jobs were created that aren't included in the graphic.

Adams reports that we're getting a good reputation for taking care of small businesses.

#### 6. UPCOMING SPECIAL MEETINGS

- a) Board Retreat – Monday, December 14th from 6pm-8pm in the Wesener

#### 7. GOODBYE TO ALAINA KRAUS

Frederick presented a pin key to the city in thanks for service and Kraus may come back for the board retreat on the 14th.

Theresa Trecha will be starting in January for Gonyou's position, but another board member will be needed and a new secretary. Acton will be moving into the Wesener as soon as a certificate of occupancy is issued.

#### PUBLIC / BOARD / STAFF COMMENTS:

Adams found an old telephone booth in the DPW lot and the CBB is wrong to restore it to be used for information in Main Street Plaza.

MOTION MADE BY CUSHMAN, SUPPORTED BY AUTHORITY MEMBER OMER TO  
ADJOURN AT 8:17 AM.  
YEAS ALL. MOTION CARRIED.

---

Alaina Kraus, Secretary