CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MONDAY, OCTOBER 21, 2019
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 OCTOBER 7, 2019:

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

None.

PUBLIC HEARINGS

1. Industrial Facilities Exemption Certificate – Covenant Eyes. Conduct a Public Hearing to receive citizen comment regarding the application of Covenant Eyes, Inc. for an Industrial Facilities Exemption Certificate for real property improvements at 1525 West King Street.

2. Proposed Special Assessment Project – North Street. Conduct a public hearing to receive citizen comment regarding Resolution No. 3 for proposed Special Assessment District No. 2020-03 for North Street from Hickory Street to Gould Street for street reconstruction.

3. Ordinance Amendment – Site Plan Review. Conduct a public hearing to receive citizen comment on the proposed amendments to Section 38-390, Site Plan Review, of Article XVII, General Provisions, of Chapter 38, Zoning, of the Code of Ordinances, to allow staff approval of select site plans.

4. Ordinance Amendment – Sign Ordinance. Conduct a public hearing to receive citizen comment on the proposed repeal and replacement of Chapter 26, Signs, of the Code of Ordinances.
**CITIZEN COMMENTS AND QUESTIONS**

**CONSENT AGENDA**

1. **Set Public Hearing – Proposed Brownfield Plan #21.** Set a public hearing for November 4, 2019 to receive citizen comment regarding the proposed Brownfield Redevelopment Plan #21 – 152 Howard Street Project.

2. **OMS/DDA RLF Loan Funding Approval – 108 N. Washington Street.** Consider approval of the application from Owosso Books & Beans, LLC requesting a loan from the OMS/DDA Revolving Loan Fund in the amount of $50,000.00 for working capital for their location at 108 N. Washington Street.

3. **OMS/DDA RLF Bridge Loan Funding Approval – 118 S. Washington Street.** Consider approval of the application from Nom Nom Sweeties requesting a loan from the OMS/DDA Revolving Loan Fund in the amount of $6,975.00 for buildout expenses for their location at 118 S. Washington Street.

4. **OMS/DDA RLF Bridge Loan Funding Approval – 114-116 W. Main Street.** Consider approval of the application from Ruesswood REI Group requesting a bridge loan from the OMS/DDA Revolving Loan Fund in the amount of $125,295.95 to closeout the Façade Grant Project at 114-116 W. Main Street in anticipation of grant funding to be received from the MEDC.

5. **OMS/DDA RLF Grant Funding Approval – Turnabout Ventures, LLC.** Consider approval of the application from Turnabout Ventures, LLC requesting a grant from the OMS/DDA Revolving Loan Fund in the amount of $9,575.00 to obtain architectural services for the development of upper-floor residential units at 113 E. Main Street, 115 E. Main Street, 110 N. Washington Street, and 108 E. Exchange Street.

6. **Warrant No. 576.** Authorize Warrant No. 576 as follows:

<table>
<thead>
<tr>
<th>Vendor Description</th>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gould Law, P.C.</td>
<td>General</td>
<td>$10,335.10</td>
</tr>
<tr>
<td>Waste Management</td>
<td>WWTP</td>
<td>$12,009.86</td>
</tr>
</tbody>
</table>

**ITEMS OF BUSINESS**


3. **Development Agreement – Matthews/Mueller Building.** Consider entering into an agreement with Owosso REI Group, LLC for the redevelopment and/or remediation of the Matthews/Mueller Building.

4. **Obsolete Property Rehabilitation Exemption Certificate Revocation – D.R. & H.P., LLC.** Consider revocation of the Obsolete Property Rehabilitation Exemption Certificate #3-16-0026 issued to D.R. & H.P., LLC for the property located at 344 West Main Street due to a lack of follow-through on the project.

5. **Brownfield Termination – Plan #19 – 344 W. Main Street.** Consider termination of Brownfield Plan #19 – 344 W. Main Street Project for failure to execute eligible activities within two years of approval and sale of the property without notice to the City.

6. **Tax Abatement Policy Amendments.** Consider amendments to the City’s Tax Abatement Policy.
7. **Complete Count Committee Establishment.** Consider establishment of a Complete Count Committee at the recommendation of the Census Bureau and approve appointment of the following people to the committee:

<table>
<thead>
<tr>
<th>Name</th>
<th>Board/Commission</th>
<th>Term Expires</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jeff Deason</td>
<td>Complete Count Committee</td>
<td>10-31-2020</td>
</tr>
<tr>
<td>Steve Flayer</td>
<td>Complete Count Committee</td>
<td>10-31-2020</td>
</tr>
<tr>
<td>Justin Horvath</td>
<td>Complete Count Committee</td>
<td>10-31-2020</td>
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<tr>
<td>Piper Brewer</td>
<td>Complete Count Committee</td>
<td>10-31-2020</td>
</tr>
<tr>
<td>Nathan Henne</td>
<td>Complete Count Committee</td>
<td>10-31-2020</td>
</tr>
<tr>
<td>Christopher Eveleth</td>
<td>Complete Count Committee</td>
<td>10-31-2020</td>
</tr>
<tr>
<td>Nicholas Pidek</td>
<td>Complete Count Committee</td>
<td>10-31-2020</td>
</tr>
<tr>
<td>Susan Ludington</td>
<td>Complete Count Committee</td>
<td>10-31-2020</td>
</tr>
<tr>
<td>Marlene Webster</td>
<td>Complete Count Committee</td>
<td>10-31-2020</td>
</tr>
</tbody>
</table>

**COMMUNICATIONS**

1. **Bradley Kirkland, Planning Commission.** Letter of resignation.
9. **Downtown Development Authority/Main Street.** Minutes of October 3, 2019.

**CITIZEN COMMENTS AND QUESTIONS**

**NEXT MEETING**

Monday, November 04, 2019

**BOARDS AND COMMISSIONS OPENINGS**

Building Board of Appeals – Alternate - term expires June 30, 2019
Building Board of Appeals – Alternate - term expires June 30, 2021
Brownfield Redevelopment Authority – term expires June 30, 2022
Historical Commission – term expires December 31, 2019
Historical Commission – 2 terms expire December 31, 2020
Parks & Recreation Commission – term expires June 30, 2021
Planning Commission – term expires June 30, 2020
Planning Commission – term expires June 30, 2022
Shiawassee District Library – term expires June 30, 2023

**ADJOURNMENT**

The City of Owosso will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio recordings 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, calling, or emailing the following: Owosso City Clerk’s Office, 301 West Main Street, Owosso, MI 48867; Phone: (989) 725-0500; Email: city.clerk@ci.owosso.mi.us. The City of Owosso Website address is www.ci.owosso.mi.us.
PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH
OPENING PRAYER: MARLENE WEBSTER
COUNTY COMMISSIONER DISTRICT 1
PLEDGE OF ALLEGIANCE: MAYOR PRO-TEM SUSAN J. OSIKA
PRESENT: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika, Councilmembers Janae L. Fear, Jerome C. Haber, Daniel A. Law, and Nicholas L. Pidek.
ABSENT: Councilmember Loreen F. Bailey. (Excused for medical reasons.)

APPROVE AGENDA
Motion by Mayor Pro-Tem Osika to approve the agenda with the following changes:
Add:

PROCLAMATIONS/SPECIAL PRESENTATIONS
1. Trash Collection Presentation – Supplemental.

ITEMS OF BUSINESS
Remove:

ITEMS OF BUSINESS
2. Closed Session.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF SEPTEMBER 16, 2019
Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of September 16, 2019 as presented.
Motion supported by Councilmember Fear and concurred in by unanimous vote.

APPROVAL OF THE MINUTES OF 5TH MONDAY MEETING OF SEPTEMBER 30, 2019
Motion by Councilmember Haber to approve the Minutes of the 5th Monday Meeting of September 30, 2019 as presented.
Motion supported by Councilmember Law and concurred in by unanimous vote.

**PROCLAMATIONS / SPECIAL PRESENTATIONS**

**Trash Collection Presentation – Supplemental.** (This item was added to the agenda.)

City Manager Nathan R. Henne gave a presentation answering questions that were raised after his initial trash presentation at the meeting of September 30, 2019. Information in the presentation will be posted to the City’s website and social media pages.

Councilmember Pidek asked that an analysis of the recycling options be conducted.

Councilmember Haber indicated he had met with the City Manager and local trash haulers earlier in the day and the meeting was productive.

Motion by Councilmember Haber to table any decision that would change trash service until such time as a public forum is held.

Motion supported by Councilmember Law.

Roll Call Vote.

AYES: Councilmembers Law, Pidek, Haber, and Mayor Eveleth.

NAYS: Councilmember Fear and Mayor Pro-Tem Osika.

ABSENT: Councilmember Bailey.

Councilmember Haber will contact the trash haulers about possible dates and times for the forum.

**PUBLIC HEARINGS**

**Proposed Special Assessment Project – Cedar Street, from South Street to Hampton Avenue**

City Manager Henne gave a brief presentation detailing the pavement condition, traffic counts, and breakdown of estimated costs for Cedar Street.

A public hearing was conducted to receive citizen comment regarding Resolution No. 3 for proposed Special Assessment District No. 2020-01 for Cedar Street from South Street to Hampton Avenue for street rehabilitation.

Terry Ochodnicky, 1436 S. Cedar Street, said the street was in good shape until MDOT detoured traffic onto the street when they reconstructed M-52. He said he felt the State should be responsible for the cost of rehabbing the street. Mayor Eveleth inquired whether there was any recourse with MDOT. City Manager Henne indicated he was not aware of any way to make them compensate the City for damage caused by the detour.

Anna Reed, 1249 S. Cedar Street, asked why the price she is being charged on Cedar Street is more than the residents on Clark Avenue will be required to pay. It was explained that each street is different with different conditions beneath the surface, different widths and lengths, different types of traffic, and different lot sizes resulting in different prices.

Motion by Councilmember Pidek to approve the following resolution:
RESOLUTION NO. 139-2019

AUTHORIZING SPECIAL ASSESSMENT RESOLUTION NO. 3
ESTABLISHING SPECIAL ASSESSMENT DISTRICT NO. 2020-01
CEDAR STREET, FROM SOUTH STREET TO HAMPTON AVENUE
FOR STREET REHABILITATION

WHEREAS, the City Council, after due and legal notice, has met and having heard all persons to be affected by the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited:

   CEDAR STREET, A PUBLIC STREET, FROM SOUTH STREET TO HAMPTON AVENUE
   STREET REHABILITATION

2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be $588,054.00 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.

3. The City Council determines that of said total estimated cost, the sum of $100,550.94 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described, and that the sum of $487,503.06 of said total estimated cost shall be the obligation of the City at large because of benefit to the City at large.

4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied:

   Cedar Street, a Public Street, from South Street to Hampton Avenue
   For street rehabilitation

5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.

6. When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.
ABSENT: Councilmember Bailey.

**Proposed Special Assessment Project** – Clark Avenue, from Oliver Street to King Street

City Manager Henne gave a brief presentation detailing the pavement condition, traffic counts, and breakdown of estimated costs for Clark Avenue.

A public hearing was conducted to receive citizen comment regarding Resolution No. 3 for proposed Special Assessment District No. 2020-02 for Clark Avenue from Oliver Street to King Street for street rehabilitation.

The following person commented in regard to the proposed project:

Kathy Bond, 805 W. King Street, via email, objected to the proposed project saying the street does not need improvement and there are other streets that are in greater need of repair.

Motion by Mayor Pro-Tem Osika to approve the following resolution:

**RESOLUTION NO. 140-2019**

**AUTHORIZING SPECIAL ASSESSMENT RESOLUTION NO. 3**

**ESTABLISHING SPECIAL ASSESSMENT DISTRICT NO. 2020-02**

**CLARK AVENUE, FROM OLIVER STREET TO KING STREET**

**FOR STREET REHABILITATION**

WHEREAS, the City Council, after due and legal notice, has met and (there being no one to be heard regarding / having heard all persons to be affected by) the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited:

   **CLARK AVENUE, A PUBLIC STREET, FROM OLIVER STREET TO KING STREET**

   **STREET REHABILITATION**

2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be $323,828.40 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.

3. The City Council determines that of said total estimated cost, the sum of $59,294.94 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described, and that the sum of $264,533.46 of said total estimated cost shall be the obligation of the City at large because of benefit to the City at large.

4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied:

   **Clark Avenue, a Public Street, from Oliver Street to King Street**
For street rehabilitation

5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.

6. When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Bailey.

CITIZEN COMMENTS AND QUESTIONS

Prior to opening the Citizen Comments period Mayor Eveleth clarified Council’s earlier action to table the decision on trash haulers saying that Council will not be making any decisions on the topic until a public forum on the matter is held.

County Commissioner District 2 Dan McMaster indicated the County Commission is looking for feedback at the public hearing regarding the proposed expansion of the County Road Commission that will be held October 10th. He welcomed any comments from residents.

Mark Silvernail, 1209 Henry Street, commented on his objections to moving to a single trash hauler saying stronger enforcement of the ordinance would be better.

Anna Reed, 1249 S. Cedar Street, said she believes that competition provides a better marketplace for citizens. She also indicated she felt it was unfair the schools are not being charged for special assessments.

Alan Thompson, 1210 George Street, remarked that he was charged 25% more than his neighbors for the Owosso Drain assessment and he didn’t think it was fair. He also commented on trash pickup saying he only pays $.50/week for service and can’t afford more because he’s on disability.

Bruce Bentley, 318 Gilbert Street, said he pays $1.00 to drop off a bag of trash at his hauler’s location and asked that people like him be able to opt out of dedicated weekly service.

Former City Councilmember Burton Fox, 216 E. Oliver Street, clarified for residents how special assessment amounts are determined noting that people are only paying for the pavement and a wide street will cost more per foot than a narrow street. In regard to trash Mr. Fox asked if the City had refuse problem or an ordinance problem. He outlined further concerns about local trash haulers, enforcement of the ordinance, and potential changes to the ordinance before he ran out of time to speak.

Eddie Urban, 601 Glenwood Avenue, said he has trouble with the single hauler service that is provided to his property up north and he is concerned about what such a change might do to small local haulers.
Hanora Bignall, 1004 Hanover Street, described the issue she has with her special assessment saying the house behind her accesses their home from Hanover Street but was not assessed for any of the work done to the street last year. She feels this is unfair and would like someone to look into the matter. She said she had discussed it with staff but no resolution was found. Mayor Eveleth took her information so the matter could be looked into further.

City Manager Henne defended the fact that he did not have any concrete information as to how much a single service hauler would cost the average homeowner because he does not have the authority to seek bids until the ordinance is changed. In lieu of hard numbers he had done his best to gather information from other communities to fill the gap.

In response to Ms. Reed’s comment, Mayor Eveleth noted that everyone pays special assessments; churches, schools, Consumers Energy, etc. So the Schools will be paying a special assessment as well. He further noted that special assessments are based on the amount of front footage a property has, which is why some people are assessed more than others.

Councilmember Pidek asked that the problems with Herman Street be looked at so they don’t get any worse.

Councilmember Law inquired whether there was something that City Council could do to authorize the City Manager to obtain bids for trash service for the purposes of discussion. He said he didn’t feel right about telling residents we have no idea what the potential cost would be. Councilmember Fear indicated that Council would have to agree on the scope of service before quotes could be sought.

There was a brief discussion about putting the question on a ballot. Councilmember Haber suggested waiting to make any decisions until the public forum is held, saying he thinks there is a lot to learn from one another before moving forward. Mayor Eveleth will work with Councilmember Haber to determine how the forum will work and will bring their suggested format to the next regular meeting for consideration. Mayor Eveleth said he welcomed any Council feedback on the topic so they are able to determine the proper scope for the forum.

CITY MANAGER REPORT

City Manager Henne detailed the latest Project Status Report for City Council.

CONSENT AGENDA

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

Set Public Hearing – Industrial Facilities Exemption Certificate. Set a Public Hearing for Monday, October 21, 2019 to receive citizen comment regarding the application of Covenant Eyes, Inc. for an Industrial Facilities Exemption Certificate for real property improvements at 1525 West King Street as follows:

RESOLUTION NO. 141-2019

SETTING PUBLIC HEARING TO CONSIDER APPLICATION FOR AN INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE FOR COVENANT EYES, INC.
1525 W KING ST

WHEREAS, a tax abatement application was received September 16, 2019 from Covenant Eyes, Inc. per the City of Owosso Tax Abatement Policy of June 7, 2010; and
WHEREAS, application was also received September 16, 2019 from Covenant Eyes, Inc. for a Real Property Industrial Facilities Tax Exemption Certificate; and

WHEREAS, an Industrial Development District was established June 19, 2000 for property described as:

> PT OF N 1/2 OF SE 1/4 SEC 14 T7N R2E COM S 1’32 1/2’ W 33’ & E 418.73’ FR CEN SEC 14 TO POB TH N90°00’00”E, ON S LN OF KING ST, 398.06, TH S42°7’30”E, 529.09’, TH S49°29’16”W, 295.26”, TH N42°07’00”W, 787.58’ TO POB. 4.46 AC M/L (EX ESMTS OF RECORD); and

WHEREAS, the Industrial Facilities Tax Exemption certificate, being part of Act 198 of 1974, is available to the city of Owosso; and

WHEREAS, city of Owosso is a qualified local governmental unit and permits the city of Owosso to grant an Industrial Facilities Tax Exemption Certificate; and

WHEREAS, it was determined by city staff that the Industrial Facilities Exemption Certificate is within the guidelines of the City of Owosso Tax Abatement Policy of June 7, 2010; and

WHEREAS, notification will be sent to all taxing jurisdictions per the City of Owosso Tax Abatement Policy of June 7, 2010.

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

FIRST: the Owosso City Council sets a public hearing for October 21, 2019 on or about 7:30 p.m. in the council chambers for the purpose hearing comments for those within the proposed district, governmental taxing jurisdictions and any other resident or taxpayer, of the city of Owosso.

SECOND: the city clerk gives the notifications as required by law.

**Proposed Special Assessment Project – North Street.** Authorize Resolution No. 2 setting a public hearing for Monday, October 21, 2019 for proposed Special Assessment District No. 2020-03 for North Street from Hickory Street to Gould Street for street reconstruction as detailed:

**RESOLUTION NO. 142-2019**

**NORTH STREET**

**FROM HICKORY STREET TO GOULD STREET**

**SPECIAL ASSESSMENT RESOLUTION NO. 2**

WHEREAS, the City Council has ordered the City Manager to prepare a report for public improvement, more particularly hereinafter described; and

NORTH STREET, A PUBLIC STREET, FROM HICKORY STREET TO GOULD STREET; STREET RECONSTRUCTION

WHEREAS, the City Manager prepared said report and the same has been filed with the City Council as required by the Special Assessment Ordinance of the City of Owosso and the Council has reviewed said report.

NOW, THEREFORE, BE IT RESOLVED THAT:
1. The plans and estimate of cost and the report of the City Manager for said public improvement shall be filed in the office of the City Clerk and shall be available for public examination.

2. The City Council hereby determines that the Public Improvement hereinafter set forth may be necessary.

3. The City Council hereby approves the estimate of cost of said public improvement to be $1,343,777.40 and determines that $196,884.33 thereof shall be paid by special assessment imposed on the lots and parcels of land more particularly hereinafter set forth, which lots and parcels of land are hereby designated to be all of the lots and parcels of land to be benefited by said improvements and determines that $1,146,893.07 of the cost thereof shall be paid by the City at large because of benefit to the City at large.

4. The City Council hereby determines that the portion of the cost of said public improvement to be specially assessed shall be assessed in accordance with the benefits to be received.

5. The City Council shall meet at the Owosso City Hall Council Chambers on Monday, October 21, 2019 for the purpose of hearing all persons to be affected by the proposed public improvement.

6. The City Clerk is hereby directed to cause notice of the time and place of the hearing to be published once in The Argus Press, the official newspaper of the City of Owosso, not less than seven (7) days prior to the date of said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of property subject to assessment, as indicated by the records in the City Assessor's Office as shown on the general tax roll of the City, at least (10) full days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.

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

NOTICE OF SPECIAL ASSESSMENT HEARING
CITY OF OWOSSO, MICHIGAN

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

TAKE NOTICE that the City Council intends to acquire and construct the following described public improvement:

North Street, a Public Street, from Hickory Street to Gould Street
Street Reconstruction

The City Council intends to defray apart or all of the cost of the above-described public improvement by special assessment against the above described property.

TAKE FURTHER NOTICE that City Council has caused plans and an estimate of the cost and report for the above described public improvement to be prepared and made by the City Manager and the same is on file with the City Clerk and available for public examination.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall Council Chambers, Owosso, Michigan at 7:30 o'clock p.m. on Monday, October 21, 2019 for the purpose of hearing any person to be affected by the proposed public improvement.

First Reading & Set Public Hearing – Zoning Ordinance Amendment. Conduct first reading and set a public hearing for Monday, October 21, 2019 to receive citizen comment on the proposed amendments to Section 38-390, Site Plan Review, of Article XVII, General Provisions, of Chapter 38, Zoning, of the Code of Ordinances, to allow staff approval of select site plans as shown below:
RESOLUTION NO. 143-2019

SETTING A PUBLIC HEARING TO
AMEND CHAPTER 38, ZONING, OF THE CODE OF ORDINANCES
TO ALLOW ADMINISTRATIVE SITE PLAN REVIEW

WHEREAS, the city of Owosso Planning Commission currently reviews every site plan per Chapter 38, Article XVII, Section 390; and

WHEREAS, an Administrative Site Plan Review ordinance would allow the Zoning Official to review certain site plans; and

WHEREAS, an Administrative Site Plan Review protocol would reduce the amount of time necessary to approve minor site plans; and

WHEREAS, the Owosso Planning Commission has met, discussed and authored amendments to the Zoning Ordinance to allow Administrative Site Plan Review in select circumstances; and

WHEREAS, the Planning Commission held a public hearing on September 23, 2019 at its regularly scheduled meeting regarding the proposal to amend various sections of Chapter 38, Zoning, in which no citizen comments were received; and

WHEREAS, the Planning Commission further recommends adoption of the following amendments to the Zoning Ordinance to allow for the administrative review of select site plans; and

WHEREAS, the City Council is required to hold a public hearing to receive citizen comment regarding any and all proposed ordinance amendments.

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

SECTION 1. AMENDMENT. That Sec. 38-390, Site plan review, be amended to read as follows:

Sec. 38-390. - Site plan review.
When provisions of this chapter require submission of a site plan to the planning commission, it shall be submitted in accordance with the provisions of this section. Site Plans may be approved Administratively or by the Planning Commission, depending on the proposal.

(1) Submission for approval. A site plan shall be required for the following:
   a. Any use or development for which the submission of a site plan is required by any provision of this chapter;
   b. Any development, except single-family and two-family residential, for which off-street parking areas are provided as required in section 38-380, off-street parking requirements;
   c. Any use in an RM-1, RM-2, OS-1, B-1, B-2, B-3, B-4, I-1, I-2, P-1 or PUD district;
   d. Any use except single- or two-family residential which lies contiguous to a major thoroughfare or collector street;
   e. All residentially related uses permitted in single-family districts such as, but not limited to, churches, schools, colleges, institutions, and public facilities;
   f. Accessory buildings or building additions which require additional off-street parking.

(2) All site plans must be reviewed and approved by the Planning Commission, with the exception of the following, that may qualify for an Administrative Site Plan Review.
   a. The Zoning Official, at his discretion, may send a development otherwise eligible for Administrative Site Plan Review to the Planning Commission for review and approval.
   b. The following development/construction/activity within the City is eligible for...
Administrative Site Plan Approval:
1. New construction of any Principally Permitted non-residential or multiple family development that is less than 2,000 square feet in floor area;
2. Construction of an additional less than 2,000 square feet in floor area in a non-residential district;
3. Construction of expansion of an impervious surface less than 5,000 square feet in area;
4. Changes in use from a non-conforming use to a more conforming use;
5. A vacant existing building or site to be re-occupied by a use permitted and will not require any significant changes in existing site facilities such as parking, landscaping, lighting, or sidewalks;
6. Installation of pavement or curbing improvements provided the number of spaces remain constant and the plans and construction are approved by the City Engineer;
7. Relocation of a waste receptacle or screening around the waste receptacle;
8. Accessory structures in non-residential districts;
9. Temporary uses, sales, and seasonal events;
10. Erection of a tower, antenna, or other community facility, essential public service building
11. Minor revisions to an approved site plan, limited to:
   a) changes to façade or architectural features
   b) alterations/substitutions/expansions of approved landscaping areas consistent with the other requirements of the Ordinance;
c. Site Plan Application and Submittal Requirements are required for Administrative Site Plan Approval, consistent with Section 38-390 (3).

(3) Any person seeking site plan approval hereunder shall submit a site plan, application, and the applicable filing fee to the building department. Application should be made a minimum of 30 days prior to the next regularly scheduled Planning Commission meeting. The building department shall provide application forms and graphic standards for the site plan. Said site plan shall be prepared by a professional architect, engineer, landscape architect or land planner and must contain the following information:
a. A scale of not less than one (1) inch equals fifty (50) feet if the subject property is less than three (3) acres and one (1) inch equals one hundred (100) feet if three (3) acres or more;
b. Date, north point, scale, and area of the site in acres;
c. The dimensions of all lot and property lines, showing the relationship of the subject property to the abutting properties;
d. The location of all existing and proposed structures and utilities on the subject property and all existing structures within one hundred (100) feet to the subject property;
e. The location and layout of all existing and proposed drives and parking areas;
f. The location and right-of-way widths of all abutting streets and alleys;
g. The names and addresses of the architect, planner, designer, engineer, or person responsible for the preparation of the site plan.
h. The number, location, and layout of off-street parking spaces to include all access roads and the manner in which they are to be surfaced;
i. The provision of internal site drainage and necessary city utilities complete with existing and proposed elevations;
j. The proposed site landscaping complete with a planting plan to include all proposed walls, fences, and screening in compliance with the provisions of this chapter;
k. The elevation of the site in relation to the identified flood hazard area. All proposed construction, reconstruction, or demolition shall be in compliance with local, state, and federal ordinances, laws, or regulations with regard to flood hazard areas;
l. A copy of the permit from the local enforcing agency on soil erosion and sedimentation control if the earth change activity involves more than one (1) acre or is within five hundred (500) feet of a lake or stream.
Upon receipt of a complete site plan, application, and application fee the building department shall forward said documents to the community development department Zoning Official for distribution to appropriate City departments for comment. Staff comments shall be made with respect to compliance with the minimum technical requirements of City ordinances and the quality of the development consistent with the intent of the building codes, zoning codes and comprehensive plan Master Plan. Upon receipt of all staff comments, the community development department Zoning Official shall either complete the site plan review under the administrative site plan approval process or review the site plan and make its recommendation to the Planning Commission which shall consider the application, site plan, all staff, City, and consultant comments, and community development department and recommendations at the next scheduled meeting.

Final approval of site plan. Every site plan submitted to the planning commission City shall be in accordance with the requirements of this chapter. Three (3) copies of the site plan shall be submitted to the building department ten (10) days prior to the City Planning Commission’s regular meeting. No site plan shall be approved until and unless a letter of assurance has been received from the building inspector that the site plan has been reviewed by and is in conformance with all applicable standards of the building department, police department, fire department, engineering department, and city utility department. Further, no construction, reconstruction, demolition, or other site work may progress during the interim, and no building permit(s) shall be issued prior to the final approval of the site plan by the Zoning Official or by the Planning Commission. Upon granting final approval of a site plan, the chairman of the planning commission shall sign all three (3) copies of the site plan will be stamped and signed for approval, returning one (1) copy to the petitioner, and delivering two (2) copies to the building inspector. The site plan submitted for final approval by the planning commission shall include:

a. The number, location, and layout of off-street parking spaces to include all access roads and the manner in which they are to be surfaced;
b. The provision of internal site drainage and necessary city utilities complete with existing and proposed elevations;
c. The proposed site landscaping complete with a planting plan to include all proposed walls, fences, and screening in compliance with the provisions of this chapter;
d. The elevation of the site in relation to the identified flood hazard area. All proposed construction, reconstruction, or demolition shall be in compliance with local, state, and federal ordinances, laws, or regulations with regard to flood hazard areas;
e. A copy of the permit from the local enforcing agency on soil erosion and sedimentation control if the earth change activity involves more than one (1) acre or is within five hundred (500) feet of a lake or stream.

In the process of reviewing the site plan, the Zoning Official or Planning Commission shall consider:
a. The location and design of driveways providing vehicular ingress to and egress from the site, in relation to streets giving access to the site, and in relation to pedestrian traffic;
b. The traffic circulation features within the site and location of automobile parking areas; and may make such requirements with respect to any matters as will assure:
   1. Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets;
   2. Satisfactory and harmonious relationships between the development on the site and the existing and prospective development of contiguous land and adjacent neighborhoods;
c. The Zoning Official or Planning Commission may further require landscaping, fences, and walls in pursuance of these objectives and same shall be provided and maintained as a condition of the establishment and the continued maintenance of any use to which they are appurtenant;
d. In those instances wherein the Zoning Official or Planning Commission finds that an
excessive number of ingress and/or egress points may occur with relation to major or secondary thoroughfares, thereby diminishing the carrying capacity of the thoroughfares, the planning commission may recommend marginal access drives. For a narrow frontage, which will require a single outlet, the planning commission may recommend that money in escrow be placed with the city so as to provide for a marginal service drive equal in length to the frontage of the property involved. Occupancy permits shall not be issued until the improvement is physically provided, or moneys have been deposited with the clerk.

e. Whether the site is located within a designated historic overlay district, and whether the proposed action would have an adverse impact on the resources of the historic overlay district, as defined in subsection 38-32(b)(4). The planning commission may deny the proposed action if the action would have an unacceptable adverse impact on the historic resource or the historic overlay district itself. The planning commission may also require landscaping or other reasonable methods to minimize the adverse impact any proposed action may have on a historic resource or on the historic overlay district itself.

(7) An approved PUD site plan shall be required before applicable permits may be issued for any form of construction or removal or disturbance of any natural feature for all planned unit developments.

a. Procedure for PUD site plan review.

1. The applicant for PUD site plan approval shall file with the community development director (hereinafter "director") all drawings and other materials required for site plans in this chapter, all drawings and other materials required in Section 38-395 for PUD zoning district approval, and the additional information listed below. A PUD site plan application shall not be considered filed until all drawings and other required materials have been submitted and may be rejected if the materials submitted are inadequate to make the foregoing determinations.

2. If requested by the planning commission or city council, additional graphics, models, three-dimensional or electronic, or written materials shall be submitted to assist the city in visualizing and understanding the proposal. Additional detailed information, including but not limited to plans, elevations, building and site sections, or existing and proposed building materials, if submitted, shall become a part of the PUD site plan.

3. The director will distribute these materials to the appropriate city departments and other reviewing agencies for review and comment regarding compliance with the PUD zoning district supplemental regulations and conceptual PUD plan, and compliance with all applicable local, state, or federal laws, ordinances, standards and regulations and to determine the need for a development agreement as provided in this chapter. The director will notify the applicant of any questions raised by the city departments and other reviewing agencies and negotiate a development agreement with the applicant if it is determined that such an agreement is needed. The director shall submit a report and recommendation to the planning commission based on this review.

4. The planning commission, after holding a public hearing on the PUD site plan with notification as required by this chapter, shall transmit its recommendation based on the standards below, together with any recommended conditions of approval and all related reports and minutes to city council.

b. Standards for PUD site plan review. City council, after holding a public hearing on the PUD site plan with notification as required by this chapter, and after receiving all related reports and minutes and a recommendation from the planning commission, shall approve, with conditions, or deny a PUD site plan. A PUD site plan shall be approved by city council only after it determines that:

1. The development would comply with the PUD zoning established pursuant to the requirements of section 38-395, and with all applicable local, state, or federal laws, ordinances, standards and regulations; and

2. The development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land, applying criteria for reviewing a natural
features statement of impact set forth in this chapter; and
3. The development would not cause a public or private nuisance and would not have a
detrimental effect on the public health, safety or welfare.

c. Development Agreement.
1. Upon obtaining approval of a site plan, the applicant and the City Council may enter
into a Development Agreement that describes the terms and conditions of the
approval and the rights and obligations of each party. The City Council may approve
the Development Agreement immediately following approval of a site plan or it may
be placed on a subsequent agenda of the City Council. The applicant shall
reimburse the City for all fees for City legal counsel and consultant participation in the
Development Agreement.
2. The approved Development Agreement shall be recorded with the county Register of
Deeds.
3. In the event the site plan requires a major amendment, the development agreement
shall be amended to reflect the approved changes and recorded as provided in
subsection (5)c.2. above.

d. Effect of PUD site plan approval. For three (3) years from the date of approval of a PUD site
plan, permits may be issued and the land developed consistent with the PUD site plan and
the regulations, laws and ordinances in effect as the time of approval, unless new
regulations, laws and ordinances have been made applicable to previously approved
developments. After three (3) years from PUD site plan approval, no permits shall be issued
unless the PUD site plan is reconsidered in the manner provided for new PUD site plans
and is determined to meet the standards of the PUD zoning district or has been extended as
provided under administrative amendments to approved PUD site plans.

e. PUD site plan amendments. A minor change to an approved PUD site plan may be
approved by the Planning Commission as provided in this chapter except that the
proposed changes shall not alter the fundamental design, conceptual integrity, natural
features shown to be preserved, any specific conditions of the PUD development program,
the conceptual PUD plan or the supplemental regulations. The following restrictions shall
also apply:
1. Adjustment in approved phases of development shall not result in a change greater than
ten percent of the total gross area in any phase, or ten percent of the number of
approved lots, or ten percent of the approved maximum building square footage.
2. For residential buildings the size may be reduced or increased by five percent, provided
the overall density of units does not increase and the minimum square footage
requirements are met.
3. Gross floor area of non-residential buildings may be decreased or increased by up to
five (5) percent or ten thousand (10,000) square feet whichever is smaller.
4. Floor plans may be changed if consistent with the character of the use.
5. Horizontal and/or vertical elevations may be altered by up to five (5) percent.
6. Relocation of a building is permitted by up to ten (10) feet, if consistent with required
setbacks and other standards.
7. Designated "areas not to be disturbed" may be increased.
8. Plantings approved in the final PUD site plan may be replaced by similar types of
landscaping on a one-to-one or greater basis. Any trees to be preserved, which are lost
during construction, may be replaced by at least two (2) trees of the same or similar
species.
9. Improvements or slight relocation of site access or circulation patterns are minor
changes, such as inclusion of deceleration lanes, boulevards, curbing, and pedestrian
or bicycle paths.
10. Changes of building materials to another of higher quality can be made, with
determined of quality a judgment of the building inspector.
11. Slight modification of sign placement or reduction of size may be made.
12. Internal rearrangement of a parking lot is possible if the change does not affect the
number of parking spaces or alter access locations or design.
13. Changes required by the City, county or state for safety reasons are a basis for a
It shall be understood that the petitioner agrees to install and/or construct all improvements in the approved site plan within twelve (12) months from the initiation of on-site construction, and to provide for their continued maintenance.

The Planning Commission may modify the foregoing requirements or waive them if it can be shown that no good purpose would be served in the preparation of a site plan.

The Planning Commission may require that a bond be posted by a developer(s) to assure that improvements connected with an approved site plan are made as proposed.

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, October 21, 2019 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed repeal and replacement of Chapter 26, Signs, of the Code of the City of Owosso.

SECTION 3. 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 4. EFFECTIVE DATE. This amendment shall become effective 20 days after approval.

First Reading & Set Public Hearing – Sign Ordinance Amendment. Conduct first reading and set a public hearing for Monday, October 21, 2019 to receive citizen comment on the proposed repeal and replacement of Chapter 26, Signs, of the Code of Ordinances as shown below:

RESOLUTION NO. 144-2019

SETTING A PUBLIC HEARING TO REPEAL AND REPLACE CHAPTER 26, SIGNS, OF THE CODE OF THE CITY OF OWOSSO

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Planning Commission believe Chapter 26, Signs, of the Code of the City of Owosso, also known as the Sign ordinance, to be content based posing potential liability to the city of Owosso; and

WHEREAS, the planning commission held a public hearing at their September 23, 2019 regularly scheduled meeting regarding the proposal to repeal and replace Chapter 26, Signs, in which no citizen comments were voiced or received; and

WHEREAS, the planning commission seeks the repeal and replacement of Chapter 26, Signs, in its entirety.

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

SECTION 1. REPEAL. That Chapter 26, Signs, of the Code of Ordinances of the City of Owosso, is hereby repealed in its entirety.

SECTION 2. REPLACEMENT. The new Chapter 26, Signs, shall read as follows:

ARTICLE I. - IN GENERAL

Sec. 26-1. – Short title.
This ordinance shall be known as and may be cited as the City of Owosso Sign Ordinance.

Sec. 26-2. - Purpose.
a. The purpose of this article is to regulate signs and to minimize outdoor advertising within the city so as to protect public safety, health and welfare; minimize abundance and size of signs to reduce visual clutter, motorist distraction, and loss of sight distance; promote public convenience; preserve property values; support and complement land use objectives as set forth in the City of Owosso Master Plan and this article; and enhance the aesthetic appearance and quality of life within the city. The standards contained herein are intended to be content neutral.

b. These objectives are accomplished by establishing the minimum amount of regulations necessary concerning the size, placement, construction, illumination, and other aspects of signs in the city so as to:

1. Recognize that the proliferation of signs is unduly distracting to motorists and non-motorized travelers, reduces the effectiveness of signs directing and warning the public, causes confusion, reduces desired uniform traffic flow, and creates potential for accidents.

2. Prevent signs that are potentially dangerous to the public due to structural deficiencies or disrepair.

3. Reduce visual pollution and physical obstructions caused by a proliferation of signs which would diminish the city's image, property values, and quality of life.

4. Recognize that the principal intent of commercial signs, to meet the purpose of these standards and serve the public interest, should be for identification of an establishment on the premises, and not for advertising special events, brand names, or off-premises activities; alternative channels of advertising communication and media are available for advertising which do not create visual blight and compromise traffic safety.

5. Enable the public to locate goods, services and facilities without excessive difficulty and confusion by restricting the number and placement of signs.

6. Prevent placement of signs which will conceal or obscure signs of adjacent uses.

7. Protect the public right to receive messages, especially noncommercial messages such as religious, political, economic, social, philosophical and other types of information protected by the First Amendment of the U.S. Constitution.

c. The regulations and standards of this article are considered the minimum necessary to:

1. Achieve a substantial government interest for public safety, aesthetics, protection of property values, and are intended to be content neutral.

2. Allow for adequate and effective signage for business identification and other commercial speech, non-commercial speech, and dissemination of public information, including but not limited to, public safety information and notification as may be required by law.

3. Prevent off-premises signs from conflicting with other allowed land uses.

4. Maintain and improve the image of the city by encouraging signs of consistent size which are compatible with and complimentary to related buildings and uses, and harmonious with their surroundings.

5. Prohibit portable commercial signs in recognition of their significant negative impact on traffic safety and aesthetics.

6. Preserve and enhance the image of the City.

7. To prohibit all signs not expressly permitted by this chapter.

8. To provide for the permitting of signage and the enforcement of the provisions of this chapter.

9. Permit signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.

Sec. 26-3. – 26-4. - Reserved.

ARTICLE II. - DEFINITIONS

Sec. 26-5. - Sign Definitions.
The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning.

Abandoned sign. Any sign which is still on the premises six (6) months after a business ceases to operate or moves from the location.

Address sign: Address numbers attached to the building or sign which are readily visible from the street.
Administrator. The City Manager or his designated representative within the City of Owosso.

Alteration. Any construction or repair which significantly changes a sign, including additions or deletions to the sign structure.

Accessory sign: A sign which pertains to the use of the premises on which it is located.

Animated sign: A sign which uses lights, moving parts, or other means to depict action, create an image of a living creature or person, or create a special effect or scene.

Awning: A roof-like cover, typically constructed of canvas, vinyl or similar fabric stretched over a framework, that projects from the wall of the building for the purpose of shielding a doorway, a window, or pedestrians from the elements.

Awning sign: A permanent sign painted on, printed on, or attached flat against the surface of an awning.

Balloon sign: A type of temporary, portable sign filled with air or gas.

Banner: A fabric, plastic or other sign made of non-rigid material without enclosing structural framework. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banner signs.

Building marker. Any sign indicating the name of a building and date of construction which is typically cut into a masonry surface and part of the building wall construction.

Barber pole sign: A permanent sign attached to the building in a vertical cylinder shape with moving and/or alternating colors.

Business or campus center: A grouping of two or more buildings on one or more parcels of property which may share parking, access and are linked by ownership giving the appearance of a unified grouping of uses.

Changeable message sign: A sign on which the message is changed mechanically, electronically or manually. The elements may be internally illuminated or may be illuminated by reflected light. The sign may be framed by permanent, nonmoving signage. Reference Electronic message sign (EMS) definition.

Community special event sign: Signs and banners, including decorations and displays celebrating a traditionally-accepted patriotic or religious holiday, or special municipal, school or other non-profit activities.

Commemorative plaque: A memorial tablet, commemorative plaque, or sign including historical identification sign, designating the name and date of significance, cut into or raised on any masonry surface, or when constructed of cast metal, with a total maximum sign area of ten (10) square feet.

Construction sign: A temporary sign identifying the name(s) of project owners, contractors, developers, realtors representing developers, architects, designers, engineers, landscape architects, and financiers of a project being constructed or improved; and not including any advertising of any product or announcement of availability of leasing space.

Directional sign: A sign which assists motorists in determining or confirming a correct route such as, enter, exit and parking signs...

Display time: The amount of time a message and/or graphic is displayed on an Electronic Message Sign.

Double faced sign: Signs with two parallel or nonparallel sign surfaces not more than 24 inches apart at any point on the opposite face.
Downtown Historic District boundary: As shown in the map.

Electronic message sign (EMS): A sign or portion of a sign, that displays an electronic image or video, which may or may not include text, including any sign or portion of a sign that uses changing lights or similar forms of electronic display such as LED to form a sign message with text and or images wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. This definition includes without limitation television screens, plasma screens, digital screens, flat screens, LED displays, video boards, and holographic displays.

Fade: A mode of message transition on an Electronic Message Sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

Feather or flutter sign: Any sign that is comprised of material that is suspended or attached in such a manner to a pole or stake as to attract attention by waving, moving or fluttering from natural wind currents. It also includes similar signs that do not move or flutter. Feather or flutter signs are considered temporary signage.

Festoon: Temporary signage that is a string of ribbons, tinsel, small flags, pinwheels, streamer, pennants, or balloons, typically strung overhead.

Flag: Any sign printed or painted on cloth, plastic, canvas, or other like material with distinctive colors, patterns, or symbols attached to a pole or staff and anchored along only one edge or supported or anchored at only two corners.

Flashing sign: A sign which contains an intermittent or sequential flashing light source.

Gas station canopy: A freestanding, open-air structure constructed for the purpose of shielding service station islands from the elements.

Gas station canopy sign: Any sign that is part of, or attached to, the vertical sides of the gas station canopy roof structure.

Ground or monument sign: A sign extending upward from grade that is attached to a permanent foundation with either stone or masonry or is wrapped in a material so that the support structure is concealed.

Historical marker: A historical marker or historic marker is an indicator such as a plaque or sign to commemorate an event or person of historic interest and to associate that point of interest with a specific locale one can visit. Historical marker designation and plaque or sign size and placement may be regulated by local, state, or federal regulations and standards.
Illegal sign: A sign which does not meet the requirements of this article and does not have legal nonconforming status.

Illuminated sign. Any sign that provides artificial light directly on or through any transparent or translucent material, from a source of light connected with such sign, or a sign illuminated by a light with a source so obscured and shielded that no direct rays from it are visible from a public right-of-way or from an abutting property.

Incidental sign: A small sign, emblem, or decal informing the public of goods, facilities, or services available on the premises. Examples of incidental signs include credit card signs, signs indicating the hours of business, no smoking signs, signs used to designate bathrooms, and signs providing information on credit cards and business affiliations.

Inflatable sign: A sign that is an air-inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device.

Institutional uses: Meaning a use by public or quasi-public institution such as a religious organization, church, nonprofit organization, academic institution, library or hospital.

Mansard: A sloped roof or roof-like façade. Signs mounted on the face of a mansard roof shall be considered roof signs.

Maintenance. For the purposes of this chapter, the cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

Marquee: A permanent roof-like structure or canopy, supported by and extending from the face of the building.

Marquee sign: A permanent sign attached to any part of a marquee other than the roof.

Menu board sign: A sign oriented to the drive through lane for a restaurant that advertises the menu available from the drive through window.

Moving sign: A sign in which the sign itself, or any portion of the sign, moves or revolves. A "rotating sign" is a type of moving sign. This definition does not include "changeable message signs."

Mural: A design or representation which is painted or drawn on the exterior surface of a structure and which does not advertise a business, product, service, or activity.

Nonconforming sign: A sign that does not comply with the size, placement, construction or other standards or regulations of this article, but were lawfully established prior to its adoption. Signs for which the zoning board of appeals has granted a variance are exempt and shall not be defined as nonconforming.

Obsolete sign: A sign that advertises a product that is no longer made or that advertises a business that has closed.

Off-premises sign: A sign which identifies a use or advertises products and services not available on the site or parcel on which the sign is located; a sign which directs travelers or provides a message unrelated to the site on which the sign is located, e.g. billboards.

On-premises sign: A sign providing the address and name of owner of a parcel of land; a sign advertising a business, service or product sold or produced on the same site or parcel.

Outline tubing sign: A sign consisting of glass tubing, filled with a gas such as neon, which glows when electric current is sent through it including neon and luminous tube. Outline tubing signs shall also apply to signs consisting of LED tubing. Accent lighting not spelling words shall not be considered signage.

Owosso Historic District Commission: Formed in the fall of 2010, this regulatory commission is responsible for reviewing all applications for exterior work that is completed in within the Downtown Historic District Commission (HDC) boundaries.

Owner. A person regarded as such on city tax records, or a tenant of the premises so designated by the administrator.
Parapet: The extension of a false front or wall above a roof line. Signs mounted on the face of a parapet shall be considered wall signs.

Pennant. A flag or banner that tapers to a point. A pennant is considered a temporary sign.

Pole sign: A sign supported on the ground by a pole, braces, and not attached to any building or other structure.

Permanent sign: A sign designed to be installed permanently in the ground or wall of a building that is constructed out of durable materials.

Portable sign: A temporary sign designed to be moved from place to place by wheels, whether or not it is attached to the ground or a structure. Portable may include changeable signage area.

Premises. The contiguous land in the same ownership or control which is not divided by a public street.

Principal building. The building in which is conducted the principal use of the zone lot on which it is located. Zone lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings.

Projecting sign: A sign, other than a wall sign, that is affixed to any building or wall and whose leading edge extends more than 12 inches beyond such building or wall. The leading edge may extend over the public right of way.

Public sign: A sign erected in the public interest by or upon orders from a city, state, or federal public official. Examples of public signs include: legal notices, safety signs, traffic signs, memorial plaques, signs of historical interest, and similar signs.

Real estate development sign: A sign that is designed to promote the sale or rental of lots, homes, or building space in a real estate development (such as a subdivision or shopping center) which is under construction on the parcel on which the sign is located.

Real estate sign: An on-premises temporary sign advertising the property or structure's availability for sale or lease.

Regulatory sign: A sign installed by a public agency to direct traffic flow, regulate traffic operations and provide information in conformance with the Michigan Manual of Uniform Traffic Control Devices.

Residential entranceway sign: A permanent sign which marks the entrance to a subdivision, apartment complex, condominium development, or other residential development.

Roof line: The top edge of a roof or building parapet, whichever is higher, excluding cupolas, pylons, chimneys, or similar minor projections.

Roof sign: A temporary sign or permanent sign erected upon, against, or directly above a roof or on top of or above the parapet of a building, or signs where any portion of the sign extends above the roof of the building where the sign is located.

Sandwich board sign: A temporary sign containing two separate faces which are attached to one another at the top by one or more hinges or fasteners and which when placed upon the ground will stand upright without any additional support.

Sign: A sign means any structure or wall or other object used for the display of any message, and includes but is not limited to any bill, poster, placard, handbill, flyer, painting, balloon, streamer or other similar object in any form whatsoever which may contains printed or written matter in words, symbols, or pictures, or in any combination thereof attached to or affixed to the ground or any structure.

Temporary sign: A sign constructed of paper, cloth, canvas, plastic, cardboard, wall board, plywood, or other like material that are constructed for limited time use, lack a permanent foundation or mounting, or is determined by the Ordinance Enforcer to be displayed for a limited time.

Time and temperature sign: Signs which display the current time and/or temperature only.
**Vehicle sign:** Signs affixed to a parked vehicle or truck trailer which is being used principally for advertising purposes. This does not include the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes and/or personal transportation on a daily basis.

**Wall sign:** A sign attached parallel to and extending not more than 12 inches from the wall of a building.

**Westown boundary:** As shown in the map.

**Window sign:** A sign located in or on a window which is intended to be viewed from the outside. This includes TV or computer screens placed in the window visible from the outside.

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**ARTICLE III. - GENERAL PROVISIONS**

**Sec. 26-6. Applicability; effect and scope.**
The regulations of this chapter shall apply to all signs visible from a public right-of-way, private road, public park or residentially zoned property located within the City of Owosso.

**Sec. 26-7. – Sign permits.**

a. All signs are subject to the general and specific regulations of this chapter whether they require a permit or not. Any sign permitted under the ordinance may contain either a commercial or noncommercial message.

b. Any signs within the Downtown Historic District shall meet and be reviewed for all requirements of the Owosso Historic District Commission prior to submittal of a permit to the City of Owosso.

c. It shall be unlawful for any person to erect, re-erect, change panels, make an alteration, or relocate any sign unless a permit shall have been first obtained from the administrator, and a permit fee paid in accordance with the schedule adopted by resolution of the city council. Electrical signs shall, in addition, require an electrical permit.

d. Applications for sign permits and the appropriate nonrefundable fee shall be made upon forms provided by the building department for this purpose and in accordance with application specifications published by the administrator. These specifications shall be as complete in form as necessary for evaluation of the sign in relationship to the requirements of this chapter.
e. Within ten (10) days of receiving an application for a sign permit, the administrator shall review it for completeness. If the administrator finds that it is complete, the application shall then be processed. If the administrator finds that it is incomplete, the administrator shall, within such ten (10) day period, send to the applicant a notice of the specific ways in which the application is deficient, with appropriate references to the applicable sections of this chapter. If it is discovered that the sign permit application contains any false information, the administrator may revoke the permit or deny the application, whichever is appropriate.

f. The administrator shall issue a permit within ten (10) days of receipt of a valid application, provided that the sign complies with all applicable laws and regulations of the city. In all applications, where a matter of interpretation arises, the more specific definition or higher standard shall prevail.

g. When a permit is denied, the administrator shall within ten (10) days, give a written notice to the applicant along with a brief statement of the reasons for denial, citing code sections and interpretation of possible nonconformity.

h. Unless otherwise indicated, no person shall conceal any portion of such work until it has been inspected and approved by the administrator. The administrator shall inspect the work completed in conformance with the approved permit and applicable codes. If the construction is not complete within six months of the permit issuance date, the permit shall expire.

Sec. 26-8. – Signs exempt from permit regulations.
The following signs are exempted from permit requirements but must be in conformance with all other requirements of this chapter:

a. Address signs
b. Building marker
c. Commemorative plaque
d. Historical marker sign
e. Directional signs
f. Public signs and regulatory signs
g. Temporary signs as detailed in this chapter
h. Time and temperature signs
i. Window signage

Sec. 26-9. - Prohibited signs.
The following signs are prohibited in all districts:

a. Abandoned signs
b. Balloon signs
c. Festoons
d. Flashing signs
e. Illegal signs
f. Inflatable signs
g. Moving signs excluding barber shop poles
h. Obsolete signs
i. Off-premise signs, unless otherwise specified in this chapter
j. Outline tubing signs
k. Pennants
l. Portable signs
m. Roof signs
n. Vehicle signs
o. Non-regulatory signs placed in any public right-of-way; attached to a utility pole; or affixed to a tree, street furniture, or waste receptacles.
p. Any sign which simulates or imitates in size, color, lettering, or design, any traffic sign or signal or other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse the drivers of motorized vehicles.
q. Signs which obstruct or impair the vision of motorists or non-motorized travelers at any intersection, driveway, within a parking lot or loading area.
r. Signs which obstruct the minimum 5 feet of clearance required for Barrier Free accessibility.
s. Signs which obstruct free access or egress from any building, including those that obstruct any fire escape, required exit way, window, or door opening or that prevent free access to the roof by firefighters

Sec. 26-10. - General standards for permitted signs. The following regulations shall apply, unless otherwise specifically stated in this chapter, to all signage erected or located in any zoning district within the city:

a. The current edition of the Michigan Building Code shall be in full force and effect in the City as if set out fully herein. Complete printed copies of the code are available for public use and inspection at the office of the city clerk.

b. Sign setbacks.
   1. All signs, unless otherwise provided for, shall be set back a minimum of five feet from any public or private street right-of-way line or access drive in all districts. This distance shall be measured from the nearest edge of the sign, measured at a vertical line perpendicular to the ground to the right-of-way.
   2. Side yard setbacks for signs shall be the same as that required for the main structure or building.

c. Adequate sight distance. In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, a minimum clear vision area shall be maintained between a height of 24 inches and six feet within a triangular area measured 25 feet back from intersection of public right-of-way lines. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.

d. Illumination.
   1. Signs may be illuminated, but only by steady, stationary, shielded light sources directed solely at the sign or internal to the sign.
   2. Use of glaring undiffused lights, bare bulbs, or flames is prohibited.
   3. External sources of illumination shall be shielded and directed to prevent glare onto neighboring properties or the public right of way.
   4. Underground wiring shall be required for all illuminated signs not attached to a building.

e. Maintenance, construction and design.
   1. All signs shall be maintained in good structural condition at all times...
   2. All signs shall be kept neatly painted, stained, sealed or preserved including all metal, wood or other materials used for parts and supports.
   3. All signs, including any cables, guide wires, or supports shall have a minimum clearance of four feet from any electric fixture, electric line, street light, or other public utility pole or standard.
   4. Signs shall not be constructed from materials that are remnants or manufactured for a different purpose.

f. Addresses. Addresses shall be in compliance with the International Fire Code requirements for number size and visibility from the public right of way.

g. Noncommercial speech. Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.

h. Directional Signs.
   1. Private On-premise directional signs.
      a) Not more than one directional sign shall be permitted for each approved driveway entrance from a right of way, with a maximum sign area of six square feet per sign, and a maximum height of six feet.
      b) Any directional sign which includes a business name, symbol or logo shall be calculated as part of the allowable sign square footage.
      c) Directional signage located within a business center not adjacent to a public right of way shall be governed by the property owner.
   2. Private Off-Premise Directional Signs. Private off-premise directional signs which provide directions to a commercial or industrial establishment which is not located on a primary street within the city shall be allowed on private property provided there exists a written agreement.
between the property owner and the business/industry. Said agreement shall be filed with the city of Owosso.

a) Off-premise directional signs shall be no greater than twelve (12) square feet.

b) Sign lettering may only display the off-premise business name, address, and an arrow indicating direction.

c) Off-premise directional signs shall only be located on B-2, B-3, B-4, I-1, and I-2 Districts.

3. Public Off-Premise Directional Signs: Public off-premise directional signs erected by the City, City affiliated organization or State of Michigan shall be permitted in the street right-of-way

i. Temporary signs. Temporary signs as defined in Sec. 26-5 are allowed with a permit subject to the following:

1. Size of Temporary Signs: The total aggregate sign area of all temporary signs on any one site shall not exceed 30 square feet. The maximum size of individual temporary signs shall not exceed twenty 20 square feet in area. Temporary signs shall not be higher than 42 inches above average mean grade of the yard on which it is placed.

a) Exceptions:

1) For uses other than one and two family dwellings, temporary signs for buildings under construction shall be a maximum size of 10% of the square foot area of the front of the structure, and not more than 20 feet in height.

2) One temporary sign located on vacant land that is for sale or for lease, when the parcel exceeds two acres in area, shall be allowed to have a size equal to 64 square feet of sign area (total), but not more than 32 square feet per sign face and not more than 8 feet in height.

b) Location of Temporary Signs:

1) Temporary signs shall not be attached to any utility pole or be located within any public right-of-way.

2) Temporary signs shall not be erected in such a manner that they will or reasonably may be expected to interfere with, obstruct, confuse or mislead traffic.

3) Temporary signs cannot be placed or constructed so as to create a hazard of any kind.

4) Prior to the erection or placement of a temporary sign, the permission of the property owner where the sign is to be located must be secured.

5) Signs shall be located so as to comply with the corner clearance requirements of the ordinance.

6) Temporary signs shall not be illuminated.

c) Time Limitations for Temporary Signs: Temporary signs shall be removed within 60 days of placement, except for temporary signs that are located on real property that is for sale or lease. Temporary signs are permitted for 60 days in a 120-day period.

j. Measuring sign area and height.

1. Measurement of allowable sign area (see Figure 26.1 Guidelines for Measuring Sign Face Square Footage below).

2. The sign area shall include the surface area which encloses the extreme limits of the sign copy together with the frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding only the structure necessary to support the sign.

3. Measurement of sign height. Sign height shall be the vertical distance measured from the point of ground immediately beneath the sign to the highest point of the sign, including decorative embellishments. Where the ground elevation beneath a sign varies, the average grade of the ground within a five-foot radius of the sign structure shall be used. The average grade shall be the highest point within said radius plus the lowest point within said radius, divided by two. Any filling, berming, mounding or excavating solely for the purpose of locating the sign shall not be included in the calculation of average grade.

Sec. 26-11. - Nonconforming signs.

Nonconforming signs are those signs that do not comply with the size, placement, construction or other standards or regulations of this chapter, but were lawfully established prior to its adoption. Signs for which
the board of appeals has granted a variance are exempt and shall not be defined as nonconforming. It is the intent of this article to encourage eventual elimination of nonconforming signs in a timely manner. This objective is considered as much a subject of public health, safety and welfare as the prohibition of new signs in violation of this article. Therefore, the purpose of this article is to remove illegal nonconforming signs while avoiding any unreasonable invasion of established private property rights. A nonconforming sign may be continued and shall be maintained in good condition as described elsewhere in this article, however, the following alterations are regulated:

a. A nonconforming sign shall not be structurally altered or repaired so as to prolong its useful life or so as to change its shape, size, type or design unless such change shall make the sign conforming.
b. A nonconforming sign shall not be replaced by another nonconforming sign.
c. A nonconforming sign shall not be reestablished after abandonment as defined in section 26-22, dangerous, unsafe, abandoned, and illegally erected signs.
d. A nonconforming sign must not be reestablished after damage or destruction if the estimated expense of reconstruction exceeds 50 percent of the appraised replacement cost as determined by the building official/zoning administrator or if 50 percent or more of the face of the sign is damaged or destroyed.

Sec. 26-12. - Dangerous, unsafe, abandoned, and illegally erected signs.

a. Dangerous signs. Any sign constituting an immediate hazard to health or safety shall be deemed a nuisance and may be immediately removed by the city and the cost thereof charged against the owner of the property on which it was installed.
b. Unsafe signs. Any sign that becomes insecure, in danger of falling, or otherwise unsafe but not considered an immediate danger by the building official/zoning administrator to the health or safety of the public shall be removed or repaired according to the process outline in paragraph 5. below.
c. Abandoned signs. Any sign that advertises a business that has been discontinued for at least 90 days or that advertises a product or service that is no longer offered shall be deemed abandoned. Permanent signs applicable to a business temporarily suspended by a change in ownership or management shall not be deemed abandoned unless the structure remains vacant for at least six months. An abandoned sign shall be removed by the owner or lessee of the premises. If the owner or lessee fails to remove the sign, the building official/zoning administrator shall initiate the process noted in paragraph e. below.
d. Illegally erected signs. The building official/zoning administrator shall order the removal of any sign erected illegally in violation of this article, according to the process outlined in paragraph e. below.
e. Process for enforcing violations of section 26-5, dangerous, unsafe, abandoned, and illegally signs. For violations of section 26-5, the building official/zoning administrator shall notify the owner of the property on which the sign is located. Verbal notices or those sent by first class mail shall be sufficient notice. Where a sign erected in violation of this article is considered dangerous or unsafe, the notice shall inform the owner to remove said sign(s) immediately and property owners of other illegal signs on private property shall be granted a reasonable period of time within which to remove the sign, as determined by the building official/zoning administrator. Should the property owner fail to remove the sign(s) within the time specified, or if a sign is erected within any right-of-way or public property, the building official/zoning administrator, or their designee, shall have the authority to remove the sign, and the property owner shall be liable for the cost thereof.

Sec. 26-13. - Administration of sign ordinance standards.

a. Generally. The regulations of this article shall be administered and enforced by building official/zoning administrator.
b. Signs in the public right of way. In addition to the penalties prescribed below, any sign erected in the public right of way may be removed by the ordinance enforcer and stored in a safe location for at least 48 hours. During this period of time, the sign owner may obtain the sign from the City upon request and payment of a fee established in the City’s Fee Schedule which will cover the cost of removal and storage. After 48 hours, the City may dispose of the sign.
c. Violations. It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, use or maintain any sign in the city, or cause or permit the same to be done, contrary to or in violation of any of the standards and regulations of this article. Any such violation, including the failure to remove a sign when directed under the authority of this article, shall constitute a misdemeanor punishable in accordance with section 34-231 of the Owosso Code of Ordinances.

Sec. 26-14. – Board of Appeals
a. Organization. The sign board of appeals shall be the zoning board of appeals as organized in chapter 38.

b. Powers and duties.
   1. Hear and decide appeals by the sign permit applicant from a decision of the administrator denying, or failing to grant a sign permit within 30 days of application.
   2. Grant variances from the requirements of this chapter as part of the disposition of an appeal from action of the administrator denying or failing to grant a sign permit.
   3. Hear and decide appeals of a determination by the administrator that a sign must be removed for noncompliance with this chapter.
   4. Interpret the provisions of this chapter.

c. Grounds for variance. The board of appeals may grant a variance from the provisions or requirements of this chapter only where:
   1. The literal interpretation and strict application of the provisions and requirements of this chapter would cause undue and unnecessary hardship to the sign user because of unique or unusual conditions pertaining to the specific building or parcel of property in question.
   2. The granting of the requested variance would not be materially detrimental to the property owners in the vicinity.
   3. The unusual conditions applying to the specific property do not apply generally to other properties in the city.
   4. The granting of the variance will not be contrary to the general objective of this chapter of moderating the size, number and obtrusive placement of signs and the reduction of clutter.
   5. Support for hardship. Where there is insufficient evidence, in the opinion of the board of appeals, to support a finding of “undue and unnecessary hardship” under subsection (a) of this section, but some hardship does exist, the board may consider the requirement fulfilled if:
      a) The proposed sign is of particularly good design and in particularly good taste.
      b) The entire site has been or will be of particularly good design and in granting a variance, the board may attach thereto such conditions regarding the location, character and other features of the proposed sign as it may deem necessary to carry out the spirit and purpose of this chapter in the public interest.


ARTICLE IV. – SPECIFIC SIGN STANDARDS

Sec. 26-20. - Signs Permitted in Residential One-family Residential (R-1), Two-family Residential (R-2), Attached One-family Residential (R-T), Multiple-family Residential (RM-1) and Multiple-family Residential – High rise (RM-2) Districts Signage Table.
<table>
<thead>
<tr>
<th>TYPE</th>
<th># ALLOWED</th>
<th>MAX HEIGHT</th>
<th>MAX SIZE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall</td>
<td>1 per business</td>
<td>Not exceed 10% facade</td>
<td></td>
</tr>
<tr>
<td>Awning</td>
<td>1 per business</td>
<td>Not exceed 10% facade</td>
<td></td>
</tr>
<tr>
<td>Ground</td>
<td>1 per parcel</td>
<td>6 feet</td>
<td>24 square feet per side</td>
</tr>
<tr>
<td>EMS Institutional use only *</td>
<td>Not exceed 24 square feet per side</td>
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<td></td>
</tr>
<tr>
<td>Subdivision/Development Entrance</td>
<td>Entrance to development</td>
<td>6 feet</td>
<td>24 square feet per side</td>
</tr>
<tr>
<td>Business Placard (B &amp; B)</td>
<td>1 per residence</td>
<td>2 feet x 3 feet</td>
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</tr>
</tbody>
</table>

Sec. 26-21. - Signs Permitted in Residential One-family Residential (R-1), Two-family Residential (R-2), Attached One-family Residential (R-T), Multiple-family Residential (RM-1) and Multiple-family Residential – High rise (RM-2) Districts Signage.

a. The following signs are permitted in the R-1, R-2, R-T, RM-1 and RM-2 zoning districts subject to the following requirements:

1. Wall Sign.
   a) One wall sign per business not to exceed 10% of front façade for all uses other than single family homes, duplexes, and attached condominiums.
   b) No wall sign shall extend above the roof or parapet of the structure to which it is attached.
   c) No wall sign shall have a thickness greater than 12 inches measured from the wall to which it is attached.

2. Awning signs may be used as an alternative or in addition to wall signs for all uses other than single family homes, duplexes, and attached condominiums, provided that they meet the following standards:
   a) Awning signs and wall signs must not exceed 10% of front façade
   b) Any sign area on an awning shall be included in calculations of maximum wall sign square footage.
   c) Awning signs shall be set back at least two feet from any street curb-line, shall not extend more than six feet over the public right-of-way, and shall leave a minimum clearance of eight feet above the ground and shall not project over an alley or private access lane.
   d) No awning sign shall extend above the roof or parapet of the structure to which it is attached.
   e) Awning signs shall not be internally illuminated.

3. Home Occupations as allowed and defined in Sec. 38-394 shall be permitted a sign not to exceed a size of 2’ x 3’ mounted flush to the building. The sign may be illuminated, provided such illumination is concentrated on the surface of the sign and is so located as to avoid glare or reflection onto any portion of an adjacent street or highway, into the path of oncoming vehicles, or on any adjacent premises. In no event, shall any home occupation sign have flashing or intermittent lights, nor shall the lights be permitted to rotate or oscillate.

4. Bed and breakfast signs as detailed in Chapter 7 of the Owosso City Code.

5. Ground Sign shall be permitted as follows for all uses other than single family homes, duplexes and attached condominiums:
   a) Not more than one ground sign is permitted per parcel.
   b) The top of the ground sign shall be no more than six feet above ground level.
   c) A ground sign shall not extend closer than 5 feet to any part of the public right of way and shall meet the adequate sight distance requirements of this chapter.
   d) No ground sign shall have an area exceeding 24 square feet per side.
   e) A ground sign shall be located on the same parcel as the use.
   f) In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, the location of the sign shall be such that a minimum clear vision area shall be maintained between a height of 24 inches and six feet within a triangular area measured 25 feet back from intersection of public right-of-way lines. Furthermore, signs shall not be permitted
where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.

6. One electronic message sign, meeting the above requirements, may be permitted for institutional uses located in a residential district when meeting the following requirements:
   a) The institutional use is located on a major or minor arterial or collector road.
   b) The size of the electronic message sign shall be no greater than 50% of the allowable ground sign square footage.

7. Residential Entrance/Ground Sign shall be permitted as follows at the entrance of a residential subdivision:
   a) Entrance Sign:
      1) The top of the ground sign shall be no more than six feet above ground level.
      2) A ground sign shall not extend closer than 5 feet to the adjacent public right of way and shall meet the adequate sight distance requirements of this chapter.
      3) No ground sign shall have a single surface area exceeding 24 square feet per side.
      4) A ground sign shall be located on the same parcel or at the vehicular entrance to identify a subdivisions, apartment complexes, condominium communities, senior housing complexes, manufactured housing communities, or similar residential uses.
   b) Real Estate Sales Sign:
      1) One temporary sign located on vacant land that is for sale or for lease or a residential development that has site plan approval and is under construction, and when the parcel exceeds two acres in area, shall be allowed to have a size equal to 64 square feet of sign area (total), but not more than 32 square feet per sign face and not more than 8 feet in height.
      2) Real Estate Sales signs must be removed after the last lot/parcel/residence is sold/leased in the development.

8. Temporary signs per Sec. 26-10(i) of this chapter and:
   a) Temporary signs include, but are not limited to the following:
      1) For a single dwelling or building or vacant land: an on-site real estate sign, advertising the premises for sale, rent or lease.
      2) An on-site sign advertising an on-going garage, estate or yard sale.
      3) Noncommercial signs which contain noncommercial information or directional messages.
      4) Political signs.
      5) Holiday or other seasonal signs.
   b) Location of temporary signs shall comply with the following:
      1) Temporary signs shall not be attached to any utility pole or be located within any public right-of-way.
      2) Temporary signs shall not be located closer than 20 feet to the edge of the traveled portion of the roadway, nor shall they be located within any dedicated right-of-way.
      3) Temporary signs shall not be erected in such a manner that they will or may reasonably be expected to interfere with, obstruct, confuse or mislead traffic.
      4) Temporary signs cannot be placed or constructed so as to create a hazard of any kind.
      5) Temporary signs may not be posted on private property without first obtaining the permission of the property owner.
      6) Signs shall not be located within any clear vision triangle, as described in section 38-388 Corner Clearance.
   c) Time limitations for temporary signs. Each temporary sign shall be removed within 60 days of placement. Furthermore, no sign may be erected on a single parcel for more than 60 calendar days out of every 120 calendar days.
Section 26-22. - Signs Permitted in Local Business (B1), Planned Shopping Center (B2), Central Business (B3) and General Business (B4) Districts Signage Table.

1 Lots fronting on two (2) or more streets are allowed the permitted signage for each street frontage, but signage cannot be accumulated and used on one (1) street in excess of that allowed for lots with only one street frontage.
2 Additional wall signage is permitted per Section 26.23.a.2.c
3 Additional pole sign may be permitted per Section 26.23.e
4 The percentage figure here shall mean the percentage of the area of the wall of which such sign is a part or to which each such sign is most nearly parallel.

<table>
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<tr>
<th>Zone District</th>
<th>OS-1</th>
<th>B-1</th>
<th>B-2</th>
<th>B-3</th>
<th>B-4</th>
<th>I-1</th>
<th>I-2</th>
<th>P</th>
<th>U</th>
<th>D</th>
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<tr>
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<td>1</td>
<td><strong>See Section 38-333</strong></td>
<td>Signage as permitted in B-1, B-2, B-3 and B-4</td>
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<td>Pole sign height max (feet)</td>
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<td>20 or building height</td>
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<td>EMS sign as part of pole sign or ground sign</td>
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<td>50%</td>
<td>50%</td>
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</tbody>
</table>
Sec. 26-23. Signs Permitted in Local Business (B1), Planned Shopping Center (B2), Central Business (B3) and General Business (B4) Districts Signage.

a. Wall Sign:
   1. Any signs within the Downtown Historic District shall meet and be reviewed for all requirements of the Owosso Historic District Commission prior to submittal of a sign permit, and prior to installation of new signage or modification of existing signage.
   2. Wall signs may be used provided that they meet the following standards:
      a) One wall sign per business not to exceed 10% of front façade or 100 square feet, whichever is less is permitted.
      b) No wall sign shall extend above the roof or parapet of the structure to which it is attached.
      c) Businesses located on a second public right of way, public parking lot or public alley shall be allowed up to two wall signs, one for each front façade. The maximum wall sign area shall not exceed ten percent of the front façade of the building per use or business establishment.
      d) Additional wall sign square footage is permitted when the following is met:
         1) 201 - 400 linear feet of building frontage facing a public street and having a public entrance is allowed a maximum wall sign area of 150 square feet.
         2) Greater than 400 linear feet of building frontage facing a public street and having a public entrance is allowed a maximum wall sign area of 200 square feet.
      e) No wall sign shall have a thickness greater than 12 inches measured from the wall to which it is attached.
      f) No wall sign shall be attached to a wall at a height less than eight feet above any sidewalk.

b. Ground Sign
   1. Ground Sign may be used provided that they meet the following standards:
      a) The top of the ground sign shall be no more than six feet above ground level.
      b) A ground sign shall not extend closer than 5 feet to the public right of way.
      c) No ground sign shall have an area exceeding 40 square feet per side.
      d) A ground sign shall be located on the same parcel as the building or use to which it is accessory.
      e) An additional ground sign may be permitted if access to the parcel is provided from two public streets.
      f) In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, the location of the sign shall be such that a minimum clear vision area shall be maintained between a height of 24 inches and six feet within a triangular area measured 25 feet back from intersection of public right-of-way lines. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.

c. Changeable or electronic message sign
   1. Changeable or electronic message signs as part of a wall or ground sign when the following requirements are met:
      a) Changeable or electronic message signs are not permitted within the historic district boundary.
      b) One changeable or electronic message signs sign shall be permitted per premises, but not both.
      c) The area of a changeable or electronic message sign shall not exceed half the total area of the sign.
d) Illumination shall be concentrated within the face of the sign to prevent glare upon adjoining properties and thoroughfares.
e) Electronic messages shall not flash, fade in or out, or scroll.
f) Any voids or burned out bulb in an electronic display shall be replaced within 10 days of city notification.

2. One gasoline price sign is permitted for a gas station canopy with an area not to exceed ten percent of the canopy façade.

d. Pole Signs  
1. Pole signs may be used provided that they meet the following standards:
   a) Pole signs are not permitted within the historic district boundary.
   b) A pole sign may stand no higher than the building it represents or 20 feet above the level of the ground, upon which the sign is mounted, whichever is less.
   c) A pole sign shall not extend closer than 5 feet to the public right of way.
   d) The lower edge of the pole sign shall be is eight feet or more above the ground level.
   e) No pole sign shall have a single surface area exceeding 40 square feet per side.
   f) A pole sign shall be located on the same parcel of property as the building or use to which it is accessory.
   g) Changeable or electronic message signs as part of a pole sign when the following requirements are met:
      1) Changeable or electronic message signs are not permitted within the historic district boundary.
      2) One changeable or electronic message sign shall be permitted per premises, but not both.
      3) The area of a changeable or electronic message sign shall not exceed half the total area of the sign.
      4) Illumination shall be concentrated within the face of the sign to prevent glare upon adjoining properties and thoroughfares.
      5) Electronic messages shall not flash, fade in or out, or scroll.
      6) Any voids or burned out bulb in an electronic display shall be replaced within 10 days of city notification.
   h) One gasoline price sign is permitted for an overhead gas pump awning with an area not to exceed ten percent of the awning façade.

e. Number of pole or ground signs. Not more than one pole or ground sign may be erected accessory to any single building, structure, or shopping center regardless of the number of separate parties, tenants or uses contained therein; provided however, a property may have two pole or ground signs when the following is met:
   1. If fronting along two or more right of ways, 1 ground sign is allowed on each right of way
   2. If there is greater than 300 feet of frontage along one right of way, 2 ground signs are allowed on such right of way.

f. Awning  
1. Projecting and awning signs may be used as an alternative or in addition to wall signs provided that they meet the following standards:
   a) Any sign area of an awning or projecting sign shall be included in calculations of maximum wall sign square footage.
   b) Awnings or projecting signs shall be set back at least two feet from any street curb-line, shall not extend more than six feet over the public right-of-way, and shall leave a minimum clearance of eight feet above the ground and shall not project over an alley or private access lane.
   c) No awning or projecting sign shall extend above the roof or parapet of the structure to which it is attached.
   d) Wood posts or supporting arms shall not be used in conjunction with any projecting sign.
   e) Awnings signs shall not be internally illuminated.
   f) If any projecting sign is suspended over a public property, public street, sidewalk or alley, the owner shall at all times carry liability insurance in such amounts as are satisfactory to the city, and issued by companies acceptable to the city, licensed in the state of Michigan naming the city as an additional insured on any such policy. The owner will file with the
city certificates or policies evidencing such insurance coverage. The insurance policies or certificates shall provide that the city shall be given 30 days’ written notice before a cancellation in coverage may occur.

g) If at any time the insurance policy obtained to subsection (9)(G) is canceled, the projecting sign shall be immediately removed. In the event the projecting sign is not removed, the City of Owosso shall have the right to remove the sign and repair the façade at the expense of the property owner.

g. Marquee
1. Marquee signs shall be permitted within the Historic district and Westown district for theater uses as follows:
   a) The bottom of the marquee sign shall be a minimum of eight feet above the ground.
   b) A marquee shall not project over a public street. For purposes of this section, a public sidewalk is not considered to be a public street.
   c) A marquee sign shall not project greater than 48 inches beyond the property line. In measuring the sign’s projection, the measurement shall be taken from the building from which it protrudes, including any open area between the wall face and the sign face.
   d) One marquee shall be permitted per public entrance.
   e) The total size of a marquee sign shall not exceed one and one-half square feet per lineal foot of building frontage. The total square feet of a marquee sign shall be subtracted from the total allowable wall signage square footage for the district.
   f) No marquee sign shall project into an alley or truck service driveway.
   g) If any marquee sign is suspended over a public property, public street, sidewalk or alley, the owner shall at all times carry liability insurance in such amounts as are satisfactory to the city, and issued by companies acceptable to the city, licensed in the state of Michigan naming the city as an additional insured on any such policy. The owner will file with the city certificates or policies evidencing such insurance coverage. The insurance policies or certificates shall provide that the city shall be given 30 days’ written notice before a cancellation in coverage may occur.
   h) If at any time the insurance policy obtained to subsection (9)(G) is canceled, the marquee shall be immediately removed. In the event the marquee is not removed, the City of Owosso shall have the right to remove the sign and repair the façade at the expense of the property owner.

h. Menu Boards
1. Menu board signs may be used provided that they meet the following standards:
   a) Menu display boxes shall be constructed of high-quality materials, and their size, location, and design shall be appropriate to the character of the building and the restaurant.
   b) Menu signs, including display box, shall not exceed 25 square feet in area and 6 feet in height.

i. Sandwich Board
1. Sandwich board signs are permitted within the Historic District and Westown district subject to the following requirements:
   a) One sign per entrance shall be permitted regardless of the number of tenants on the premises.
   b) The sign shall be located on the sidewalk.
   c) The sign is permitted only during operating business hours and must be stored inside when the establishment is not open to the general public.
   d) Each sign shall not exceed an overall height of 4 feet and a maximum square footage of 8 per side.
   e) No sign shall be located in such a manner as to interfere with vehicular traffic flow or visibility.
   f) Sign placement shall permit for the minimum 5 feet of clearance required for Barrier Free accessibility, which includes but is not limited to placement on a sidewalk.
   g) No sign shall be placed as to obstruct any door or opening used as a means of egress or as to prevent free passage.
h) All signs must be constructed of weather-proof, durable material, have a professionally-made appearance and be kept in good repair.

i) Sandwich board signs may not be illuminated by any means and may not have moving parts.

j) The owner of a sidewalk/sandwich board sign shall at all times carry liability insurance in such amounts as are satisfactory to the city, and issued by companies acceptable to the city, licensed in the state of Michigan naming the city as an additional insured on any such policy. The owner will file with the city certificates or policies evidencing such insurance coverage. The insurance policies or certificates shall provide that the city shall be given 30 days’ written notice before a cancellation in coverage may occur.

k) If at any time the insurance policy obtained pursuant to subsection (8)(j) is canceled, the sidewalk/sandwich board sign shall be immediately removed. In the event the sign is not removed, the City of Owosso shall have the right to remove the sign at the expense of the property owner.

j. Temporary signs per Sec. 26-10(i) of this chapter.

Sec. 26-24. - Light Industrial (I1) and General Industrial (I2) Districts Signage.

The following signs are permitted in the I1 and I2 zoning districts subject to the following requirements:

a. Wall signs

1. Wall signs may be used provided that they meet the following standards:
   a) One wall sign per business not to exceed 20% of front façade or 200 square feet, whichever is less is permitted.
   b) No wall sign shall extend above the roof or parapet of the structure to which it is attached.
   c) Businesses located on a corner lot shall be allowed up to two wall signs, one for each front façade. The maximum wall sign area shall not exceed ten percent of the front façade of the building per use or business establishment.
   d) Additional wall sign square footage is permitted when the following is met:
      1) 201 - 400 linear feet of building frontage facing a public street and having a public entrance is allowed a maximum wall sign area of 150 square feet.
      2) Greater than 400 linear feet of building frontage facing a public street and having a public entrance is allowed a maximum wall sign area of 200 square feet.
   e) No wall sign shall have a thickness greater than 12 inches measured from the wall to which it is attached.
   f) No wall sign shall be attached to a wall at a height less than eight feet above any sidewalk.

2. Projecting signs and awning signs may be used as an alternative or in addition to wall signs provided that they meet the following standards:
   a) Any sign area of an awning or projecting sign shall be included in calculations of maximum wall sign square footage.
   b) Awning or protecting signs shall be set back at least two feet from any street curb-line, shall not extend more than six feet over the public right-of-way, and shall leave a minimum clearance of eight feet above the ground and shall not project over an alley or private access lane.
   c) No awning or projecting sign shall extend above the roof or parapet of the structure to which it is attached.
   d) Wood posts or supporting arms shall not be used in conjunction with any projecting sign.
   e) Awning signs shall not be internally illuminated.

b. Pole signs.

1. Pole signs may be used provided that they meet the following standards:
   a) A pole sign may stand no higher than the building it represents or 20 feet above the level of the ground, upon which the sign is mounted, whichever is less.
   b) A pole sign shall not extend closer than 5 feet to any part of the public right of way.
   c) The lower edge of the pole sign shall be eight feet or more above the ground level.
   d) No pole sign shall have a single surface area exceeding 40 square feet for a single face sign.
e) A pole sign shall be located on the same parcel of property as the building or use to which it is accessory.

f) Changeable or electronic changeable message signs as part of a pole sign when the following requirements are met:
   1) One changeable message sign shall be permitted per premises.
   2) Message changes may occur electronically or manually.
   3) The area of a changeable message sign shall not exceed half of the total area of the sign.
   4) Illumination shall be concentrated within the face of the sign to prevent glare upon adjoining properties and thoroughfares.
   5) Electronic messages shall not flash, fade in or out, or scroll.
   6) Any voids or burned out bulb in an electronic display shall be replaced within 10 days of city notification.

c. Ground Sign
   1. Ground signs may be used provided that they meet the following standards:
      a) The top of the ground sign shall be no more than six feet above ground level.
      b) A ground sign shall not extend closer than 5 feet to any part of the public right of way.
      c) No ground sign shall have an area exceeding 40 square feet per side.
      d) A ground sign shall be located on the same parcel as the building or use to which it is accessory.
      e) In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, the location of the sign shall be such that a minimum clear vision area shall be maintained between a height of 24 inches and six feet within a triangular area measured 25 feet back from intersection of public right-of-way lines. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.
      f) Changeable or electronic message signs as part of a ground sign when the following requirements are met:
         1) One changeable message sign shall be permitted per premises.
         2) Message changes may occur electronically or manually.
         3) The area of a changeable message sign shall not exceed half of the total area of the sign.
         4) Illumination shall be concentrated within the face of the sign to prevent glare upon adjoining properties and thoroughfares.
         5) Electronic messages shall not flash, fade in or out, or scroll.
         6) Any voids or burned out bulb in an electronic display shall be replaced within 10 days of city notification.

d. Number of pole or ground signs.
   1. Not more than one pole or ground sign may be erected accessory to any single building or structures regardless of the number of separate parties, tenants or uses contained therein; provided however, a property may have two pole or ground signs when the following is met:
      a) If fronting along two or more right of ways, 1 ground sign is allowed on each right of way
      b) If there is greater than 300 feet of frontage along one right of way, 2 ground signs are allowed on such right of way.

e. Temporary signs per Sec. 26-10(i) of this chapter.

Sec. 26-25. Planned Unit Development District (PUD) Signage.
   a. The following signs are permitted in the PUD subject to the following requirements:
      1. Signage in PUD zoning districts established prior to the adoption of this amendment shall utilize the sign regulations for the B1, B-2, B-3 and B-4 zoning districts.
      2. PUD zoning districts established after the adoption of this chapter amendment will state allowable signage in the approved development program for the PUD.

Sec. 26-26. Vehicular Parking District (P1) Signage.
   a. The following signs are permitted in the P1 zoning district subject to the following requirements:
1. Signage per Sec. 38-333 - No signs of any kind, other than signs designating entrances, exits, and conditions of use, shall be maintained on such parking area per the directional signage requirements of this chapter.

Sec. 26-27. Conservation/Open Space District (C-OS) Signage.

   a. The following signs are permitted in the C-OS zoning district subject to the following requirements:

      1. Ground signs may be used provided that they meet the following standards:

         a) The top of the ground sign shall be no more than six feet above ground level.
         b) A ground sign shall not extend closer than 5 feet to any part of the public right of way.
         c) No ground sign shall have an area exceeding 40 square feet per side.
         d) A ground sign shall be located on the same parcel.
         e) In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, the location of the sign shall be such that a minimum clear vision area shall be maintained between a height of 24 inches and six feet within a triangular area measured 25 feet back from intersection of public right-of-way lines. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.

      2. Number of ground signs. Not more than one ground sign may be erected; provided however, a property may have two ground signs when the following is met:

         a) If fronting along two or more right of ways, 1 ground sign is allowed on each right of way.
         b) If there is greater than 300 feet of frontage along one right of way, 2 ground signs are allowed on such right of way.

      3. Temporary signs per Sec. 26-10(i) of this chapter.

Sec. 26-28—26-31. - Reserved.

SECTION 3. PUBLIC HEARING. A public hearing is set for Monday, October 21, 2019 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed repeal and replacement of Chapter 26, Signs, of the Code of the City of Owosso.

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 20 days after approval.

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

<table>
<thead>
<tr>
<th>Name</th>
<th>Board/Commission</th>
<th>Term Expires</th>
</tr>
</thead>
<tbody>
<tr>
<td>Steve Flayer</td>
<td>Historical Commission</td>
<td>12-31-2021</td>
</tr>
<tr>
<td>Mark Erickson</td>
<td>Historical Commission</td>
<td>12-31-2021</td>
</tr>
<tr>
<td>Justin Steckbauer</td>
<td>SATA Board</td>
<td>10-01-2022</td>
</tr>
</tbody>
</table>

Oktoberfest Permission. Approve request from the Shiawassee Regional Chamber of Commerce for use of the Ball/Exchange Parking Lot (Lot#5) and various downtown streets at assorted times from October 10, 2019 at 5:00am through October 13, 2019 at 5:00pm for Oktoberfest 2019 and approve Traffic Control Order No. 1428 formalizing the request.

Change Order No. 1 – 2019 Street Program Engineering Services Contract. Authorize Change Order No. 1 to the contract with Fleis & Vandenbrink, Inc. (Change Order No. 1 to Amendment No. 5 of Addendum No. 4) adding $42,500.00 for the provision of additional construction monitoring and administration services for Street Program Contract Nos. 1 & 3 for the City’s 2019 Street Resurfacing
Program, and further authorize payment for the original amount of the contract plus Change Order No. 1 as follows:

RESOLUTION NO. 145-2019

AUTHORIZING CHANGE ORDER NO. 1 TO AMENDMENT NO. 5 OF THE CONTRACT FOR ENGINEERING SERVICES WITH FLEIS & VANDENBRINK ENGINEERING, INC. FOR THE 2018 STREET PROGRAM ENGINEERING SERVICES CONTRACT

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved Amendment No. 5 to a Contract with Fleis & Vandenbrink Engineering Inc. on January 7, 2019 for Design Engineering and Construction Administration Services for the 2019 Street Program in the amount of $137,500.00; and

WHEREAS, the city requests additional services of the consultant in the amount of $42,500.00 to provide construction engineering and administration services for the City’s 2019 Street Resurfacing Program, that are beyond the original contractual scope of services due to unforeseen delays; and

WHEREAS, the Director of Public Services has reviewed the proposal submitted by Fleis & Vandenbrink as requested, and has determined the scope of additional services to be fair and reasonable.

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 change the contract with Fleis & Vandenbrink Engineering Inc. for an additional cost to the city of Owosso in the amount of $42,500.00 as outlined in the proposal.

SECOND: The mayor and city clerk are requested and authorized to sign Change Order No. 1 to Amendment No. 5 of Addendum No. 4 to the Engineering Services Contract between the City of Owosso, Michigan and Fleis & Vandenbrink Engineering, Inc.

THIRD: The Accounts Payable department is authorized to make payment up to the contract amount, including the change order, totaling $180,000.00 for the 2019 Street Rehab Program upon successful completion of said additional services.

FOURTH: The above expenses shall be paid from the 2016 Unlimited Obligation Bond Proceeds Account Nos. 202-451-818.000 ($9,700.00) and 203-451-818-000 ($32,800.00).

Purchase Authorization - Road Salt. Waive competitive bidding requirements, authorize purchase order with The Detroit Salt Company, LLC, via State of Michigan Contract No. 171-180000000768, in the amount of $21,094.40 for early delivery of 400 tons of road salt at $65.92/ton, plus an additional quantity of 1,400 tons in the amount of $57,905.60 at $60.36/ton to be delivered as needed during the 2019-20 contract period, and further authorize payment up to $88,700.00 upon satisfactory receipt of the product as detailed below:

RESOLUTION NO. 146-2019

AUTHORIZING THE EXECUTION OF A PURCHASE ORDER WITH THE DETROIT SALT COMPANY, LLC FOR THE 2019-2020 WINTER SUPPLY OF ROAD SALT

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

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

WHEREAS, in order to obtain the best price for road salt material, it is in the best interest of the city of Owosso to waive competitive bidding requirements and utilize State of Michigan Contract number 171-180000000768 effective September 1, 2018, provided by The Detroit Salt Company, LLC for the purchase of road salt at $65.92 per ton for early delivery and $60.36 per ton for seasonal as needed bulk.

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

FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to purchase 1,800 tons of road salt from The Detroit Salt Company, LLC.

SECOND: The contract between the City and The Detroit Salt Company, LLC shall be in the form of a Purchase Order, with reference to State of Michigan Contract No. 171-180000000768.

THIRD: The accounts payable department is authorized to pay The Detroit Salt Company, LLC for road salt delivered in the amount of $88,700.00.

FOURTH: The above expenses shall be paid from Local and Major Street Fund and State Trunk-line accounts 202/203.478.728.000 and 202.497.728.000.

Bid Award – Fire Hydrant Painting. Approve bid award to David Hamilton d/b/a American Flo Blasting for hydrant restoration and painting services for hydrants located in Caledonia and Owosso Charter Townships in the amount of $21,700.00 and authorize payment to the contractor upon satisfactory completion of the work or portion thereof as detailed:

RESOLUTION NO. 147-2019

AUTHORIZED THE EXECUTION OF A CONTRACT WITH
AMERICAN FLO BLASTING OF CLIMAX, MICHIGAN
FOR FIRE HYDRANT RESTORATION SERVICES FOR
OWOSSO CHARTER TOWNSHIP AND CALEDONIA CHARTER TOWNSHIP

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has responsibility by water agreement to maintain municipal fire hydrants for Owosso Charter Township and Caledonia Charter Township; and

WHEREAS, the fire hydrants for Owosso and Caledonia Charter Townships are in need of corrosion protection and restoration; and

WHEREAS, these services were competitively bid, with David Hamilton d/b/a American Flo Blasting of Climax, Michigan submitting the lowest and responsible bid for these services; and

WHEREAS, the Director of Public Services & Utilities has determined that David Hamilton d/b/a American Flo Blasting is qualified to perform these restoration services.

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 provide corrosion control and restoration of municipal fire hydrants for Owosso and Caledonia Charter Townships.
SECOND: The Director of Public Services & Utilities has reviewed the competitive bids received, and recommends authorizing a services agreement between the city of Owosso and David Hamilton d/b/a American Flo Blasting of Climax, Michigan in the amount of $21,700.00.

THIRD: The mayor and city clerk are hereby authorized and instructed to sign the contract, substantially in the form attached. Contract for Services between the City of Owosso, Michigan and David Hamilton d/b/a American Flo Blasting.

FOURTH: The accounts payable department is authorized to pay David Hamilton d/b/a American Flo Blasting for hydrant restoration services in the amount not to exceed $21,700.00.

FIFTH: The above expenses shall be paid from Water Fund account 591-901-972.000.

Warrant No. 575. Authorize Warrant No. 575 as follows:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Description</th>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caledonia Charter Township</td>
<td>Caledonia Utility Fund Payment 7/1/19 – 9/30/19</td>
<td>Water</td>
<td>$36,415.14</td>
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<tr>
<td>Owosso Charter Township</td>
<td>Owosso Charter Township 2011 Water Agreement Payment</td>
<td>Water</td>
<td>$14,973.59</td>
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<tr>
<td>Michigan Municipal Risk Authority</td>
<td>Building &amp; Property Insurance 2 of 3 installments for FY 19/20</td>
<td>Various</td>
<td>$62,482.50</td>
</tr>
</tbody>
</table>

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

ITEMS OF BUSINESS

General Engineering Services Contracts for Utilities

Utilities Director Glenn M. Chinavare explained that these contracts will function much like the group of engineers that are contracted by the Engineering Department.

Motion by Mayor Pro-Tem Osika to authorize agreements with Tetra Tech, OHM Advisors, C2AE and Jones & Henry to provide professional engineering services for future utilities projects in accordance with the City Purchasing Policy for a period, renewed annually, through October 30, 2025 as follows:

RESOLUTION NO. 148-2019

AUTHORIZING THE EXECUTION OF AGREEMENTS FOR PROFESSIONAL ENGINEERING SERVICES WITH C2AE, OHM ADVISORS, TETRA TECH, JONES & HENRY

WHEREAS, the city of Owosso, Michigan, has determined that it is advisable, necessary and in the public interest to secure professional engineering services for various public utility improvement projects in the city; and

WHEREAS, a quality based selection process was developed to select qualified engineering firms; and

WHEREAS, C2ae, OHM Advisors, Tetra Tech, and Jones & Henry have been determined as most qualified to perform engineering services for water and wastewater utilities through this process.
NOW THEREFORE BE IT RESOLVED by the council of the city of Owosso, county of Shiawassee, state of Michigan:

FIRST: The city of Owosso has heretofore determined that it is advisable, necessary and in the public interest to employ the firms of Capital Consultants, Inc. d/b/a C2AE, OHM Advisors, Tetra Tech of Michigan, P.C., and Jones & Henry Engineers, Ltd. to provide professional engineering services for future water and wastewater utility projects; and

SECOND: The mayor and city clerk of the city of Owosso is hereby instructed and authorized to sign the document attached as; Exhibit A, Agreement for Professional Engineering Services with Capital Consultants, Inc. d/b/a C2AE; and

THIRD The mayor and city clerk of the city of Owosso is hereby instructed and authorized to sign the document attached as; Exhibit B, Agreement for Professional Engineering Services with OHM Advisors; and

FOURTH The mayor and city clerk of the city of Owosso is hereby instructed and authorized to sign the document attached as; Exhibit C, Agreement for Professional Engineering Services with Tetra Tech of Michigan, P.C.; and

FIFTH The mayor and city clerk of the city of Owosso is hereby instructed and authorized to sign the document attached as; Exhibit D, Agreement for Professional Engineering Services with Jones & Henry Engineers, Ltd.; and

SIXTH The city manager of the city of Owosso is hereby instructed to receive cost proposals from each of these four firms for future projects and make recommendation to the City Council for acceptance and award in accordance with the city of Owosso Purchasing Policy for a period renewed annually through October 30, 2025.

Motion supported by Councilmember Haber.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilmember Bailey.

The meeting was briefly recessed at 8:41 p.m. and resumed at 8:50 p.m.

Closed Session (This item was removed from the agenda.)

Professional Services Contract – Public Relations (This item was added to the agenda.)

City Manager Henne indicated the proposed contract was borne out of the idea that the trash discussion is a very important topic and he wants to include as many points of view as possible. He said Council has been critical of the City’s past efforts at communication and in light of the fact they tabled a decision on the trash issue he is looking for direction from Council as to whether the PR help would be better used now or later.
Councilmember Fear indicated she would abstained from voting due to the fact that she has been employed on a contractual basis by Rathbun Public Relations for the past four years. Ms. Fear was excused from the room at 8:53 p.m.

Individual members expressed support for immediately moving forward with the contract, with one Councilmember suggesting the scope of the contract be increased to include items outside the trash discussion.

Motion by Mayor Pro-Tem Osika to approve a contract with Carrie Rathbun-Hawks for educational and public relations services in relation to the trash collection issue as detailed below:

RESOLUTION NO. 149-2019

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH RATHBUN PUBLIC RELATIONS

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Community Development Department wishes to contract with Rathbun Public Relations for community outreach efforts regarding the city’s trash and recycling discussion; and

WHEREAS, the City of Owosso City Council listed improvements to the city’s trash collection and recycling program as an annual goal in January, 2019; and

WHEREAS, City staff wishes to expand public outreach, fact finding, and communications for such an important topic as city wide trash collection and recycling; and

WHEREAS, the City purchasing ordinance Section 2-343 allow for the city manager to make purchases up to $10,000 without Council approval; and

WHEREAS, the City purchasing ordinance Section 2-346 does not require competitive bidding for professional services but does require council approval.

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 enter into a professional services agreement for public relations with Rathbun Public Relations for a cost to the City of Owosso not to exceed $10,000.

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 Rathbun Public Relations not to exceed $10,000.

THIRD: The above expenses shall be paid from the General Fund, account # 101.728.818.000.

Motion supported by Councilmember Pidek.

Roll Call Vote.

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

NAYS: Councilmember Fear.

ABSENT: Councilmember Bailey.

Councilmember Fear returned to the meeting at 9:04 p.m.
COMMUNICATIONS

Randy Woodworth, Parks & Recreation Commission.  Letter of resignation.
Downtown Development Authority/Main Street.  Minutes of September 4, 2019.

CITIZEN COMMENTS AND QUESTIONS

Pete Yerian, 1471 Jackson Drive, said he pays $36 per quarter for trash service in the Osburn Lakes neighborhood.  He said he can see both sides of the trash collection argument.

Alan Thompson, 1210 George Street, reminded Council to keep in mind that the bigger haulers usually have bigger trucks that cause more damage to the streets.

Former Councilmember Burton Fox, 216 E. Oliver Street, recommended the public forum be held in a location capable of holding at least 200 people, he also suggested that Council stop the clock after each citizen question to provide an answer and they not restrict the amount of time people would like to comment.

Eddie Urban, 601 Glenwood Avenue, showed off the Shiawassee County newsletter saying it has lots of great information.

Scott Hoenshell, 1331 S. Cedar Street, said he was confused about what is going on with special assessments and better communication from the City is necessary.  He also said he is looking forward to the public forum on trash collection.

NEXT MEETING

Monday, October 21, 2019

BOARDS AND COMMISSIONS OPENINGS

Building Board of Appeals – Alternate - term expires June 30, 2019
Building Board of Appeals – Alternate - term expires June 30, 2021
Brownfield Redevelopment Authority – term expires June 30, 2022
Historical Commission – term expires December 31, 2019
Historical Commission – 2 terms expire December 31, 2020
Parks & Recreation Commission – term expires June 30, 2021
Planning Commission – term expires June 30, 2019
SATA Board of Directors – term expires October 1, 2022

ADJOURNMENT

Motion by Mayor Pro-Tem Osika for adjournment at 9:13 p.m.

Motion supported by Councilmember Law and concurred in by unanimous vote.
Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk
MEMORANDUM

DATE: October 11, 2019

TO: Mayor Christopher Eveleth, City Council, and Manager Nathan Henne

FROM: Treena Chick, Assessor

RE: Tax Abatement Application – Covenant Eyes, Inc. – 1525 W. King Street

As mentioned in last month’s memo, the city clerk received an application for tax abatement as required under the city’s abatement policy, on September 16, 2019. Also received was an application for an Industrial Facilities Tax Exemption Certificate.

The council will be taking action on the tax abatement application for the Industrial Facilities Tax Exemption Certificate. The expansion for this project is valued at approximately $350,000 and will employ 40 new employees.

The application for an Industrial Facilities Tax Exemption Certificate, Act 198 of 1974, is a tax abatement which reduces the tax burden by 50% for the new expansion. The proposed project is for expansion of the current office space within the 37,000 square foot facility and will cover 3,500 square feet of floor space. The estimated cost for this expansion is $350,000. The applicant is applying for the IFT exemption on real property only. This exemption meets the requirements of the city’s tax abatement policy and should be granted for 12 years, the statutory limit.

The estimated effect on General Fund services as a result of granting this abatement are calculated over a 12 year period with a 1% increase in property taxes annually:

<table>
<thead>
<tr>
<th>Service</th>
<th>% of Gen Fund</th>
<th>$/year</th>
<th>12 year total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police</td>
<td>27%</td>
<td>$385</td>
<td>$4,621</td>
</tr>
<tr>
<td>Fire</td>
<td>25%</td>
<td>$357</td>
<td>$4,279</td>
</tr>
<tr>
<td>Gen Govt</td>
<td>23%</td>
<td>$328</td>
<td>$3,937</td>
</tr>
<tr>
<td>Pub Works</td>
<td>10%</td>
<td>$143</td>
<td>$1,712</td>
</tr>
<tr>
<td>Community Dev</td>
<td>5%</td>
<td>$71</td>
<td>$856</td>
</tr>
<tr>
<td>Parks and Rec</td>
<td>3%</td>
<td>$43</td>
<td>$513</td>
</tr>
<tr>
<td>Trans out</td>
<td>7%</td>
<td>$100</td>
<td>$1,198</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100%</td>
<td>$1,426</td>
<td>$17,116</td>
</tr>
</tbody>
</table>

The city clerk has notified the taxing jurisdictions of this application as required under the abatement policy and statute.

As always, if you have any further questions, please feel free to contact me at (989) 725-0530.
RESOLUTION NO.

APPROVING AN IFT APPLICATION
FROM COVENANT EYES, INC.
1525 W. KING STREET

WHEREAS, pursuant to PA 198 of 1974, as amended, after a duly noticed public hearing held on June 19, 2000, this City Council, by resolution established an Industrial Development District; and

WHEREAS, Covenant Eyes, Inc. has filed an application for an Industrial Facilities Tax Exemption Certificate with respect to a new facility within said Industrial Development District; and

WHEREAS, before acting on said application, the City of Owosso held a hearing on October 21, 2019, in City Hall, at 301 W. Main Street, Owosso, MI, 48867, at 7:30 p.m. at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, construction of the facility had not begun earlier than six (6) months before October 21, 2019, the date of acceptance of the application for the Industrial Facilities Tax Exemption Certificate; and

WHEREAS, completion of the facility is calculated to and will, at the time of issuance of the certificate, have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Owosso; and

WHEREAS, the aggregate SEV of real property exempt from ad valorem taxes within the City of Owosso, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Owosso that:

1. The City Council finds and determines that the granting of the Industrial Facilities Tax Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under PA 198 of 1974, as amended and PA 225 of 1978, as amended shall not have the effect of substantially impeding the operation of the City of Owosso, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Owosso.

2. The application from Covenant Eyes, Incorporated for an Industrial Facilities Tax Exemption Certificate, with respect to a New Facility on the following described parcel of real property situated within the Industrial Development District, to wit:

PART OF NORTH 1/2 OF SOUTHEAST 1/4 SECTION 14, T7N-R2E, COMMENCING S 1°32 1/2' W 33' & E 418.73' FROM CENTER SECTION 14 TO POINT OF BEGINNING, THEN S 42°7' E 1066.59', THEN N 48°30' E 118.25', THEN S 77°17' E 202.9', THEN N 42°7' W945.24' TO SOUTH LINE OF KING STREET, THEN W 397.66' TO POINT OF BEGINNING, (EXCEPT EASEMENTS OF RECORD) (1525 W. King Street);

be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in force for a period of 12 years.
Abatement Schedule

This schedule applies to Industrial or Commercial Property as defined in 211.34c of the General Property Tax Act

<table>
<thead>
<tr>
<th>1. Capital investment</th>
<th>Years of tax abatement</th>
<th>Rehabilitated/restored</th>
</tr>
</thead>
<tbody>
<tr>
<td>$Up to $100,000</td>
<td>1</td>
<td>additional two years in any capital investment</td>
</tr>
<tr>
<td>$100,001 to $250,000</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>$250,001 to $500,000</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>$500,001 to $1,000,000</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>$1,000,001 to $2,500,000</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>$2,500,001 to $5,000,000</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>$5,000,001 and up</td>
<td>7</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. Job creation as Full Time Equivalent (40hrs per week)</th>
<th>Years of tax abatement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10</td>
<td>2</td>
</tr>
<tr>
<td>11-25</td>
<td>3</td>
</tr>
<tr>
<td>26-50</td>
<td>4</td>
</tr>
<tr>
<td>51 and up</td>
<td>5</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3. Job wages</th>
<th>Years of tax abatement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average wage &gt; 1.5x minimum wage</td>
<td>2</td>
</tr>
<tr>
<td>Average wage &gt; 2x minimum wage Average wage &gt; 3x minimum wage</td>
<td>4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4. Number of years located in city of Owosso</th>
<th>Years of tax abatement</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-10</td>
<td>1</td>
</tr>
<tr>
<td>11-15</td>
<td>2</td>
</tr>
<tr>
<td>16 and up</td>
<td>3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5. Employees with city of Owosso residency</th>
<th>Years of tax abatement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10</td>
<td>1</td>
</tr>
<tr>
<td>11-25</td>
<td>2</td>
</tr>
<tr>
<td>26+</td>
<td>3</td>
</tr>
</tbody>
</table>

16 years Total

Note: Total number of tax abatement years shall not exceed statutory limits.

12 years max allowed for this type of abatement.
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE ("IFEC")
LETTER OF AGREEMENT

This agreement between Covenant Eyes, Inc. and City of Owosso is for the purpose of fulfilling the requirements of P.A. 198, as amended, in P.A. 224, Section 22. In consideration of approval of this exemption certificate, Covenant Eyes, Inc. understands that through its investment of $350,000 and the City of Owosso, by its investment of the IFEC, are mutually investing in and benefiting from this economic development project, and, furthermore, agree to the following:

1. The company shall supply to the City of Owosso-within 60 days of its first year of IFEC eligibility-information regarding the processes taking place on the premises and of any metals, gas or liquids used in that processes or stored on the premises. In addition any changes in those processes, use of materials or storage shall be reported to the City as they occur for the entire term of the certificate.

2. If the company vacates the site for the purpose of relocation out of the Mid-County during the term of IFEC eligibility, the Company shall place the parcel for sale within nine months of closure and at no greater than its appraised value as determined by a Michigan licensed appraiser. Unless the effort can be compensated to the property through a brownfield redevelopment plan or other eligible public program, the Company shall assume responsibility for the preparation of a Phase I Environmental Site Assessment (ESA) and, if necessary, a Phase II ESA as a condition of a purchase agreement to sell the property.

3. The Company understands that at the end of the term of this agreement, the real property within the application will return to the tax rolls under the full millage assessment applied by the taxing jurisdictions. This provision is to make clear that the inducement to provide tax forgiveness on the building is a limited privilege in return for new jobs and new investment in the Owosso area, and that the plan of this agreement is to return this tax abated property into full participation in the support of community services, infrastructure, and public education.

4. The Company agrees to submit to the City Assessor reports, property tax statements, and employment information in accordance with the provisions of the Addendum attached to this Agreement.

We swear and affirm by our signatures below that no payment of any kind in excess of the fee allowed by PA 198 of 1974, as amended by PA 323 of 1996, has been made or promised in exchange for favorable consideration of an exemption certification application.

This agreement is assignable and transferable by either party with advance written consent. The agreement may only be altered upon mutual consent of both parties.

_________________________   ___________
Covenant Eyes, Inc. (Company)     Date

_________________________   ___________
Christopher Eveleth, Mayor               Date
City of Owosso
Application for Industrial Facilities Tax Exemption Certificate
Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and one copy of this form and the required attachments (two complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires one complete set (one original). One copy is retained by the clerk. If you have any questions regarding the completion of this form, call 517-335-7460.

<table>
<thead>
<tr>
<th>Signature of Clerk</th>
<th>To be completed by Clerk of Local Government Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Date Received by Local Unit</td>
</tr>
<tr>
<td></td>
<td>09/16/19</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Application Number</th>
<th>STC Use Only</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Date Received by STC</td>
</tr>
</tbody>
</table>

APPLICANT INFORMATION
All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility)
- Covenant EYES Inc

1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code)
- 7372

1c. Facility Address (City, State, ZIP Code) (real and/or personal property location)
- 1525 W. King St
- Owosso
- Shiawassee

1d. City/Township/Village (indicate which)

3a. School District where facility is located
- Owosso
- 78110

3b. School Code

4. Amount of years requested for exemption (1-12 Years)
- 12

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

See Attachment

6a. Cost of land and building improvements (excluding cost of land)
- $350,000
  - Real Property Costs
  - $467,000
  - Personal Property Costs
  - $817,000
  - Total of Real & Personal Costs

6b. Cost of machinery, equipment, furniture and fixtures
- Attach itemized listing with month, day and year of beginning of installation, plus total

6c. Total Project Costs
- Round Costs to Nearest Dollar

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

<table>
<thead>
<tr>
<th>Begin Date (M/D/Y)</th>
<th>End Date (M/D/Y)</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Real Property Improvements</td>
<td>01/01/2020</td>
<td>12/31/2020</td>
<td>Owned</td>
</tr>
<tr>
<td>Personal Property Improvements</td>
<td>01/01/2020</td>
<td>12/31/2020</td>
<td>Owned</td>
</tr>
</tbody>
</table>

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption.
- Yes [ ]
- No [ ]

9. No. of existing jobs at this facility that will be retained as a result of this project
- 102

10. No. of new jobs at this facility expected to create within 2 years of completion
- 40

11. Rehabilitation applications only. Complete a, b and c of this section. You must attach the assessor’s statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.
   - a. TV of Real Property (excluding land)
   - b. TV of Personal Property (excluding inventory)
   - c. Total TV

12a. Check the type of District the facility is located in:
- [X] Industrial Development District
- [X] Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit)
- 4-19-2000 (and) 4-18-1977

12c. Is this application for a speculative building (Sec. 3(8))?
- [ ] Yes
- [X] No
APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name
Chris Taphouse
13b. Telephone Number
(989) 720-8059
13c. Fax Number
(989) 720-8081
13d. E-mail Address
chris.taphouse@coveneanye.com

14a. Name of Contact Person
Chris Taphouse
14b. Telephone Number
(989) 720-8059
14c. Fax Number
(989) 720-8081
14d. E-mail Address
chris.taphouse@coveneanye.com

15a. Name of Company Officer (No Authorized Agents)
Ronald DeHaas
15b. Signature of Company Officer (No Authorized Agents)
15c. Fax Number
(989) 720-8081
15d. Date
09/16/2019
15e. Mailing Address (Street, City, State, ZIP Code)
PO Box 637, Owosso, MI 48867
15f. Telephone Number
(989) 720-8019
15g. E-mail Address
ron.dehaas@coveneanye.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

16a. Documents Required to be on file with the Local Unit
Check or Indicate N/A if Not Applicable

- 1. Notice to the public prior to hearing establishing a district.
- 2. Notice to taxing authorities of opportunity for a hearing.
- 3. List of taxing authorities notified for district and application action.
- 4. Lease Agreement showing applicants tax liability.

16b. The State Tax Commission Requires the following documents be filed for an administratively complete application:

- 1. Original Application plus attachments, and one complete copy
- 2. Resolution establishing district
- 3. Resolution approving/denying application
- 4. Letter of Agreement (Signed by local unit and applicant)
- 5. Affidavit of Fees (Signed by local unit and applicant)
- 6. Building Permit for real improvements if project has already begun
- 7. Equipment List with dates of beginning of installation
- 8. Form 3222 (if applicable)
- 9. Speculative building resolution and affidavits (if applicable)

17. Name of Local Government Body
18. Date of Resolution Approving/Denying this Application

Attached hereto is an original application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time, and that any leases show sufficient tax liability.

19a. Signature of Clerk
19b. Name of Clerk
19c. E-mail Address

19d. Clerk's Mailing Address (Street, City, State, ZIP Code)
19e. Telephone Number
19f. Fax Number

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original of the completed application and all required attachments to:
Michigan Department of Treasury
State Tax Commission
PO Box 30471
Lansing, MI 48909

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

<table>
<thead>
<tr>
<th>STC USE ONLY</th>
</tr>
</thead>
<tbody>
<tr>
<td>LUCI Code</td>
</tr>
<tr>
<td>---------------</td>
</tr>
</tbody>
</table>
September 16, 2019
Treena Chick
Assessor, MAAO
City of Owosso
301 W. Main
Owosso, MI 48867

Dear City Assessor Treena Chick,

Covenant Eyes is dedicated to showcasing its local talent and is excited about being able to bring competitive wages to Shiawassee County. With the help of Michigan Economic Development Corporation, we have been approved for a grant to expand our 1525 W. King St facility. We plan on bringing hiring 65+ employees over the next three years. We are writing you today to request a tax abatement for the first round of leasehold improvements for our expansion.

We are planning on turning 3500 sq. feet of empty warehouse space into a fully functional customer service facility. This new area will have a fully functional training room equipped for 60 employees. The goal is to hire an additional 40 Customer Service Representatives and have a centralized center for all customer service trainings during 2020-2021.

Please note that our Customer Service Representatives help members all over the world. 98% of the income generated by Covenant Eyes comes from outside of Michigan. Without the help of SEDP, MEDC and a close relationship with the City of Owosso, expansions like would have taken place on the west coast. The west coast or other countries such as New Zealand or Australia allow our customer service team to provide extended hours to our members. At this point, having local support to help us employ local talent and bring in new employees into our market is more important than expansion of service hours.

Please consider our application for the first of two expansions planned over the next two to 3 years.

Sincerely,

Chris Taphouse
Controller
Covenant Eyes
989-720-8059
General Description of Facility (Section 5a)

Metal and concrete building: approximately 28,000 sq feet of office space; 9,000 sq feet of warehouse space, on approximately 9 acres.

Proposed use for the Facility (Section 5b)

Our plan is to expand hiring, to facilitate current projects, and to implement the alternative projects listed below. This expansion will take place when funding is obtained and implanted over a 2-year period (adding approximately 40 new jobs over 2 years).

Currently Covenant Eyes services include ongoing research and development and maintenance of the following operations:

- Screen Accountability using artificial intelligence (Monitoring and recording) software services for Windows, Mac, Android and iOS
- Accountability Reports for Windows, Mac, Android and iOS
- Encrypted Data Transferring for Windows, Mac, Android and iOS
- Uninstall Protection for Windows, Mac, Android and iOS
- Domain Blocking and Safe Search for Windows, Mac, Android and iOS
- YouTube Restricted Mode for Windows, Mac, Android and iOS

New Research and Development Projects include the following:

- My Account replacement (member’s portal to manage accounts)
- Improving signup
- Improving accuracy of artificial intelligence
- Adding non-porn activity
- In-App Reporting (Instant Notifications, non-porn activity, additional details)

Nature and Extend of Restoration (Section 5C)

Interior remodeling: Increase office space and decrease warehouse space by approximately 3500 sq. feet; This single-story renovation will accommodate 40 new customer service representative and be equipped with a fully functional training room for 60 employees.

2 Year Itemized List (Expenditures 2020 and 2021)

2020

Lease Expenses - $156,000 ($18,000 from expansion)
Leasehold Improvements - $350,000
Computer Equipment – $260,000
Furniture and Fixtures - $114,000
Servers – $93,000
2020 Total - $873,000
2021

Lease Expenses - $156,000 ($18,000 from Expansion)
2021 Total - $156,000

Project Total - $1,023,000

(Note: these estimates include lease expenses – rent paid annually by Covenant Eyes, which is included in the project totals. Dates for leasehold improvements – new construction – are projections dependent on beginning of construction date. Total lease hold improvements are expected to be $350,000 combined over 2 years.)
Complete Legal Description

The land is referred to in this document is described as follows:

Land in the City of Owosso, Shiawassee County, Michigan

Part of the North ¾ of the Southeast 14 of Section 14, Town 7 North Range 2 East, City of Owosso, described as beginning at a point on the South line of King Street, which is West 2233.33 feet along the East and West ¼ line of said Section 14 and south 01 degrees 32 minutes 30 seconds West, 33.01 feet from the East ¼ corner of said Section 14, said point being South 01 degrees 32 minutes 30 seconds West, 33.01 feet and East 418.73 feet along said South line of King Street from the Center of said Section 14, thence along the South line East 398.06 feet (recorded as 397.66 feet) to a point on the Southwesterly right-of-way line of Tuscola & Saginaw Bay Railroad; thence along said Southwesterly right-of-way line South 42 degrees 07 00 seconds East, 900.51 feet (recorded as 945.24 feet); thence South 77 degrees 17 minutes 00 seconds West, 118.25; thence North 42 degrees 07 minutes 00 seconds West, 1066.59 feet to the point of beginning.

More Commonly known as: 1525 West King Street, Owosso, MI

Tax Item No. 050-537-000-049-00
LEASE AGREEMENT
OF
PORTION OF 1525 WEST KING STREET, OWOSSO, MICHIGAN 48867
(TENANT: COVENANT EYES, INC.)

Date: April 1, 2007
APPLICATION FOR TAX ABATEMENT

Applicant (Official Company Name) __Covenant Eyes Inc___________________________
Business Name (If Different) ____________________________________________________
Address of Proposed Project ______1525 W. King St, Owosso MI 48867________________

Mailing Address (If Different) ____________________________________________________

Do you own the property? ___No____ If no, what is your relationship? ___Lessee________

Type of Abatement Requested (if known) ________New______________________________

Total square footage of all current buildings on site ___37,000 sq. feet________________

Description of proposed project including type of current business activity and product to be manufactured (if applicable), size of proposed structure and proposed activity and/or product.

See attached letter

Give estimated cost of the following components applicable for the proposed project:

Land improvements (excluding land): __0________________________

Building improvements: Size __3500_____ sf $ ___350,000____________

Machinery & Equipment: $353,000

Furniture & Fixtures: $114,000

Time schedule for start and completion of construction and equipment installation (if applicable):

Building:  
Start Date ______TBD_______  Completion Date _____Year end 2020____

Equipment installation (if applicable):
Start Date ______TBD_______  Completion Date _____Year end 2020____
Abatement Application
Page 2

Will project be owned or leased by applicant? Leased
Will machinery be owned or leased by applicant? Owned

How many employees do you currently employ? Full Time 190 Part Time 2

How many new employees do you estimate after project complete? Full Time 40 Part Time 0

When project is complete, how many will be:
Management/Professional 2 Wage level $55,000 annually
Skilled 8 Wage level $70,000+ annually
Semi-Skilled 30 Wage level $33,500 – 40,000 annually
Un-Skilled Wage level

Name of Company Officer (contact person) Ronald DeHaas
Title CEO
Signature
Phone Number 907-720-8042
Date 9/16/19

For City Staff Use Only

Was the applicant given a copy of Tax Abatement Policy? Y N
Is an abatement district in place for this project? Y N

If no, legal description of proposed district.

If yes, type of district in place Industrial Dev. & Port District Year established 4-18-1997

Does the proposed project meet the guidelines for Tax Abatement under the policy? Y N
If no, explain

If yes, was notice given to taxing jurisdictions within the proposed project area? Y N

If yes, was notice given to applicant and proper state documents sent? Y N

Name of reviewer Teena Chick
Signature Teena Chick
Date 9-20-19
DATE: October 16, 2019
TO: Owosso City Council
FROM: Glenn Chinavare, Director of Public Services
SUBJECT: North Street Resurfacing – Special Assessment Resolution No 3

When deemed necessary, the city conducts a street improvement program. Public streets are selected for inclusion in the program either by citizen initiated petition or by selection of the city. **North Street, from Hickory Street to Gould Street**, is proposed by the city for street rehabilitation. Property owners are then specially assessed to cover the cost of the proposed improvement. Past practice has been to assess property owners along the street 40% of the proposed benefit and the remaining 60% to the community at large. Each property owner can pay an assessment in one lump sum or in installments over the multi-year period (the period being determined by the amount of the average assessment).

The special assessment process has five steps, each having its own purpose and accompanying resolution.

**Step One/Resolution No. 1** identifies the special assessment district(s), directs the city manager to estimate project costs and the amounts to be specially assessed, and determines the life of the proposed improvements. Resolution No. 1 for the proposed improvement was approved by City Council at its **May 6, 2018** meeting.

**Step Two/Resolution No. 2** sets the date for the hearing of necessity on the projects. It directs notices to be sent to each affected property owner detailing the proposed project, notifying them of the public hearing date, and the estimated amount of their assessment. Resolution No. 2 for the proposed improvement was approved by City Council at its **October 7, 2019** meeting.

**Step Three/Resolution No. 3** documents the hearing of necessity. This hearing provides affected residents with the opportunity to comment on whether they feel the project is necessary and of the proper scale. After hearing citizen comment on the project the city council has three options: 1) If council agrees that the project should proceed as proposed, the district is established and staff is directed to go on with the next steps of the proposed project, including obtaining bids; 2) If Council agrees the project should go forward, but with some adjustments council may direct staff to make those adjustments and proceed; 3) If council determines the project is not warranted and should not proceed at all, council would simply fail to act on Resolution No. 3, effectively stopping the process. The hearing of necessity will be held during the regularly scheduled city Council meeting of **October 21, 2019**.

**Step Four/Resolution No. 4** takes place after the bids are received. Estimated assessment amounts are adjusted if necessary to reflect the actual cost as dictated by the bids received. A second public hearing is set to allow property owners to comment on their particular assessment. Each property owner is sent a second notice containing the date and time of the public hearing and the amount of the proposed assessment for their property.
Step Five/Resolution No. 5 documents the second public hearing, finalizes the special assessment roll and sets the terms of payment. This public hearing is designed to allow affected citizens the opportunity to argue whether or not the amount of their assessment is fair and equitable in relation to the benefit they receive from the project. If, after hearing citizen comment, the council decides adjustments need to be made to the assessment roll they may do so. Alternately, if they feel all the assessments are fair and equitable they may pass the resolution as written.

Tonight the council will be holding a public hearing to receive citizen comments regarding the necessity of the proposed project. At the conclusion of the hearing council will consider approval of Resolution No. 3 authorizing the project to proceed. Residents that would be affected by the project have been sent a notification for the public hearing, a description of the work being proposed, and an estimate of the special assessment for their property.

Staff recommends authorization of Resolution No. 3 for the following district:

- **Special Assessment District No. 2020-03**
- North Street, a Public Street, from Hickory Street to Gould Street
RESOLUTION NO.

AUTHORIZING SPECIAL ASSESSMENT RESOLUTION NO. 3
ESTABLISHING SPECIAL ASSESSMENT DISTRICT NO. 2020-03
NORTH STREET, FROM HICKORY STREET TO GOULD STREET
FOR STREET RECONSTRUCTION

WHEREAS, the City Council, after due and legal notice, has met and (there being no one to be heard regarding / having heard all persons to be affected by) the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited:

   NORTH STREET, A PUBLIC STREET, FROM HICKORY STREET TO GOULD STREET
   STREET RECONSTRUCTION

2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be $1,343,777.40 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.

3. The City Council determines that of said total estimated cost, the sum of $196,884.33 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described, and that the sum of $1,146,893.07 of said total estimated cost shall be the obligation of the City at large because of benefit to the City at large.

4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied:

   North Street, a Public Street, from Hickory Street to Gould Street
   For Street Reconstruction

5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.

6. When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.
City of Owosso
Proposed Special Assessment

Legend
- Parcels
- Special Assessment Parcels
- City Limit
- 1501 Street Address Number

1 inch = 264 feet

E. North Street from Hickory St. to Gould St.
HISTORY

Reso No. 2 E North St – N Hickory St to N Gould St

- This project is part of the original five-year plan.
- Our records indicate last work done was 1980.
- Traffic volumes are about 3700 vehicles per day.
- Existing road is 37’ wide and composed of asphalt of varying thickness with no base. Majority of curb and gutter is in poor condition.
- Water main is in poor condition and will be replaced as part of road work.
- Storm sewer is in poor condition and will be replaced and resized to fit drainage needs of the drainage area.
- Altogether, recommend fix is total road reconstruction with proposed 30’ wide pavement, curb and gutter, water main, and storm sewer. New road will service two 12’ wide travel lanes and one parking lane along the south side of the street.
- Work schedule TBD but should be sometime between June-October, 2020.
- Life expectancy is 20 years.
### RESO 2

#### E NORTH STREET FROM HICKORY TO GOULD ENGINEER’S ESTIMATE

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>UNIT</th>
<th>QUANTITY</th>
<th>UNIT PRICE</th>
<th>AMOUNT</th>
<th>ELLIGIBLE AMOUNT</th>
<th>CITY COST 60 PERCENT</th>
<th>ASSESSMENT AT 40% RESIDENTIAL</th>
<th>ASSESSMENT AT 40% COMMERCIAL</th>
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**ENGINEER’S DETERMINATION OF ASSESSABLE AMOUNT**

**E NORTH STREET FROM HICKORY TO GOULD**

| SPECIAL ASSESSMENT ROLL | RESO 2 |

| ENGINEER’S ESTIMATE ASSESSABLE AMOUNT | $789,754.80 |
| TOTAL ASSESSABLE FRONT FEET | 4329.81 |

CALCULATING ASSESSABLE FRONT FOOT RATE AND AMOUNTS:

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<tr>
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SUMMARY: SPECIAL ASSESSMENT AMOUNTS PER SIDE OF STREET:

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<th>SOUTH SIDE</th>
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<td>$91,146.71</td>
<td>$105,737.62</td>
<td>$196,884.33</td>
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**TOTAL ASSESSABLE FRONT FOOTAGE: 4329.27**

### SOUTH SIDE

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**TOTAL ASSESSABLE FRONT FOOTAGE: 2168.3**

**TOTAL AMOUNT ASSESSED: $105,737.62**

*ASSESSED AS COMMERCIAL*
DATE: 10.7.19
TO: CITY COUNCIL
FROM: CITY MANAGER
SUBJECT: Administrative Site Plan Review Ordinance

BACKGROUND:

The City does not have any means to approve minor site plans at the staff level like other communities. Having this ability would streamline the process for small projects by precluding the need to have a full Planning Commission site plan review for certain small projects. This new ordinance would streamline the process and satisfy a small portion of our Redevelopment Ready Community certification efforts.

SUMMARY:

This new ordinance would allow city staff to approve:

1. New construction of any permitted non-residential or multi-family development that is less than 2000 sq ft
2. Construction of an addition less than 2000 sq ft in a non-residential district
3. Construction of expansion of an impervious surface less than 5000 sq ft
4. Changes in use from a non-conforming use to a more conforming use
5. A vacant existing building or site to be re-occupied by a use permitted and will not require any significant changes in existing site facilities such as parking, landscaping, lighting, or sidewalks
6. Installation of pavement or curbing improvements provided the number of spaces remain constant and the plans and construction are approved by the City Engineer
7. Relocation of a waste receptacle or screening around the waste receptacle
8. Accessory structures in non-residential districts
9. Temporary uses, sales, and seasonal events
10. Erection of a tower, antenna, or other community facility, essential public service building.
11. Minor revisions to an approved site plan limited to:
   a. Changes to façade or architectural features
   b. Alterations/substitutions/expansions of approved landscaping areas consistent with the other requirements of the Ordinance

Site plan application and submittal requirements are required for administrative site plan approval.

RECOMMENDATION:

Set a public hearing for October 21 to take comment on this ordinance.
ORDINANCE NO.
AN ORDINANCE TO AMEND
CHAPTER 38, ZONING, OF THE CODE OF ORDINANCES
TO ALLOW ADMINISTRATIVE SITE PLAN REVIEW

WHEREAS, the city of Owosso Planning Commission currently reviews every site plan per Chapter 38, Article XVII, Section 390; and

WHEREAS, an Administrative Site Plan Review ordinance would allow the Zoning Official to review certain site plans; and

WHEREAS, an Administrative Site Plan Review protocol would reduce the amount of time necessary to approve minor site plans; and

WHEREAS, the Owosso Planning Commission has met, discussed and authored amendments to the Zoning Ordinance to allow Administrative Site Plan Review in select circumstances; and

WHEREAS, the Planning Commission held a public hearing on September 23, 2019 at its regularly scheduled meeting regarding the proposal to amend various sections of Chapter 38, Zoning, in which no citizen comments were received; and

WHEREAS, the Planning Commission further recommends adoption of the following amendments to the Zoning Ordinance to allow for the administrative review of select site plans; and

WHEREAS, the City Council held a public hearing on October 21, 2019, heard all interested persons, and deliberated on the requested amendment.

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

SECTION 1. AMENDMENT. That Sec. 38-390, Site plan review, be amended to read as follows:

Sec. 38-390. - Site plan review.

When provisions of this chapter require submission of a site plan, it shall be submitted in accordance with the provisions of this section. Site Plans may be approved administratively or by the Planning Commission, depending on the proposal.

(1) Submission for approval. A site plan shall be required for the following:
   a. Any use or development for which the submission of a site plan is required by any provision of this chapter;
   b. Any development, except single-family and two-family residential, for which off-street parking areas are provided as required in section 38-380, off-street parking requirements;
   c. Any use in an RM-1, RM-2, OS-1, B-1, B-2, B-3, B-4, I-1, I-2, P-1 or PUD district;
   d. Any use except single- or two-family residential which lies contiguous to a major thoroughfare or collector street;
   e. All residentially related uses permitted in single-family districts such as, but not limited to, churches, schools, colleges, institutions, and public facilities;
   f. Accessory buildings or building additions which require additional off-street parking.

(2) All site plans must be reviewed and approved by the Planning Commission, with the exception of the following, that may qualify for an Administrative Site Plan Review.
   a. The Zoning Official, at his discretion, may send a development otherwise eligible for Administrative Site Plan Review to the Planning Commission for review and approval.
   b. The following development/construction/activity within the City is eligible for Administrative Site Plan Approval:
      1. New construction of any Principally Permitted non-residential or multiple family
development that is less than 2,000 square feet in floor area;
2. Construction of an additional less than 2,000 square feet in floor area in a non-residential district;
3. Construction of expansion of an impervious surface less than 5,000 square feet in area;
4. Changes in use from a non-conforming use to a more conforming use;
5. A vacant existing building or site to be re-occupied by a use permitted and will not require any significant changes in existing site facilities such as parking, landscaping, lighting, or sidewalks;
6. Installation of pavement or curbing improvements provided the number of spaces remain constant and the plans and construction are approved by the City Engineer;
7. Relocation of a waste receptacle or screening around the waste receptacle;
8. Accessory structures in non-residential districts;
9. Temporary uses, sales, and seasonal events;
10. Erection of a tower, antenna, or other community facility, essential public service building
11. Minor revisions to an approved site plan, limited to:
   a) changes to façade or architectural features
   b) alterations/substitutions/expansions of approved landscaping areas consistent with the other requirements of the Ordinance;
   c. Site Plan Application and Submittal Requirements are required for Administrative Site Plan Approval, consistent with Section 38-390 (3).

(3) Any person seeking site plan approval hereunder shall submit a site plan, application, and the applicable filing fee to the building department. Application should be made a minimum of 30 days prior to the next regularly scheduled Planning Commission meeting. The building department shall provide application forms and graphic standards for the site plan. Said site plan shall be prepared by a professional architect, engineer, landscape architect or land planner and must contain the following information:
   a. A scale of not less than one (1) inch equals fifty (50) feet if the subject property is less than three (3) acres and one (1) inch equals one hundred (100) feet if three (3) acres or more;
   b. Date, north point, scale, and area of the site in acres;
   c. The dimensions of all lot and property lines, showing the relationship of the subject property to the abutting properties;
   d. The location of all existing and proposed structures and utilities on the subject property and all existing structures within one hundred (100) feet to the subject property;
   e. The location and layout of all existing and proposed drives and parking areas;
   f. The location and right-of-way widths of all abutting streets and alleys;
   g. The names and addresses of the architect, planner, designer, engineer, or person responsible for the preparation of the site plan.
   h. The number, location, and layout of off-street parking spaces to include all access roads and the manner in which they are to be surfaced;
   i. The provision of internal site drainage and necessary city utilities complete with existing and proposed elevations;
   j. The proposed site landscaping complete with a planting plan to include all proposed walls, fences, and screening in compliance with the provisions of this chapter;
   k. The elevation of the site in relation to the identified flood hazard area. All proposed construction, reconstruction, or demolition shall be in compliance with local, state, and federal ordinances, laws, or regulations with regard to flood hazard areas;
   l. A copy of the permit from the local enforcing agency on soil erosion and sedimentation control if the earth change activity involves more than one (1) acre or is within five hundred (500) feet of a lake or stream.

(4) Upon receipt of a complete site plan, application, and application fee the building department
shall forward said documents to the Zoning Official for distribution to appropriate City departments for comment. Staff comments shall be made with respect to compliance with the minimum technical requirements of City ordinances and the quality of the development consistent with the intent of the building codes, zoning codes and Master Plan. Upon receipt of all staff comments, the Zoning Official shall either complete the site plan review under the administrative site plan approval process or review the site plan and make its recommendation to the Planning Commission which shall consider the application, site plan, all staff, City, and consultant comments, and community development department and recommendations at the next scheduled meeting.

(5) A Final approval of site plan. Every site plan submitted to the Planning Commission shall be in accordance with the requirements of this chapter. Three (3) copies of the site plan shall be submitted to the building department ten (10) days prior to the City Planning Commission’s regular meeting. No site plan shall be approved until and unless a letter of assurance has been received from the building inspector that the site plan has been reviewed by and is in conformance with all applicable standards of the building department, police department, fire department, engineering department, and city utility department. Further, no construction, reconstruction, demolition, or other site work may progress during the interim, and no building permit(s) shall be issued prior to the final approval of the site plan by the Zoning Official or by the Planning Commission. Upon granting final approval of a site plan, the chairman of the planning commission shall sign all three (3) copies of the site plan will be stamped and signed for approval, returning one (1) copy to the petitioner, and delivering two (2) copies to the building inspector. The site plan submitted for final approval by the planning commission shall include:

a. The number, location, and layout of off-street parking spaces to include all access roads and the manner in which they are to be surfaced;
b. The provision of internal site drainage and necessary city utilities complete with existing and proposed elevations;
c. The proposed site landscaping complete with a planting plan to include all proposed walls, fences, and screening in compliance with the provisions of this chapter;
d. The elevation of the site in relation to the identified flood hazard area. All proposed construction, reconstruction, or demolition shall be in compliance with local, state, and federal ordinances, laws, or regulations with regard to flood hazard areas;
e. A copy of the permit from the local enforcing agency on soil erosion and sedimentation control if the earth change activity involves more than one (1) acre or is within five hundred (500) feet of a lake or stream.

(6) In the process of reviewing the site plan, the Zoning Official or Planning Commission shall consider:

a. The location and design of driveways providing vehicular ingress to and egress from the site, in relation to streets giving access to the site, and in relation to pedestrian traffic;
b. The traffic circulation features within the site and location of automobile parking areas; and may make such requirements with respect to any matters as will assure:
   1. Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets;
   2. Satisfactory and harmonious relationships between the development on the site and the existing and prospective development of contiguous land and adjacent neighborhoods;
c. The Zoning Official or Planning Commission may further require landscaping, fences, and walls in pursuance of these objectives and same shall be provided and maintained as a condition of the establishment and the continued maintenance of any use to which they are appurtenant;
d. In those instances wherein the Zoning Official or Planning Commission finds that an excessive number of ingress and/or egress points may occur with relation to major or secondary thoroughfares, thereby diminishing the carrying capacity of the thoroughfares, the Planning Commission may recommend marginal access drives. For a narrow
frontage, which will require a single outlet, the planning commission may recommend that money in escrow be placed with the city so as to provide for a marginal service drive equal in length to the frontage of the property involved. Occupancy permits shall not be issued until the improvement is physically provided, or moneys have been deposited with the clerk.

e. Whether the site is located within a designated historic overlay district, and whether the proposed action would have an adverse impact on the resources of the historic overlay district, as defined in subsection 38-32(b)(4). The planning commission may deny the proposed action if the action would have an unacceptable adverse impact on the historic resource or the historic overlay district itself. The planning commission may also require landscaping or other reasonable methods to minimize the adverse impact any proposed action may have on a historic resource or on the historic overlay district itself.

(7) An approved PUD site plan shall be required before applicable permits may be issued for any form of construction or removal or disturbance of any natural feature for all planned unit developments.

a. Procedure for PUD site plan review.
   1. The applicant for PUD site plan approval shall file with the community development director (hereinafter “director”) all drawings and other materials required for site plans in this chapter, all drawings and other materials required in Section 38-395 for PUD zoning district approval, and the additional information listed below. A PUD site plan application shall not be considered filed until all drawings and other required materials have been submitted and may be rejected if the materials submitted are inadequate to make the foregoing determinations.
   2. If requested by the planning commission or City Council, additional graphics, models, three-dimensional or electronic, or written materials shall be submitted to assist the city in visualizing and understanding the proposal. Additional detailed information, including but not limited to plans, elevations, building and site sections, or existing and proposed building materials, if submitted, shall become a part of the PUD site plan.
   3. The director will distribute these materials to the appropriate City departments and other reviewing agencies for review and comment regarding compliance with the PUD zoning district supplemental regulations and conceptual PUD plan, and compliance with all applicable local, state, or federal laws, ordinances, standards and regulations and to determine the need for a development agreement as provided in this chapter. The director will notify the applicant of any questions raised by the city departments and other reviewing agencies and negotiate a development agreement with the applicant if it is determined that such an agreement is needed. The director shall submit a report and recommendation to the planning commission based on this review.
   4. The planning commission, after holding a public hearing on the PUD site plan with notification as required by this chapter, shall transmit its recommendation based on the standards below, together with any recommended conditions of approval and all related reports and minutes to City Council.

b. Standards for PUD site plan review. City Council, after holding a public hearing on the PUD site plan with notification as required by this chapter, and after receiving all related reports and minutes and a recommendation from the planning commission, shall approve, with conditions, or deny a PUD site plan. A PUD site plan shall be approved by City Council only after it determines that:
   1. The development would comply with the PUD zoning established pursuant to the requirements of section 38-395, and with all applicable local, state, or federal laws, ordinances, standards and regulations; and
   2. The development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land, applying criteria for reviewing a natural features statement of impact set forth in this chapter; and
   3. The development would not cause a public or private nuisance and would not have a
detrimental effect on the public health, safety or welfare.

c. Development Agreement.
1. Upon obtaining approval of a site plan, the applicant and the City Council may enter into a Development Agreement that describes the terms and conditions of the approval and the rights and obligations of each party. The City Council may approve the Development Agreement immediately following approval of a site plan or it may be placed on a subsequent agenda of the City Council. The applicant shall reimburse the City for all fees for City legal counsel and consultant participation in the Development Agreement.
2. The approved Development Agreement shall be recorded with the county Register of Deeds.
3. In the event the site plan requires a major amendment, the development agreement shall be amended to reflect the approved changes and recorded as provided in subsection (5)c.2. above.

d. Effect of PUD site plan approval. For three (3) years from the date of approval of a PUD site plan, permits may be issued and the land developed consistent with the PUD site plan and the regulations, laws and ordinances in effect as the time of approval, unless new regulations, laws and ordinances have been made applicable to previously approved developments. After three (3) years from PUD site plan approval, no permits shall be issued unless the PUD site plan is reconsidered in the manner provided for new PUD site plans and is determined to meet the standards of the PUD zoning district or has been extended as provided under administrative amendments to approved PUD site plans.

e. PUD site plan amendments. A minor change to an approved PUD site plan may be approved by the Planning Commission as provided in this chapter except that the proposed changes shall not alter the fundamental design, conceptual integrity, natural features shown to be preserved, any specific conditions of the PUD development program, the conceptual PUD plan or the supplemental regulations. The following restrictions shall also apply:
1. Adjustment in approved phases of development shall not result in a change greater than ten percent of the total gross area in any phase, or ten percent of the number of approved lots, or ten percent of the approved maximum building square footage.
2. For residential buildings the size may be reduced or increased by five percent, provided the overall density of units does not increase and the minimum square footage requirements are met.
3. Gross floor area of non-residential buildings may be decreased or increased by up to five (5) percent or ten thousand (10,000) square feet whichever is smaller.
4. Floor plans may be changed if consistent with the character of the use.
5. Horizontal and/or vertical elevations may be altered by up to five (5) percent.
6. Relocation of a building is permitted by up to ten (10) feet, if consistent with required setbacks and other standards.
7. Designated “areas not to be disturbed” may be increased.
8. Plantings approved in the final PUD site plan may be replaced by similar types of landscaping on a one-to-one or greater basis. Any trees to be preserved, which are lost during construction, may be replaced by at least two (2) trees of the same or similar species.
9. Improvements or slight relocation of site access or circulation patterns are minor changes, such as inclusion of deceleration lanes, boulevards, curbing, and pedestrian or bicycle paths.
10. Changes of building materials to another of higher quality can be made, with determined of quality a judgment of the building inspector.
11. Slight modification of sign placement or reduction of size may be made.
12. Internal rearrangement of a parking lot is possible if the change does not affect the number of parking spaces or alter access locations or design.
13. Changes required by the City, county or state for safety reasons are a basis for a minor change.
It shall be understood that the petitioner agrees to install and/or construct all improvements in the approved site plan within twelve (12) months from the initiation of on-site construction, and to provide for their continued maintenance.

The Planning Commission may modify the foregoing requirements or waive them if it can be shown that no good purpose would be served in the preparation of a site plan.

The Planning Commission may require that a bond be posted by a developer(s) to assure that improvements connected with an approved site plan are made as proposed.

SECTION 2. EFFECTIVE DATE. This amendment shall become effective November 11, 2019.

SECTION 3. 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.
DATE: 10.7.19
TO: CITY COUNCIL
FROM: CITY MANAGER
SUBJECT: Sign Ordinance

BACKGROUND:

CIB Planning and the Planning Commission have finished drafting updates to the sign ordinance. CIB’s memo on the changes is included in the packet. Please reference that memo for Planning Commission’s recommendation.

RECOMMENDATION:

Set a public hearing for October 21 to take comment on this ordinance amendment.
July 16, 2019

Planning Commission
City of Owosso
301 West Main Street
Owosso, MI 48867

Attention: Nathan Henne, City Manager

At your request, CIB Planning has reviewed the proposed revisions to the City’s current sign ordinance. The edits were started by former Assistant City Manager, Amy Cyphert, and CIB Planning completed the review and update. The proposed revisions will help limit the proliferation of signage and prescribe the high-quality signage the City of Owosso desires.

Signs perform an important function by identifying and promoting properties, businesses, services, residences, events, and other matters of interest to the public. For businesses, signs can be an important investment and are essential to their commercial success. Sign regulations are needed, however, to reduce hazards, conflicts, unsightliness, confusion, and degradation of the community character. Though each sign serves a specific purpose, proliferation of inappropriately designed and located signs within an area, or along a road corridor, can reduce the effectiveness of individual signs to be read by the public, create safety hazards, and degrade the community’s visual character and commercial viability.

Signage can have inadvertent negative impacts. By their very nature, signs are intended to attract the attention of those passing by, including drivers whose attention should be focused on the surrounding road conditions. The impact of signs on safety, particularly the safety of vehicular drivers and passengers, as well as the pedestrians and cyclists who share the right-of-way with vehicles, is a commonly cited reason for sign control. An illuminated sign that is too bright or whose message changes too frequently could become a distraction to drivers. To eliminate motorist distractions, signs that prohibit lighting that causes glare or impairs the vision of the driver are commonly included.
The effectiveness of existing signs can be reduced if the number, location, and size of signs creates a visually cluttered environment where individual messages are lost. Properly located signs can be an asset to the community.

The regulation of signs is limited to size, materials, structure, and light (footcandles), but may not regulate content. If the design of a sign is unattractive (or garish to you), but still meets size, material, structure, and other identified regulations, the sign must be approved.

The proposed sign ordinance edits before you: re-organize the existing ordinance content; propose and expand ordinance definitions; revise the sign application and review process; expand prohibited signs; add provisions for temporary signs, nonconforming signs, and authority for a Sign Zoning Board of Appeals; clearly illustrate how to measure sign; and expand each district section.

Several sign types are worthy of further discussion and direction from the Planning Commission. These include:

1. **Razor flags/pennant signs and streamers/festoons.** These types of signs are popular as an inexpensive alternative to permanent signage. However, they are difficult to enforce as they are not typically permitted through the building department nor inspected by the building official. These signs can proliferate, cause visual clutter, and distract motorists. Additionally, their temporary nature results in the quick degradation/fraying/ripping, etc. of the signs, thereby potentially portraying a “temporary” and rundown community image. CIB Planning recommends these signs be prohibited.

2. **Pole Signs.** Many communities are eliminating pole signs completely (except if the community has frontage on an interstate highway). Communities are writing into their ordinance incentives to have pole signs/pylon signs replaced by ground signs (allowing a larger ground sign). CIB Planning suggests that pole signs remain a prohibited sign type as they create visual clutter and distractions to drivers (especially at night when illuminated). The elimination of these signs also helps promote the quality of design and character desired for Owosso. The ordinance permits existing signs to remain as a nonconforming sign, but requires removal if the sign is in disrepair or face change is desired.

3. **Electronic Messaging Signs.** With current technology, these signs are extremely popular in communities. Used not only by schools and churches to announce events, commercial businesses further use the signs to advertise sales. Difficulties arise when trying to monitor and regulate: the colors of the message, the frequency of changed content, the amount of glare generated from the sign, and light trespass onto adjacent properties.
CIB Planning recommends limiting the electronic board to a certain percentage of the permitted sign face.

4. Murals. Murals are becoming more popular in communities. Murals can be strictly art and decorative or can advertise a business. Using a mural as an alternative to a blank façade creates a unique and memorable building while also creating a sense of place. CIB Planning is currently working with several communities to write ordinance language. Things to consider include how to determine if a mural is a design element/“art” or if used for advertising and what percent of the mural may be used for direct advertisement. Furthermore, communities may use installation of a mural to encourage volunteerism and promote beautification. CIB Planning recommends the Planning Commission discuss and give direction to include/not include murals in the revised sign ordinance.

Please review the attached revised/edited ordinance language. We will review the proposed changes at the July 22, 2019 Planning Commission meeting, facilitate policy decisions on signs, and answer any additional questions. Following the approval of the ordinance language, the City attorney will review the ordinance and send to City Council for approval and adoption.

Should you have any questions before that time, please do not hesitate to contact us.

Sincerely,

CIB PLANNING

Kelly A. McIntyre
ORDINANCE NO.
TO REPEAL AND REPLACE
CHAPTER 26, SIGNS, OF THE CODE OF THE CITY OF OWOSSO

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Planning Commission believe Chapter
26, Signs, of the Code of the City of Owosso, also known as the Sign ordinance, to be content based
posing potential liability to the city of Owosso; and

WHEREAS, the planning commission held a public hearing at their September 23, 2019 regularly
scheduled meeting regarding the proposal to repeal and replace Chapter 26, Signs, in which no citizen
comments were voiced or received; and

WHEREAS, the planning commission seeks the repeal and replacement of Chapter 26, Signs, in its
entirety; and

WHEREAS, the City Council held a public hearing on October 21, 2019, heard all interested persons, and
deliberated on the requested amendment.

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

SECTION 1. REPEAL. That Chapter 26, Signs, of the Code of Ordinances of the City of Owosso, is
hereby repealed in its entirety.

SECTION 2. REPLACEMENT. The new Chapter 26, Signs, shall read as follows:

ARTICLE I. - IN GENERAL

Sec. 26-1. – Short title.
This ordinance shall be known as and may be cited as the City of Owosso Sign Ordinance.

Sec. 26-2. - Purpose.
  a. The purpose of this article is to regulate signs and to minimize outdoor advertising within the city
so as to protect public safety, health and welfare; minimize abundance and size of signs to
reduce visual clutter, motorist distraction, and loss of sight distance; promote public convenience;
preserve property values; support and complement land use objectives as set forth in the City of
Owosso Master Plan and this article; and enhance the aesthetic appearance and quality of life
within the city. The standards contained herein are intended to be content neutral.
  b. These objectives are accomplished by establishing the minimum amount of regulations
necessary concerning the size, placement, construction, illumination, and other aspects of signs
in the city so as to:
     1. Recognize that the proliferation of signs is unduly distracting to motorists and non-motorized
travelers, reduces the effectiveness of signs directing and warning the public, causes
confusion, reduces desired uniform traffic flow, and creates potential for accidents.
     2. Prevent signs that are potentially dangerous to the public due to structural deficiencies or
disrepair.
     3. Reduce visual pollution and physical obstructions caused by a proliferation of signs which
would diminish the city's image, property values, and quality of life.
     4. Recognize that the principal intent of commercial signs, to meet the purpose of these
standards and serve the public interest, should be for identification of an establishment on the
premises, and not for advertising special events, brand names, or off-premises activities;
alternative channels of advertising communication and media are available for advertising
which do not create visual blight and compromise traffic safety.
     5. Enable the public to locate goods, services and facilities without excessive difficulty and
confusion by restricting the number and placement of signs.
     6. Prevent placement of signs which will conceal or obscure signs of adjacent uses.
7. Protect the public right to receive messages, especially noncommercial messages such as religious, political, economic, social, philosophical and other types of information protected by the First Amendment of the U.S. Constitution.

c. The regulations and standards of this article are considered the minimum necessary to:
   1. Achieve a substantial government interest for public safety, aesthetics, protection of property values, and are intended to be content neutral.
   2. Allow for adequate and effective signage for business identification and other commercial speech, non-commercial speech, and dissemination of public information, including but not limited to, public safety information and notification as may be required by law.
   3. Prevent off-premises signs from conflicting with other allowed land uses.
   4. Maintain and improve the image of the city by encouraging signs of consistent size which are compatible with and complementary to related buildings and uses, and harmonious with their surroundings.
   5. Prohibit portable commercial signs in recognition of their significant negative impact on traffic safety and aesthetics.
   6. Preserve and enhance the image of the City
   7. To prohibit all signs not expressly permitted by this chapter.
   8. To provide for the permitting of signage and the enforcement of the provisions of this chapter.
   9. Permit signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.

Sec. 26-3. – 26-4. - Reserved.

ARTICLE II. - DEFINITIONS

SEC. 26-5. - SIGN DEFINITIONS.
The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning.

**Abandoned sign.** Any sign which is still on the premises six (6) months after a business ceases to operate or moves from the location.

**Address sign:** Address numbers attached to the building or sign which are readily visible from the street.

**Administrator.** The City Manager or his designated representative within the City of Owosso.

**Alteration.** Any construction or repair which significantly changes a sign, including additions or deletions to the sign structure.

**Accessory sign:** A sign which pertains to the use of the premises on which it is located.

**Animated sign:** A sign which uses lights, moving parts, or other means to depict action, create an image of a living creature or person, or create a special effect or scene.

**Awning:** A roof like cover, typically constructed of canvas, vinyl or similar fabric stretched over a framework, that projects from the wall of the building for the purpose of shielding a doorway, a window, or pedestrians from the elements.

**Awning sign:** A permanent sign painted on, printed on, or attached flat against the surface of an awning.

**Balloon sign:** A type of temporary, portable sign filled with air or gas.

**Banner:** A fabric, plastic or other sign made of non-rigid material without enclosing structural framework. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banner signs.

**Building marker.** Any sign indicating the name of a building and date of construction which is typically cut into a masonry surface and part of the building wall construction.

**Barber pole sign:** A permanent sign attached to the building in a vertical cylinder shape with moving and/or alternating colors.

**Business or campus center:** A grouping of two or more buildings on one or more parcels of property
which may share parking, access and are linked by ownership giving the appearance of a unified grouping of uses.

**Changeable message sign:** A sign on which the message is changed mechanically, electronically or manually. The elements may be internally illuminated or may be illuminated by reflected light. The sign may be framed by permanent, nonmoving signage. Reference Electronic message sign (EMS) definition.

**Community special event sign:** Signs and banners, including decorations and displays celebrating a traditionally-accepted patriotic or religious holiday, or special municipal, school or other non-profit activities.

**Commemorative plaque:** A memorial tablet, commemorative plaque, or sign including historical identification sign, designating the name and date of significance, cut into or raised on any masonry surface, or when constructed of cast metal, with a total maximum sign area of ten (10) square feet.

**Construction sign:** A temporary sign identifying the name(s) of project owners, contractors, developers, realtors representing developers, architects, designers, engineers, landscape architects, and financiers of a project being constructed or improved; and not including any advertising of any product or announcement of availability of leasing space.

**Directional sign:** A sign which assists motorists in determining or confirming a correct route such as, enter, exit and parking signs...

**Display time:** The amount of time a message and/or graphic is displayed on an Electronic Message Sign.

**Double faced sign:** Signs with two parallel or nonparallel sign surfaces not more than 24 inches apart at any point on the opposite face.

**Downtown Historic District boundary:** As shown in the map.

**Electronic message sign (EMS):** A sign or portion of a sign, that displays an electronic image or video, which may or may not include text, including any sign or portion of a sign that uses changing lights or similar forms of electronic display such as LED to form a sign message with text and or images wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. This definition includes without limitation television screens, plasma screens, digital screens, flat screens, LED displays, video boards, and holographic displays.

**Fade:** A mode of message transition on an Electronic Message Sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

**Feather or flutter sign:** Any sign that is comprised of material that is suspended or attached in such a
manner to a pole or stake as to attract attention by waving, moving or fluttering from natural wind
currents. It also includes similar signs that do not move or flutter. Feather or flutter signs are considered
temporary signage.

**Festoon:** Temporary signage that is a string of ribbons, tinsel, small flags, pinwheels, streamer,
pennants, or balloons, typically strung overhead.

**Flag.** Any sign printed or painted on cloth, plastic, canvas, or other like material with distinctive colors,
patterns, or symbols attached to a pole or staff and anchored along only one edge or supported or
anchored at only two corners.

**Flashing sign:** A sign which contains an intermittent or sequential flashing light source.

**Gas station canopy:** A freestanding, open-air structure constructed for the purpose of shielding service
station islands from the elements.

**Gas station canopy sign:** Any sign that is part of, or attached to, the vertical sides of the gas station
canopy roof structure.

**Ground or monument sign:** A sign extending upward from
grade that is attached to a permanent foundation with either
stone or masonry or is wrapped in a material so that the
support structure is concealed.

**Historical marker:** A historical marker or historic marker is an
indicator such as a plaque or sign to commemorate an event or person of historic interest and to
associate that point of interest with a specific locale one can visit. Historical marker designation and
plaque or sign size and placement may be regulated by local, state, or federal regulations and
standards.

**Illegal sign:** A sign which does not meet the requirements of this article and does not have legal
nonconforming status.

**Illuminated sign.** Any sign that provides artificial light directly on or through any transparent or
translucent material, from a source of light connected with such sign, or a sign illuminated by a light with
a source so obscured and shielded that no direct rays from it are visible from a public right-of-way or
from an abutting property.

**Incidental sign:** A small sign, emblem, or decal informing the public of goods, facilities, or services
available on the premises. Examples of incidental signs include credit card signs, signs indicating the
hours of business, no smoking signs, signs used to designate bathrooms, and signs providing
information on credit cards and business affiliations.

**Inflatable sign:** A sign that is an air-inflated object, which may be of various shapes, made of flexible
fabric, resting on the ground or structure and equipped with a portable blower motor that provides a
constant flow of air into the device.

**Institutional uses:** Meaning a use by public or quasi-public institution such as a religious organization,
church, nonprofit organization, academic institution, library or hospital.

**Mansard:** A sloped roof or roof-like façade. Signs mounted on the face of a mansard roof shall be
considered roof signs.

**Maintenance.** For the purposes of this chapter, the cleaning, painting, repair or replacement of defective
parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

**Marquee:** A permanent roof-like structure
or canopy, supported by and extending
from the face of the building.

**Marquee sign:** A permanent sign
attached to any part of a marquee other
than the roof.

**Menu board sign:** A sign oriented to the
drive through lane for a restaurant that
advertisises the menu available from the
drive through window.

**Moving sign:** A sign in which the sign
itself, or any portion of the sign, moves or
revolves. A "rotating sign" is a type of
moving sign. This definition does not
include "changeable message signs."
Mural: A design or representation which is painted or drawn on the exterior surface of a structure and which does not advertise a business, product, service, or activity.

Nonconforming sign: A sign that does not comply with the size, placement, construction or other standards or regulations of this article, but were lawfully established prior to its adoption. Signs for which the zoning board of appeals has granted a variance are exempt and shall not be defined as nonconforming.

Obsolete sign: A sign that advertises a product that is no longer made or that advertises a business that has closed.

Off-premises sign: A sign which identifies a use or advertises products and services not available on the site or parcel on which the sign is located; a sign which directs travelers or provides a message unrelated to the site on which the sign is located, e.g. billboards.

On-premises sign: A sign providing the address and name of owner of a parcel of land; a sign advertising a business, service or product sold or produced on the same site or parcel.

Outline tubing sign: A sign consisting of glass tubing, filled with a gas such as neon, which glows when electric current is sent through it including neon and luminous tube. Outline tubing signs shall also apply to signs consisting of LED tubing. Accent lighting not spelling words shall not be considered signage.

Owosso Historic District Commission: Formed in the fall of 2010, this regulatory commission is responsible for reviewing all applications for exterior work that is completed in within the Downtown Historic District Commission (HDC) boundaries.

Owner. A person regarded as such on city tax records, or a tenant of the premises so designated by the administrator.

Parapet: The extension of a false front or wall above a roof line. Signs mounted on the face of a parapet shall be considered wall signs.

Pennant: A flag or banner that tapers to a point. A pennant is considered a temporary sign.

Pole sign: A sign supported on the ground by a pole, braces, and not attached to any building or other structure.

Permanent sign: A sign designed to be installed permanently in the ground or wall of a building that is constructed out of durable materials.

Portable sign: A temporary sign designed to be moved from place to place by wheels, whether or not it is attached to the ground or a structure. Portable may include changeable signage area.

Premises. The contiguous land in the same ownership or control which is not divided by a public street.

Principal building. The building in which is conducted the principal use of the zone lot on which it is located. Zone lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings.

Projecting sign: A sign, other than a wall sign, that is affixed to any building or wall and whose leading edge extends more than 12 inches beyond such building or wall. The leading edge may extend over the public right of way.

Public sign: A sign erected in the public interest by or upon orders from a city, state, or federal public official. Examples of public signs include: legal notices, safety signs, traffic signs, memorial plaques, signs of historical interest, and similar signs.

Real estate development sign: A sign that is designed to promote the sale or rental of lots, homes, or building space in a real estate development (such as a subdivision or shopping center) which is under construction on the parcel on which the sign is located.

Real estate sign: An on-premises temporary sign advertising the property or structure’s availability for sale or lease.

Regulatory sign: A sign installed by a public agency to direct traffic flow, regulate traffic operations and provide information in conformance with the Michigan Manual of Uniform Traffic Control Devices.

Residential entranceway sign: A permanent sign which marks the entrance to a subdivision,
apartment complex, condominium development, or other residential development.

**Roof line:** The top edge of a roof or building parapet, whichever is higher, excluding cupolas, pylons, chimneys, or similar minor projections.

**Roof sign:** A temporary sign or permanent sign erected upon, against, or directly above a roof or on top of or above the parapet of a building, or signs where any portion of the sign extends above the roof of the building where the sign is located.

**Sandwich board sign:** A temporary sign containing two separate faces which are attached to one another at the top by one or more hinges or fasteners and which when placed upon the ground will stand upright without any additional support.

**Sign:** A sign means any structure or wall or other object used for the display of any message, and includes but is not limited to any bill, poster, placard, handbill, flyer, painting, balloon, streamer or other similar object in any form whatsoever which may contains printed or written matter in words, symbols, or pictures, or in any combination thereof attached to or affixed to the ground or any structure.

**Temporary sign:** A sign constructed of paper, cloth, canvas, plastic, cardboard, wall board, plywood, or other like material that are constructed for limited time use, lack a permanent foundation or mounting, or is determined by the Ordinance Enforcer to be displayed for a limited time.

**Time and temperature sign:** Signs which display the current time and/or temperature only.

**Vehicle sign:** Signs affixed to a parked vehicle or truck trailer which is being used principally for advertising purposes. This does not include the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes and/or personal transportation on a daily basis.

**Wall sign:** A sign attached parallel to and extending not more than 12 inches from the wall of a building.

**Westown boundary:** As shown in the map.

**Window sign:** A sign located in or on a window which is intended to be viewed from the outside. This includes TV or computer screens placed in the window visible from the outside.
ARTICLE III. - GENERAL PROVISIONS

Sec. 26-6. Applicability; effect and scope.
The regulations of this chapter shall apply to all signs visible from a public right-of-way, private road, public park or residentially zoned property located within the City of Owosso.

Sec. 26-7. – Sign permits.
   a. All signs are subject to the general and specific regulations of this chapter whether they require a permit or not. Any sign permitted under the ordinance may contain either a commercial or noncommercial message.
   b. Any signs within the Downtown Historic District shall meet and be reviewed for all requirements of the Owosso Historic District Commission prior to submittal of a permit to the City of Owosso.
   c. It shall be unlawful for any person to erect, re-erect, change panels, make an alteration, or relocate any sign unless a permit shall have been first obtained from the administrator, and a permit fee paid in accordance with the schedule adopted by resolution of the city council. Electrical signs shall, in addition, require an electrical permit.
   d. Applications for sign permits and the appropriate nonrefundable fee shall be made upon forms provided by the building department for this purpose and in accordance with application specifications published by the administrator. These specifications shall be as complete in form as necessary for evaluation of the sign in relationship to the requirements of this chapter.
   e. Within ten (10) days of receiving an application for a sign permit, the administrator shall review it for completeness. If the administrator finds that it is complete, the application shall then be processed. If the administrator finds that it is incomplete, the administrator shall, within such ten (10) day period, send to the applicant a notice of the specific ways in which the application is deficient, with appropriate references to the applicable sections of this chapter. If it is discovered that the sign permit application contains any false information, the administrator may revoke the permit or deny the application, whichever is appropriate.
   f. The administrator shall issue a permit within ten (10) days of receipt of a valid application, provided that the sign complies with all applicable laws and regulations of the city. In all applications, where a matter of interpretation arises, the more specific definition or higher standard shall prevail.
   g. When a permit is denied, the administrator shall within ten (10) days, give a written notice to the applicant along with a brief statement of the reasons for denial, citing code sections and interpretation of possible nonconformity.
   h. Unless otherwise indicated, no person shall conceal any portion of such work until it has been inspected and approved by the administrator. The administrator shall inspect the work completed in conformance with the approved permit and applicable codes. If the construction is not complete within six months of the permit issuance date, the permit shall expire.

Sec. 26-8. – Signs exempt from permit regulations.
The following signs are exempted from permit requirements but must be in conformance with all other requirements of this chapter:
   a. Address signs
   b. Building marker
   c. Commemorative plague
   d. Historical marker sign
   e. Directional signs
   f. Public signs and regulatory signs
   g. Temporary signs as detailed in this chapter
   h. Time and temperature signs
   i. Window signage

Sec. 26-9. - Prohibited signs.
The following signs are prohibited in all districts:
   a. Abandoned signs
   b. Balloon signs
c. Festoons
d. Flashing signs
e. Illegal signs
f. Inflatable signs
g. Moving signs excluding barber shop poles
h. Obsolete signs
i. Off-premise signs, unless otherwise specified in this chapter
j. Outline tubing signs
k. Pennants
l. Portable signs
m. Roof signs
n. Vehicle signs
o. Non-regulatory signs placed in any public right-of-way; attached to a utility pole; or affixed to a tree, street furniture, or waste receptacles.
p. Any sign which simulates or imitates in size, color, lettering, or design, any traffic sign or signal or other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse the drivers of motorized vehicles.
q. Signs which obstruct or impair the vision of motorists or non-motorized travelers at any intersection, driveway, within a parking lot or loading area.
r. Signs which obstruct the minimum 5 feet of clearance required for Barrier Free accessibility.
s. Signs which obstruct free access or egress from any building, including those that obstruct any fire escape, required exit way, window, or door opening or that prevent free access to the roof by firefighters

Sec. 26-10. - General standards for permitted signs.
The following regulations shall apply, unless otherwise specifically stated in this chapter, to all signage erected or located in any zoning district within the city:

a. The current edition of the Michigan Building Code shall be in full force and effect in the City as if set out fully herein. Complete printed copies of the code are available for public use and inspection at the office of the city clerk.

b. Sign setbacks.
   1. All signs, unless otherwise provided for, shall be set back a minimum of five feet from any public or private street right-of-way line or access drive in all districts. This distance shall be measured from the nearest edge of the sign, measured at a vertical line perpendicular to the ground to the right-of-way.
   2. Side yard setbacks for signs shall be the same as that required for the main structure or building.

c. Adequate sight distance. In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, a minimum clear vision area shall be maintained between a height of 24 inches and six feet within a triangular area measured 25 feet back from intersection of public right-of-way lines. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.

d. Illumination.
   1. Signs may be illuminated, but only by steady, stationary, shielded light sources directed solely at the sign or internal to the sign.
   2. Use of glaring undiffused lights, bare bulbs, or flames is prohibited.
   3. External sources of illumination shall be shielded and directed to prevent glare onto neighboring properties or the public right of way.
   4. Underground wiring shall be required for all illuminated signs not attached to a building.

e. Maintenance, construction and design.
   1. All signs shall be maintained in good structural condition at all times...
   2. All signs shall be kept neatly painted, stained, sealed or preserved including all metal, wood or other materials used for parts and supports.
   3. All signs, including any cables, guide wires, or supports shall have a minimum clearance of four feet from any electric fixture, electric line, street light, or other public utility pole or standard.
4. Signs shall not be constructed from materials that are remnants or manufactured for a different purpose.

f. Addresses. Addresses shall be in compliance with the International Fire Code requirements for number size and visibility from the public right of way.

g. Noncommercial speech. Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.

h. Directional Signs.

1. Private On-premise directional signs.
   a) Not more than one directional sign shall be permitted for each approved driveway entrance from a right of way, with a maximum sign area of six square feet per sign, and a maximum height of six feet.
   b) Any directional sign which includes a business name, symbol or logo shall be calculated as part of the allowable sign square footage.
   c) Directional signage located within a business center not adjacent to a public right of way shall be governed by the property owner.

2. Private Off-Premise Directional Signs. Private off-premise directional signs which provide directions to a commercial or industrial establishment which is not located on a primary street within the city shall be allowed on private property provided there exists a written agreement between the property owner and the business/industry. Said agreement shall be filed with the city of Owosso.
   a) Off-premise directional signs shall be no greater than twelve (12) square feet.
   b) Sign lettering may only display the off-premise business name, address, and an arrow indicating direction.
   c) Off-premise directional signs shall only be located on B-2, B-3, B-4, I-1, and I-2 Districts.

3. Public Off-Premise Directional Signs: Public off-premise directional signs erected by the City, City affiliated organization or State of Michigan shall be permitted in the street right-of-way

   i. Temporary signs. Temporary signs as defined in Sec. 26-5 are allowed with a permit subject to the following:
   1. Size of Temporary Signs: The total aggregate sign area of all temporary signs on any one site shall not exceed 30 square feet. The maximum size of individual temporary signs shall not exceed twenty 20 square feet in area. Temporary signs shall not be higher than 42 inches above average mean grade of the yard on which it is placed.
      a) Exceptions:
         1. For uses other than one and two family dwellings, temporary signs for buildings under construction shall be a maximum size of 10% of the square foot area of the front of the structure, and not more than 20 feet in height.
         2. One temporary sign located on vacant land that is for sale or for lease, when the parcel exceeds two acres in area, shall be allowed to have a size equal to 64 square feet of sign area (total), but not more than 32 square feet per sign face and not more than 8 feet in height.
      b) Location of Temporary Signs:
         1. Temporary signs shall not be attached to any utility pole or be located within any public right-of-way.
         2. Temporary signs shall not be erected in such a manner that they will or reasonably may be expected to interfere with, obstruct, confuse or mislead traffic.
         3. Temporary signs cannot be placed or constructed so as to create a hazard of any kind.
         4. Prior to the erection or placement of a temporary sign, the permission of the property owner where the sign is to be located must be secured.
         5. Signs shall be located so as to comply with the corner clearance requirements of the ordinance.
         6. Temporary signs shall not be illuminated.
      c) Time Limitations for Temporary Signs: Temporary signs shall be removed within 60 days of placement, except for temporary signs that are located on real property that is for sale or lease. Temporary signs are permitted for 60 days in a 120-day period.
j. Measuring sign area and height.
   1. Measurement of allowable sign area (see Figure 26.1 Guidelines for Measuring Sign Face Square Footage below).
   2. The sign area shall include the surface area which encloses the extreme limits of the sign copy together with the frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding only the structure necessary to support the sign.
   3. Measurement of sign height. Sign height shall be the vertical distance measured from the point of ground immediately beneath the sign to the highest point of the sign, including decorative embellishments. Where the ground elevation beneath a sign varies, the average grade of the ground within a five-foot radius of the sign structure shall be used. The average grade shall be the highest point within said radius plus the lowest point within said radius, divided by two. Any filling, berming, mounding or excavating solely for the purpose of locating the sign shall not be included in the calculation of average grade.

Sec. 26-11. - Nonconforming signs. Nonconforming signs are those signs that do not comply with the size, placement, construction or other standards or regulations of this chapter, but were lawfully established prior to its adoption. Signs for which the board of appeals has granted a variance are exempt and shall not be defined as nonconforming. It is the intent of this article to encourage eventual elimination of nonconforming signs in a timely manner. This objective is considered as much a subject of public health, safety and welfare as the prohibition of new signs in violation of this article. Therefore, the purpose of this article is to remove illegal nonconforming signs while avoiding any unreasonable invasion of established private property rights. A nonconforming sign may be continued and shall be maintained in good condition as described elsewhere in this article, however, the following alterations are regulated:
   a. A nonconforming sign shall not be structurally altered or repaired so as to prolong its useful life or so as to change its shape, size, type or design unless such change shall make the sign conforming.
   b. A nonconforming sign shall not be replaced by another nonconforming sign.
   c. A nonconforming sign shall not be reestablished after abandonment as defined in section 26-22, dangerous, unsafe, abandoned, and illegally erected signs.
   d. A nonconforming sign must not be reestablished after damage or destruction if the estimated expense of reconstruction exceeds 50 percent of the appraised replacement cost as determined by the building official/zoning administrator or if 50 percent or more of the face of the sign is damaged or destroyed.

Sec. 26-12. - Dangerous, unsafe, abandoned, and illegally erected signs.
   a. Dangerous signs. Any sign constituting an immediate hazard to health or safety shall be deemed a nuisance and may be immediately removed by the city and the cost thereof charged against the owner of the property on which it was installed.
   b. Unsafe signs. Any sign that becomes insecure, in danger of falling, or otherwise unsafe but not considered an immediate danger by the building official/zoning administrator to the health or safety of the public shall be removed or repaired according to the process outline in paragraph 5. below.
   c. Abandoned signs. Any sign that advertises a business that has been discontinued for at least 90 days or that advertises a product or service that is no longer offered shall be deemed abandoned. Permanent signs applicable to a business temporarily suspended by a change in ownership or management shall not be deemed abandoned unless the structure remains vacant for at least six months. An abandoned sign shall be removed by the owner or lessee of the premises. If the owner or lessee fails to remove the sign, the building official/zoning administrator shall initiate the process noted in paragraph e. below.
   d. Illegally erected signs. The building official/zoning administrator shall order the removal of any sign erected illegally in violation of this article, according to the process outlined in paragraph e. below.
   e. Process for enforcing violations of section 26-5, dangerous, unsafe, abandoned, and illegally signs. For violations of section 26-5, the building official/zoning administrator shall notify the
owner of the property on which the sign is located. Verbal notices or those sent by first class mail shall be sufficient notice. Where a sign erected in violation of this article is considered dangerous or unsafe, the notice shall inform the owner to remove said sign(s) immediately and property owners of other illegal signs on private property shall be granted a reasonable period of time within which to remove the sign, as determined by the building official/zoning administrator. Should the property owner fail to remove the sign(s) within the time specified, or if a sign is erected within any right-of-way or public property, the building official/zoning administrator, or their designee, shall have the authority to remove the sign, and the property owner shall be liable for the cost thereof.

Sec. 26-13. - Administration of sign ordinance standards.
  a. Generally. The regulations of this article shall be administered and enforced by building official/zoning administrator.
  b. Signs in the public right of way. In addition to the penalties prescribed below, any sign erected in the public right of way may be removed by the ordinance enforcer and stored in a safe location for at least 48 hours. During this period of time, the sign owner may obtain the sign from the City upon request and payment of a fee established in the City's Fee Schedule which will cover the cost of removal and storage. After 48 hours, the City may dispose of the sign.
  c. Violations. It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, use or maintain any sign in the city, or cause or permit the same to be done, contrary to or in violation of any of the standards and regulations of this article. Any such violation, including the failure to remove a sign when directed under the authority of this article, shall constitute a misdemeanor punishable in accordance with section 34-231 of the Owosso Code of Ordinances.

Sec. 26-14. – Board of Appeals
  a. Organization. The sign board of appeals shall be the zoning board of appeals as organized in chapter 38.
  b. Powers and duties.
    1. Hear and decide appeals by the sign permit applicant from a decision of the administrator denying, or failing to grant a sign permit within 30 days of application.
    2. Grant variances from the requirements of this chapter as part of the disposition of an appeal from action of the administrator denying or failing to grant a sign permit.
    3. Hear and decide appeals of a determination by the administrator that a sign must be removed for noncompliance with this chapter.
    4. Interpret the provisions of this chapter.
  c. Grounds for variance. The board of appeals may grant a variance from the provisions or requirements of this chapter only where:
    1. The literal interpretation and strict application of the provisions and requirements of this chapter would cause undue and unnecessary hardship to the sign user because of unique or unusual conditions pertaining to the specific building or parcel of property in question.
    2. The granting of the requested variance would not be materially detrimental to the property owners in the vicinity.
    3. The unusual conditions applying to the specific property do not apply generally to other properties in the city.
    4. The granting of the variance will not be contrary to the general objective of this chapter of moderating the size, number and obtrusive placement of signs and the reduction of clutter.
    5. Support for hardship. Where there is insufficient evidence, in the opinion of the board of appeals, to support a finding of “undue and unnecessary hardship” under subsection (a) of this section, but some hardship does exist, the board may consider the requirement fulfilled if:
      a) The proposed sign is of particularly good design and in particularly good taste.
      b) The entire site has been or will be of particularly good design and in granting a variance, the board may attach thereto such conditions regarding the location, character and other features of the proposed sign as it may deem necessary to carry out the spirit and purpose of this chapter in the public interest.

ARTICLE IV. – SPECIFIC SIGN STANDARDS

Sec. 26-20. - Signs Permitted in Residential One-family Residential (R-1), Two-family Residential (R-2), Attached One-family Residential (R-T), Multiple-family Residential (RM-1) and Multiple-family Residential – High rise (RM-2) Districts Signage Table

<table>
<thead>
<tr>
<th>TYPE</th>
<th># ALLOWED</th>
<th>MAX HEIGHT</th>
<th>MAX SIZE</th>
</tr>
</thead>
<tbody>
<tr>
<td>WALL</td>
<td>1 per business</td>
<td>Not exceed 10% facade</td>
<td></td>
</tr>
<tr>
<td>AWNING</td>
<td>1 per business</td>
<td>Not exceed 10% facade</td>
<td></td>
</tr>
<tr>
<td>GROUND</td>
<td>1 per parcel</td>
<td>6 feet</td>
<td>24 square feet per side</td>
</tr>
<tr>
<td>EMS</td>
<td>Institutional use only *</td>
<td>6 feet</td>
<td>50% of allowed ground sign</td>
</tr>
<tr>
<td>SUBDIVISION/DEVELOPMENT ENTRANCE</td>
<td>Entrance to development</td>
<td>6 feet</td>
<td>24 square feet per side</td>
</tr>
<tr>
<td>BUSINESS PLACARD (B &amp; B)</td>
<td>1 per residence</td>
<td>2 feet x 3 feet</td>
<td></td>
</tr>
</tbody>
</table>

Sec. 26-21. - Signs Permitted in Residential One-family Residential (R-1), Two-family Residential (R-2), Attached One-family Residential (R-T), Multiple-family Residential (RM-1) and Multiple-family Residential – High rise (RM-2) Districts Signage.

a. The following signs are permitted in the R-1, R-2, R-T, RM-1 and RM-2 zoning districts subject to the following requirements:

1. Wall Sign.
   a) One wall sign per business not to exceed 10% of front façade for all uses other than single family homes, duplexes, and attached condominiums.
   b) No wall sign shall extend above the roof or parapet of the structure to which it is attached.
   c) No wall sign shall have a thickness greater than 12 inches measured from the wall to which it is attached.
   d) No wall sign shall be attached to a wall at a height less than eight feet above any sidewalk.

2. Awning signs may be used as an alternative or in addition to wall signs for all uses other than single family homes, duplexes, and attached condominiums, provided that they meet the following standards:
   a) Awning signs and wall signs must not exceed 10% of front façade
   b) Any sign area on an awning shall be included in calculations of maximum wall sign square footage.
   c) Awning signs shall be set back at least two feet from any street curb-line, shall not extend more than six feet over the public right-of-way, and shall leave a minimum clearance of eight feet above the ground and shall not project over an alley or private access lane.
   d) No awning sign shall extend above the roof or parapet of the structure to which it is attached.
   e) Awning signs shall not be internally illuminated.

3. Home Occupations as allowed and defined in Sec. 38-394 shall be permitted a sign not to exceed a size of 2’ x 3’ mounted flush to the building. The sign may be illuminated, provided such illumination is concentrated on the surface of the sign and is so located as to avoid glare or reflection onto any portion of an adjacent street or highway, into the path of oncoming vehicles, or on any adjacent premises. In no event, shall any home occupation sign have flashing or intermittent lights, nor shall the lights be permitted to rotate or oscillate.

4. Bed and breakfast signs as detailed in Chapter 7 of the Owosso City Code.

5. Ground Sign shall be permitted as follows for all uses other than single family homes, duplexes and attached condominiums:
   a) Not more than one ground sign is permitted per parcel.
   b) The top of the ground sign shall be no more than six feet above ground level.
   c) A ground sign shall not extend closer than 5 feet to any part of the public right of way and shall meet the adequate sight distance requirements of this chapter.
d) No ground sign shall have an area exceeding 24 square feet per side.

e) A ground sign shall be located on the same parcel as the use.

f) In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, the location of the sign shall be such that a minimum clear vision area shall be maintained between a height of 24 inches and six feet within a triangular area measured 25 feet back from intersection of public right-of-way lines. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.

6. One electronic message sign, meeting the above requirements, may be permitted for institutional uses located in a residential district when meeting the following requirements:
   a) The institutional use is located on a major or minor arterial or collector road.
   b) The size of the electronic message sign shall be no greater than 50% of the allowable ground sign square footage.

7. Residential Entryway/Ground Sign shall be permitted as follows at the entrance of a residential subdivision:
   a) Entryway Sign:
      1. The top of the ground sign shall be no more than six feet above ground level.
      2. A ground sign shall not extend closer than 5 feet to the adjacent public right of way and shall meet the adequate sight distance requirements of this chapter.
      3. No ground sign shall have a single surface area exceeding 24 square feet per side.
      4. A ground sign shall be located on the same parcel or at the vehicular entrance to identify a subdivisions, apartment complexes, condominium communities, senior housing complexes, manufactured housing communities, or similar residential uses.
   b) Real Estate Sales Sign:
      1. One temporary sign located on vacant land that is for sale or for lease or a residential development that has site plan approval and is under construction, and when the parcel exceeds two acres in area, shall be allowed to have a size equal to 64 square feet of sign area (total), but not more than 32 square feet per sign face and not more than 8 feet in height.
      2. Real Estate Sales signs must be removed after the last lot/parcel/residence is sold/leased in the development.

8. Temporary signs per Sec. 26-10(i) of this chapter and:
   a) Temporary signs include, but are not limited to the following:
      1. For a single dwelling or building or vacant land: an on-site real estate sign, advertising the premises for sale, rent or lease.
      2. An on-site sign advertising an on-going garage, estate or yard sale.
      3. Noncommercial signs which contain noncommercial information or directional messages.
      4. Political signs.
      5. Holiday or other seasonal signs.
      6. Construction signs for buildings under construction. See Real Estate Development Sign requirements.
      7. All temporary signs must comply with the sign size and height standards as specified in the sign dimensional standards and regulations table.
   b) Location of temporary signs shall comply with the following:
      1. Temporary signs shall not be attached to any utility pole or be located within any public right-of-way.
      2. Temporary signs shall not be located closer than 20 feet to the edge of the traveled portion of the roadway, nor shall they be located within any dedicated right-of-way.
      3. Temporary signs shall not be erected in such a manner than they will or may reasonably be expected to interfere with, obstruct, confuse or mislead traffic.
      4. Temporary signs cannot be placed or constructed so as to create a hazard of any kind.
      5. Temporary signs may not be posted on private property without first obtaining the permission of the property owner.
6. Signs shall not be located within any clear vision triangle, as described in section 38-388 Corner Clearance.

c) Time limitations for temporary signs. Each temporary sign shall be removed within 60 days of placement. Furthermore, no sign may be erected on a single parcel for more than 60 calendar days out of every 120 calendar days.

Section 26-22. - Signs Permitted in Local Business (B1), Planned Shopping Center (B2), Central Business (B3) and General Business (B4) Districts Signage Table

1 Lots fronting on two (2) or more streets are allowed the permitted signage for each street frontage, but signage cannot be accumulated and used on one (1) street in excess of that allowed for lots with only one street frontage.

2 Additional wall signage is permitted per Section 26.23.a.2.c

3 Additional pole sign may be permitted per Section 26.23.e

4 The percentage figure here shall mean the percentage of the area of the wall of which such sign is a part or to which each such sign is most nearly parallel.

Sec. 26-23. Signs Permitted in Local Business (B1), Planned Shopping Center (B2), Central Business (B3) and General Business (B4) Districts Signage.

a. Wall Sign:
   1. Any signs within the Downtown Historic District shall meet and be reviewed for all requirements of the Owosso Historic District Commission prior to submittal of a sign permit, and prior to installation of new signage or modification of existing signage.
   2. Wall signs may be used provided that they meet the following standards:
      a) One wall sign per business not to exceed 10% of front façade or 100 square feet, whichever is less is permitted.
      b) No wall sign shall extend above the roof or parapet of the structure to which it is attached.
      c) Businesses located on a second public right of way, public parking lot or public alley shall be allowed up to two wall signs, one for each front façade. The maximum wall sign area shall not exceed ten percent of the front façade of the building per use or business establishment.
      d) Additional wall sign square footage is permitted when the following is met:
         1. 201 - 400 linear feet of building frontage facing a public street and having a public entrance is allowed a maximum wall sign area of 150 square feet.
         2. Greater than 400 linear feet of building frontage facing a public street and having a public entrance is allowed a maximum wall sign area of 200 square feet
      e) No wall sign shall have a thickness greater than 12 inches measured from the wall to which it is attached.
      f) No wall sign shall be attached to a wall at a height less than eight feet above any sidewalk.

b. Ground Sign
   1. Ground Sign may be used provided that they meet the following standards:
      a) The top of the ground sign shall be no more than six feet above ground level.
      b) A ground sign shall not extend closer than 5 feet to the public right of way.
      c) No ground sign shall have an area exceeding 40 square feet per side.
      d) A ground sign shall be located on the same parcel as the building or use to which it is accessory.
      e) An additional ground sign may be permitted if access to the parcel is provided from two public streets.
      f) In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, the location of the sign shall be such that a minimum clear vision area shall be maintained between a height of 24 inches and six feet within a triangular area measured 25 feet back from intersection of public right-of-way lines. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.
c. Changeable or electronic message sign
   1. Changeable or electronic message signs as part of a wall or ground sign when the following requirements are met:
      a) Changeable or electronic message signs are not permitted within the historic district boundary.
      b) One changeable or electronic message sign shall be permitted per premises, but not both.
      c) The area of a changeable or electronic message sign shall not exceed half the total area of the sign.
      d) Illumination shall be concentrated within the face of the sign to prevent glare upon adjoining properties and thoroughfares.
      e) Electronic messages shall not flash, fade in or out, or scroll.
      f) Any voids or burned out bulb in an electronic display shall be replaced within 10 days of city notification.
   2. One gasoline price sign is permitted for a gas station canopy with an area not to exceed ten percent of the canopy façade.

d. Pole Signs
   1. Pole signs may be used provided that they meet the following standards:
      a) Pole signs are not permitted within the historic district boundary.
      b) A pole sign may stand no higher than the building it represents or 20 feet above the level of the ground, upon which the sign is mounted, whichever is less.
      c) A pole sign shall not extend closer than 5 feet to the public right of way.
      d) The lower edge of the pole sign shall be eight feet or more above the ground level.
      e) No pole sign shall have a single surface area exceeding 40 square feet per side.
      f) A pole sign shall be located on the same parcel of property as the building or use to which it is accessory.
      g) Changeable or electronic message signs as part of a pole sign when the following requirements are met:
         1. Changeable or electronic message signs are not permitted within the historic district boundary.
         2. One changeable or electronic message sign sign shall be permitted per premises, but not both.
         3. The area of a changeable or electronic message sign shall not exceed half the total area of the sign.
         4. Illumination shall be concentrated within the face of the sign to prevent glare upon adjoining properties and thoroughfares.
         5. Electronic messages shall not flash, fade in or out, or scroll.
         6. Any voids or burned out bulb in an electronic display shall be replaced within 10 days of city notification.
      h) One gasoline price sign is permitted for an overhead gas pump awning with an area not to exceed ten percent of the awning façade.

e. Number of pole or ground signs. Not more than one pole or ground sign may be erected accessory to any single building, structure, or shopping center regardless of the number of separate parties, tenants or uses contained therein; provided however, a property may have two pole or ground signs when the following is met:
   1. If fronting along two or more right of ways, 1 ground sign is allowed on each right of way.
   2. If there is greater than 300 feet of frontage along one right of way, 2 ground signs are allowed on such right of way.

f. Awning
   1. Projecting and awning signs may be used as an alternative or in addition to wall signs provided that they meet the following standards:
      a) Any sign area of an awning or projecting sign shall be included in calculations of maximum wall sign square footage.
      b) Awning or projecting signs shall be set back at least two feet from any street curb-line, shall not extend more than six feet over the public right-of-way, and shall leave a
minimum clearance of eight feet above the ground and shall not project over an alley or private access lane.

c) No awning or projecting sign shall extend above the roof or parapet of the structure to which it is attached.

d) Wood posts or supporting arms shall not be used in conjunction with any projecting sign.

e) Awning signs shall not be internally illuminated.

f) If any projecting sign is suspended over a public property, public street, sidewalk or alley, the owner shall at all times carry liability insurance in such amounts as are satisfactory to the city, and issued by companies acceptable to the city, licensed in the state of Michigan naming the city as an additional insured on any such policy. The owner will file with the city certificates or policies evidencing such insurance coverage. The insurance policies or certificates shall provide that the city shall be given 30 days' written notice before a cancellation in coverage may occur.

g) If at any time the insurance policy obtained to subsection (9)(G) is canceled, the projecting sign shall be immediately removed. In the event the projecting sign is not removed, the City of Owosso shall have the right to remove the sign and repair the façade at the expense of the property owner.

g. Marquee
1. Marquee signs shall be permitted within the Historic district and Westown district for theater uses as follows:
   a) The bottom of the marquee sign shall be a minimum of eight feet above the ground.
   b) A marquee shall not project over a public street. For purposes of this section, a public sidewalk is not considered to be a public street.
   c) A marquee sign shall not project greater than 48 inches beyond the property line. In measuring the sign’s projection, the measurement shall be taken from the building from which it protrudes, including any open area between the wall face and the sign face.
   d) One marquee shall be permitted per public entrance.
   e) The total size of a marquee sign shall not exceed one and one-half square feet per lineal foot of building frontage. The total square feet of a marquee sign shall be subtracted from the total allowable wall signage square footage for the district.
   f) No marquee sign shall project into an alley or truck service driveway.
   g) If any marquee sign is suspended over a public property, public street, sidewalk or alley, the owner shall at all times carry liability insurance in such amounts as are satisfactory to the city, and issued by companies acceptable to the city, licensed in the state of Michigan naming the city as an additional insured on any such policy. The owner will file with the city certificates or policies evidencing such insurance coverage. The insurance policies or certificates shall provide that the city shall be given 30 days' written notice before a cancellation in coverage may occur.
   h) If at any time the insurance policy obtained to subsection (9)(G) is canceled, the marquee shall be immediately removed. In the event the marquee is not removed, the City of Owosso shall have the right to remove the sign and repair the façade at the expense of the property owner.

h. Menu Boards
1. Menu board signs may be used provided that they meet the following standards:
   a) Menu display boxes shall be constructed of high-quality materials, and their size, location, and design shall be appropriate to the character of the building and the restaurant.
   b) Menu signs, including display box, shall not exceed 25 square feet in area and 6 feet in height.

i. Sandwich Board
1. Sandwich board signs are permitted within the Historic District and Westown district subject to the following requirements:
   a) One sign per entrance shall be permitted regardless of the number of tenants on the premises.
   b) The sign shall be located on the sidewalk.
c) The sign is permitted only during operating business hours and must be stored inside when the establishment is not open to the general public.
d) Each sign shall not exceed an overall height of 4 feet and a maximum square footage of 8 per side.
e) No sign shall be located in such a manner as to interfere with vehicular traffic flow or visibility.
f) Sign placement shall permit for the minimum 5 feet of clearance required for Barrier Free accessibility, which includes but is not limited to placement on a sidewalk.
g) No sign shall be placed as to obstruct any door or opening used as a means of egress or as to prevent free passage.
h) All signs must be constructed of weather-proof, durable material, have a professionally-made appearance and be kept in good repair.
i) Sandwich board signs may not be illuminated by any means and may not have moving parts.
j) The owner of a sidewalk/sandwich board sign shall at all times carry liability insurance in such amounts as are satisfactory to the city, and issued by companies acceptable to the city, licensed in the state of Michigan naming the city as an additional insured on any such policy. The owner will file with the city certificates or policies evidencing such insurance coverage. The insurance policies or certificates shall provide that the city shall be given 30 days' written notice before a cancellation in coverage may occur.
k) If at any time the insurance policy obtained pursuant to subsection (8)(J) is canceled, the sidewalk/sandwich board sign shall be immediately removed. In the event the sign is not removed, the City of Owosso shall have the right to remove the sign at the expense of the property owner.

j. Temporary signs per Sec. 26-10(i) of this chapter.

Sec. 26-24. - Light Industrial (I1) and General Industrial (I2) Districts Signage.
The following signs are permitted in the I1 and I2 zoning districts subject to the following requirements:

a. Wall signs
   1. Wall signs may be used provided that they meet the following standards:
      a) One wall sign per business not to exceed 20% of front façade or 200 square feet, whichever is less is permitted.
      b) No wall sign shall extend above the roof or parapet of the structure to which it is attached.
      c) Businesses located on a corner lot shall be allowed up to two wall signs, one for each front façade. The maximum wall sign area shall not exceed ten percent of the front façade of the building per use or business establishment.
      d) Additional wall sign square footage is permitted when the following is met:
         1. 201 - 400 linear feet of building frontage facing a public street and having a public entrance is allowed a maximum wall sign area of 150 square feet.
         2. Greater than 400 linear feet of building frontage facing a public street and having a public entrance is allowed a maximum wall sign area of 200 square feet
      e) No wall sign shall have a thickness greater than 12 inches measured from the wall to which it is attached.
      f) No wall sign shall be attached to a wall at a height less than eight feet above any sidewalk.
   2. Projecting signs and awning signs may be used as an alternative or in addition to wall signs provided that they meet the following standards:
      a) Any sign area of an awning or projecting sign shall be included in calculations of maximum wall sign square footage.
      b) Awning or protecting signs shall be set back at least two feet from any street curb-line, shall not extend more than six feet over the public right-of-way, and shall leave a minimum clearance of eight feet above the ground and shall not project over an alley or private access lane.
      c) No awning or projecting sign shall extend above the roof or parapet of the structure to which it is attached.
      d) Wood posts or supporting arms shall not be used in conjunction with any projecting sign.
b. Pole signs.
   1. Pole signs may be used provided that they meet the following standards:
      a) A pole sign may stand no higher than the building it represents or 20 feet above the level
         of the ground, upon which the sign is mounted, whichever is less.
      b) A pole sign shall not extend closer than 5 feet to any part of the public right of way.
      c) The lower edge of the pole sign shall be eight feet or more above the ground level.
      d) No pole sign shall have a single surface area exceeding 40 square feet for a single face
         sign.
      e) A pole sign shall be located on the same parcel of property as the building or use to
         which it is accessory.
   f) Changeable or electronic changeable message signs as part of a pole sign when the
      following requirements are met:
      1. One changeable message sign shall be permitted per premises.
      2. Message changes may occur electronically or manually.
      3. The area of a changeable message sign shall not exceed half of the total area of the
         sign.
      4. Illumination shall be concentrated within the face of the sign to prevent glare upon
         adjoining properties and thoroughfares.
      5. Electronic messages shall not flash, fade in or out, or scroll.
      6. Any voids or burned out bulb in an electronic display shall be replaced within 10 days
         of city notification.

c. Ground Sign
   1. Ground signs may be used provided that they meet the following standards:
      a) The top of the ground sign shall be no more than six feet above ground level.
      b) A ground sign shall not extend closer than 5 feet to any part of the public right of way.
      c) No ground sign shall have an area exceeding 40 square feet per side.
      d) A ground sign shall be located on the same parcel as the building or use to which it is
         accessory.
      e) In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, the
         location of the sign shall be such that a minimum clear vision area shall be maintained
         between a height of 24 inches and six feet within a triangular area measured 25 feet back
         from intersection of public right-of-way lines. Furthermore, signs shall not be permitted
         where they obstruct motorist vision of regulatory signs, traffic-control devices or street
         signs.
      f) Changeable or electronic message signs as part of a ground sign when the following
         requirements are met:
         1. One changeable message sign shall be permitted per premises.
         2. Message changes may occur electronically or manually.
         3. The area of a changeable message sign shall not exceed half of the total area of the
            sign.
         4. Illumination shall be concentrated within the face of the sign to prevent glare upon
            adjoining properties and thoroughfares.
         5. Electronic messages shall not flash, fade in or out, or scroll.
         6. Any voids or burned out bulb in an electronic display shall be replaced within 10 days
            of city notification.

d. Number of pole or ground signs.
   1. Not more than one pole or ground sign may be erected accessory to any single building or
      structures regardless of the number of separate parties, tenants or uses contained therein;
      provided however, a property may have two pole or ground signs when the following is met:
      a) If fronting along two or more right of ways, 1 ground sign is allowed on each right of
         way
      b) If there is greater than 300 feet of frontage along one right of way, 2 ground signs are
         allowed on such right of way.

e. Temporary signs per Sec. 26-10(i) of this chapter.
Sec. 26-25. Planned Unit Development District (PUD) Signage.
   a. The following signs are permitted in the PUD subject to the following requirements:
      1. Signage in PUD zoning districts established prior to the adoption of this amendment shall
         utilize the sign regulations for the B1, B-2, B-3 and B-4 zoning districts.
      2. PUD zoning districts established after the adoption of this chapter amendment will state
         allowable signage in the approved development program for the PUD.

Sec. 26-26. Vehicular Parking District (P1) Signage.
   a. The following signs are permitted in the P1 zoning district subject to the following requirements:
      1. Signage per Sec. 38-333 - No signs of any kind, other than signs designating entrances,
         exits, and conditions of use, shall be maintained on such parking area per the directional
         signage requirements of this chapter.

Sec. 26-27. Conservation/Open Space District (C-OS) Signage.
   a. The following signs are permitted in the C-OS zoning district subject to the following
      requirements:
      1. Ground signs may be used provided that they meet the following standards:
         a) The top of the ground sign shall be no more than six feet above ground level.
         b) A ground sign shall not extend closer than 5 feet to any part of the public right of way.
         c) No ground sign shall have an area exceeding 40 square feet per side.
         d) A ground sign shall be located on the same parcel.
         e) In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, the
            location of the sign shall be such that a minimum clear vision area shall be maintained
            between a height of 24 inches and six feet within a triangular area measured 25 feet back
            from intersection of public right-of-way lines. Furthermore, signs shall not be permitted
            where they obstruct motorist vision of regulatory signs, traffic-control devices or street
            signs.
      2. Number of ground signs. Not more than one ground sign may be erected; provided however,
         a property may have two ground signs when the following is met:
         a) If fronting along two or more right of ways, 1 ground sign is allowed on each right of way.
         b) If there is greater than 300 feet of frontage along one right of way, 2 ground signs are
            allowed on such right of way.
      3. Temporary signs per Sec. 26-10(i) of this chapter.

Sec. 26-28—26-31. - Reserved.

SECTION 3. EFFECTIVE DATE. This amendment shall become effective November 11, 2019.

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.
DATE: 10.21.19  
TO: CITY COUNCIL  
FROM: CITY MANAGER  
SUBJECT: SET PUBLIC HEARING – BRA #21 – 152 HOWARD ST PROJECT

Brownfield #21 will include an estimated $1.55 million investment into the existing Ludington Electric building located at 152 Howard Street. The current owners purchased the property in 2005 and have operated their electrical contracting business in that location since that time.

Triterra submitted a Brownfield plan in September and met with staff soon after that submittal. The Owosso Brownfield Redevelopment Authority recommended approval of this plan at their October 9, 2019 meeting. The Brownfield Plan proposes a term of 26 years for State Education Tax and School Operating tax capture and a 14 year capture for local taxes. This discrepancy is because the property was recently granted a 12-year Obsolete Property Rehabilitation exemption by City Council. Unlike local tax, education taxes are not subject to OPRA so they will be captured for the full 26 years. From a local capture perspective, this is a 14 year brownfield request.

The following is how I scored this project based on the city’s 2010 tax abatement policy:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Score</th>
<th>Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Investment:</td>
<td>$1,000,001 to $2,500,000</td>
<td>5 years</td>
</tr>
<tr>
<td>Rehabilitated Facility:</td>
<td>Yes</td>
<td>2 years</td>
</tr>
<tr>
<td>Job Creation (FTE):</td>
<td>1-10</td>
<td>2 years</td>
</tr>
<tr>
<td>Job Wages:</td>
<td>&gt;1.5x min wage</td>
<td>2 years</td>
</tr>
<tr>
<td>Number of years in Owosso</td>
<td>14</td>
<td>2 years</td>
</tr>
<tr>
<td>Employees with Owosso Residency</td>
<td>1-10</td>
<td>1 year</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td>14 yrs</td>
</tr>
</tbody>
</table>

**Tax Abatement Policy: Section II Evaluation**

Section II of the City’s 2010 abatement policy outlines evaluation criteria based on 2 things: development objectives and additional objectives.

A. PRIVATE DEVELOPMENT OBJECTIVES
   1. To retain local jobs and/or increase the number and diversity of high-quality jobs that offer attractive wages and benefits.
      i. This project would create 4-6 full time jobs paying between more than 1.5x the min wage. These wages are considered attractive. The jobs are similar to other positions in the city so would not be considered diverse.
   2. To encourage additional unsubsidized private development in the City – either directly or indirectly through spin-off development without the use of further tax abatements.
      i. Unlikely to occur with this development on the commercial side.
3. To facilitate the development process and to achieve development of sites that would not be development without tax abatement assistance.
   i. Due to the condition of the building it is unlikely it would be redeveloped as proposed in this plan. The property has received a letter of obsolescence from the City Assessor.

4. To remove blight and/or encourage redevelopment of commercial and industrial areas that result in high quality redevelopment, private investment, and an increase in the city tax base.
   i. Remove Blight? No. This property is not blighted. But it has been deemed obsolete by the city assessor.
      “Blighted” means property that meets any of the following criteria:
      - Has been declared a public nuisance in accordance with a local housing, building, plumbing, fire, or other related code or ordinance.
      - Is an attractive nuisance to children because of physical condition, use, or occupancy.
      - Is a fire hazard or is otherwise dangerous to the safety of persons or property.
      - Has had the utilities, plumbing, heating, or sewerage permanently disconnected, destroyed, removed, or rendered ineffective so that the property is unfit for its intended use.
      - Is tax reverted property owned by a qualified local governmental unit, by a county, or by this state. The sale, lease, or transfer of tax reverted property by a qualified local governmental unit, county, or this state after the property’s inclusion in a brownfield plan shall not result in the loss to the property of the status as blighted property for purpose of this act.
   ii. High Quality Redevelopment? Yes this would result in a high-quality mixed use facility.
   iii. Private Investment? Yes. The applicants will be contributing a large portion of the project cost from their own sources.
   iv. Increase in City Tax Base? Yes. This would increase the City tax base by a taxable value estimated amount of $355,838.

5. To offset increased costs of redevelopment (contaminated site cleanup) beyond the costs normally incurred in development
   i. Yes. There are increased costs because of the site being contaminated with lead paint and asbestos. Total cost for abatement: $34,000.

6. To provide infrastructure necessary to accommodate economic development
   i. Not Applicable to this project. City utilities are available nearby.

B. ADDITIONAL OBJECTIVES

1. To support local businesses, extra consideration will be given to existing businesses seeking to expand and grow within the city.
   i. This is an existing business that will remain in this location while creating new leasable commercial space and 7 new housing units.

2. The extent to which the proposed project creates high-quality jobs in the city, paying wages equal to or greater than the average local wage of the same class
i. High quality jobs could be considered full-time jobs paying $40,000 or more. The jobs created in this project would not reach that threshold.

3. The extent to which the proposed project adds to the net commercial, industrial, or general tax base of the city and optimizes the private development of the proposed site
   i. Yes. The project adds to the net commercial tax base for the city. Estimated increase in taxable value the year after the project is completed: $355,838.
   ii. This project increases the residential tax base with its density specific housing component
   iii. Yes. This project optimizes the development potential of this particular site. This site is located on the cusp of the downtown area but contains sufficient walkability value. This section of the city is prime for redevelopment because of investment opportunities as well as existing community assets like the Steam RR Institute.

4. Whether or not the proposed project provides services not already provided in the city or services which are needed
   i. No. This project will not provide new services as there are other similar commercial lease opportunities in the city – especially the downtown.

5. Whether or not the proposed business would be in direct competition with existing businesses in the city. Abatements should not be given to business which would receive a competitive advantage over existing businesses in the city.
   i. This business would be in direct competition with other similar businesses in the city but not in its immediate vicinity – meaning there is not a similar facility immediately nearby.
   ii. This area of the city should be a priority for redevelopment as it is close to the downtown, walkable, and near the Steam RR Institute. Creating housing in this area is of utmost importance.

6. Whether or not the project will significantly impact environmental/natural resources
   i. No.

7. The extent to which other political subdivisions are in support of the project.
   i. As of 10.8.2019, the city has not received any notices of support or opposition to the project or its abatement request.

8. The extent to which the project represents new dollars into the city.
   i. $1.55 million investment
      1. $1,111,261 million in private investment
      2. $437,082 taxpayer investment

9. The extent to which the project requires improvements in city infrastructure, road construction, or other traffic problems. Also to be considered is the impact of the proposal on other city services such as law enforcement human services, or prosecutions.
   i. Does not require improvements to city infrastructure
   ii. Impact on city services (tax revenue that could be used for service but is instead repaid to developer)
      1. Law enforcement: $939/yr $24,405 over 26 yrs
      2. Fire Department: $861/yr $22,377 over 26 yrs
      3. General Govt: $796/yr $20,704 over 26 yrs
      4. Public Works: $356/yr $9,265 over 26 yrs
      5. Community Dev: $176/yr $4,583 over 26 yrs
      6. Parks and Culture: $106/yr $2,755 over 26 yrs
7. **TOTAL** $3,497/yr $90,296 over 26 years
   *includes GF trans out*

10. **Consistency of the proposed project with city land use regulations, zoning and planning policies.**
    i. This project meets all regulations and policies mentioned

11. **How the proposed project furthers the goals and objectives of the city**
    i. This project would improve an area of the city prime for redevelopment into commercial, housing, or mixed use. The area is walkable to the downtown, near the SRI, but not nearly developed to its full potential. This project would start that process and add quality housing to an area that needs it.

12. **The level of private financial investment into the project**
    i. There is about $1.11 million in private investment for the project.

**RECOMMENDATION**

Set public hearing for November 4, 2019 to receive comment on Brownfield Plan #21 – 152 N Howard Street.
WHEREAS, the City of Owosso Brownfield Redevelopment Authority recommended approval of an application for an Brownfield Plan for 152 Howard Street on October 9, 2019, from Carl and Sue Ludington, and

WHEREAS, the property in question is described as parcel # 050-651-020-001-00:

\[
\text{COM 90.6' S OF NE COR BLK 20 AL WILLIAMS ADD TH N 90.6' TH NW'LY ALG N LN LOT 1 122' TH S 124.60' TH E'LY 117' TO POB; and}
\]

WHEREAS, it must be determined that approval of Brownfield Plan #21 would be beneficial to the city of Owosso, as well as the local and regional economies.

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

FIRST: the Owosso City Council sets a public hearing for November 4, 2019 at or about 7:30 p.m. in the council chambers for the purpose of hearing comments for those within the district, and any other resident or taxpayer, of the city of Owosso; and

SECOND: the city clerk gives the notifications as required by law; and

THIRD: the city staff is directed to investigate and determine if the qualifications of the act are satisfied and to report their findings at the hearing.
DATE: October 15, 2019

TO: Owosso City Council

FROM: Josh Adams; Executive Director, Owosso Main Street/DDA

SUBJECT: OMS/DDA Revolving Loan Fund - Loan Approval – 108 N. Washington

RECOMMENDATION:
Approval of the OMS/DDA Revolving Loan application for 108 N. Washington Street for $50,000.00 to Owosso Books & Beans, LLC - according to the OMS/DDA Revolving Loan & Grant Manual specifications.

BACKGROUND:
On June 17, 2019 City Council approved the new OMS/DDA Revolving Loan & Grant Program, giving stewardship of the loan and grant process to the Owosso Main Street/DDA Board.

On September 23, 2019 a loan application was submitted to the OMS/DDA for a loan request from Owosso Books & Beans, LLC for $50,000.00 for the use of working capital for the Owosso Books & Beans bookstore location at 108 N. Washington Street.

During their September 24, 2019 the OMS/DDA Design & Business Vitality Committee reviewed and approved the application, giving it an overall score of 55. This score is well above the 30 points required for consideration. The OMS/DDA Board also approved the release of grant dollars for these applications during the October 3, 2019 Board Meeting.

FISCAL IMPACTS:
Dollars will be disbursed from the OMS/DDA Revolving Loan & Grant fund.
RESOLUTION NO.

AUTHORIZING
RELEASE OF OMS/DDA REVOLVING LOAN FUNDS TO
OWOSSO BOOKS & BEANS, LLC.
FOR ELIGIBLE EXPENSES AT 108 N. WASHINGTON STREET

WHEREAS, in 1994 the city of Owosso established the Downtown Owosso Revolving (formerly UDAG/CDBG) Loan Program for projects within the Owosso Downtown Development Authority district; and

WHEREAS, on June 17, 2019 City Council approved the new OMS/DDA Revolving Loan & Grant Program, giving stewardship of the loan and grant process to the Owosso Main Street/DDA Board.

WHEREAS, on September 23, 2019 a loan application was submitted to the OMS/DDA for a loan request from Owosso Books & Beans, LLC for $50,000.00 for use as working capital for the Owosso Books & Beans bookstore location at 108 N. Washington Street.

WHEREAS, on September 24, 2019 the OMS/DDA Design & Business Vitality Committee reviewed and approved the application, giving it an overall score of 55. This score is well above the 30 points required for consideration. The OMS/DDA Board also approved the release of grant dollars for these applications during the October 3, 2019 Board Meeting.

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

FIRST: The City of Owosso approves the loan of $50,000.00 to Owosso Books & Beans, LLC for working capital associated with the Owosso Books & Beans bookstore located at 108 N. Washington Street according to the terms & specifications determined by the OMS/DDA Loan & Grant Manual.

SECOND: The accounts payable department is hereby authorized to release funds in the amount of $50,000.00 to Owosso Books & Beans for use as stated above.
PROMISSORY NOTE

$50,000.00

Dated: ____________________

At: Owosso, Michigan

FOR VALUE RECEIVED, the undersigned promises to pay to the order of the City of Owosso Downtown Development Authority/Owosso Main Street, a Michigan municipal corporation, at its office at 301 West Main Street, Owosso, Michigan 48867, the principal sum of FIFTY THOUSAND AND NO/100 DOLLARS ($50,000.00), THE BALANCE OF A LOAN ISSUED on ________________, in lawful money of the United States of America with interest thereon to be computed from NOVEMBER 1, 2019 at a rate per annum which is three percent (3%). From this date forward Principal and Interest shall be payable in 120 monthly installments of $482.80 each, commencing on DECEMBER 1, 2019, and continuing on the same day of each succeeding MONTH thereafter until JANUARY 1, 2030 when the final payment of outstanding principal and interest is due and payable. The attached amortization table shall become the required payment schedule from this date forward.

Notwithstanding anything to the contrary contained herein, at no time shall the interest payable be greater than the maximum permitted by law.

As to this note and all other instruments securing the indebtedness, the undersigned and any endorsers severally waive all applicable exemption rights, whether under the State Constitution, homestead laws or otherwise, and also severally waive valuation and appraisement, presentment, protest and demand, notice of protest demand and dishonor and nonpayment of this note, and expressly agree that the maturity of this note, or any payment hereunder, may be extended from time to time without in any way affecting the liability of the undersigned or said endorsers.

Any default in the payment of principal and/or interest required by this note or other instruments securing this note shall be a default hereunder entitling the holder to accelerate the indebtedness hereunder (notwithstanding any provisions contained in the evidence thereof to the contrary), exercise any one or more of the rights and remedies granted to the City of Owosso Downtown Development Authority/Owosso Main Street, Michigan by the instruments securing this note.

This note is to be construed according to the laws of the State of Michigan.

Owosso Books & Beans, LLC.

By ________________________

Its: ________________________

City of Owosso Downtown Development Authority/Owosso Main Street

By ________________________

Its: ________________________

City of Owosso

Mayor

By ________________________

Its: ________________________
**Application Must Score 30 or More Points to be Considered Eligible for a Loan.**

**Applicant Name:** Owosso Books & Beans, LLC.  **Date Reviewed:** September 26, 2019  
**Project Address:** 108 N. Washington Street  
**Project Scope of Work:** Loan for Business Working Capital

<table>
<thead>
<tr>
<th>Rationale Worksheet</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Criteria</strong></td>
</tr>
<tr>
<td>Will proposed loan or grant dollars be used to leverage additional State/Federal Programs?</td>
</tr>
<tr>
<td>Does the project help fulfill OMS Transformation Strategy?</td>
</tr>
<tr>
<td>Is the project supported by a relevant business plan?</td>
</tr>
<tr>
<td>a) Does the project activate currently vacant or underutilized property within the district? OR b) Is the project an existing business expanding their product/services based on customer demand/feedback or new innovative items/new technologies.</td>
</tr>
<tr>
<td>Does the project have a well-articulated path to completion?</td>
</tr>
<tr>
<td>Does the project provide the best use/business type for the district?</td>
</tr>
<tr>
<td>Does the project have formal plans, site renderings, and/or cost estimates?</td>
</tr>
<tr>
<td>Does the project have adequate matching funds?</td>
</tr>
</tbody>
</table>

**Total:** 55

**Additional Notes:**
- None
**Before Completing/Submitting this application, please contact OMS/DDA (Contact info is listed above). The OMS/DDA Business Vitality Committee will offer free assistance in completion of this application and help answer any questions/concerns associated with application submission.**

**APPLICANT INFORMATION:**
NAME: [Name]
ADDRESS: [Address] - [City], [State] [Zip]
BEST PHONE #: [Phone Number] □Business □Mobile □Home
EMAIL: [Email]

**BUSINESS INFORMATION:**
BUSINESS IS: □New
□Existing - Years in Continuous Operation _____; Years in Current Location _____
FACILITY/BUILDING IS: □Owned □Leased □Rented □Looking for Space □N/A
PROPERTY IS: □Owned by Business □Owned by Applicant
□Owned by Other [Name], [Company] □Looking for Land □N/A
LEGAL NAME: [Name] [Company]
DBA (if different): [DBA] EIN # (if applicable): [EIN]
ADDRESS: [Address] - [City], [State] [Zip]
PHONE: [Phone Number] WEBSITE:
NATURE/TYPE/CATEGORY OF BUSINESS: [Business Type]
TAX CLASSIFICATION OF BUSINESS: □Corporation □LLC □Partnership □Proprietorship □S-Corp □Individual □Non-Profit
APPROXIMATE ANNUAL REVENUE: $[Revenue]
CURRENT EMPLOYEES: # Full-Time _____ # Part-Time _____
WILL LOAN CREATE ADDITIONAL JOBS? □No □Yes - How Many?: FT ____/PT ____
LIST OTHER INVESTORS/OWNERS IF APPLICABLE:
Name: __________________________ Name: __________________________
Name: __________________________ Name: __________________________

CONTINUE TO NEXT PAGE
LOAN REQUEST INFORMATION:
PURPOSE/SPECIFIC USES OF LOAN/GRAFT:
[Working capital]

TOTAL PROJECT COST: $150,000
ESTIMATED START DATE: 10/15/19
ESTIMATED COMPLETION DATE: 1/1/2020
AMOUNT YOU and/OR OTHER OWNERS PLAN TO INVEST: $100,000
AMOUNT FOR WHICH YOU HAVE ALREADY SECURED FINANCING: $100,000

If project’s purpose is upper story residential development, grants may be available – please check all that are involved if this is project’s purpose:
□ Architecture Services  □ Elevator  □ Fire Suppression
□ Professional Services-Access Study

APPLICATION CHECKLIST:
Please ensure the following are submitted with your application:
□ Completed RLF Application Form
□ Business plan  □ All existing lien holder agreements (if applicable)

Note: Other documentation could be requested if deemed necessary by OMS/DDA. Additional information that could be requested are: Credit Reports for all business/owners; Proof of equity investment; Personal/business tax returns; Current business financial statement; Cash flow statements; Copy of lease/purchase agreement; Commitment letters from other lenders/project participants; Cost Estimates-all items being purchases with RLF monies; Articles of incorporation, partnership, and/or operating agreements.

By signing this form, I, the applicant, certify that all information contained above is true and complete to my best knowledge and belief. Applicant understands this application and any other information received with it will be retained whether this request is approved or denied.
Applicant Signature: ___________________________ Date Signed: 9/23/14

Owosso Main Street/DDA Only:
Application Received By: ___________________________ Date Received: ___________________________

**COMPLETED APPLICATIONS WILL BE REVIEWED BY THE OMS/DDA BUSINESS VITALITY COMMITTEE. IF APPROVED, APPLICATIONS WILL BE SUBMITTED TO THE LOAN REVIEW COMMITTEE FOR FINAL APPROVAL. APPLICANTS WILL BE ASKED TO BE PRESENT DURING THE LOAN REVIEW COMMITTEE’S REVIEW OF THEIR APPLICATION.**
DATE: October 15, 2019

TO: Owosso City Council

FROM: Josh Adams; Executive Director, Owosso Main Street/DDA

SUBJECT: OMS/DDA Revolving Loan Fund - Loan Approval

RECOMMENDATION:
Approval of the OMS/DDA Revolving Loan application for 118 S. Washington Street for $6,975.00 to Nom Nom Sweeties - according to the OMS/DDA Revolving Loan & Grant Manual specifications.

BACKGROUND:
On June 17, 2019 City Council approved the new OMS/DDA Revolving Loan & Grant Program, giving stewardship of the loan and grant process to the Owosso Main Street/DDA Board.

On August 13, 2019 a loan application was submitted to the OMS/DDA for a loan request from Nom Nom Sweeties for $6,975.00 for business buildout expenses located at 118 S. Washington Street. These loan dollars will be used as a loan associated with a MEDC Match on Main grant that the owner received.

During their September 24, 2019 the OMS/DDA Design & Business Vitality Committee reviewed and approved the application, giving it an overall score of 67. This score is well above the 30 points required for consideration. The OMS/DDA Board also approved the release of grant dollars for these applications during the October 3, 2019 Board Meeting.

FISCAL IMPACTS:
Dollars will be disbursed from the OMS/DDA Revolving Loan & Grant fund.
RESOLUTION NO.

AUTHORIZING
THE RELEASE OF OMS/DDA REVOLVING LOAN FUNDS
TO NOM NOM SWEETIES
FOR ELIGIBLE EXPENSES AT 118 S. WASHINGTON STREET

WHEREAS, in 1994 the city of Owosso established the Downtown Owosso Revolving (formerly UDAG/CDBG) Loan Program for projects within the Owosso Downtown Development Authority district; and

WHEREAS, on June 17, 2019 City Council approved the new OMS/DDA Revolving Loan & Grant Program, giving stewardship of the loan and grant process to the Owosso Main Street/DDA Board; and

WHEREAS, on August 13, 2019 a loan application was submitted from Nom Nom Sweeties to the OMS/DDA requesting a loan in the amount of $6,975.00 for business buildout expenses for their business located at 118 S. Washington Street. These loan dollars will be used as match funds associated with a MEDC Match on Main grant that the owner received.

WHEREAS, on September 24, 2019 the OMS/DDA Design & Business Vitality Committee reviewed and approved the application, giving it an overall score of 67. This score is well above the 30 points required for consideration. The OMS/DDA Board also approved the release of grant dollars for these applications during the October 3, 2019 Board Meeting.

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

FIRST: The City of Owosso approves the loan of $6,975.00 to Nom Nom Sweetie for business buildout expenses located at 118 S. Washington Street according to the terms & specifications determined by the OMS/DDA Loan & Grant Manual.

SECOND: The accounts payable department is hereby authorized to release funds in the amount of $6,975.00 to Nom Nom Sweeties for use as a loan.
PROMISSORY NOTE

$6,975.00

Dated: _________________

At:   Owosso, Michigan

FOR VALUE RECEIVED, the undersigned promises to pay to the order of the City of Owosso Downtown Development Authority/Owosso Main Street, a Michigan municipal corporation, at its office at 301 West Main Street, Owosso, Michigan 48867, the principal sum of SIX THOUSAND, NINE-HUNDRED AND SEVENTY-FIVE AND NO/100 DOLLARS ($6,975.00), THE BALANCE OF A LOAN ISSUED on _________________, in lawful money of the United States of America with interest thereon to be computed from NOVEMBER 1, 2019 at a rate per annum which is three percent (3%). From this date forward Principal and Interest shall be payable in 120 monthly installments of $125.33 each, commencing on DECEMBER 1, 2019, and continuing on the same day of each succeeding MONTH thereafter until DECEMBER 1, 2024 when the final payment of outstanding principal and interest is due and payable. The attached amortization table shall become the required payment schedule from this date forward.

Notwithstanding anything to the contrary contained herein, at no time shall the interest payable be greater than the maximum permitted by law.

As to this note and all other instruments securing the indebtedness, the undersigned and any endorsers severally waive all applicable exemption rights, whether under the State Constitution, homestead laws or otherwise, and also severally waive valuation and appraisement, presentment, protest and demand, notice of protest demand and dishonor and nonpayment of this note, and expressly agree that the maturity of this note, or any payment hereunder, may be extended from time to time without in any way affecting the liability of the undersigned or said endorsers.

Any default in the payment of principal and/or interest required by this note or other instruments securing this note shall be a default hereunder entitling the holder to accelerate the indebtedness hereunder (notwithstanding any provisions contained in the evidence thereof to the contrary), exercise any one or more of the rights and remedies granted to the City of Owosso Downtown Development Authority/Owosso Main Street, Michigan by the instruments securing this note.

This note is to be construed according to the laws of the State of Michigan.

Nom Nom Sweeties/Leslie Bruckman

By ______________________

Its: ______________________

City of Owosso Downtown Development Authority/Owosso Main Street

City of Owosso

Mayor

By ______________________

By ______________________

Its: ______________________

Its: ______________________
**Application Must Score 30 or More Points to be Considered Eligible for a Loan.**

**Applicant Name:** Nom Nom Sweeties  
**Date Reviewed:** September 26, 2019  
**Project Address:** 118 S. Washington Street  
**Project Scope of Work:** Match on Main Bridge Loan

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Score Range</th>
<th>Score</th>
<th>Explanation/Feedback:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will proposed loan or grant dollars be used to leverage additional</td>
<td>0-15</td>
<td>15</td>
<td>Yes, use this for a MEDC Match on Main Bridge Loan</td>
</tr>
<tr>
<td>State/Federal Programs?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the project help fulfill OMS Transformation Strategy?</td>
<td>0-10</td>
<td>5</td>
<td>Yes, eliminates of the proposed business will bring consumers from throughout the region.</td>
</tr>
<tr>
<td>Is the project supported by a relevant business plan?</td>
<td>0-10</td>
<td>10</td>
<td>Excellent Business Plan</td>
</tr>
<tr>
<td>a) Does the project activate currently vacant or underutilized property</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>within the district? OR b) Is the project an existing business</td>
<td>0-10</td>
<td>10</td>
<td>This project will occupy the back, vacant half of the first floor - reactivating the space.</td>
</tr>
<tr>
<td>expanding their product/services based on customer demand/feedback or</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>new innovative items/new technologies.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the project have a well-articulated path to completion?</td>
<td>0-10</td>
<td>10</td>
<td>Yes, the owner has an a pre-approved loan &amp; an approved grant agreement to complete work</td>
</tr>
<tr>
<td>Does the project provide the best use/business type for the district?</td>
<td>0-10</td>
<td>7</td>
<td>Yes, the business will be sharing first-floor space that resulting in a fully occupied space and the use will bring consumers from throughout the region.</td>
</tr>
<tr>
<td>Does the project have formal plans, site renderings, and/or cost</td>
<td>0-5</td>
<td>5</td>
<td>Yes, the owner has build drawings and cost estimates</td>
</tr>
<tr>
<td>estimates?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the project have adequate matching funds?</td>
<td>0-5</td>
<td>5</td>
<td>Yes, the owner has a pre-approved loan &amp; an approved grant for the project.</td>
</tr>
<tr>
<td>TOTAL=</td>
<td></td>
<td>67</td>
<td></td>
</tr>
</tbody>
</table>

**Additional Notes:**  
- *None*
CITY OF OWOSSO, MICHIGAN
APPLICATION - OWOSSO MAIN STREET/DDA (OMS) REVOLVING LOAN FUND (RLF) & GRANT PROGRAM

301 W Main Street, Owosso, MI | 989.413.3344 | downtownnowosso@gmail.com | www.downtownnowosso.org

**BEFORE COMPLETING/SUBMITTING THIS APPLICATION, PLEASE CONTACT OMS/DDA (CONTACT INFO IS LISTED ABOVE). THE OMS/DDA BUSINESS VITALITY COMMITTEE WILL OFFER FREE ASSISTANCE IN COMPLETION OF THIS APPLICATION AND HELP ANSWER ANY QUESTIONS/CONCERNS ASSOCIATED WITH APPLICATION SUBMISSION.**

APPLICANT INFORMATION:
NAME: Leslie Bruckman

ADDRESS: 1200 Penbrook Drive M4 Owosso, MI 48867

BEST PHONE #: 989-413-9632 □ Business □ Mobile □ Home

EMAIL: nomnomsweeties@gmail.com

BUSINESS INFORMATION:
BUSINESS IS:
□ New
☒ Existing - Years in Continuous Operation 8 ☒ Years in Current Location New

FACILITY/BUILDING IS: □ Owned □ Leased □ Rented □ Looking for Space □ N/A

PROPERTY IS: □ Owned by Business □ Owned by Applicant

☒ Owned by Other □ Troy Crowe □ Looking for Land □ N/A

LEGAL NAME: Nom Nom Sweeties

DBA (if different): __________________________ EIN # (if applicable): 84-2202603

ADDRESS: 218 S. Washington Street Owosso, MI

PHONE: 989-750-1732 □ Business □ Mobile □ Home

WEBSITE: nomnomsweeties.com

NATURE/TYPE/CATEGORY OF BUSINESS: Retail Bakery

TAX CLASSIFICATION OF BUSINESS:
□ Corporation □ LLC □ Partnership □ Proprietorship □ S-Corp □ Individual □ Non-Profit

APPROXIMATE ANNUAL REVENUE: $65,100 projected in new space

CURRENT EMPLOYEES: # Full-Time 1 □ Part-Time 0

WILL LOAN CREATE ADDITIONAL JOBS? □ No □ Yes - How Many?: FT ___ / PT ___

LIST OTHER INVESTORS/OWNERS IF APPLICABLE:
Name: __________________________ Name: __________________________

Name: __________________________ Name: __________________________

CONTINUE TO NEXT PAGE
LOAN REQUEST INFORMATION:

PURPOSE/SPECIFIC USES OF LOAN/GRANT:
To fund the purchase of equipment for new location to expand business. Cost of equipment will be reimbursed by Match On Main Grant. This funding will augment the business loan that has been approved.

TOTAL PROJECT COST: $25,223
LOAN AMOUNT REQUESTED: $6,975
ESTIMATED START DATE: 8/19/2019
ESTIMATED COMPLETION DATE: 9/12/2019
AMOUNT YOU and/OR OTHER OWNERS PLAN TO INVEST: $2,448
AMOUNT FOR WHICH YOU HAVE ALREADY SECURED FINANCING: $15,800

If project’s purpose is upper story residential development, grants may be available - please check all that are involved if this is project’s purpose:
☐ Architecture Services  ☐ Elevator  ☐ Fire Suppression
☐ Professional Services-Access Study

APPLICATION CHECKLIST:
Please ensure the following are submitted with your application:
☑ Completed RLF Application Form
☑ Business plan  ☐ All existing lien holder agreements (if applicable) Loan is not yet closed

Note: Other documentation could be requested if deemed necessary by OMS/DDA. Additional information that could be requested are: Credit Reports for all business/owners; Proof of equity investment; Personal/business tax returns; Current business financial statement; Cash flow statements; Copy of lease/purchase agreement; Commitment letters from other lenders/project participants; Cost Estimates-all items being purchases with RLF monies; Articles of incorporation, partnership, and/or operating agreements.

By signing this form, I, the applicant, certify that all information contained above is true and complete to my best knowledge and belief. Applicant understands this application and any other information received with it will be retained whether this request is approved or denied.

Applicant Signature: Leslie Date Signed: 8-13-19

Owosso Main Street/DDA Only:

Application Received By: __________________________ Date Received: ________

**COMPLETED APPLICATIONS WILL BE REVIEWED BY THE OMS/DDA BUSINESS VITALITY COMMITTEE. IF APPROVED, APPLICATIONS WILL BE SUBMITTED TO THE LOAN REVIEW COMMITTEE FOR FINAL APPROVAL. APPLICANTS WILL BE ASKED TO BE PRESENT DURING THE LOAN REVIEW COMMITTEE’S REVIEW OF THEIR APPLICATION.**
DATE: October 10, 2019

TO: Owosso City Council

FROM: Josh Adams; Executive Director, Owosso Main Street/DDA

SUBJECT: Revolving Loan Fund; Bridge Loan for 114-116 W. Main Street

RECOMMENDATION:
Approval of a OMS/DDA Revolving Loan Fund bridge loan for 114-116 W. Main Street of $125,295.95 to Ruesswood REI Group.

BACKGROUND:
The MEDC is allowing the City to do a mini-closeout for the facade work at 114-116 W. Main to allow the property owner to start construction on their interior ASAP. The property owner is hoping to start work on the interior on October 28th.

Part of the requirement of the mini closeout is that the contractor to receive full payment before the property owner starts their interior work.

All payment requests and final inspections have been submitted to the state and the City is now pending the review and wiring of funds. We are simply waiting for them.

With all of the recent State budget issues and the MEDC moving their finances to the Finance Department - my concern is that the final checks that we are waiting for will take much longer than originally discussed. Because of that I have come up with a "Plan B".

I spoke the MEDC/CDBG compliance person with the MEDC and they have said that closeout can occur once the contractor is paid in full "regardless who pays them". So, my idea is to use the revolving loan to pay the contractor in full, then use the States wired dollars to reimburse the funds when they come in.

The OMS/DDA Board discussed & approved this idea via resolution during their October 3rd Board Meeting.

This bridge loan will allow the Finance Department to use revolving loan fund dollars to pay the contractor, then upon receiving MEDC matching funds, the loan fund will immediately reimbursed. NOTE: MEDC matching funds are already in process to be wired to the City, however the dollars might not be wired in a timeframe that would assure a 10/28/19 construction start date. This bridge loan provides that assurance.

The bridge loan request is for $125,295.95.

FISCAL IMPACTS:
None.
RESOLUTION NO.

AUTHORIZING RELEASE OF OMS/DDA REVOLVING LOAN FUNDS TO
RUESSWOOD REI GROUP
FOR ELIGIBLE EXPENSES AT 114-116 W. MAIN STREET

WHEREAS, in spring 2019 CDBG Facade Grant started in downtown Owosso on three properties within the OMS/DDA District including 114-116 W. Main Street; and

WHEREAS, the facade work is now finished, payment requests and final inspections have been submitted to the state, and we are now awaiting review and issuance of funds; and

WHEREAS, the property owner at 114-116 W. Main Street would like to start renovating the inside of the structure but cannot do so until the Façade Grant is closed out; and

WHEREAS, recent state budget issues and the MEDC moving their finances to the State Finance Department has caused concern that checks will be delayed; because of this, an alternative plan for initial payment should be considered; and

WHEREAS, the MEDC is allowing the City of Owosso to do a mini-closeout for the facade work at 114-116 W. Main Street to allow the property owner to start construction on the interior as soon as possible; and

WHEREAS, the mini closeout requires that the contractor receive full payment before the property owner starts the interior work; and

WHEREAS, the MEDC’s CDBG compliance staff has indicated that closeout can occur once the contractor is paid in full - regardless what entity pays them; and

WHEREAS, on Thursday, October 3rd the OMS/DDA Board of Directors approved the use of the revolving loan funds in the amount of $125,295.95 as a bridge loan to aid in the payment of contractor.

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

FIRST: The City of Owosso approves the bridge-loan of $125,295.95 to Ruesswood REI Group to aid in the payment of Facade Grant contractor to ensure timely interior construction.

SECOND: The accounts payable department is hereby authorized to release funds in the amount of $125,295.95 to Ruesswood REI Group for use as a bridge loan.

THIRD: Said funds will be reimbursed to the City using MEDC funds received for the Façade Grant.
Michigan Strategic Fund - Payment Request

1. Project Title: Downtown Owosso 114 W Main
2. Grant No.: MSC 217014 - CDF
3. Name and Address of Grantee: City of Owosso, 301 W. Main St Owosso MI 48867
4. Federal ID No.: 38-6004723
5. Request No.: 4 & 5 114 Main
6. Grant Term: From: 11/1/2018 To: 8/31/2019
7. Final Request: ☐ Yes ☐ No
8. Dates Expenditures Incurred (do not cross state fiscal years 9/30)*: From: 8/1/2019 To: 9/27/2019

9. Total Amount Requested: 125,295.95

<table>
<thead>
<tr>
<th>10. Use 1 Column for each Project Activity (from Attachment A - Project Budget; i.e. Construction, address of facade, etc.) *</th>
<th>114 W Main Construction</th>
<th>TOTAL For State Staff use only</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Approved Grant Budget (CDBG Funds Only)</td>
<td>212,024.00</td>
<td>212,024.00</td>
</tr>
<tr>
<td>b. Total CDBG Funds Previously Requested</td>
<td>80,194.06</td>
<td>80,194.06</td>
</tr>
<tr>
<td>c. Max CDBG Funds Available for this Request</td>
<td>131,829.94</td>
<td>131,829.94</td>
</tr>
<tr>
<td>d. Request for Reimbursement</td>
<td>125,295.95</td>
<td>125,295.95</td>
</tr>
<tr>
<td>e. Request for Advance</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>f. Balance of funds available after this request</td>
<td>6,533.99</td>
<td>6,533.99</td>
</tr>
</tbody>
</table>

11. Match

| a. Match this Period | 125,295.95 | 125,295.95 |
| b. Match Previously Reported | 80,194.06 | 80,194.06 |
| c. Total Match to Date | 205,490.01 | 205,490.01 |
| 12. Grantee Comments: | 114 W Main AIA 4 total $209,494.80 | 114 W Main AIA 4 total $41,097.10 |

Certification*: I certify by initialing all that are applicable below (enter n/a if not applicable):

a. Wages have been paid in accordance with the Federal Labor Standards (Davis Bacon).

b. Requested funds are for activities within the scope of the approved Environmental Review, Grant Agreement and/or RLF Agreement. Funds requested were incurred after the environmental release of funds if applicable.

c. Documentation is attached reflecting CDBG eligible expenditures and all required match funds reported on this payment request. These expenditures are based on the CDBG percentage of project costs from the Grant Agreement. Loan projects attach documentation showing costs meet program requirements and are within permitted date range.

d. All previously requested CDBG funds have been expended.

e. For first payments, the items required on the Pre-Disturbance Requirements form have been submitted.

By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812).

Signature: Christopher T. Evelk Date:
Typed/Printed Name & Title: Christopher T. Evelk, Mayor

State Agency Approval & Date:

* See the 'Payment Request Instructions' or 'Payment Request Instructions Loan' tab for directions

Michigan Economic Development Corporation
CD9BG

8-A1
12.23.14
DATE: October 15, 2019

TO: Owosso City Council

FROM: Josh Adams; Executive Director, Owosso Main Street/DDA

SUBJECT: OMS/DDA Revolving Loan Fund - Grant Approval

RECOMMENDATION:
Approval of the OMS/DDA Revolving Loan/Grant applications for upper-floor residential development services for 4 Turnabout Ventures, LLC properties according to the OMS/DDA Revolving Loan & Grant Manual specifications. The Properties and grant amounts are as follows:

- 113 E. Main Street = $2,712.50
- 115 E. Main Street = $2,712.50
- 110 N. Washington Street = $2,712.50
- 108 E. Exchange Street = 1,437.50
- **Total Grant Dollars = $9,575.00**

BACKGROUND:
On June 17, 2019 City Council approved the new OMS/DDA Revolving Loan & Grant Program, giving stewardship of the loan and grant process to the Owosso Main Street/DDA Board.

On September 4, 2019 a grant application was submitted to the OMS/DDA for a grant request from Turnabout Ventures, LLC for the contracting of architectural services for upper-floor residential development for 4 properties located at 113 E. Main Street; 115 E. Main Street; 110 N. Washington Street; and 108 E. Exchange Street. Improvements are being made to support the development of residential units located on the upper floors of each property.

During their September 24, 2019 the OMS/DDA Design & Business Vitality Committee reviewed and approved the application, giving each property an overall score higher than the 30 points required to qualify for grant dollars. The OMS/DDA Board also approved the release of grant dollars for these applications during the October 3, 2019 Board Meeting.

FISCAL IMPACTS:
Dollars will be disbursed from the OMS/DDA Revolving Loan & Grant fund.
RESOLUTION NO.

AUTHORIZING RELEASE OF OMS/DDA REVOLVING GRANT FUNDS TO TURNABOUT VENTURES, LLC FOR ELIGIBLE EXPENSES AT 113 E. MAIN STREET; 115 E. MAIN STREET; 110 N. WASHINGTON STREET; AND 108 E. EXCHANGE STREET

WHEREAS, in 1994 the city of Owosso established the Downtown Owosso Revolving (formerly UDAG/CDBG) Loan Program for projects within the Owosso Downtown Development Authority district; and

WHEREAS, on June 17, 2019 City Council approved the new OMS/DDA Revolving Loan & Grant Program, giving stewardship of the loan and grant process to the Owosso Main Street/DDA Board.

WHEREAS, on September 4, 2019 grant applications were submitted to the OMS/DDA for grant requests from Turnabout Ventures, LLC for the contracting of architectural services for upper-floor residential development for 4 properties located at 113 E. Main Street; 115 E. Main Street; 110 N. Washington Street; and 108 E. Exchange Street. Improvements are being made to support the development of residential units located on the upper floors of each property.

WHEREAS, on September 24, 2019 the OMS/DDA Design & Business Vitality Committee reviewed and approved each application, giving each property an overall score higher than the 30 points required to qualify for grant dollars. The OMS/DDA Board also approved the release of grant dollars for these applications during the October 3, 2019 Board Meeting.

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

FIRST: The City of Owosso approves the grant of $2,712.50 to Turnabout Ventures, LLC for the contracting of architectural services for upper-floor residential development for 113 E. Main Street according to the terms & specifications determined by the OMS/DDA Loan & Grant Manual.

SECOND: The City of Owosso approves the grant of $2,712.50 to Turnabout Ventures, LLC for the contracting of architectural services for upper-floor residential development for 115 E. Main Street according to the terms & specifications determined by the OMS/DDA Loan & Grant Manual.

THIRD: The City of Owosso approves the grant of $2,712.50 to Turnabout Ventures, LLC for the contracting of architectural services for upper-floor residential development for 110 N. Washington Street according to the terms & specifications determined by the OMS/DDA Loan & Grant Manual.

FOURTH: The City of Owosso approves the grant of $1,437.50 to Turnabout Ventures, LLC for the contracting of architectural services for upper-floor residential development for 108 E. Exchange Street according to the terms & specifications determined by the OMS/DDA Loan & Grant Manual.

FIFTH: The accounts payable department is hereby authorized to release $9,575.00 to Turnabout Ventures, LLC for the purpose stated.
APPLICATION MUST SCORE 30 OR MORE POINTS TO BE CONSIDERED ELIGIBLE FOR A LOAN.

APPLICANT NAME: TURNABOUT VENTURES, LLC.  DATE REVIEWED: SEPTEMBER 26, 2019
PROJECT ADDRESS: 113 E. MAIN STREET
PROJECT SCOPE OF WORK: ARCHITECTURAL SERVICES FOR UPPER-FLOOR RESIDENTIAL DEVELOPMENT

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Score Range</th>
<th>Score</th>
<th>Explanation/Feedback:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will proposed loan or grant dollars be used to leverage additional State/Federal Programs?</td>
<td>0-15</td>
<td><strong>15</strong></td>
<td>Owner has plans to engage the MEDC to pursue possible grant dollars</td>
</tr>
<tr>
<td>Does the project help fulfill OMS Transformation Strategy?</td>
<td>0-10</td>
<td><strong>10</strong></td>
<td>Upper-floor residential development</td>
</tr>
<tr>
<td>Is the project supported by a relevant business plan?</td>
<td>0-10</td>
<td>0</td>
<td>No Business Plan provided</td>
</tr>
<tr>
<td>a) Does the project activate currently vacant or underutilized property within the district? OR b) Is the project an existing business expanding their product/services based on customer demand/feedback or new innovative items/new technologies.</td>
<td>0-10</td>
<td><strong>10</strong></td>
<td>This project will be updating underutilized space of two floors upper floors.</td>
</tr>
<tr>
<td>Does the project have a well-articulated path to completion?</td>
<td>0-10</td>
<td>0</td>
<td>There is no formal plan/path to completion</td>
</tr>
<tr>
<td>Does the project provide the best use/business type for the district?</td>
<td>0-10</td>
<td><strong>10</strong></td>
<td>The upper-floor residential development is part of OMS/DDA vision of best use.</td>
</tr>
<tr>
<td>Does the project have formal plans, site renderings, and/or cost estimates?</td>
<td>0-5</td>
<td><strong>3</strong></td>
<td>Did does have an appropriate cost estimate</td>
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<tr>
<td>Does the project have adequate matching funds?</td>
<td>0-5</td>
<td>0</td>
<td>The project is still too preliminary to know</td>
</tr>
<tr>
<td>TOTAL=</td>
<td></td>
<td><strong>48</strong></td>
<td></td>
</tr>
</tbody>
</table>

ADDITIONAL NOTES:
- Due to the property owner not having a clear path to completion - the committee is hesitant to grant the complete amount without any assurances the project will be done.
- The committee is willing to fund 50% of the grant request to help move the project forward.
- Additionally, the committee was hesitant to fund 100% of the project cost (regardless of cost) as they believe that the property owner should have some stake in the cost.
- The committee agreed that more grant dollars could be given if assurances were made that the project will take place (i.e. an agreement that would be contingent on development. If no development happens with a certain timeframe, grant dollars would have to be returned).
CITY OF OWOSSO, MICHIGAN
APPLICATION – OWOSSO MAIN STREET/DDA (OMS) REVOLVING LOAN FUND (RLF) & GRANT PROGRAM

301 W Main Street, Owosso, MI | 989-433-3344 | downtownowosso@gmail.com | www.downtownowosso.org

**BEFORE COMPLETING/SUBMITTING THIS APPLICATION, PLEASE CONTACT OMS/DDA (CONTACT INFO IS LISTED ABOVE). THE OMS/DDA BUSINESS VITALITY COMMITTEE WILL OFFER FREE ASSISTANCE IN COMPLETION OF THIS APPLICATION AND HELP ANSWER ANY QUESTIONS/CONCERNS ASSOCIATED WITH APPLICATION SUBMISSION.**

APPLICANT INFORMATION:
NAME: Michael E.G. Goulet
ADDRESS: 301 N West Main Street, Owosso, MI 48867
BEST PHONE #: 989-433-0855 [Business] [Mobile] [Home]
EMAIL: ERYTHRO@gmail.com

PROPERTY OWNER INFORMATION:
PROPERTY IS: [ ] New [ ] Existing - Years in Continuous Operation 100 (y)
FACILITY/BUILDING IS: [ ] Owned [ ] Leased [ ] Rented [ ] Looking for Space [ ] N/A
PROPERTY IS: [ ] Owned by Business [ ] Owned by Applicant
[ ] Owned by Other [ ] Looking for Land [ ] N/A
LEGAL NAME: TealQuest Ventures, LLC
DBA (if different): N/A
EIN # (if applicable): 47-3005106
ADDRESS: 301 N West Main Street, Owosso, MI 48867
PHONE: 989-415-6085 [ ] WEBSITE: N/A
NATURE/TYPE/CATEGORY OF BUSINESS: Rental Real Estate
TAX CLASSIFICATION OF BUSINESS: [ ] Corporation [ ] LLC [ ] Partnership [ ] Proprietorship [ ] S-Corp [ ] Individual [ ] Non-Profit
APPROXIMATE ANNUAL REVENUE (if applicable): $ 780
CURRENT EMPLOYEES (if applicable): # Full-Time [ ] # Part-Time [ ]
WILL LOAN CREATE ADDITIONAL JOBS? [ ] No [ ] Yes - How Many? FT [ ] PT [ ]
LIST OTHER INVESTORS/OWNERS IF APPLICABLE:
Name: Strobino, Deman
Name: [ ]

CONTINUE TO NEXT PAGE

LOAN REQUEST INFORMATION:
PURPOSE/SPECIFIC USES OF LOAN/GRANT:
Architectural Services For New 2nd & 3rd Floor Apartments

TOTAL PROJECT COST: $ 8705.00
LOAN AMOUNT REQUESTED: $ 5945.00
ESTIMATED START DATE: 1/1/20
ESTIMATED COMPLETION DATE: 7/30
AMOUNT YOU and/or OTHER OWNERS PLAN TO INVEST: $ 2790
AMOUNT FOR WHICH YOU HAVE ALREADY SECURED FINANCING: $ 780

If project’s purpose is upper story residential development, grants may be available — please check all that are involved if this is project’s purpose:
[ ] Architecture Services [ ] Elevator [ ] Fire Suppression
[ ] Professional Services-Access Study

APPLICATION CHECKLIST:
Please ensure the following are submitted with your application:
[ ] Completed RLF Application Form
[ ] Business plan (if applicable) [ ] All existing lien holder agreements (if applicable)

Note: Other documentation could be requested if deemed necessary by OMS/DDA. Additional information that could be requested are: Credit Reports for all business/owners; Proof of equity investment; Personal/business tax returns; Current business financial statement; Cash flow statements; Copy of lease/purchase agreement; Commitment letters from other lenders/project participants; Cost Estimates — all items being purchased with RLF monies; Articles of incorporation, partnership, and/or operating agreements.

By signing this form, I, the applicant, certify that all information contained above is true and complete to my best knowledge and belief. Applicant understands this application and any other information received with it will be retained whether this request is approved or denied.

Applicant Signature: /s/ Michael E.G. Goulet Date Signed: 9/1/19

Owosso Main Street/DDA Only:
Application Received By: __________________________ Date Received: __________________________

**COMPLETED APPLICATIONS WILL BE REVIEWED BY THE OMS/DDA BUSINESS VITALITY COMMITTEE. IF APPROVED, APPLICATIONS WILL BE SUBMITTED TO THE LOAN REVIEW COMMITTEE FOR FINAL APPROVAL. APPLICANTS WILL BE ASKED TO BE PRESENT DURING THE LOAN REVIEW COMMITTEE'S REVIEW OF THEIR APPLICATION.**
Rationale Worksheet

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Score Range</th>
<th>Score</th>
<th>Explanation/Feedback:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will proposed loan or grant dollars be used to leverage additional State/Federal Programs?</td>
<td>0-15</td>
<td>15</td>
<td>Owner has plans to engage the MEDC to pursue possible grant dollars</td>
</tr>
<tr>
<td>Does the project help fulfill OMS Transformation Strategy?</td>
<td>0-10</td>
<td>10</td>
<td>Upper-floor residential development</td>
</tr>
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<td>Is the project supported by a relevant business plan?</td>
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<td>a) Does the project activate currently vacant or underutilized property within the district? OR b) Is the project an existing business expanding their product/services based on customer demand/feedback or new innovative items/new technologies.</td>
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<td>Does the project have a well-articulated path to completion?</td>
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<tr>
<td>Does the project provide the best use/business type for the district?</td>
<td>0-10</td>
<td>10</td>
<td>The upper-floor residential development is part of OMS/DDA vision of best use.</td>
</tr>
<tr>
<td>Does the project have formal plans, site renderings, and/or cost estimates?</td>
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**TOTAL= 48**

**ADDITIONAL NOTES:**
- Due to the property owner not having a clear path to completion - the committee is hesitant to grant the complete amount without any assurances the project will be done.
- The committee is willing to fund 50% of the grant request to help move the project forward.
- Additionally, the committee was hesitant to fund 100% of the project cost (regardless of cost) as they believe that the property owner should have some stake in the cost.
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**APPLICATION – OWOSOOS MAIN STREET/DDA (OMS) REVOLVING LOAN FUND (RLF) & GRANT PROGRAM**

City of Owosso, Michigan

**APPLICATION INFORMATION:**

**NAME:** Michael Farmer

**ADDRESS:** 361 W Main Street, Owosso, MI 48867

**BEST PHONE #:** 989 415 6685 □Business □Mobile □Home

**EMAIL:** cathy7820@gmail.com

**PROPERTY OWNER INFORMATION:**

**PROPERTY IS:** □New □Existing - Years in Continuous Operation □/□

**FACILITY/BUILDING IS:** □Owned □Leased □Rented □Looking for Space □N/A

**PROPERTY IS:** □Owned by Business □Owned by Applicant □Owned by Other □N/A

**LEGAL NAME:** Trefuant Ventures, LLC

**DBA (if different):** N/A □EIN # (if applicable): 10-3705886

**ADDRESS:** 361 W Main Street, Owosso, MI 48867

**PHONE:** 989 415 6685 □WEBSITE: N/A

**NATURE/TYPE/CATEGORY OF BUSINESS:** Rental Real Estate

**TAX CLASSIFICATION OF BUSINESS:** □Corporation □LLC □Partnership □Proprietorship □S-Corp □Individual □Non-Profit

**APPROXIMATE ANNUAL REVENUE (if applicable):** $739 □Part-Time □N/A

**CURRENT EMPLOYEES (if applicable):** # Full-Time □ Part-Time □

**WILL LOAN CREATE ADDITIONAL JOBS?** □No □Yes - How Many? PT □PT 739

**LIST OTHER INVESTORS/OWNERS IF APPLICABLE:**

Name: Stavros Efstathiou

Name:

**CONTINUE TO NEXT PAGE**
## Rationale Worksheet

<table>
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<td></td>
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<td></td>
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</tr>
<tr>
<td>TOTAL=</td>
<td></td>
<td>33</td>
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</table>

## Additional Notes:
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APPLICATION – OWOSO MAIN STREET/DDA (OMS) REVOLVING LOAN FUND (RLF) & GRANT PROGRAM

APPLICANT INFORMATION:
NAME: Michael Gerard
ADDRESS: 901 WOLVERE STREET, OWOSO, MI 48867
BEST PHONE #: 989-415-6005 ☐ Business ☐ Mobile ☐ Home
EMAIL: m.gerard@olin.com

PROPERTY OWNER INFORMATION:
PROPERTY IS: ☐ New ☐ Existing - Years in Continuous Operation: 100
FACILITY/BUILDING IS: ☐ Owned ☐ Leased ☐ Rented ☐ Looking for Space ☐ N/A
PROPERTY IS: ☐ Owned by Business ☐ Owned by Applicant
☐ Owned by Other ☐ Looking for Land ☐ N/A
LEGAL NAME: Twentieth Ventures, LLC
DBA (if different): N/A EIN # (if applicable): 86.370.376
ADDRESS: 110 WASHINGTON STREET, OWOSO, MI 48867
PHONE: 989-415-6085 WEBSITE:
NATURE/TYPE/CATEGORY OF BUSINESS: ☐ Rental Real Estate
TAX CLASSIFICATION OF BUSINESS:
☐ Corporation ☐ LLC ☐ Partnership ☐ Proprietorship ☐ S-Corp ☐ Individual ☐ Non-Profit
APPROXIMATE ANNUAL REVENUE (if applicable): $ 750
CURRENT EMPLOYEES (if applicable): # Full-Time ☐ # Part-Time ☐
WILL LOAN CREATE ADDITIONAL JOBS? ☐ No ☐ Yes - How Many? FT? / PT?
LIST OTHER INVESTORS/OWNERS IF APPLICABLE:
Name: Stan Olson Gerards
Name:

LOAN REQUEST INFORMATION:
PURPOSE/SPECIFIC USES OF LOAN/GRANT:
Architecture Services For 2nd Floor Apartment

TOTAL PROJECT COST: $ 514,500 ☐ LOAN AMOUNT REQUESTED: $ 502,500 ☐
ESTIMATED START DATE: ☐ May ☐ Estimated Completion Date: ☐ TBD
AMOUNT YOU and/or OTHER OWNERS PLAN TO INVEST: $ TBD ☐
AMOUNT FOR WHICH YOU HAVE ALREADY SECURED FINANCING: $ TBD

If project’s purpose is upper story residential development, grants may be available - please check all that are involved if this is project’s purpose:
☐ Architecture Services ☐ Elevator ☐ Fire Suppression
☐ Professional Services - Access Study

APPLICATION CHECKLIST:
Please ensure the following are submitted with your application:
☑ Completed RLF Application Form
☐ Business plan (if applicable) ☐ All existing lien holder agreements (if applicable)
Note: Other documentation could be requested if deemed necessary by OMS/DDA.
Additional information that could be requested are: Credit Reports for all business/owners;
Proof of equity investment; Personal/business tax returns; Current business financial statement; Cash flow statements; Copy of lease/purchase agreement; Commitment letters from other lenders/project participants; Cost Estimates-all items being purchased with RLF monies; Articles of incorporation, partnership, and/or operating agreements.

By signing this form, I, the applicant, certify that all information contained above is true and complete to my best knowledge and belief. Applicant understands this application and any other information received with it will be retained whether this request is approved or denied.

Applicant Signature: /s/ Date Signed: 7/4/19

Owosso Main Street/DDA Only:
Application Received By: _________________________ Date Received: _________________________

**Completed applications will be reviewed by the OMS/DDA Business Vitality Committee. If approved, applications will be submitted to the Loan Review Committee for final approval. Applicants will be asked to be present during the Loan Review Committee’s review of their application.**
APPLICATION MUST SCORE 30 OR MORE POINTS TO BE CONSIDERED ELIGIBLE FOR A LOAN.

**APPLICANT NAME:** Turnabout Ventures, LLC.  **DATE REVIEWED:** September 26, 2019  
**PROJECT ADDRESS:** 108 E. Exchange Street  
**PROJECT SCOPE OF WORK:** Architectural Services for Upper-Floor Residential Development

<table>
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<tr>
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**TOTAL=** 33

**ADDITIONAL NOTES:**
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CITY OF OWOSSO, MICHIGAN
APPLICATION - OWOSSO MAIN STREET/DDA (OMS)
REVOLVING LOAN FUND (RLF) & GRANT PROGRAM

**BEFORE COMPLETING/submitting this application, PLEASE CONTACT OMS/DDA (CONTACT INFO IS LISTED ABOVE).**
The OMS/DDA BUSINESS VITALITY COMMITTEE WILL OFFER FREE ASSISTANCE IN COMPLETION OF THIS APPLICATION AND HELP ANSWER ANY QUESTIONS/CONCERNS ASSOCIATED WITH APPLICATION SUBMISSION.**

APPLICANT INFORMATION:
NAME: [Redacted]
ADDRESS: 601 WEST OLIVER ST, OWOSSO, MI 48867
BEST PHONE #: 989-415-6085 □ Business □ Mobile □ Home
EMAIL: [Redacted]@gmail.com

PROPERTY OWNER INFORMATION:
PROPERTY IS: □ Owned by Other
□ Owned by Applicant
□ Owned by Business □ Owned by Applicant
□ Existing - Years in Continuous Operation
□ N/A
FACILITY/BUILDING IS: □ Owned □ Leased □ Rented □ Looking for Space □ N/A
PROPERTY IS: □ Owned by Business □ Owned by Applicant
□ Owned by Other
□ Existing - Years in Continuous Operation
□ N/A
LEGAL NAME: [Redacted] Ventures, LLC
DBA (if different): N/A
EIN # (if applicable): 46-3905316
ADDRESS: 808 EAST SUMMER, OWOSSO, MI 48867
PHONE: 989-415-6085
WEBSITE: N/A
NATURE/TYPE/CATEGORY OF BUSINESS: □ Commercial □ Rental □ Real Estate
TAX CLASSIFICATION OF BUSINESS:
□ Corporation □ LLC □ Partnership □ Proprietorship □ S-Corp □ Individual □ Non-Profit
APPROXIMATE ANNUAL REVENUE (if applicable): $ 700
CURRENT EMPLOYEES (if applicable): # Full-Time
□ Part-Time
□ N/A
WILL LOAN CREATE ADDITIONAL JOBS? □ No □ Yes - How Many? FT ___/PT ___/PT
LIST OTHER INVESTORS/OWNERS IF APPLICABLE:
Name: [Redacted]
Name: [Redacted]

CONTINUE TO NEXT PAGE

LOAN REQUEST INFORMATION:
PURPOSE/SPECIFIC USES OF LOAN/GRANT:
□ Architectural Services
□ Other
□ Professional Services
□ Access Study
□ Elevator
□ Fire Suppression
□ N/A
TOTAL PROJECT COST: $ 1,235,500
LOAN AMOUNT REQUESTED: $ 1,235,500
ESTIMATED START DATE: 05/01
ESTIMATED COMPLETION DATE: 12/30
AMOUNT YOU and/or OTHER OWNERS PLAN TO INVEST: $ 150
AMOUNT FOR WHICH YOU HAVE ALREADY SECURED FINANCING: $ 150

□ If your project is upper story residential development, grants may be available - please check all that are involved if this is your project's purpose:
□ Architecture Services □ Elevator □ Fire Suppression
□ Professional Services □ Access Study

APPLICATION CHECKLIST:
Please ensure the following are submitted with your application:
□ Completed RLF Application Form
□ Business plan (if applicable) □ All existing lien holder agreements (if applicable)
□ N/A

Note: Other documentation could be requested if deemed necessary by OMS/DDA.
Additional information that could be requested are: Credit Reports for all business/owners; Proof of equity investment; Personal/business tax returns; Current business financial statement; Cash flow statements; Copy of lease/purchase agreement; Commitment letters from other lenders/project participants; Cost Estimates - all items being purchased with RLF monies; Articles of Incorporation, partnership, and/or operating agreements.

By signing this form, I, the applicant, certify that all information contained above is true and complete to the best of my knowledge and belief. Applicant understands this application and any other information received with it will be retained whether this request is approved or denied.
Applicant Signature: [Redacted]
Date Signed: 9/1/19

OWOSSO Main Street/DDA Only:
Application Received By: ___________________________ Date Received: ___________________________

**COMPLETED APPLICATIONS WILL BE REVIEWED BY THE OMS/DDA BUSINESS VITALITY COMMITTEE. IF APPROVED, APPLICATIONS WILL BE SUBMITTED TO THE LOAN REVIEW COMMITTEE FOR FINAL APPROVAL. APPLICANTS WILL BE ASKED TO BE PRESENT DURING THE LOAN REVIEW COMMITTEE'S REVIEW OF THEIR APPLICATION.**
CITY OF OWOSSO & OWOSSO MAIN STREET/DDA
GRANT AGREEMENT
WITH THE
TURNABOUT VENTURES, LLC.

THIS GRANT AGREEMENT (this “Agreement”), effective as of October 28, 2019 (the “Effective Date”), is between the City of Owosso, a public body, whose address is 301 W. Main Street, Owosso, Michigan 48867, and the Turnabout Ventures, LLC., a private company, whose address is 113 E. Main Street, Owosso, Michigan 48867 (the “Grantee”). As used in this Agreement, the City of Owosso and the Grantee are, individually, a “Party” and, collectively, the “Parties”.

RECITALS
A. The Revolving Loan Fund upper-floor residential development grant were created to incentivize the increase upper-floor residential development within the downtown district. Increasing upper-floor residential density within the downtown is a Transformation Strategy for Owosso Main Street/DDA in collaboration with both the National Main Street Center & the Michigan Main Street Center.
B. The Grantee applied for grants to support architectural services for upper-floor residential development at 113 E. Main Street (“Project”).
C. The City of Owosso agrees to award Grantee a grant in the amount of up to Two Thousand, Seven Hundred and Twelve Dollars and Fifty Cents ($2,712.50) to be disbursed by Grantee under the terms of this Agreement (the “RFL Grant”).
D. Consistent with this Agreement, the Grantee desires to disburse the RFL Grant to the Company for reimbursement of certain of Company’s development expenses for the Project arising out of architectural services for upper-floor residential development (the foregoing, “Eligible Expenses”).

In consideration of the recitals and promises in this Agreement, the Parties agree:

ARTICLE I
DEFINITIONS
Section 1.1 Defined Terms. Except as otherwise defined in this Agreement, all capitalized terms in this Agreement shall have the respective meanings set forth on Exhibit A, which contains the defined terms for this Agreement.

Section 1.2 Construction of Certain Terms. Unless the context of this Agreement otherwise requires:
(i) words of any gender include each other gender; and
(ii) words using the singular or plural number also include the plural or singular number.

ARTICLE II
RFL GRANT
Section 2.1 RFL Grant Commitment. Subject to the terms and conditions of this Agreement, and in reliance upon the representations and warranties of the Grantee set forth in this Agreement, the City of Owosso agrees to make, and the Grantee agrees to accept, the RFL Grant.

Section 2.2 RFL Grant Manager. The Grantee must communicate with the City of Owosso’s representative named below, or his or her designee, regarding this Agreement. The Grant Manager may be changed at any time at the discretion of the City of Owosso, and the City of Owosso shall give Grantee notice of any change to the designated Grant Manager.

Joshua Adams ("Grant Manager")
Owosso Main Street/DDA
301 W, Main Street
Owosso, MI 48867
downtownowosso@gmail.com

Section 2.3 Grant Terms.
(a) Conditions to MEDC Grant Disbursement. The City of Owosso’s obligation to fund any portion of the RFL Grant is subject to all of the terms and conditions of this Agreement, including without limitation, the Grantee’s satisfaction of all of the requirements to obtain a Grant Disbursement under Key Milestone Number One set forth on Exhibit B, and the Grantee being in compliance with this Agreement.

The Grant Manager determines compliance with Key Milestone Number One.

ARTICLE III
REPRESENTATIONS AND COVENANTS OF THE GRANTEE
The Grantee represents and warrants to the City of Owosso:

Section 3.1 Organization. The Grantee has the power to enter into and perform its obligations under this Agreement.

Section 3.2 Authority. The execution, delivery and performance by the Grantee of this Agreement has been duly authorized and approved by all necessary and proper action on the part of the Grantee and will not violate any provision of law or result in the breach, be a default of, or require any consent under, any agreement or instrument to which the Grantee is a party, or by which the Grantee or its property may be bound or affected. This Agreement is valid, binding, and enforceable in accordance with its terms, except as limited by applicable bankruptcy, insolvency, moratorium, reorganization or other laws or principles of equity affecting the enforcement of creditors’ rights generally or by general principles of equity.

Section 3.3 Consent. Except as has been disclosed in writing to the City of Owosso, no consent or approval is necessary from any governmental or other entity, except the City of Owosso, as a condition to the execution and delivery of this Agreement by the Grantee or the performance of any of its obligations under this Agreement.

Section 3.4 Full Disclosure. Neither this Agreement, nor any written statements or certificates furnished by the Grantee to the City of Owosso or the City of Owosso in connection with the making of the RLF Grant and Agreement contain any untrue statement of material fact, or to the best of the Grantee’s knowledge, omit a fact necessary to make the statements true. There are no undisclosed facts, which materially adversely affect or, to the best of the Grantee’s knowledge, are likely to materially adversely affect the properties, business, or condition (financial or otherwise) of the Grantee or the ability of the Grantee to perform its obligations under this Agreement.

Section 3.5 Litigation or Other Proceedings. Except as has been disclosed in writing to the City of Owosso, to the knowledge of the Grantee and its officers or directors, there are no suits or proceedings pending or, to the knowledge of the Grantee or its officers or directors, threatened, before any court, governmental commission, board, bureau, or other administrative agency or tribunal, which, if resolved against the Grantee, would have a material adverse effect on the financial condition or business of the Grantee or impair the Grantee’s ability to perform its obligations under the Agreement.

Section 3.6 Compliance with Laws. To its knowledge, the Grantee is not and will not during the Term be in violation of any laws, ordinances, regulations, rules, orders, judgments, decrees or other requirements imposed by any governmental authority to which it is subject.
Section 3.7 Uses of Grant Disbursements.  
(a) Any Grant Disbursement paid by the City of Owosso to the Grantee shall be paid by the Grantee to the Company as reimbursement for the Eligible Expenses for the Project.  
(b) In addition to submission of information required by Key Milestone Number One, if requested by the Grant Manager, the Grantee shall provide additional information satisfactory to the Grant Manager evidencing the Grantee’s use of any Grant Disbursement.  

Section 3.8 Conflict of Interest.  Except as has been disclosed to the City of Owosso, Grantee affirms that neither the Grantee, nor any of its officers, directors, employees, or affiliates have, shall have, or shall acquire any contractual, financial, business or other interest, direct or indirect, that would conflict in any manner with Grantee’s performance of its obligations under this Agreement or otherwise create the appearance of impropriety with respect to this Agreement.  

Grantee further affirms that neither Grantee nor any of its officer, directors, employees, or affiliates have accepted, shall accept, have offered, or shall offer, anything of value to influence the City of Owosso, its Council, Boards, Committee and their respective directors, participants, officers, agents and employees.  Grantee shall not attempt to influence any City of Owosso employee by the direct or indirect offer of anything of value.  Grantee also affirms that neither Grantee, nor its Affiliates or their employees has paid or agreed to pay any person, other than bona fide employees and consultants working solely for Grantee or its Affiliate, any fee, commission, percentage, brokerage fee, gift or any other consideration contingent upon or resulting from the execution of this Agreement.  

In the event of change in either the interests or services under this Agreement, Grantee will inform the City of Owosso regarding possible conflicts of interest which may arise because of such change.  Grantee agrees that conflicts of interest shall be resolved to the City of Owosso’s satisfaction or the City of Owosso may terminate this Agreement.  As used in this Paragraph, “conflict of interest” shall include, but not be limited to, conflicts of interest that are defined under the laws of the State of Michigan.  

Section 3.9 Key Milestones.  The Grantee agrees to Key Milestone Number One set forth in Exhibit B.  

Section 3.10 Other Grantee Covenants  
(a) Company Meetings.  Grantee shall use reasonable efforts to meet with a qualified Company representative to generally review Company activities and operations for the Project on or about each month for three (3) months following the Effective Date, and on or about each of the sixth (6th) and twelfth (12th) month following the Effective Date.  
(b) Reporting.  In addition to other monthly reporting to the City of Owosso under the City of Owosso’s Michigan Main Street program, the Grantee shall provide such other reports and information reasonably requested by Grant Manager from time to time.  
(c) Indemnification and Insurance.  To the extent permitted by law, the Grantee shall indemnify, defend and hold harmless the City of Owosso, its Council, Boards, Committees, and their respective directors, participants, officers, agents and employees (“Indemnified Persons”) from any damages that it may sustain by any acts or omissions of Grantee pertaining to this Agreement.  The Grantee shall maintain such insurance to protect the Indemnified Persons from claims that might arise out of, or as a result of, Grantee’s operations, or its acts or omissions arising under this Agreement; however, Grantee’s indemnification obligations under this Agreement shall not be limited to the limits of liability imposed under the Grantee’s insurance policies.  The Grantee will provide and maintain its own general liability, property damage and workers’ compensation insurance.  This Section shall survive indefinitely.  
(d) Access to Records.  During the Term, and for five (5) years thereafter, the Grantee shall maintain reasonable records arising out of this Agreement and shall allow access to those records by the City of Owosso, or its authorized representative.  This Section shall survive for five (5) years following the end of the Term.  

ARTICLE IV  
REPRESENTATIONS AND COVENANTS OF THE CITY OF OWOSSO  
The City of Owosso represents and warrants to the Grantee:  

Section 4.1 Organization.  The City of Owosso is a public body corporate and has the power and authority to enter into and perform its obligations under this Agreement.  

Section 4.2 Consent.  Except as disclosed in writing to the Grantee, or provided by law, no consent or approval is necessary from any governmental authority as a condition to the execution and delivery of this Agreement by the City of Owosso or the performance of any of its obligations under this Agreement.  

ARTICLE V  
SUSPENSION, TERMINATION, DEFAULT AND REPAYMENT  
Section 5.1 Suspension, Termination, Event of Default.  Notwithstanding anything to the contrary, the City of Owosso’s obligation to disburse any portion of the RLF Grant shall automatically be suspended and may be terminated, and this Agreement may be terminated, all at the option of the City of Owosso, upon the occurrence, and during the continuance, of any one or more of the following events (each, an “Event of Default”), unless a written waiver is provided by the City of Owosso:  
(a) the failure of the Grantee to request the Grant Disbursement in accordance with this Agreement, which in the aggregate, totals the full amount of the RLF Grant, by no later than October 1, 2021;  
(b) any representation or covenant made by the Grantee in support of this Agreement shall prove incorrect at the time that such representation was made in any material respect, including, but not limited to, any information provided in any Grant Disbursement Request or otherwise in support of Key Milestone Number One, or the representations and covenants set forth in Article III;  
(c) any material failure by the Grantee to comply with any of the terms, covenants and conditions on its part to be performed under this Agreement, including without limitation, failing any of the terms, covenants or conditions under Article III, which, if considered curable by the City of Owosso, is not cured by the Grantee to the satisfaction of the City of Owosso within the Cure Period;  
(d) the Grantee is in default, violation, breach, or non-compliance, of any kind or nature under any agreement or requirement, including submission of reports, with the City of Owosso, or for any department or agency within the State, federal, local or any governmental agency, including without limitation, the Department of Licensing and Regulatory Affairs, the Department of Talent and Economic Development, or the City of Owosso, which, if considered curable by the City of Owosso, is not cured by the Grantee to the satisfaction of the City of Owosso within the Cure Period;  
(e) any voluntary bankruptcy or insolvency proceedings are commenced by, or against, the Grantee, with any such proceedings against the Grantee not being set aside within sixty (60) calendar days from the date commenced.  

Section 5.2 Repayment for Certain Events.  
(a) Event of Default.  If this Agreement is terminated prior to the end of the Term by the City of Owosso as a result of any Event of a Default, the Grantee shall upon written notice by the City of Owosso, immediately repay to the City of Owosso the amount of the RLF Grant then disbursed by the City of Owosso to the Grantee that Grantee has not yet disbursed to the Company as permitted by this Agreement.  
(b) Recovery by the Grantee.  In the event the Grantee receives repayment for any reason, voluntarily or involuntarily, of any portion of any RLF Grant funds from or on behalf of any Company, the amount received (not to exceed the amount of the Grant Disbursement paid to Grantee) less reasonable costs of collection, if any, shall be repaid to the City of Owosso within thirty (30) calendars of receipt by the Grantee.  
(c) Failure to Disburse.  In the event the Grantee has received any Grant Disbursement and has not, within sixty (60) days of receipt of such Grant Disbursement, disbursed all such RLF Grant monies to
the Company as permitted by this Agreement, the Grantee shall return to the City of Owosso the portion of the RLF Grant monies not yet disbursed by the Grantee.

Section 5.3 Available Remedies. The suspension or termination of payments to the Grantee, or the termination of this Agreement, are not intended to be the sole and exclusive remedies available to the City of Owosso, and each remedy shall be cumulative and in addition to every other provision or remedy given herein or now or hereafter existing at law, in equity, by statute or otherwise. The Grantee shall also pay all costs and expenses, including, without limitation, reasonable attorney’s fees and expenses incurred by the City of Owosso in collecting any sums due the City of Owosso from the Grantee under this Agreement, in enforcing any of its rights against the Grantee under this Agreement, or in exercising any remedies against the Grantee available to the City of Owosso.

ARTICLE VI

MISCELLANEOUS

Section 6.1 Notice. Any notice or other communication under this Agreement shall be in writing and e-mailed, or faxed, or mailed by first class mail, postage prepaid, or sent by express, overnight courier to the respective Party at the address listed at the beginning of this Agreement or such other last known addresses or e-mail accounts, and shall be deemed delivered one business day after the delivery or mailing date.

Section 6.2 Counterparts; Facsimile/Pdf Signatures. This Agreement may be signed in counterparts and delivered by facsimile or in pdf form or other electronic format, and in any such circumstances, shall be considered one document and an original for all purposes.

Section 6.3 Severability. All clauses of this Agreement are distinct and severable and, if any clause shall be deemed illegal, void or unenforceable, it shall not affect the validity, legality or enforceability of any other clause or provision of this Agreement. To the extent possible, the illegal, void or unenforceable provision shall be revised to the extent required to render the Agreement enforceable and valid, and to the fullest extent possible, the rights and responsibilities of the Parties shall be interpreted and enforced to preserve the Agreement and the intent of the Parties. Provided, if application of this section should materially and adversely alter or affect a Party’s rights or obligations under this Agreement, the Parties agree to negotiate in good faith to develop a structure that is as nearly the same structure as the original Agreement (as may be amended from time to time) without regard to such invalidity, illegality or unenforceability.

Section 6.4 Captions. The captions or headings in Agreement are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Agreement.

Section 6.5 Governing Law. This Agreement is a contract made under the laws of the State, and for all purposes shall be governed by, and construed in accordance with, the laws of the State.

Section 6.6 Relationship between Parties. The Grantee and its officers, agents and employees shall not describe or represent themselves as agents of the City, or Owosso Main Street/DDA to any individual person, firm or entity for any purpose.

Section 6.7. Successors and Assigns. The City of Owosso may at any time assign its rights in this Agreement. The Grantee may not assign its rights or obligations under this Agreement without the prior written consent of the City of Owosso. The terms and conditions of this Agreement shall be binding upon and inure to the benefit of the Parties and their respective successors and permitted assigns.

Section 6.8 Waiver. A failure or delay in exercising any right under this Agreement will not be presumed to operate as a waiver unless otherwise stated in this Agreement, and a single or partial exercise of any right will not be presumed to preclude any subsequent or further exercise of that right or the exercise of any other right.

Section 6.9 Termination of Agreement. Except as to this Article VI and the Exhibit A definitions, which shall survive indefinitely, and except as to other terms and conditions which shall survive as provided in this Agreement, this Agreement shall terminate at the end of the Term. Provided however, any claims for repayment hereunder which arise out event that occurred during the Term, shall be brought within three (3) years after the end of the Term, and all available remedies thereon shall survive until all amounts due the City of Owosso are paid in full. Provided further, notwithstanding anything to the contrary, in the event that the State Legislature or the State government fails to provide or terminates the funding necessary for the City of Owosso to fund the RLF Grant, the City of Owosso may terminate this Agreement by providing notice to the Grantee not less than thirty (30) calendar days before the date of cancellation provided, however, that in the event the action of the State Legislature or State government results in an immediate absence or termination of funding, this Agreement may be terminated effective immediately upon delivery of written notice to the Grantee. In the event of termination of funding, the City of Owosso has no further obligation to make any Grant Disbursement to Grantee for any reason beyond the date of termination of this Agreement.

Section 6.10 Amendment. This Agreement may not be modified or amended except pursuant to a written instrument signed by the Grantee and the City of Owosso.

Section 6.11 Publicity. At the request and expense of the City of Owosso the Grantee will cooperate with the City of Owosso, and request that the Company also cooperate, to promote the Project through one or more of the placement of a sign, plaque, media coverage or other public presentation at the Project location, or other locations, acceptable to the Parties.

Section 6.12 Site Visit. At the request and expense of the City of Owosso, the Grantee will cooperate with the City of Owosso, and request that the Company also cooperate, to permit the Grant Manager or such other City of Owosso representative to visit the Project location and/or view the results of the Eligible Expenses.

(Signature page follows)

The Parties have executed this Agreement effective on the Effective Date.

City of Owosso

By: Christopher Eveleth
Its: Mayor

Turnabout Ventures, LLC

By: Michael Erfourth
Its: ______________________
EXHIBIT A

DEFINED TERMS
(a) “Agreement” means this Agreement, including the Exhibits to this Agreement.
(b) “Company” has the meaning set forth on the respective Exhibits.
(c) “Cure Period” means within thirty (30) calendar days after written notice by the MEDC, or within such longer period as determined in writing and at the sole discretion of the MEDC.
(d) “Company Match” has the meaning set forth in Exhibit B-1.
(e) “Effective Date” has the meaning set forth in the preamble.
(f) “Eligible Expenses” has the meaning set forth in Recital D.
(g) “Event of Default” means any one or more of those events described in Section 5.1.
(h) “Exhibit” means each of the documents or instruments attached to this Agreement.
(i) “Grant Disbursement” means RLF Grant funds paid to the Grantee under this Agreement.
(j) “Grant Disbursement Request” means: a written request from the Grantee for a Grant Disbursement in support of Key Milestone Number One, in the form and substance set forth on Exhibit B-1; and
(k) “Grantee” has the meaning set forth in the preamble.
(l) “Grant Manager” has the meaning set forth in Section 2.2.
(m) “Indemnified Persons” has the meaning set forth in Section 3.10(c).
(n) “Key Milestone Number One” means Key Milestone Number One which is set forth on Exhibit B.
(o) “RLF Grant” has the meaning set forth in Recital C.
(p) “Party” or “Parties” has the meaning set forth in the preamble.
(q) “Project” has the meaning in Recital B.
(r) “State” means the State of Michigan.
(s) “Term” means from the Effective Date and, unless earlier terminated as provided by this Agreement through October 1, 2021.

EXHIBIT B

KEY MILESTONES
Key Milestone Number One:

Subject to the terms and conditions of the Agreement, including the terms and conditions of Section 2.3 of the Agreement which include the required submission of a Grant Disbursement Request, and any other information as may be required under the Agreement, a Grant Disbursement may be requested by the Grantee:

Grant Disbursement: Up to $2,712.50.

By no later than October 1, 2021, the Grantee must submit, and demonstrate to the satisfaction of the Grant Manager, all the following, and must otherwise be in compliance with the Agreement:

1. A fully completed Grant Disbursement Request in the form and substance set forth in Exhibit B-1, signed by the Grantee;
2. A fully completed acknowledgement of the Company in the form and substance set forth on Exhibit B-1, signed by Company; and
3. One or more photograph(s) of the Project, which at a minimum must include a photograph of all improvements made to the Project because of Eligible Expenses.

EXHIBIT B-1

KEY MILESTONE NUMBER ONE
GRANT DISBURSEMENT REQUEST

This Grant Disbursement Request is being delivered pursuant to Section 2.3 and Key Milestone Number One of the Grant Agreement dated as of October 28, 2019 (the “Grant Agreement”), by and between the City of Owosso, and the Turnabout Ventures, LLC (the “Grantee”). Capitalized terms in this Grant Disbursement Request and not otherwise defined herein shall have the meanings ascribed to them in the Grant Agreement.

The undersigned, in the name and on behalf of Grantee, hereby certifies, represents and warrants, that as of the date of signing this Grant Disbursement Request:

1. The Grantee has complied, and is in compliance, with all the terms, covenants and conditions of the Grant Agreement.
2. No Event of Default (as defined in Section 5.1 of the Grant Agreement) exists, and no event which, with the giving of notice or the lapse of time, or both, would constitute such an Event of Default.
3. The representations and covenants of the Grantee contained in Article III of the Grant Agreement are true.
4. This Grant Disbursement Request is being submitted with respect to Turnabout Ventures, LLC (“Company”) for the Project located at 113 E. Main Street, Owosso, MI 48867.
5. Attached is a copy of supporting documentation received by the Grantee from the Company evidencing the Company’s actual expenditure of the Eligible Expenses for the Project (i.e., receipt, copy of check payment, purchaser order denoted as paid).
6. Attached is one or more photograph(s) evidencing the improvements made to the Project because of Eligible Expenses.
7. The Grantee requests a Grant disbursement in the amount of $2,712.50.

The undersigned has the authority, and signs this Grant Disbursement Request, on behalf of the Grantee.

City of Owosso

By: Christopher Eveleth
Its: Mayor
Dated: __________________________

COMPANY ACKNOWLEDGMENT

1. The Company affirms it has paid the Eligible Expenses for the Project.

2. The Company will cooperate with the Grantee’s and/or the City of Owosso’s reasonable requests for information related to the Project, Eligible Expenses or arising out of the Grant Agreement.

3. At the request and expense of the City of Owosso the Company will cooperate with the Grantee, and the City of Owosso, to promote the Project through one or more of the placement of a sign, plaque, media coverage or other public presentation at the Project location, or other locations, acceptable to the Parties.

4. At the request and expense of the City of Owosso, the Company will cooperate with the Grantee and the City of Owosso, to permit an City of Owosso representative to visit the Project location and/or view the results of the Eligible Expenses.

The undersigned has the authority, and signs this Company Acknowledgment, on behalf of the Company.

Turnabout Ventures, LLC.

By: Micheal Erfourth
Its: ________________________
Dated: ________________________
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**Total** $22,344.96
MEMORANDUM

Building Department 301 W Main St Owosso, MI 989-725-0535

DATE: October 17, 2019
TO: Mayor Eveleth and the Owosso City Council
FROM: Brad Hissong, Building Official
SUBJECT: Lot Split Application – 123 N Washington and 113 W Exchange Streets

RECOMMENDATION:
I recommend approval of the application for lot split for 123 N Washington and 113 W Exchange Street.

BACKGROUND:

LEGAL DESCRIPTION:

SEE ATTACHED

The attached lot split request, received on October 15, 2019 from Woodworth Investments, has been reviewed by each department head within the City of Owosso. The proposed split will conform to present city ordinances.

Therefore, approval by the City Council for this lot split is recommended.

FISCAL IMPACTS:

N/A
APPLICATION TO DIVIDE PLATTED CITY LOTS

The State of Michigan Land Division Act and City of Owosso Subdivision Regulations prohibit the division of platted City lots without prior approval of the City Council.

Step-By-Step Guide

1. Staff will assist the applicant by explaining the parcel split process, provide site information, review the application and inform that a survey may be required
2. Applicant submits application with fee
3. Departmental review of application
4. Staff prepares memo for next City Council meeting
5. Send notice to applicant with the date of the City Council meeting
6. City Clerk notifies the Building Department and Assessor of Council approval or denial
7. Final approval or denial notice sent to applicant

- Requests for parcel splits can only be approved if the request meets the requirements of the Zoning Ordinance. The resulting split cannot create a parcel that does not meet the minimum dimensional requirements for the district (street frontage and parcel area). If there are structures on the parcel they must meet the side yard and/or rear yard setback as applicable.

- It is the owner's responsibility to verify that there are no issues/objections to the request by any persons, firms, or corporations having a legal or equitable interest in the land. The City does not conduct a title search for the property.

- If the parcel involves a principal residence or homestead it is up to the applicant to notify the City Assessor to update their Homestead Exemption.

- The applicant is responsible to provide a survey and legal descriptions of the proposed parcels (unless waived by the Zoning Administrator). If buildings or structures are located on a parcel a site plan showing set-backs is required. Requests are reviewed for compliance with the Zoning Ordinance. The Zoning Administrator reserves the right to require additional information necessary to meet the requirements of the Zoning Ordinance.

- ALL DELINQUENT TAXES/SPECIAL ASSESSMENTS/LIENS MUST BE PAID ON ANY PARCEL BEFORE THE DESCRIPTION OF THE PARCEL CAN BE CHANGED.

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**Applicant Information**

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<th>Name: WOODWORTH INVESTMENTS</th>
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<tr>
<td>Affiliation if Not Owner:</td>
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<tr>
<td>Address: 216 W. MAIN #281</td>
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<tr>
<td>OWOSOON MI 48867</td>
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<td>Phone: 248-730-0275</td>
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**Land Division Information**

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<td>113 W. EXCHANGE</td>
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**Proposed Use**

- [ ] Residential
- [X] Commercial
- [ ] Industrial
- [ ] Institutional
- [ ] Other

---

Rev May 2019
Describe the division being proposed

123 N. Washington (Fifth Third) and 117 W. Exchange were originally two separate buildings/parcels. We want to separate them for easier development of 123 N. Washington only. See attached exhibit A.

Affidavit and Permissions:

- I agree the statements made on this document are true, and if found not to be true, this application and any approvals will be void.
- I agree to give permission for officials of the municipality to enter onto property involved in this application for purposes of inspection, to verify that the information provided on the application is correct.
- I understand that any approval hereunder only constitutes approval of requested legal descriptions and does not provide, constitute, infer or imply build ability or compliance with any applicable statute, law, building code, deed restriction, or property right.
- I agree to comply with the conditions and regulations provided with this parcel division.
- I understand that the land division application may take up to 30 days to be processed.
- I understand that property tax bills may be issued using the parent parcel(s) and I agree to have the tax bills and other city of Owosso liens charged/billed during this period paid by the appropriate party.
- I understand that if property is being conveyed between the parties, requested land division will only take place on city records after recording of deed.
- Divisions require all taxes, special assessments and outstanding invoices be paid in full before the division can be processed.

Applicant Signature: [Signature] 10-15-19

City of Owosso Lot Split Ordinance Sec. 30-5. - Lot division.

The division of a lot in a recorded plat is prohibited, unless approved following application to the city council. The application shall be filed with the city clerk and shall state the reasons for the proposed division. The city council may request review and comment by the city planning commission. The division to be approved by the city council shall have the suitability of the land for building purposes approved by the city zoning administrator, who may require submission of a professionally prepared boundary survey report. No building permit shall be issued, nor any building construction commenced, prior to the city council's approval. No lot in a recorded plat shall be divided into more than four (4) parts, and the resulting lots shall be not less in area than permitted by the city zoning ordinance. The division of a lot resulting in a smaller area than prescribed herein may be permitted but only for the purpose of adding to the existing building site or sites. The application shall so state and shall be in affidavit form.

(Ord. No. 456, § 1, 12-19-88)

ASSESSOR TO ATTACH LOT SPLIT FORM WITH CURRENT AND NEW DESCRIPTIONS, ASSESSED AND TAXABLE VALUES

Rev May 2019
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Exhibit "A"

**PARCEL 1:**

The East 1/2 of Lot 2 in Block 22 of the Plat of the Map of Owosso, City of Owosso, Shiawassee County, Michigan, as recorded in Liber B, Page 411 of Deeds.

**PARCEL 2:**

The West 22 feet of Lot 3, Block 22 of the Plat of the Map of Owosso, City of Owosso, Shiawassee County, Michigan, as recorded in Liber B, Page 411 of Deeds.

**PARCEL 3:**

The East 22 feet of the West 44 feet of Lot 3, Block 22 of the Plat of the Map of Owosso, City of Owosso, Shiawassee County, Michigan, as recorded in Liber B, Page 411 of Deeds.

**PARCEL 4:**

The North 44 feet of the East 88 feet of Lot 3, Block 22 of the Plat of the Map of Owosso, City of Owosso, Shiawassee County, Michigan, as recorded in Liber B, Page 411 of Deeds.

**PARCEL 2 IS COMMONLY KNOWN AS 11/2 W. EXCHANGE.**
First Floor
Bank/Offices
9316.0 sf
Ht = 14'
Per = 504'

Second Floor
Offices
3872.0 sf
and
2608.0 sf

Third Floor
Apartments
1452.0 sf
and
1452.0 sf

Basement
9384.0 sf
Ht = 8'
Per = 490'

Washington St

Exchange St

Entire Basement is Offices & limited storage

3 S/B

Bank 1st
Offices 2nd
Storage 3rd

Apt 2nd & 3rd
Office 1st

3 S/B

3 S/B

W. Exchange

113

33.0'

80.0'

80.0'

40.0'

25.0'

10.0'

3.0'

12.0'

16.0'

16.0'

3.0'

N.

Sketch by Apex Medina™

*** Information herein deemed reliable but not guaranteed ***
DATE:  10.14.19
TO:  CITY COUNCIL
FROM:  CITY MANAGER
SUBJECT:  BRA # 20 Reimbursement Agreement Approval - J&H Oil Project

BACKGROUND:

On April 22 the Planning Commission approved the site plan for the J&H Oil Project on the corner of Main and Gould Street. The BRA Board held a public hearing on August 20, 2019 and recommended that the project’s Brownfield Plan (#20) be approved by City Council. On September 3, 2019, the City Council held a public hearing and approved the BRA Board’s recommendation to adopt BF Plan # 20. Public Act 381 requires that the city and the applicant enter into a reimbursement agreement after approval of the plan.

This reimbursement agreement is not to exceed $426,878 over the course of the 13 year brownfield plan subject to funding of eligible activities listed in PA 381 and the #20 Brownfield Plan.

RECOMMENDATION:

Subject to requirements of PA 381 and the approved #20 Brownfield Plan for the J&H Oil Project, staff recommends approval of this reimbursement agreement.
RESOLUTION NO.

RESOLUTION APPROVING BROWNFIELD REIMBURSEMENT AGREEMENT FOR
BRA DISTRICT #20 – J&H OIL PROJECT – 918 E EXCHANGE STREET

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved Brownfield Plan # 20 – J&H Oil project on September 30, 2019; and

WHEREAS, the City of Owosso’s tax abatement policy and Public Act 381 require that the City and the applicant enter into a Brownfield reimbursement agreement; and

WHEREAS, this agreement is between the Hop Family, LLC and J&H Oil Company in accordance with the 13-year Brownfield Plan #20 in an amount not to exceed $426,878 over the term of 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 the reimbursement agreement for Brownfield District # 20 – J&H Oil Project.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Brownfield Redevelopment Act 381 Reimbursement Agreement between the City of Owosso, Michigan and the Hop Family, LLC and J&H Oil Company.
This Brownfield Reimbursement Agreement is made on this Twenty-First (21st) day of October, 2019 between The Hop Family, LLC and J & H Oil Company of 2696 Chicago Drive SW, Wyoming, Michigan 48858 (“Developer”) and the City of Owosso (the “City”).

**RECITALS**

A. Developer is the owner of certain property located at the northwest corner of East Main Street and South Gould Street in the City of Owosso. The property is legally described on the attached Exhibit A (the “Property”).

B. The Property has been deemed a “property” under Part 213 of Public Act 451, as amended (“Part 213”).

C. Developer proposes to construct a commercial retail and gasoline station on the Property (the “Development”) in accordance with the Site Plan approved by the City Planning Commission on April 22, 2019.

D. There are certain eligible costs which Developer will incur as a result of the redevelopment of the Property consisting of certain Pre-Approved Activities, Department Specific Activities, Demolition Activities, Infrastructure Improvements, Site Preparation and other costs which are eligible for reimbursement under Act 381 (collectively referred to as “Eligible Activities”). The City of Owosso Brownfield Redevelopment Authority (“OBRA”) has incurred and will continue to incur certain costs in connection with the Brownfield Plan (“Administrative Costs”), for administrative and operating activities, and for preparing and administering this project. The cost of the Eligible Activities and the Administrative Costs are collectively referred to as “Costs” or “Eligible Costs”. The types of Eligible Activities and the Eligible Activity Costs are more fully described in the Brownfield Plan adopted on August 20, 2019 by the OBRA and approved by the City Council on September 3, 2019, pursuant to Act 381. The Costs and activities identified in the Brownfield Plan are estimates; the actual Costs may vary depending on the nature and extent of unknown conditions encountered on the Property. However, the maximum reimbursement for Eligible Activity Costs is capped at the amount approved in the Brownfield Plan and further limited by the terms of this agreement.

In consideration of the premises and mutual covenants contained in this Agreement, Developer and the City hereby agree as follows:

1. Development. Developer shall commence work to implement the activities to be reimbursed under Act 381 as described within the approved Brownfield Plan and Act 381 Work Plan (if applicable). Developer will use its reasonable best efforts to complete such work by September 30, 2021. For those costs which Developer seeks reimbursement from available Tax Increment Revenue (TIR), Developer shall submit at minimum a Brownfield Plan, which identifies the activities, cost budget and schedule to complete the activities.

2. Owner plans to invest approximately $3.2 million to redevelop the Property as described in the approved Brownfield Plan #20. Owner plans to undertake Eligible Activities as defined in the Brownfield Redevelopment Financing Act.

3. The Owosso Brownfield Authority plans to capture 100% of the increase in the real property taxes resulting from the redevelopment of the Property and use these funds to reimburse Owner to Brownfield Plan #20 approved by the Owosso Brownfield Authority on August 20, 2019
and by the City of Owosso on September 3, 2019 pursuant to the Brownfield Redevelopment Financing Act (PA 381). Eligible activities and the costs of any activity may be adjusted after the date the Plan is approved by the Owosso BRA and City of Owosso, so long as the reimbursement does not exceed the combined total of all eligible activity costs to Owner in the amount of $426,878.

4. Submittal of Costs. Developer may begin submitting applications for reimbursement of actual costs after the Brownfield Plan has been approved by the City and 381 Work Plan approved by the State (if applicable), and may submit additional applications for reimbursement of Eligible Activities after that date but not more often than on a monthly basis. For those actual costs for which Developer seeks reimbursement from the TIR, Developer shall submit to the City the following:

   a. A written statement detailing the activities completed and costs for such activities; and

   b. Copies of invoices from contractors, engineers or others who provided such services for which reimbursement is being sought.

5. Payment of Eligible Brownfield Plan and Work Plan Costs. Unless it disputes whether any costs are Eligible Costs or whether such costs are accurate, the City shall pay to Developer the amounts for which submittals have been made pursuant to Section 2 of this Agreement within thirty (30) days after the City has received the required submittal materials described in Section 2 and/or TIR is available, whichever occurs first.

The City and/or OBRA will make tax increment revenue capture reimbursements to Developer for the duration required to reimburse all requested eligible expenses for the period allowed by Act 381, as amended and approved under the Brownfield Plan.

If the City disputes whether any costs are eligible, or the amount of such costs, the City shall pay the amount not in dispute and shall provide Developer with a written description of the reasons for the City’s decision not to reimburse Developer for such costs. The parties shall work together in good faith to resolve any such dispute.

6. Reporting. Developer shall complete and submit to the City annual progress reports, which satisfy the City’s obligations under Act 381. The report shall be sent by the City in time for the City to meet the deadlines for submittal under Act 381, which is currently August 31 of each year.

7. Insurance. Developer shall maintain and provide proof of the following current insurance: Comprehensive general liability including automobile insurance for bodily injury, death or loss or damage to property of third persons in the minimum amount of One Million Dollars ($1,000,000) per occurrence.

8. Remedies. If either the City or Owosso defaults under this Agreement, the non-defaulting party may pursue all legal and equitable remedies available under Michigan law.

9. Assignment. Developer’s rights and obligations under this Agreement may not be assigned without prior written consent of the City, should a consent be required it will not be unreasonably withheld.

10. Waiver. No term, condition, covenant or provision as to this Agreement may be waived, except in writing, signed by the waiving party. No oral statements, course of conduct or
course of dealing shall be deemed a waiver. No waiver by any party of any violation or breach of this Agreement shall be deemed or construed to be a waiver of any other violation or breach, whether continuing waiver of any violation or breach.

11. **Termination.** This Agreement shall terminate when all of the obligations required under this agreement have been fulfilled, a default has occurred, or upon mutual agreement of the parties.

12. **Notices.** All notices and communications required by this Agreement shall be in writing and shall be sufficiently given and deemed delivered when received if mailed by registered or certified mail or upon receipt of facsimile addressed to the respective parties as follows:

If to the City of Owosso:
Nathan Henne, City Manager
Owosso City Hall
301 West Main Street, Owosso, Michigan 48867
Telephone No. (989) 725-0568

If to The Hop Family, LLC
Craig Hoppen
The Hop Family, LLC
J & H Oil Company
2696 Chicago Drive SW, Wyoming, MI 49519
Telephone No. (616) 389-6155

or to such other addresses such party may specify by appropriate notice.

FOR THE HOP FAMILY, LLC
J & H OIL COMPANY

By___________________________
Its:___________________________
Date:_________________________

THE CITY OF OWOSSO

By___________________________    By___________________________
Its: Christopher T. Eveleth, Mayor     Its: Amy K. Kirkland, City Clerk
Date:___________________________    Date:_________________________
DATE: 10.21.19
TO: CITY COUNCIL
FROM: CITY MANAGER
SUBJECT: Matthews Building Development Agreement

SUMMARY:

The Matthews building sold to one of the four winners of the medical marijuana provisioning center lottery. The new owners approached the MEDC to resurrect the funding package and renovation plans that the previous owners had negotiated and drafted. The MEDC told the new owners – and the city – that they cannot provide any federal grant dollars for the project if a marijuana facility is located in the building. This created a problem because the city’s rules on the marijuana provisioning center lottery stated that the winners were location-specific and would not be allowed to negotiate a move to another address for their marijuana provisioning center. This was an attempt to prevent property speculation among commercial property owners thereby halting further development of new business in the city.

After meeting with the new owners of the Matthews building, a deal was reached whereby the city would allow the marijuana provisioning center to move to a location of their choosing – subject to the city’s zoning code – and in return the owners would sign a development agreement guaranteeing one of three outcomes:

1. The property is rehabilitated in partnership with the city, MEDC, and the owners by resurrecting plans for a capital stack including previously awarded city abatements, MEDC grant dollars, and private investment.
2. If the capital stack was not realized, the owners would be responsible for bringing the building up to code by making necessary repairs.
3. If the capital stack was not realized, the owners may demolish the building subject to satisfying the City of Owosso building code.

This development agreement protects the city’s interest to see the Matthews building rehabilitated or remediated to comply with downtown development plans or the International Building Code adopted by the city. If the marijuana business is not allowed to move, the MEDC will not make grants available and the owners would have to either demolish the building to construct a provisioning center or open their store in a portion of the Matthews building while mothballing the rest of the building after bringing it up to the Building Code.

RECOMMENDATION:

A development agreement allowing the new owners to move their medical marijuana license to another location in return for a full property redevelopment is the best chance we have at this point to see the Matthews building rehabilitated.
RESOLUTION NO.

AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT FOR
THE MATTHEWS/MEYER BUILDING
300 WEST MAIN STREET

WHEREAS, the City of Owosso, Shiawaysee County, Michigan, held a medical marijuana provisioning center lottery selection process to award 4 licenses that can be used within the commercially-zoned areas of the city; and

WHEREAS, one of the winners of the lottery intended to locate their provisioning center in the Matthews/Mueller Building located at 300 West Main Street; and

WHEREAS, the Michigan Economic Development Corporation refuses to consider grant funding for rehabilitation of the Matthews/Mueller Building if a marijuana business is located in the building; and

WHEREAS, the City of Owosso, Community Development Department has negotiated a Development Agreement with the new owners of the Matthews/Mueller Building to enable them to open their marijuana business and redevelop/mediate the Matthews/Mueller Building; and

WHEREAS, the development agreement would allow the owners of the building to move their medical marijuana provisioning center license to another location in return for redevelopment or remediation of the Matthews/Mueller Building.

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

FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to execute a development agreement with Owosso REI Group, LLC for the redevelopment of the Matthews/Mueller Building.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Development Agreement between the City of Owosso and Owosso REI Group, LLC.
DEVELOPMENT AGREEMENT

Between
City of Owosso

And

OWOSSO REI GROUP, LLC

a Michigan limited liability company, as Owner

Dated: October ____, 2019
DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT ("Agreement") is made as of the __ day of October, 2019 ("Effective Date") between The City of Owosso, a Michigan municipality ("City") and Owosso REI Group, LLC, a Michigan limited liability company ("Owner"). City and Owner are sometimes collectively referred to herein as the “Parties.”

This Agreement is based upon the following recitals:

A. Owner owns the real property comprising approximately 0.50 acres, located on the northwest corner of Main Street (State Highway 21) and North Water Street in the City of Owosso, Shiawassee County, Michigan, as more particularly described in Exhibit A attached hereto and incorporated herein by this reference (the “Property”);

B. Owner desires to develop a mixed-use retail and residential complex on the Property (the “Project”) and the building be known as “Mueller Brothers”;

C. The City desires the Owner complete this project in accordance with their master plan to benefit the City and its residents;

D. A related entity to one member of the Owner, NX Meds, LLC, is a City approved medical marijuana provisioning facility;

E. The execution and delivery of this Agreement by the City and Owner shall validate both Parties intent on renovating this Property in accordance with the Project and by the terms set forth in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and for other valuable consideration, the receipt and adequacy of which is hereby mutually acknowledged, the Parties agree as follows:

1. Property Development. Owner agrees to develop the Project and to organize, supervise, monitor and manage the Project, subject to and in accordance with the plans and specifications for the Project (the “Plans and Specifications”) which are attached as Exhibit B to this Agreement, to Completion. Completion shall mean the full and final completion of the improvements and the balance of the Project, in a good and workmanlike manner, lien free (which may include liens removed by the posting of bond acceptable to remove such lien from title) and material defect free on or before the Completion Date in compliance with all requirements, including, without limitation, rules and regulations promulgated and adopted in connection therewith to the extent they relate to construction, substantially in accordance with the Plans and Specifications, and in accordance with the terms of this Agreement and to a qualitative standard (including, without limitation, as to construction standards and materials) at least equivalent to the standard achieved at comparable projects of similar size with similarly situated amenities located in the Owosso, Michigan metropolitan statistical area, as evidenced by issuance of a final certificate of occupancy for all applicable components of the Project

2. Capital Requirements. In order for Owner to complete the Project to the Plans and Specifications, the Parties agree that third party funding is a requirement before Owner is obligated to fulfill its obligations for the Project. The third-party funding is herein defined as the “Capital Stack”, which shall mean a combination of capital funds, including but not limited to, CDBG, CRP, Brownfield TIF, OPRA
tax abatement, and any other incentives available to make the project a more feasible investment for the Owner. The Capital Stack is further provided for in Exhibit C attached herein.

3. **Timeline.** Owner expects a minimum of eighteen (18) months before the Capital Stack can be fully committed to by all third parties. The Parties agree that Project will be completed within thirty-six (36) months following the date on which all funding in the Capital Stack is fully achieved, building permits and other government approvals required for the General Contractor to begin construction of the buildings pursuant to the Construction Contract have been issued.

4. **License as Collateral.** An entity owned by one of the members of Owner, NX Meds, LLC, is duly licensed by the City of Owosso for a medical marijuana provisioning center (“Provisioning License”). The Parties agree that in order to induce the Owner to complete the Project, the Provisioning License may be moved to another location within the City that meets the zoning requirements in the Cities ordinance. Owner agrees to put the Provisioning License as collateral to the City for Owner’s commitment to complete the Project only if the full Capital Stack becomes available in the eighteen (18) month period from Effective Date. Furthermore, the Parties agree that NX Meds, LLC may operate their facility prior to and during the time the Provisioning License is placed as collateral. The Parties further agree that if the full amount of Capital Stack is not provided, and the Owner elects to terminate this Agreement (per Paragraph 5 subsection a) then the City of Owosso may revoke, refuse to renew, or otherwise prevent the medical marijuana license from being renewed by NX Meds, LLC. However, if Owner elects to demolish or modify said building into compliance with the City of Owosso building code (per Paragraph 5 subsection b) then the City shall not revoke, refuse to renew, or otherwise prevent the medical marijuana license from being renewed by NX Meds, LLC.

5. **Remedies.** In the event that the Capital Stack fails to be fully funded within eighteen (18) months from the Effective Date, then the Owner shall:
   
   a. have the right to terminate this Agreement at any time by written notice to the City and the City agrees not to hold Owner accountable for any damages, loss of revenue, or any further financial claims.
   b. at Owner’s election, be required to modify the Property to become compliant with the City of Owosso building code, including but not limited to, demolishing the building, renovating a portion of the space, or remodeling the existing building.

6. **Good Faith.** Owner hereby covenants that it shall perform its actions, obligations and duties in connection with this Agreement in good faith and put forth its best effort to fulfill its obligations under this Agreement.

7. **Applicable Law.** This Agreement and the rights and obligations of the Parties hereunder will be governed by the laws of the State of Michigan. For the purposes of construction, the Parties have drafted this Agreement in concert and neither Party alone will be deemed to have drafted any particular provision.

8. **Entire Agreement.** This Agreement embodies the entire agreement and understanding between the Parties relating to the transaction discussed herein, and will be binding upon and inure to the benefit of the Parties hereto and their respective successors and assigns. This Agreement may not be amended, waived, or discharged except by a written instrument executed by the Parties.
9. **Counterparts.** This Agreement may be signed in one or more counterparts, and each counterpart will be considered an original Agreement. All of the counterparts will be considered one document and become a binding agreement when one or more counterparts have been signed by each of the Parties and delivered to the other. A telefacsimile or email transmission of an original signature will serve as an original.

10. **Enforceability.** This Agreement will become a valid and binding agreement between City and Owner in accordance with its terms upon execution by the Parties.

11. **Attorney Review.** Each Party has had an opportunity to secure the assistance of legal counsel in negotiating and drafting this Agreement. It is recommended that each Party secure the assistance of legal counsel in this matter.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the date first above written.

CITY OF OWOSSO

By: Christopher T. Eveleth  
ITS: Mayor  
Dated: October 21, 2019

By: Amy K. Kirkland  
ITS: Clerk  
Dated: October 21, 2019

OWOSSO REI GROUP, LLC

By:  
ITS:  
Dated: October ____, 2019
EXHIBIT A

PROPERTY LEGAL DESCRIPTION
EXHIBIT C

CAPITAL STACK
MEMORANDUM

To: Mayor Eveleth, City Council and City Manager Nathan Henne
From: Treena Chick, Assessor
Date: October 14, 2019
Subject: Obsolete Property Rehabilitation Exemption Certificate #3-16-0026 Revocation

On September 19, 2016, the City Council approved an application for an Obsolete Property Rehabilitation Exemption at 344 W. Main Street, owned by D.R & H.P, LLC. The project was for a mixed-use redevelopment of 11 new apartments and 8,602 square feet of commercial space. The abatement was approved for 12 years.

According to the application, the costs of the building improvements were estimated to be $2,000,000 with a start date of February 1, 2017 and completion date of May 1, 2018. It also stated that there would be 5 new full time jobs created. The project failed to proceed in good faith and D.R. & H.P. sold the building to Dwyerwood LLC on August 31, 2017.

Since the completion date has been exceeded by over a year and the project has failed to proceed in good faith, I have no other option but to make a recommendation for revocation as provided by Public Act 146 of 2000, which states:

_The legislative body of the qualified local governmental unit may, by resolution, revoke the obsolete property rehabilitation exemption certificate of a facility if it finds that the completion of rehabilitation of the facility has not occurred within the time authorized by the legislative body in the exemption certificate or a duly authorized extension of that time, or that the holder of the obsolete property exemption certificate has not proceeded in good faith with the operation of the rehabilitated facility in a manner consistent with the purposes of this act and in the absence of circumstances that are beyond the control of the holder of the exemption certificate._

On September 23, 2019, D.R & H.P and the current owner, Dwyerwood, were notified by certified mail of my intentions to recommend revocation of the certificate. In the letter I asked that they contact me with any questions or concerns. As of this date, there has been no contact from the previous owner or the current owner. It is my recommendation to revoke Obsolete Property Rehabilitation Certificate #3-16-0026.
RESOLUTION NO.
APPROVING THE REVOCATION OF
OBSELETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE # 3-16-0026
FOR 344 W. MAIN STREET

WHEREAS, after a duly noticed public hearing an Obsolete Property Rehabilitation Exemption application was approved by the City Council of the City of Owosso on September 19, 2016 for real property located at 344 W Main Street; and

WHEREAS, the State Tax Commission considered and approved Certificate # 3-16-0026 on December 13, 2016; and

WHEREAS, the rehabilitation of the facility failed to proceed in good faith with the operation of the facility; and

WHEREAS, per Act 146 of 2000, 125.2792, section 12, the City of Owosso has determined the rehabilitation has not proceeded in a manner consistent with the purposes of the act; and

WHEREAS, the owner of this facility was notified by certified first class mail on September 23, 2019 of the intention of the City of Owosso to revoke the Obsolete Property Rehabilitation Exemption Certificate # 3-16-0026; and

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

FIRST: that the Obsolete Property Rehabilitation Exemption Certificate # 3-16-0026 issued to D.R. & H.P., LLC for the property located at 344 West Main Street is revoked.

SECOND: that City staff will provide notice of said revocation to the State Tax Commission.
DATE: 10.14.19
TO: CITY COUNCIL
FROM: CITY MANAGER
SUBJECT: Termination of BRA #19 – 344 W Main St

BACKGROUND:

On January 3, 2017 the City Council adopted BRA Plan #19 for the 344 W Main Street project. This project was to include $2.8 million investment with the creation of 3 new jobs and rehabilitation of 9 housing units. The project failed to occur and the property sold, without notice to the city, after the plan was approved.

RECOMMENDATION:

Staff recommends that City Council terminate this plan subject to PA 381:

(8) A brownfield plan or plan amendment may be abolished or terminated according to this subsection subject to all of the following:
   (a) The governing body may abolish a brownfield plan when it finds that the purposes for which the plan was established are accomplished.
   (b) The governing body may terminate a brownfield plan or plan amendment for an eligible property if the project for which eligible activities were identified in the brownfield plan or plan amendment fails to occur with respect to the eligible property for at least 2 years following the date of the resolution approving the brownfield plan or plan amendment, provided that the governing body first does both of the following:
      (i) Gives 30 days' prior written notice to the developer at its last known address by certified mail or other method that documents proof of delivery attempted.
      (ii) Provides the developer an opportunity to be heard at a public meeting.

The BRA Board has recommended this termination and the requirements of PA 381 have been met for the termination to be finalized by council.
RESOLUTION NO.

AUTHORIZING TERMINATION OF BROWNFIELD PLAN
FOR 344 W MAIN: DISTRICT #19

WHEREAS, the City of Owosso Brownfield Redevelopment Authority held a public hearing on December 16, 2016 to provide notice to and fully inform all taxing jurisdictions which are affected by the Brownfield Plan for parcel number 050-120-006-008-00, property located at 344 W Main Street; and

WHEREAS, in compliance with PA 381 of 1996, as amended, a public hearing was held January 3, 2017 on the adoption by the Owosso City Council of the proposed Brownfield Redevelopment Plan; and

WHEREAS, the City of Owosso Council did approve and adopt the proposed plan by Resolution No. 10-2017 on January 3, 2017; and

WHEREAS, the Brownfield Plan as adopted on January 3, 2017 identified that D.R. & H.P., LLC had prepared a plan that would fully rehabilitate the two-story building into a mixed-use development including office space, retail and 9 new living units. The plan proposed the development would cost approximately $2,838,158.00 and create 3 new full time jobs.

WHEREAS, the project has failed to occur with respect to the eligible property and a transfer of ownership occurred August 31, 2017 to Dwyerwood, LLC without a 30-day written notice to the Authority as agreed upon in the reimbursement agreement; and

WHEREAS, the City of Owosso gave 30-days written notice via certified mail on September 20, 2019 to the developer of the City’s intent to terminate the plan.

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

FIRST: The 381 Brownfield Plan for 344 W. Main Street – District #19 is hereby terminated pursuant to MCL 125.2666(8)(b).
DATE: 10.21.19
TO: CITY COUNCIL
FROM: CITY MANAGER
SUBJECT: Tax Abatement Policy

BACKGROUND:

In 2010, the City passed a tax abatement policy to encourage development and redevelopment. That policy was heavily weighted toward job creation due to the economic downturn. Now, needs have changed. Housing availability is an issue now but staff did not want to rule out continued support for job creation and retention. This new policy draft:

1. Strengthens the annual reporting requirements for those projects that are awarded abatements
2. Requires an annual contribution from those projects that are awarded abatements in order to support city services. This only applies to OPRA and Brownfield abatements due to restrictions in state law.
3. Puts emphasis on granting abatements that meet the development goals of the master plan
4. Require applicants for abatements to provide financial justification for an abatement so we are not simply increasing a company's profits by granting an abatement
5. Increases the capital investment amounts required to reflect rises in inflation since 2010
6. Adds a housing eligibility component to help incentivize new housing development

FISCAL IMPACT:

Abatements are granted to encourage development where such development would not be financially possible without an abatement. Therefore, these abatements have a negative effect on property tax revenues in the short term. However, after an abatement expires, revenues go up. With a possibility of participation agreements being a condition of granting an abatement, we may be able to receive some money back to help fund essential services. This would help offset the foregoing of tax revenue for these abatements. That’s not something that existed in the old policy.

The city’s policy is that no more than 5% of the city’s total taxable value be tied up in exempted taxable value via abatements. As of today, we are at about 4% - or $10,400,398 - tied up in abatements out of a total taxable value of $253,262,708 (2018 values). Total city taxes lost from all current active abatements in the city is $115,580 per year.

RECOMMENDATION:

Abatements are a tool in our economic development toolbox and have been for some time. It is unlikely they will be going away so we might as well use them while they are available. These updates to the policy are needed to reflect inflation, changing economics, housing needs, and a financial showing of good faith to the city from those businesses that are granted certain tax abatements.
RESOLUTION NO.

AUTHORIZING AMENDMENTS TO
THE CITY OF OWOSSO TAX ABATEMENT POLICY

WHEREAS, the City of Owosso, Shiawassee County, Michigan, adopted a tax abatement policy on June 7, 2010; and

WHEREAS, the Policy was adopted to ease the negative local economic effects of the Great Recession; and

WHEREAS, the economy has improved since the original policy was adopted and needs have shifted to include availability of housing; and

WHEREAS, the City of Owosso wishes to strengthen the tax abatement application process to include proof of financial need for a project seeking abatements; and

WHEREAS, the City of Owosso seeks to impose a commitment from projects awarded certain abatements to support the community in return for a pledge of taxpayer dollars for private development; and

WHEREAS, the City of Owosso seeks to align projects requiring abatements with the goals set forth in the City’s various planning efforts; and

WHEREAS, the City of Owosso wishes to continue robust support for local economic and community development.

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 adopt revisions to the Owosso Tax Abatement Policy, substantially as attached.
CITY OF OWOSSO

Tax Abatement Policy

Effective Date: October 21, 2019

Policy Statement: The City of Owosso is committed to enhancing the quality of life and stimulating the local economy through the attraction of high-quality development, the retention and creation of high-quality jobs, and the development of additional housing opportunities within the City. Accordingly, consideration for tax abatement is viewed as a privilege, not as a property right. This policy establishes minimum requirements and a uniform set of standards and procedures to be used when considering a request for a tax abatement/exemption.

I. MINIMUM REQUIREMENTS FOR TAX ABATEMENTS

a. Abatements shall be subject to duration and amount limits.

b. Such duration and amount limits shall be for the minimum amount necessary to meet the goals of the project.

c. Benefits to the City of the proposed abatement shall be:

   i. At least equal to or greater than the cost of the abatement; and

   ii. In the public interest because it will accomplish at least one of the following purposes:

      1. Increase or preserve the tax base
      2. Provide employment opportunities
      3. Expand housing opportunities within the City
      4. Provide or help acquire or construct public facilities
      5. Help redevelop or renew blighted areas
      6. Help provide access to services to residents
      7. Finance or provide public infrastructure
      8. Accomplish development goals in the City Master Plan

   d. The City of Owosso will not support tax abatements for proposals that are not economically feasible. The method of analysis for this requirement will be a thorough review of project pro-formas and/or financials.

e. All projects seeking tax abatement shall include job creation/retention or an expansion of housing opportunities within the City.
f. The taxable value of the proposed abatement – considered together with the aggregate taxable value of property exempt under certificates previously granted and in force shall not exceed five (5) percent of taxable value of the City of Owosso.

Example: 2018 City of Owosso taxable value = $253,262,708
5% of City of Owosso taxable value = $12,663,135

Per MCL 125.2788(1): If the taxable value of the property proposed to be exempt pursuant to an application under consideration, considered together with the aggregate taxable value of property exempt under certificates previously granted and currently in force ...exceeds 5% of the taxable value of the qualified local governmental unit, the legislative body of the qualified local governmental unit shall make a separate finding and shall include a statement in its resolution approving the application that exceeding that amount shall not have the effect of substantially impeding the operation of the qualified local governmental unit or impairing the financial soundness of an affected taxing unit.

g. The City will not issue or be a signatory on bonds in connection with abatements.

h. Commencement of any new construction or improvements shall be within the limits set forth within the applicable public act for the abatement being sought.

i. The City Council will not take action on any abatement unless the application presents the project at the public hearing and is available to answer questions.

j. The City of Owosso reserve the right to waive, modify or amend any of these policies when it is in the best interest of the City of Owosso.

II. EVALUATION CRITERIA

a. Private Development Objectives: This City of Owosso will consider using tax abatements to help private development projects that strive to achieve one or more of the following objectives:
   i. To retain local jobs and/or increase the number and diversity of high-quality jobs that offer attractive wages and benefits.
   ii. To encourage additional unsubsidized private development in the City of Owosso – either directly or indirectly through spinoff development without the use of tax abatement).
   iii. To expand the availability of housing opportunities within the City limits.
   iv. To facilitate the development process and to achieve development of sites that would not be developed without tax abatement assistance.
v. To remove blight and/or encourage redevelopment of commercial and industrial areas that result in high quality redevelopment (i.e., contaminated site cleanup) beyond the costs normally incurred in development.
vi. To provide infrastructure necessary to accommodate economic development
vii. To meet other public policy goals as adopted by the City of Owosso— including but not limited to the City’s Master Plan.

b. Additional Objectives: The City of Owosso will also consider the following factors when evaluating tax abatement requests to help private development projects.
   i. To support local businesses, extra consideration will be given to existing businesses seeking to expand and grow within the City.
   ii. The extent to which the proposed project creates high quality jobs in the City—paying wages equal to or greater than the average local wage of the same class.
   iii. The extent to which the proposed project adds to the net commercial, industrial, or general tax base of the City and optimizes the private development of the proposed site.
   iv. Whether or not the proposed project provides services not already provided in the City or services which are needed.
   v. Whether or not the proposed business would be in direct competition with existing businesses in the City. Abatements should not be given to businesses which would receive a competitive advantage over existing businesses in the City.
   vi. Whether or not the project will significantly impact environmental/natural resources.
   vii. The extent to which other political subdivisions are in support of the project. The extent to which the project represents additional tax revenue for the City.
   viii. The extent to which the project requires improvements in city infrastructure, road construction, or other traffic problems. Also to be considered is the impact of the proposal on other city services such as law enforcement, human services, prosecutions, parks, and historic preservation.
   ix. Consistency of the proposed project with the City land use regulations and planning and zoning policies.
   x. How the proposed project furthers the goals and objectives of the City and/or community.
   xi. The level of private financial investment into the project.
   xii. The extent to which the project utilizes local vendors/products in construction and/or operation upon completion.

III. APPLICATION

a. The applicant shall submit an application— available at City Hall— for all projects for which a tax abatement is sought from the City of Owosso.

b. Applications shall include:
i. A letter formally requesting tax abatement from the City of Owosso
   1. For some abatements, this letter must also request that a tax abatement
      district be established for the property depending on the public act
      governing the abatement.
ii. Completed application for tax abatement with any requested supporting materials.
iii. A project pro-forma
iv. Official forms developed by the State of Michigan – if applicable – shall also be
    submitted in a timely manner per procedures set forth within the applicable
    abatement act under which the application is made
v. The applicant shall submit completed applications to the City Clerk. An application
    will not be accepted if it is incomplete or if any required materials are not included.

IV. APPROVAL PROCESS

a. The City Clerk shall notify – by certified mail – each taxing jurisdiction of a request to
   establish an abatement district or application for the abatement. Said taxing jurisdiction
   shall have fifteen (15) days from the date of receipt of said notification to respond in writing
   with their thoughts and considerations. These taxing jurisdictions shall have no voting or
   veto authority.
b. The City Clerk shall notify applicant by certified mail if the application is found consistent
   with this policy. Procedures set forth within the abatement act shall be followed.
c. The length of the exemption shall be determined by the attached abatement schedule.
d. The approval for the abatement district and approval of an application for abatement shall
   not be addressed at the same meeting.

V. REQUIRED AGREEMENTS

a. Development Agreement: All projects granted tax abatement will be required to enter into
   a development agreement. The development agreement will be recorded against the
   property, will clearly define the responsibilities of the property owner(s) receiving the
   abatement, and will require annual reporting.
b. *Participation Agreement: All projects granted Brownfield TIFs or OPRA will be required to
   enter into a participation agreement for:
   i. An annual payment to the city of 15% of the annual amount of CITY abated taxes or
      $2,500 per year - whichever is less - for a Public Safety Administrative Fee
   *Brownfield and OPRA only. N/A for housing-exclusive projects or any other type
   of abatement granted.
   c. Reimbursement Agreement (PA 381 Brownfield Only): All projects granted a Brownfield tax
      abatement are required to enter into a reimbursement agreement with the city per Public
      Act 381.
VI. **ANNUAL REPORTING REQUIREMENTS**

a. All projects granted tax abatement shall submit an annual status report on the form developed and provided by the City of Owosso. The requirement makes all abatements granted consistent with the State Tax Commission Administrative Rule 55(3). The report will include – but not be limited to – status of employment, wage level, real property project progress and costs, aesthetic enhancement progress and costs as part of the project, number of employees living in the city, and other improvements and costs not listed within the scope of the project.

VII. **RESCISSION OF ABATEMENTS**

a. Imposition of any rescission is at the sole discretion of the City of Owosso and shall be considered on a case-by-case basis in compliance with the applicable act under review.

b. Rescission shall not violate the statutory requirements of the applicable act in any way. Consideration may include but not be limited to:

   i. Sale or closure of the facility and departure of the company from the jurisdiction unless abatement is transferable.
   ii. Significant change in the use of the facility and/or the business activities of the company not consistent with the requirement of the applicable act for which approved.
   iii. Significant employment reductions not reflective of the company’s normal business cycle and/or local and national economic condition.
   iv. Failure to achieve the minimum number of net new jobs and wage level as specified in the abatement application.
   v. Failure to perform requirements outlined in the participation agreement with the City.
   vi. Failure to complete the project in a timely manner as specified in the approval resolution and/or the applicable act.
   vii. Failure to comply with annual reporting requirements.
   viii. Failure to pay annual property taxes timely on real property not exempt under the approved abatement.
   ix. Failure to comply with the City’s ordinances and policies.

*Note: Owosso is designated as a Core Community by the MEDC. This provides Owosso with three unique redevelopment tools:*

**Brownfield Redevelopment Incentives**
Core Communities have the ability to use brownfield tools not only on contaminated property, but blighted and functionally obsolete sites as well. In addition, the tax increment financing component can
pay for demolition, site preparation, public infrastructure and lead and asbestos abatement, as well as environmental remediation.

**Neighborhood Enterprise Zones**
This program provides property tax incentives for new home construction and home rehabilitation. For new home construction, instead of the full millage rate, the new home is taxed at half of the statewide average. For rehabilitation projects, the assessment is frozen at pre-improvement levels. Each of these abatements can be approved for six to 15 years. Land is not abated.

**Obsolete Property Rehabilitation Exemption** (Available only in Core Communities)
This incentive is designed to assist in the redevelopment of contaminated, blighted and functionally obsolete properties. The goal is to convert these underutilized buildings into vibrant commercial and/ or commercial housing opportunities. The incentive offers the community the ability to freeze local property taxes at the predevelopment level for up to 12 years. The developer can also apply to the State Treasurer to freeze half of the state education millage for up to six years. Land is not abated.
ABATEMENT SCHEDULE

This schedule applies to industrial, commercial, and/or residential property as defined by the Michigan General Property Tax Act.

<table>
<thead>
<tr>
<th>Capital Investment</th>
<th>Years of Tax Abatement</th>
<th>Rehabilitate or Restore a building within Historic District?</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0 to $120,000</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>$120,001 to $300,000</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>$300,001 to $600,000</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>$600,001 to $1,350,000</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>$1,350,001 to $3,000,000</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>$3,000,001 to $6,000,000</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>$6,000,001 +</td>
<td>7</td>
<td>Additional 2 years in any capital investment</td>
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</table>

<table>
<thead>
<tr>
<th>New Job Creation (as FTE – 40 hrs/week)</th>
<th>Years of Tax Abatement</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10</td>
<td>2</td>
<td></td>
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<tr>
<td>11-25</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>26-50</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>51 +</td>
<td>5</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>New Job Wages (calculation based on MI min wage)</th>
<th>Years of Tax Abatement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Wage &gt; 1.5x min wage</td>
<td>1</td>
</tr>
<tr>
<td>Average Wage &gt; 2.5x min wage</td>
<td>2</td>
</tr>
<tr>
<td>Average Wage &gt; 3x min wage</td>
<td>3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of years located in City of Owosso</th>
<th>Years of Tax Abatement</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-10</td>
<td>1</td>
</tr>
<tr>
<td>11-25</td>
<td>2</td>
</tr>
<tr>
<td>26 +</td>
<td>3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>New employees with City of Owosso residency</th>
<th>Years of Tax Abatement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10</td>
<td>1</td>
</tr>
<tr>
<td>11-25</td>
<td>2</td>
</tr>
<tr>
<td>26 +</td>
<td>3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>New housing units created in City of Owosso</th>
<th>Years of Tax Abatement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-5</td>
<td>1</td>
</tr>
<tr>
<td>6-10</td>
<td>2</td>
</tr>
<tr>
<td>11-25</td>
<td>3</td>
</tr>
<tr>
<td>25+</td>
<td>4</td>
</tr>
</tbody>
</table>
Current Abatement Programs Being Utilized or Available

PA 198 – 1974 – Industrial Facilities Tax

- Eligible industries: manufacturing, research and development, high-tech, and communications centers.
- Maximum eligible award: 50% abatement for up to 12 years on new real property investments

PA 255 – 1978 Reinstated 2009 – Commercial Redevelopment Tax

- Eligible industries: obsolete and declining property, zoned for commercial/industrial prior to June 21, 1975
- Maximum Eligible Award: 50% abatement for up to 12 years on replacement or new real property. Zero taxes levied on value of restored real property investment for up to 12 years

PA 210 – 2005 – Commercial Rehabilitation Tax

- Eligible Industries: multifamily housing or group of contiguous commercial property 15 years old or older covering at least three acres or located in a downtown district
- Maximum Eligible Award: Zero taxes levied on value of restored real property investment for up to 10 years

PA 146 – 2000 – Obsolete Property Rehabilitation

- Eligible Industries: Any project that takes place on an obsolete property and results in a commercial or mixed-use building project
- Maximum Eligible Award: Freezes existing taxable value on a designated facility for up to 12 years

PA 381 – 1996 – Brownfield Redevelopment Financing Act

- Eligible properties: obsolete, deficient, or vacant contaminated properties
- Maximum Eligible Award: recapture of eligible activities costs through Tax Increment Financing (TIF) on investment for a period up to 30 years
- City may decide which eligible activities to fund through TIF reimbursements

PA 147 – 1992 – Neighborhood Enterprise Zone (NEZ) Act

- Eligible Properties: single or multi-family housing consisting of 10 or more contiguous parcels, or located within a downtown revitalization district and consisting of at least 10 units.
- Maximum Eligible Award: 15 years (17 years if it is a rehabilitated qualified historic building if the owner lives on premise)
PA 328 – 1998 – Personal Property Exemption

- Eligible Industries: manufacturing, mining, research and development, wholesale trade and office operations
- Maximum Eligible Award: freezes existing taxable value on a designated facility for up to 12 years
2010 Tax Abatement Policy

Tax Abatement Policy

Policy Statement: The city of Owosso is committed to enhancing the quality of life and stimulating the local economy through the attraction of high-quality development and the retention and creation of high-quality jobs. Tax abatement is one technique to encourage private development projects. Accordingly, consideration for tax abatement is viewed as a privilege, not as a property right. This policy establishes minimum requirements and a uniform set of standards and procedures to be used when considering a request for a tax abatement/exemption.

I. MINIMUM REQUIREMENTS FOR TAX ABATEMENTS

A. Abatements shall be subject to duration and amount limits.
B. Such duration and amount limits shall be for the minimum amount necessary to meet the goals of the project.
C. Benefits to the city of the proposed abatement shall be:
   1. at least equal to or greater than the cost of the abatement; and
   2. in the public interest because it will accomplish at least one of the following purposes:
      a. increase or preserve the tax base;
      b. provide employment opportunities;
      c. provide or help acquire or construct public facilities;
      d. help redevelop or renew blighted areas;
      e. help provide access to services for residents; or
      f. finance or provide public infrastructure.
D. The city of Owosso will not support tax abatement for proposals that are not economically feasible.
E. All projects seeking tax abatement shall have job creation and retention.
F. The taxable value of the proposed abatement, considered together with the aggregate taxable value of property exempt under certificates previously granted and in force shall not exceed five-percent of taxable value of the city of Owosso.
   Example: 2010 city of Owosso taxable value - $277,968,733
   Five-percent of city of Owosso - $13,898,437
G. The city will not issue or be a signatory on bonds in connection with abatements.
H. Commencement of any new construction or improvements shall be within the limits set forth within the applicable act abatement being applied for.
I. The city council will not take action on any abatement unless the applicant is present at the public hearing to make a presentation and/or answer questions.
J. The city of Owosso reserves the right to waive, modify, or amend any of these policies when it is in the best interest of the city of Owosso residents.

II. EVALUATION CRITERIA

A. Private Development Objectives: The city of Owosso will consider using tax abatement to help private development projects that strive to achieve one or more of the following objectives:
   1. To retain local jobs and/or increase the number and diversity of high-quality jobs that offer attractive wages and benefits.
   2. To encourage additional unsubsidized private development in the city of Owosso, either directly or indirectly through spin-off development (without the use of tax abatement).
   3. To facilitate the development process and to achieve development of sites that would not be developed without tax abatement assistance.
   4. To remove blight and/or encourage redevelopment of commercial and industrial areas that result in high-quality redevelopment, private investment, and an increase in the city tax base.
   5. To offset increased costs of redevelopment (i.e., a contaminated site clean-up) beyond the costs normally incurred in development.
   6. To provide infrastructure necessary to accommodate economic development.
   7. To meet other public policy goals, as adopted by the city of Owosso.
B. Additional Objectives. The city of Owosso will also consider the following factors when evaluating tax abatement requests to help private development projects:
   1. To support local businesses, extra consideration will be given to existing businesses seeking to expand and grow within the city.
   2. The extent to which the proposed project creates high-quality jobs in the city, paying wages equal to or greater than the average local wage of the same class.
   3. The extent to which the proposed project adds to the net commercial, industrial or general tax base of the city and optimizes the private development of the proposed site.
   4. Whether or not the proposed project provides services not already provided in the city or services which are needed.
   5. Whether or not the proposed business would be in direct competition with existing businesses in the city. Abatements should not be given to businesses which would receive a competitive advantage over existing businesses in the city.
   6. Whether or not the project will significantly impact environmental/natural resources.
   7. The extent to which other political subdivisions are in support of the project.
   8. The extent to which the project represents new dollars into the city.
   9. The extent to which the project requires improvements in city infrastructure, road construction, or other traffic problems. Also to be considered is the impact of the proposal on other city services such as law enforcement, human services, or prosecutions.
   10. Consistency of the proposed project with city land use regulations, zoning and planning policies.
   11. How the proposed project furthers the goals and objectives of the city and/or community.
   12. The level of private financial investment into the project.

III. APPLICATION

A. The applicant shall submit an application (available from the city) for all projects for which a tax abatement is sought from the city of Owosso.
B. Applications shall include:
   1. A letter formally requesting tax abatement from city of Owosso;
   2. Completed application for tax abatement with all support materials attached;
   3. The applicant will pay for any contracted legal, financial, consultant or other third party costs not to exceed statutory limits of the applicable act.
   4. Official forms developed by the state of Michigan, if applicable, shall also be submitted in a timely manner per procedures set forth within the applicable abatement/exemption act under which the application is made.
C. The applicant shall submit completed applications to the city clerk.
IV. APPROVAL PROCESS

A. The city clerk shall notify, by certified mail, each taxing jurisdiction of a request to establish an abatement district or an application for the abatement. Said taxing jurisdiction shall have 15 days from the date of receipt of said notification to respond in writing of their thoughts and considerations. These taxing jurisdictions shall have no voting or veto authority.

B. The city clerk shall notify applicant by certified mail if the application is found consistent with this policy. Procedures set forth within the abatement/exemption act shall be followed.

C. The length of the exemption shall be determined by the attached abatement schedule.

D. The approval for the abatement district and approval of an application for abatement shall not be addressed at the same meeting.

V. DEVELOPMENT AGREEMENT AND ANNUAL REPORTING REQUIREMENTS

A. Development Agreement. All projects granted tax abatement will be required to enter a development agreement. The development agreement will be recorded against the property, will clearly define the responsibilities of the property owner(s) receiving the abatement, and will require annual reporting.

B. Annual Reporting Requirements. All projects granted tax abatement shall submit an annual status report on the form developed and provided by the city of Owosso. The requirement makes all abatements granted consistent with State Tax Commission Administrative Rule 55 (3), as it pertains to Public Act 198 of 1974, as amended. The report will include, but not limited to status of employment, wage level, real property project progress and costs, personal property project progress and costs (if applicable), aesthetic enhancement progress and costs as part of the project, other improvements and costs not listed within the scope of the project.

VI. RESCISSION OF ABATEMENT/EXEMPTION

A. Imposition of any rescission is at the sole discretion of the city of Owosso and shall be considered on a case-by-case basis in compliance within the applicable act under review.

B. Rescission shall not violate the statutory requirements of the applicable act in any way. Consideration may include but are not limited to the:
   1. sale or closure of the facility and departure of the company from the jurisdiction unless abatement/exemption is transferable.
   2. significant change in the use of the facility and/or the business activities of the company not consistent with the requirement of the applicable act for which approved.
   3. significant employment reductions not reflective of the company’s (normal) business cycle and/or local and national economic condition.
   4. failure to achieve the minimum number of net new jobs and wage level as specified in the abatement/exemption application.
   5. failure to complete the project in a timely manner as specified in the approval resolution.
   6. failure to comply with annual reporting requirements.
   7. failure to pay annual property taxes on real and personal property not exempt under the approved abatement/exemption.
   8. failure to cooperate with the city of Owosso ordinances and policies.

Abatement Schedule

This schedule applies to Industrial or Commercial Property as defined in 211.34c of the General Property Tax Act

<table>
<thead>
<tr>
<th>Capital Investment</th>
<th>Years of tax abatement</th>
<th>Rehabilitated/restored additional two years in any capital investment</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0 - $100,000</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>$100,001 - $250,000</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>$250,001 - $500,000</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>$500,001 - $1,000,000</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>$1,000,001 - $2,500,000</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>$2,500,001 - $5,000,000</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>$5,000,001 and up</td>
<td>7</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Job creation as Full Time Equivalent (40hrs per week)</th>
<th>Years of tax abatement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10</td>
<td>2</td>
</tr>
<tr>
<td>11-25</td>
<td>3</td>
</tr>
<tr>
<td>26-50</td>
<td>4</td>
</tr>
<tr>
<td>51 and up</td>
<td>5</td>
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</table>

<table>
<thead>
<tr>
<th>Job wages</th>
<th>Years of tax abatement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average wage &gt; 1.5x minimum wage</td>
<td>2</td>
</tr>
<tr>
<td>Average wage &gt; 2x minimum wage</td>
<td>4</td>
</tr>
<tr>
<td>Average wage &gt; 3x minimum wage</td>
<td>6</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of years located in city of Owosso</th>
<th>Years of tax abatement</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-10</td>
<td>1</td>
</tr>
<tr>
<td>11-15</td>
<td>2</td>
</tr>
<tr>
<td>16 and up</td>
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<table>
<thead>
<tr>
<th>Employees with city of Owosso residency</th>
<th>Years of tax abatement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10</td>
<td>1</td>
</tr>
<tr>
<td>11-25</td>
<td>2</td>
</tr>
<tr>
<td>26+</td>
<td>3</td>
</tr>
</tbody>
</table>

Note: Total number of tax abatement years shall not exceed statutory limits.

Current abatements being used or available

PA 198 – 1974 – Industrial Facilities Tax
Eligible industries: manufacturing, research and development, high-tech, and communications centers.
Maximum eligible award – 50% abatement for up to 12 years on new real and personal property investments.

PA 255 – 1978 Reinstated 2009 – Commercial Redevelopment Tax
Eligible industries: obsolete and declining property, zoned for commercial/industrial prior to June 21, 1975
Maximum eligible award – 50% abatement for up to 12 years on replacement or new real property. Zero taxes levied on value of restored real property investment for up to 12 years.
PA 210 – 2005 – Commercial Rehabilitation Tax

Eligible industries: multifamily housing or group of contiguous commercial property 15 years old or older covering at least three acres or located in a downtown district.
Maximum eligible award – Zero taxes levied on value of restored real property investment for up to 10 years.

PA 328 – 1998 – Personal Property Exemption

Eligible industries: manufacturing, mining, research and development, wholesale trade and office operations.
Maximum eligible award – 100% abatement for an indeterminate number of years on new personal property investment.

PA 146 – 2000 – Obsolete Property Rehabilitation

Eligible industries: any project that takes place on an obsolete property and results in a commercial or mixed-use building project.
Maximum eligible award – freezes existing taxable value on a designated facility for up to 12 years.

Owosso Brownfield Redevelopment Authority – Established in 2000

Eligible industries: obsolete or deficient contaminated properties.
Maximum eligible award – recapture reimbursement on investment.

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 June 7, 2010.

Amy K. Kirkland, City Clerk
DATE: 10.14.19
TO: CITY COUNCIL
FROM: CITY MANAGER
SUBJECT: US Census 2020 Complete Count Committee

BACKGROUND:

The US Census Bureau has asked that the City of Owosso attempt to increase its census response rate from the 2010 Census. Owosso had a lower response rate than surrounding townships and cities in the county and the creation of a Complete Count Committee is the first step in addressing these lower numbers. The purpose of this committee is to raise awareness of the importance of the Census and encourage committee members to spread information about the Census through their respective organizations.

RECOMMENDATION:

Staff recommends that the following persons be appointed to the 2020 Census Owosso Complete Count Committee:

Jeff Deason
Steve Flayer
Justin Horvath
Piper Brewer
Nathan Henne
Chris Eveleth
Nick Pidek
Susan Ludington
Marlene Webster
RESOLUTION NO.

RESOLUTION AUTHORIZING THE CREATION OF THE OWOSSO 2020 CENSUS COMPLETE COUNT COMMITTEE

WHEREAS, the City of Owosso, Shiawassee County, Michigan, seeks to improve response rates for the 2020 Census and

WHEREAS, the City of Owosso received a request from the US Census Bureau to form a Complete Count Committee; and

WHEREAS, this committee’s responsibility will be to raise awareness of the importance of the upcoming 2020 Census by spreading information; and

WHEREAS, the committee will meet when needed to address outreach efforts in the run-up to US Census Bureau fieldwork in the City of Owosso.

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 create a 2020 US Census Complete Count Committee and appoint members thereunder as follows:

<table>
<thead>
<tr>
<th>Name</th>
<th>Board/Commission</th>
<th>Term Expires</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jeff Deason</td>
<td>Complete Count Committee</td>
<td>10-31-2020</td>
</tr>
<tr>
<td>Steve Flayer</td>
<td>Complete Count Committee</td>
<td>10-31-2020</td>
</tr>
<tr>
<td>Justin Horvath</td>
<td>Complete Count Committee</td>
<td>10-31-2020</td>
</tr>
<tr>
<td>Piper Brewer</td>
<td>Complete Count Committee</td>
<td>10-31-2020</td>
</tr>
<tr>
<td>Nathan Henne</td>
<td>Complete Count Committee</td>
<td>10-31-2020</td>
</tr>
<tr>
<td>Christopher Eveleth</td>
<td>Complete Count Committee</td>
<td>10-31-2020</td>
</tr>
<tr>
<td>Nicholas Pidek</td>
<td>Complete Count Committee</td>
<td>10-31-2020</td>
</tr>
<tr>
<td>Susan Ludington</td>
<td>Complete Count Committee</td>
<td>10-31-2020</td>
</tr>
<tr>
<td>Marlene Webster</td>
<td>Complete Count Committee</td>
<td>10-31-2020</td>
</tr>
</tbody>
</table>
The 2020 Census is closer than you think! Here’s a quick refresher of what it is and why it’s essential that everyone is counted.

**Everyone counts.**
The census counts every person living in the U.S. once, only once, and in the right place.

**It’s in the constitution.**
The U.S. Constitution mandates that everyone in the country be counted every 10 years. The first census was in 1790.

**It’s about fair representation.**
Every 10 years, the results of the census are used to reapportion the House of Representatives, determining how many seats each state gets.

**It’s about $675 billion.**
The distribution of more than $675 billion in federal funds, grants and support to states, counties and communities are based on census data. That money is spent on schools, hospitals, roads, public works and other vital programs.

**It’s about redistricting.**
After each decade’s census, state officials redraw the boundaries of the congressional and state legislative districts in their states to account for population shifts.

**Taking part is your civic duty.**
Completing the census is mandatory: it’s a way to participate in our democracy and say “I COUNT!”
Census data are being used all around you.

Residents use the census to support community initiatives involving legislation, quality-of-life and consumer advocacy.

Your privacy is protected.

It’s against the law for the Census Bureau to publicly release your responses in any way that could identify you or your household.

By law, the Census Bureau cannot share your answers with any other government agency.

Real estate developers use the census to build new homes and revitalize old neighborhoods.

Local governments use the census for public safety and emergency preparedness.

Businesses use census data to decide where to build factories, offices and stores, which create jobs.

2020 will be easier than ever.

In 2020, you will be able to respond to the census online.

You can help.

You are the expert—we need your ideas on the best way to make sure everyone in your community gets counted.

FIND OUT HOW TO HELP AT CENSUS.GOV/PARTNERS
Every household will have the option of responding online, by mail, or by phone.

Nearly every household will receive an invitation to participate in the 2020 Census from either a postal worker or a census worker.

95% of households will receive their census invitation in the mail.

Almost 5% of households will receive their census invitation when a census taker drops it off. In these areas, the majority of households may not receive mail at their home’s physical location (like households that use PO boxes or areas recently affected by natural disasters).

Less than 1% of households will be counted in person by a census taker, instead of being invited to respond on their own. We do this in very remote areas like parts of northern Maine, remote Alaska, and in select American Indian areas that ask to be counted in person.

Note: We have special procedures to count people who don’t live in households, such as students living in university housing or people experiencing homelessness.
What to Expect in the Mail

When it’s time to respond, most households will receive an invitation in the mail.

Every household will have the option of responding online, by mail, or by phone.

Depending on how likely your area is to respond online, you’ll receive either an invitation encouraging you to respond online or an invitation along with a paper questionnaire.

**Letter Invitation**

- Most areas of the country are likely to respond online, so most households will receive a letter asking you to go online to complete the census questionnaire.

- We plan on working with the U.S. Postal Service to stagger the delivery of these invitations over several days. This way we can spread out the number of users responding online, and we’ll be able to serve you better if you need help over the phone.

**Letter Invitation and Paper Questionnaire**

- Areas that are less likely to respond online will receive a paper questionnaire along with their invitation. The invitation will also include information about how to respond online or by phone.

---

**What We Will Send in the Mail**

<table>
<thead>
<tr>
<th>On or between</th>
<th>You’ll receive:</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 12–20</td>
<td>An invitation to respond online to the 2020 Census. (Some households will also receive paper questionnaires.)</td>
</tr>
<tr>
<td>March 16–24</td>
<td>A reminder letter.</td>
</tr>
<tr>
<td>If you haven’t responded yet:</td>
<td></td>
</tr>
<tr>
<td>March 26–April 3</td>
<td>A reminder postcard.</td>
</tr>
<tr>
<td>April 8–16</td>
<td>A reminder letter and paper questionnaire.</td>
</tr>
<tr>
<td>April 20–27</td>
<td>A final reminder postcard before we follow up in person.</td>
</tr>
</tbody>
</table>

---

We understand you might miss our initial letter in the mail.

- Every household that hasn’t already responded will receive reminders and will eventually receive a paper questionnaire.

- It doesn’t matter which initial invitation you get or how you get it—we will follow up in person with all households that don’t respond.
October 10, 2019

Owosso City Council
301 W Main St.
Owosso, MI 48867

Dear Council Members,

Thank you for allowing me to serve on the Planning Commission for the City of Owosso. However, at this time I would like to resign my position for personal reasons. Thank you again and best of luck in all of your future endeavors!

Regards,

Bradley C. Kirkland
### REVENUE AND EXPENDITURE REPORT FOR CITY OF OWOSSO

**PERIOD ENDING 09/30/2019**

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.*

<table>
<thead>
<tr>
<th>GL NUMBER</th>
<th>DESCRIPTION</th>
<th>2019-20 AMENDED BUDGET</th>
<th>YTD BALANCE 09/30/2019</th>
<th>ACTIVITY FOR MONTH 09/30/2019</th>
<th>AVAILABLE BALANCE 2019-20</th>
<th>% BDGT USED</th>
</tr>
</thead>
<tbody>
<tr>
<td>000</td>
<td>REVENUE</td>
<td>7,747,159.00</td>
<td>3,860,001.77</td>
<td>2,454,802.64</td>
<td>3,887,157.23</td>
<td>49.82</td>
</tr>
<tr>
<td>101</td>
<td>CITY COUNCIL</td>
<td>5,300.00</td>
<td>1,536.60</td>
<td>1,347.00</td>
<td>3,763.40</td>
<td>28.99</td>
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<tr>
<td>171</td>
<td>CITY MANAGER</td>
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<td>36,781.74</td>
<td>10,307.95</td>
<td>104,776.26</td>
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<tr>
<td>201</td>
<td>FINANCE</td>
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<td>67,836.86</td>
<td>19,849.12</td>
<td>205,583.14</td>
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<tr>
<td>209</td>
<td>ASSESSING</td>
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<td>10,762.63</td>
<td>111,272.59</td>
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<td>210</td>
<td>CITY ATTORNEY</td>
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<td>8,752.12</td>
<td>85,542.00</td>
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<td>215</td>
<td>CLERK</td>
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<td>79,390.04</td>
<td>37,293.15</td>
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<td>226</td>
<td>HUMAN RESOURCES</td>
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<td>55,491.05</td>
<td>15,346.76</td>
<td>161,008.95</td>
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<td>253</td>
<td>TREASURY</td>
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<td>10,585.95</td>
<td>116,062.92</td>
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<tr>
<td>258</td>
<td>INFORMATION &amp; TECHNOLOGY</td>
<td>101,695.00</td>
<td>11,960.50</td>
<td>7,990.00</td>
<td>89,734.50</td>
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<tr>
<td>265</td>
<td>BUILDING &amp; GROUNDS</td>
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<td>7,781.89</td>
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<td>POLICE</td>
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<td>FIRE</td>
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<td>181,688.79</td>
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<tr>
<td>370</td>
<td>BUILDING AND SAFETY</td>
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<td>19.89</td>
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<tr>
<td>528</td>
<td>LEAF AND BRUSH COLLECTION</td>
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<td>43,191.30</td>
<td>19,634.55</td>
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<td>585</td>
<td>PARKING</td>
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<td>756</td>
<td>PARKS</td>
<td>230,600.00</td>
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<td>16,875.51</td>
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<td>966</td>
<td>TRANSFERS OUT</td>
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<td>3,333.33</td>
<td>201,482.01</td>
<td>59.85</td>
</tr>
</tbody>
</table>

**TOTAL EXPENDITURES**

7,747,159.00 | 2,187,350.15 | 595,212.13 | 5,559,808.85 | 28.23
**REVENUE AND EXPENDITURE REPORT FOR CITY OF OWOSSO**

**PERIOD ENDING 09/30/2019**

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.*

<table>
<thead>
<tr>
<th>GL NUMBER</th>
<th>DESCRIPTION</th>
<th>2019-20 AMENDED BUDGET</th>
<th>YTD BALANCE 09/30/2019</th>
<th>ACTIVITY FOR MONTH 09/30/2019</th>
<th>AVAILABLE BALANCE 09/30/2019</th>
<th>% BDGT USED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fund 101 - GENERAL FUND</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fund 101 - GENERAL FUND:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL REVENUES</td>
<td></td>
<td>7,747,159.00</td>
<td>3,860,001.77</td>
<td>2,454,802.64</td>
<td>3,887,157.23</td>
<td>49.82</td>
</tr>
<tr>
<td>TOTAL EXPENDITURES</td>
<td></td>
<td>7,747,159.00</td>
<td>2,187,350.15</td>
<td>595,212.13</td>
<td>5,559,808.85</td>
<td>28.23</td>
</tr>
<tr>
<td>NET OF REVENUES &amp; EXPENDITURES</td>
<td></td>
<td>0.00</td>
<td>1,672,651.62</td>
<td>1,859,590.51</td>
<td>(1,672,651.62)</td>
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<tr>
<td>Fund 202 - MAJOR STREET FUND</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>000 - REVENUE</td>
<td></td>
<td>2,594,052.00</td>
<td>222,723.44</td>
<td>221,225.55</td>
<td>2,371,328.56</td>
<td>8.59</td>
</tr>
<tr>
<td>TOTAL REVENUES</td>
<td></td>
<td>2,594,052.00</td>
<td>222,723.44</td>
<td>221,225.55</td>
<td>2,371,328.56</td>
<td>8.59</td>
</tr>
<tr>
<td>451 - CONSTRUCTION</td>
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<td>473 - BRIDGE MAINTENANCE</td>
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<td>11,470.00</td>
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<td>474 - TRAFFIC SERVICES-MAINTENANCE</td>
<td></td>
<td>24,800.00</td>
<td>9,321.23</td>
<td>9,331.37</td>
<td>15,478.77</td>
<td>37.59</td>
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<tr>
<td>478 - SNOW &amp; ICE CONTROL</td>
<td></td>
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<td>0.00</td>
<td>117,000.00</td>
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<td>480 - TREE TRIMMING</td>
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<td>54,000.00</td>
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<td>1,066.37</td>
<td>32,152.89</td>
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<tr>
<td>482 - ADMINISTRATION &amp; ENGINEERING</td>
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<td>213,676.00</td>
<td>35,462.45</td>
<td>25,995.66</td>
<td>178,213.55</td>
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<tr>
<td>484 - TRUNKLINE SUPERVISOR</td>
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<td>0.00</td>
<td>1,000.00</td>
<td>0.00</td>
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<tr>
<td>485 - LOCAL STREET TRANSFER</td>
<td></td>
<td>339,166.00</td>
<td>68,310.19</td>
<td>68,310.19</td>
<td>270,855.81</td>
<td>20.14</td>
</tr>
<tr>
<td>486 - TRUNKLINE SURFACE MAINTENANCE</td>
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<td>5,000.00</td>
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<td>0.00</td>
<td>5,000.00</td>
<td>0.00</td>
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<tr>
<td>488 - TRUNKLINE SWEEPING &amp; FLUSHING</td>
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<td>0.00</td>
<td>600.00</td>
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<tr>
<td>491 - TRUNKLINE STORM DRAIN, CURBS</td>
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<td>8,500.00</td>
<td>0.00</td>
<td>0.00</td>
<td>8,500.00</td>
<td>0.00</td>
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<tr>
<td>492 - TRUNKLINE ROADSIDE CLEANUP</td>
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<td>64.90</td>
<td>0.00</td>
<td>625.10</td>
<td>9.41</td>
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<td>494 - TRUNKLINE TRAFFIC SIGNS</td>
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<td>800.00</td>
<td>339.90</td>
<td>287.90</td>
<td>460.10</td>
<td>42.49</td>
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<td>496 - TRUNKLINE TRAFFIC SIGNALS</td>
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<td>0.00</td>
<td>0.00</td>
<td>800.00</td>
<td>0.00</td>
</tr>
<tr>
<td>497 - TRUNKLINE SNOW &amp; ICE CONTROL</td>
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<td>23,000.00</td>
<td>0.00</td>
<td>0.00</td>
<td>23,000.00</td>
<td>0.00</td>
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<tr>
<td>502 - TRUNKLINE LEAVE &amp; INS BENEFITS</td>
<td></td>
<td>5,000.00</td>
<td>0.00</td>
<td>0.00</td>
<td>5,000.00</td>
<td>0.00</td>
</tr>
<tr>
<td>TOTAL EXPENDITURES</td>
<td></td>
<td>2,594,052.00</td>
<td>549,743.12</td>
<td>296,315.39</td>
<td>2,044,308.88</td>
<td>21.19</td>
</tr>
</tbody>
</table>
### Revenue and Expenditure Report for City of Owosso

**Period Ending 09/30/2019**

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.*

#### Fund 202 - Major Street Fund

<table>
<thead>
<tr>
<th>Description</th>
<th>2019-20</th>
<th>09/30/2019</th>
<th>Activity</th>
<th>Available Balance</th>
<th>% BDGT USED</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Revenues</strong></td>
<td>2,594,052.00</td>
<td>222,723.44</td>
<td>221,225.55</td>
<td>2,371,328.56</td>
<td>8.59</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>2,594,052.00</td>
<td>549,743.12</td>
<td>296,315.39</td>
<td>2,044,330.88</td>
<td>21.19</td>
</tr>
<tr>
<td><strong>Net of Revenues &amp; Expenditures</strong></td>
<td>0.00</td>
<td>(327,019.68)</td>
<td>(75,089.84)</td>
<td>327,019.68</td>
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</table>

#### Fund 203 - Local Street Fund

<table>
<thead>
<tr>
<th>Description</th>
<th>2019-20</th>
<th>09/30/2019</th>
<th>Activity</th>
<th>Available Balance</th>
<th>% BDGT USED</th>
</tr>
</thead>
<tbody>
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<td><strong>Total Revenues</strong></td>
<td>2,345,681.00</td>
<td>551,215.47</td>
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#### Fund 208 - Park/Recreation Sites Fund

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<th>09/30/2019</th>
<th>Activity</th>
<th>Available Balance</th>
<th>% BDGT USED</th>
</tr>
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<tbody>
<tr>
<td><strong>Total Revenues</strong></td>
<td>125,000.00</td>
<td>111,267.52</td>
<td>79,535.19</td>
<td>13,732.48</td>
<td>89.01</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>125,000.00</td>
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<td>0.00</td>
<td>125,000.00</td>
<td>0.00</td>
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#### Fund 208 - Park/Recreation Sites Fund:

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<th>09/30/2019</th>
<th>Activity</th>
<th>Available Balance</th>
<th>% BDGT USED</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Revenues</strong></td>
<td>125,000.00</td>
<td>111,267.52</td>
<td>79,535.19</td>
<td>13,732.48</td>
<td>89.01</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>125,000.00</td>
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<td>0.00</td>
<td>125,000.00</td>
<td>0.00</td>
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</table>

**Net of Revenues & Expenditures**

| Description                  | 0.00    | 111,267.52 | 79,535.19 | (111,267.52) | 100.00 |

---

**User:** CAGriceDB: Owosso

**Date:** 09/30/2019

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10/15/2019 05:14 PM

REVENUE AND EXPENDITURE REPORT FOR CITY OF OWOSSO

Page: 3/15

PERIOD ENDING 09/30/2019
<table>
<thead>
<tr>
<th>Fund</th>
<th>DESCRIPTION</th>
<th>2019-20 AMENDED BUDGET</th>
<th>YTD BALANCE 09/30/2019</th>
<th>ACTIVITY FOR 09/30/2019</th>
<th>AVAILABLE BALANCE 09/30/2019</th>
<th>% BDGT USED</th>
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<td>DOWNTOWN FACADE PROGRAM</td>
<td>171,486.00</td>
<td>39,542.86</td>
<td>38,960.73</td>
<td>131,943.14</td>
<td>23.06</td>
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<tr>
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<td>REVENUE</td>
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<td>38,960.73</td>
<td>131,943.14</td>
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<td>4,682.75</td>
<td>4,360.00</td>
<td>166,803.25</td>
<td>2.73</td>
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<td>7,320.80</td>
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<td>0.00</td>
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</tr>
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<td>7,320.80</td>
<td>1,073.81</td>
<td>3,841.20</td>
<td>65.59</td>
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<td>(7,320.80)</td>
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<td>REVENUE</td>
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<td>(4.98)</td>
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<tr>
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<td>0.00</td>
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<td>1.70</td>
<td>(4.98)</td>
<td>100.00</td>
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<td>HOUSING &amp; REDEVELOPMENT</td>
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<tr>
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<td>TOTAL REVENUES</td>
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<td>4.98</td>
<td>1.70</td>
<td>(4.98)</td>
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
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<td>22.99</td>
<td>7.84</td>
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<th>YTD Balance</th>
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<th>Available Balance</th>
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<tbody>
<tr>
<td>TOTAL REVENUES</td>
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### Fund 276 - OBRA FUND DISTRICT #16 - QDOBA:

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<th>YTD Balance</th>
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<th>Available Balance</th>
<th>% BDGT Used</th>
</tr>
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<tbody>
<tr>
<td>TOTAL REVENUES</td>
<td>0.00</td>
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<td>7.84</td>
<td>(22.99)</td>
<td>100.00</td>
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<tr>
<td>TOTAL EXPENDITURES</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
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<tr>
<td>NET OF REVENUES &amp; EXPENDITURES</td>
<td>0.00</td>
<td>22.99</td>
<td>7.84</td>
<td>(22.99)</td>
<td>100.00</td>
<td></td>
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</table>

### Fund 283 - OBRA FUND-DISTRICT#3-CONAGRA

<table>
<thead>
<tr>
<th>Description</th>
<th>GL Number</th>
<th>2019-20</th>
<th>YTD Balance</th>
<th>Activity For Month</th>
<th>Available Balance</th>
<th>% BDGT Used</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL REVENUES</td>
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<td>0.00</td>
<td>0.00</td>
<td>14,787.00</td>
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<tr>
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<td>0.00</td>
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<td>750.00</td>
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### Fund 283 - OBRA FUND-DISTRICT#3-CONAGRA:

<table>
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<th>YTD Balance</th>
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<th>Available Balance</th>
<th>% BDGT Used</th>
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<tbody>
<tr>
<td>TOTAL REVENUES</td>
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<td>0.00</td>
<td>14,787.00</td>
<td>0.00</td>
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<td>0.00</td>
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### Fund 288 - OBRA FUND-DISTRICT #17 CARGILL (PREV #8)

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<th>Description</th>
<th>GL Number</th>
<th>2019-20</th>
<th>YTD Balance</th>
<th>Activity For Month</th>
<th>Available Balance</th>
<th>% BDGT Used</th>
</tr>
</thead>
<tbody>
<tr>
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<td>111,495.00</td>
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<td>0.00</td>
<td>111,495.00</td>
<td>0.00</td>
<td></td>
</tr>
<tr>
<td>000 - REVENUE</td>
<td>111,495.00</td>
<td>0.00</td>
<td>0.00</td>
<td>111,495.00</td>
<td>0.00</td>
<td></td>
</tr>
<tr>
<td>730 - PROFESSIONAL SERVICES</td>
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<td>0.00</td>
<td>107.00</td>
<td>0.00</td>
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<td>905 - DEBT SERVICE</td>
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<td>111,388.00</td>
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<td>0.00</td>
<td>111,495.00</td>
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### Fund 288 - OBRA FUND-DISTRICT #17 CARGILL (PREV #8):

<table>
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<th>Description</th>
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<th>Activity For Month</th>
<th>Available Balance</th>
<th>% BDGT Used</th>
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<tbody>
<tr>
<td>TOTAL REVENUES</td>
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<td>111,495.00</td>
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<td>TOTAL EXPENDITURES</td>
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### Fund 289 - OBRA:DISTRICT#9 (ROBBIN'S LOFT)

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<th>YTD Balance</th>
<th>Activity For Month</th>
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<th>% BDGT Used</th>
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### Fund 289 - OBRA:DISTRICT#9 (ROBBIN'S LOFT):

<table>
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<th>ACTIVITY FOR MONTH 09/30/2019</th>
<th>AVAILABLE BALANCE 2019-20 AMENDED BUDGET</th>
<th>% BDGT USED</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL REVENUES</td>
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<td>0.00</td>
<td>0.00</td>
<td>2,988.00</td>
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<td>1,100.00</td>
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<td>0.00</td>
<td>1,100.00</td>
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<td>964 - TAX REIMBURSEMENTS</td>
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<td>1,888.00</td>
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### Fund 292 - OBRA FUND-DIST#12 (WOODARD LOFT):

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<th>AVAILABLE BALANCE 2019-20 AMENDED BUDGET</th>
<th>% BDGT USED</th>
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</thead>
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<td>0.00</td>
<td>91,560.00</td>
<td>0.00</td>
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</tr>
<tr>
<td>730 - PROFESSIONAL SERVICES</td>
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<td>0.00</td>
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</tr>
<tr>
<td>964 - TAX REIMBURSEMENTS</td>
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<td>91,560.00</td>
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</table>
REVENUE AND EXPENDITURE REPORT FOR CITY OF OWOSSO
PERIOD ENDING 09/30/2019

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.

<table>
<thead>
<tr>
<th>GL NUMBER</th>
<th>DESCRIPTION</th>
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Fund 297 - HISTORICAL FUND:

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Fund 298 - HISTORICAL SITES FUND:

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*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.*
**REVENUE AND EXPENDITURE REPORT FOR CITY OF OWOSSO**

PERIOD ENDING 09/30/2019

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.*

### Fund 298 - HISTORICAL SITES FUND

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### Fund 325 - DEBT SERVICE-2010 GO BONDS

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### Fund 327 - DEBT SERVICE

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**REVENUE AND EXPENDITURE REPORT FOR CITY OF OWOSSO**

**PERIOD ENDING 09/30/2019**

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.*

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### REVENUE AND EXPENDITURE REPORT FOR CITY OF OWOSSO

**PERIOD ENDING 09/30/2019**

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.*

<table>
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<th>GL NUMBER</th>
<th>DESCRIPTION</th>
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### Revenue and Expenditure Report for City of Owosso

**Period Ending 09/30/2019**

*Note: Available Balance / Pct Budget Used does not reflect amounts encumbered.*

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<th>Description</th>
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<th>Available Balance 09/30/2019</th>
<th>% BDGT USED</th>
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</thead>
<tbody>
<tr>
<td>Fund 384 - 2018 SPECIAL ASSESSMENTS</td>
<td>TOTAL REVENUES</td>
<td>0.00</td>
<td>61,783.10</td>
<td>45,900.46</td>
<td>(61,783.10)</td>
<td>100.00</td>
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<tr>
<td>Fund 384 - 2018 SPECIAL ASSESSMENTS:</td>
<td>TOTAL REVENUES</td>
<td>0.00</td>
<td>61,783.10</td>
<td>45,900.46</td>
<td>(61,783.10)</td>
<td>100.00</td>
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<tr>
<td>Fund 385 - 2019 SPECIAL ASSESSMENTS</td>
<td>000 - REVENUE</td>
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<td>83,161.08</td>
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<td>Fund 385 - 2019 SPECIAL ASSESSMENTS:</td>
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<td>83,161.08</td>
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<tr>
<td>Fund 397 - 2009 LTGO DEBT</td>
<td>000 - REVENUE</td>
<td>76,023.00</td>
<td>15,136.25</td>
<td>15,136.25</td>
<td>60,886.75</td>
<td>19.91</td>
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<tr>
<td>Fund 397 - 2009 LTGO DEBT:</td>
<td>TOTAL REVENUES</td>
<td>76,023.00</td>
<td>15,136.25</td>
<td>15,136.25</td>
<td>60,886.75</td>
<td>19.91</td>
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<tr>
<td>905 - DEBT SERVICE</td>
<td>76,023.00</td>
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<td>Fund 397 - 2009 LTGO DEBT:</td>
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<tr>
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<td>000 - REVENUE</td>
<td>290,395.00</td>
<td>290,395.00</td>
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<td>0.00</td>
<td>100.00</td>
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<tr>
<td>Fund 401 - CAPITAL PROJECT FUND:</td>
<td>TOTAL REVENUES</td>
<td>290,395.00</td>
<td>290,395.00</td>
<td>0.00</td>
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<td>100.00</td>
</tr>
<tr>
<td>000 - REVENUE</td>
<td>324,745.00</td>
<td>10,897.73</td>
<td>0.00</td>
<td>313,847.27</td>
<td>3.36</td>
<td></td>
</tr>
<tr>
<td>Fund 401 - CAPITAL PROJECT FUND:</td>
<td>TOTAL EXPENDITURES</td>
<td>324,745.00</td>
<td>10,897.73</td>
<td>0.00</td>
<td>313,847.27</td>
<td>3.36</td>
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## Revenue and Expenditure Report for City of Owosso

**Period Ending 09/30/2019**

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.*

<table>
<thead>
<tr>
<th>GL Number</th>
<th>Description</th>
<th>2019-20 Amended Budget</th>
<th>YTD Balance 09/30/2019</th>
<th>Activity for Month 09/30/2019</th>
<th>Available Balance 09/30/2019</th>
<th>% BDGT Used</th>
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<tbody>
<tr>
<td>Fund 401 - Capital Project Fund</td>
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<td>290,395.00</td>
<td>290,395.00</td>
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<td>0.00</td>
<td>100.00</td>
</tr>
<tr>
<td>TOTAL REVENUES</td>
<td></td>
<td>324,745.00</td>
<td>10,897.73</td>
<td>0.00</td>
<td>313,847.27</td>
<td>3.36</td>
</tr>
<tr>
<td>NET OF REVENUES &amp; EXPENDITURES</td>
<td></td>
<td>(34,350.00)</td>
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<td>(313,847.27)</td>
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<td>Fund 411 - Capital Projects-Street Program</td>
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<td>2,274,807.00</td>
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<td>4,023.72</td>
<td>2,262,138.89</td>
<td>0.56</td>
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<tr>
<td>000 - Revenue</td>
<td></td>
<td>2,274,807.00</td>
<td>12,668.11</td>
<td>4,023.72</td>
<td>2,262,138.89</td>
<td>0.56</td>
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<tr>
<td>TOTAL REVENUES</td>
<td></td>
<td>2,274,807.00</td>
<td>12,668.11</td>
<td>4,023.72</td>
<td>2,262,138.89</td>
<td>0.56</td>
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<tr>
<td>966 - Transfers Out</td>
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<td>2,274,807.00</td>
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<td>400,000.00</td>
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<td>17.58</td>
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<td>2,274,807.00</td>
<td>400,000.00</td>
<td>400,000.00</td>
<td>1,874,807.00</td>
<td>17.58</td>
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<td>Fund 466 - Capital Projects-Building Auth</td>
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<td>112.84</td>
<td>10,000.00</td>
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<tr>
<td>000 - Revenue</td>
<td></td>
<td>9,887.16</td>
<td>38.43</td>
<td>112.84</td>
<td>10,000.00</td>
<td>1.13</td>
</tr>
<tr>
<td>TOTAL REVENUES</td>
<td></td>
<td>0.00</td>
<td>38.77</td>
<td>(113.88)</td>
<td>100.00</td>
<td></td>
</tr>
<tr>
<td>NET OF REVENUES &amp; EXPENDITURES</td>
<td></td>
<td>0.00</td>
<td>38.77</td>
<td>(113.88)</td>
<td>100.00</td>
<td></td>
</tr>
<tr>
<td>Fund 494 - Capital Projects Fund</td>
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<td>38.43</td>
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<td>1.13</td>
</tr>
<tr>
<td>000 - Revenue</td>
<td></td>
<td>10,000.00</td>
<td>112.84</td>
<td>38.43</td>
<td>9,887.16</td>
<td>1.13</td>
</tr>
<tr>
<td>TOTAL REVENUES</td>
<td></td>
<td>10,000.00</td>
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<td>38.43</td>
<td>9,887.16</td>
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<tr>
<td>270 - Administrative</td>
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<td>0.00</td>
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<tr>
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<td></td>
<td>10,000.00</td>
<td>0.00</td>
<td>0.00</td>
<td>10,000.00</td>
<td>0.00</td>
</tr>
</tbody>
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*Available Balance / Pct Budget Used does not reflect amounts encumbered.*
### Revenue and Expenditure Report for City of Owosso

**Period Ending 09/30/2019**

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.*

<table>
<thead>
<tr>
<th>GL NUMBER</th>
<th>DESCRIPTION</th>
<th>2019-20 AMENDED BUDGET</th>
<th>YTD BALANCE 09/30/2019</th>
<th>ACTIVITY FOR MONTH 09/30/2019</th>
<th>AVAILABLE BALANCE</th>
<th>% BDGT USED</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>NORMAL (ABNORMAL)</td>
<td>INCREASE (DECREASE)</td>
<td>NORMAL (ABNORMAL)</td>
<td></td>
<td></td>
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<tr>
<td>000 - REVENUE</td>
<td>Fund 497 - CAPITAL PROJECTS-SUBDIVISION</td>
<td>0.00</td>
<td>10,674.50</td>
<td>10,674.50</td>
<td>(10,674.50)</td>
<td>100.00</td>
</tr>
<tr>
<td>TOTAL REVENUES</td>
<td></td>
<td>0.00</td>
<td>10,674.50</td>
<td>10,674.50</td>
<td>(10,674.50)</td>
<td>100.00</td>
</tr>
<tr>
<td>000 - REVENUE</td>
<td>Fund 588 - TRANSPORTATION FUND</td>
<td>0.00</td>
<td>75,275.83</td>
<td>0.00</td>
<td>3.17</td>
<td>75,279.00</td>
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<td>75,279.00</td>
<td>3.17</td>
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<tr>
<td>200 - GEN SERVICES</td>
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<td>75,279.00</td>
<td>62,938.74</td>
<td>0.00</td>
<td>12,340.26</td>
<td>83.61</td>
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<tr>
<td>TOTAL EXPENDITURES</td>
<td></td>
<td>75,279.00</td>
<td>62,938.74</td>
<td>0.00</td>
<td>12,340.26</td>
<td>83.61</td>
</tr>
<tr>
<td>000 - REVENUE</td>
<td>Fund 590 - SEWER FUND</td>
<td>2,801,735.00</td>
<td>458,183.96</td>
<td>437,231.76</td>
<td>2,343,551.04</td>
<td>16.35</td>
</tr>
<tr>
<td>TOTAL REVENUES</td>
<td></td>
<td>2,801,735.00</td>
<td>458,183.96</td>
<td>437,231.76</td>
<td>2,343,551.04</td>
<td>16.35</td>
</tr>
<tr>
<td>200 - GEN SERVICES</td>
<td></td>
<td>1,648,648.00</td>
<td>419,271.79</td>
<td>176,085.52</td>
<td>1,229,376.21</td>
<td>25.43</td>
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<tr>
<td>549 - SEWER OPERATIONS</td>
<td></td>
<td>562,292.00</td>
<td>38,129.71</td>
<td>12,539.86</td>
<td>524,162.29</td>
<td>6.78</td>
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<tr>
<td>901 - CAPITAL OUTLAY</td>
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<td>540,000.00</td>
<td>27,508.00</td>
<td>27,508.00</td>
<td>512,492.00</td>
<td>5.09</td>
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<td></td>
<td>50,795.00</td>
<td>5,397.33</td>
<td>0.00</td>
<td>45,397.67</td>
<td>10.63</td>
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<tr>
<td>TOTAL EXPENDITURES</td>
<td></td>
<td>2,801,735.00</td>
<td>490,306.83</td>
<td>216,133.38</td>
<td>2,311,428.17</td>
<td>17.50</td>
</tr>
</tbody>
</table>

**Fund 497 - CAPITAL PROJECTS-SUBDIVISION:**

| 000 - REVENUE | | 100.00 | (10,674.50) | 10,674.50 | 10,674.50 | 0.00 |
| TOTAL REVENUES | | 100.00 | (10,674.50) | 10,674.50 | 10,674.50 | 0.00 |
| TOTAL EXPENDITURES | | 100.00 | (10,674.50) | 10,674.50 | 10,674.50 | 0.00 |
| NET OF REVENUES & EXPENDITURES | | 100.00 | (10,674.50) | 10,674.50 | 10,674.50 | 0.00 |

**Fund 588 - TRANSPORTATION FUND:**

| 000 - REVENUE | | 100.00 | (75,275.83) | 75,275.83 | 75,275.83 | 0.00 |
| TOTAL REVENUES | | 100.00 | (75,275.83) | 75,275.83 | 75,275.83 | 0.00 |
| 200 - GEN SERVICES | | 100.00 | (12,340.26) | 12,340.26 | 12,340.26 | 83.61 |
| TOTAL EXPENDITURES | | 100.00 | (12,340.26) | 12,340.26 | 12,340.26 | 83.61 |
| NET OF REVENUES & EXPENDITURES | | 100.00 | (12,340.26) | 12,340.26 | 12,340.26 | 83.61 |

**Fund 590 - SEWER FUND:**

| 000 - REVENUE | | 100.00 | (2,343,551.04) | 2,343,551.04 | 2,343,551.04 | 16.35 |
| TOTAL REVENUES | | 100.00 | (2,343,551.04) | 2,343,551.04 | 2,343,551.04 | 16.35 |
| 200 - GEN SERVICES | | 100.00 | (1,229,376.21) | 1,229,376.21 | 1,229,376.21 | 25.43 |
| 549 - SEWER OPERATIONS | | 100.00 | (524,162.29) | 524,162.29 | 524,162.29 | 6.78 |
| 901 - CAPITAL OUTLAY | | 100.00 | (512,492.00) | 512,492.00 | 512,492.00 | 5.09 |
| 905 - DEBT SERVICE | | 100.00 | (45,397.67) | 45,397.67 | 45,397.67 | 10.63 |
| TOTAL EXPENDITURES | | 100.00 | (2,311,428.17) | 2,311,428.17 | 2,311,428.17 | 17.50 |

**Fund 590 - SEWER FUND:**

| TOTAL REVENUES | | 100.00 | (2,343,551.04) | 2,343,551.04 | 2,343,551.04 | 16.35 |
| TOTAL EXPENDITURES | | 100.00 | (2,311,428.17) | 2,311,428.17 | 2,311,428.17 | 17.50 |
| NET OF REVENUES & EXPENDITURES | | 100.00 | (2,311,428.17) | 2,311,428.17 | 2,311,428.17 | 100.00 |
### REVENUE AND EXPENDITURE REPORT FOR CITY OF OWOSSO

**PERIOD ENDING 09/30/2019**

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.*

<table>
<thead>
<tr>
<th>GL NUMBER</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>000 - REVENUE</td>
<td>Fund 591 - WATER FUND</td>
</tr>
<tr>
<td>000 - REVENUE</td>
<td>Fund 599 - WASTEWATER FUND</td>
</tr>
<tr>
<td>000 - REVENUE</td>
<td>Fund 661 - FLEET MAINTENANCE FUND</td>
</tr>
</tbody>
</table>

#### Fund 591 - WATER FUND:

<table>
<thead>
<tr>
<th>Account</th>
<th>Description</th>
<th>2019-20 AMENDED BUDGET</th>
<th>YTD BALANCE 09/30/2019</th>
<th>ACTIVITY FOR MONTH 09/30/2019</th>
<th>AVAILABLE BALANCE 09/30/2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>000</td>
<td>REVENUE</td>
<td>3,614,094.00</td>
<td>942,821.46</td>
<td>887,796.43</td>
<td>2,671,272.54</td>
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<tr>
<td>200</td>
<td>GEN SERVICES</td>
<td>465,284.00</td>
<td>119,661.39</td>
<td>29,531.96</td>
<td>345,622.61</td>
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<tr>
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<td>WATER UNDERGROUND</td>
<td>612,939.00</td>
<td>165,393.47</td>
<td>49,188.33</td>
<td>447,545.53</td>
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<tr>
<td>553</td>
<td>WATER FILTRATION</td>
<td>1,035,427.00</td>
<td>224,200.26</td>
<td>75,567.01</td>
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<td>CAPITAL OUTLAY</td>
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<td>DEBT SERVICE</td>
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<td>0.00</td>
<td>611,082.00</td>
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**TOTAL REVENUES:** 3,614,094.00

**TOTAL EXPENDITURES:** 3,179,732.00

**NET OF REVENUES & EXPENDITURES:** 434,362.00

#### Fund 599 - WASTEWATER FUND:

<table>
<thead>
<tr>
<th>Account</th>
<th>Description</th>
<th>2019-20 AMENDED BUDGET</th>
<th>YTD BALANCE 09/30/2019</th>
<th>ACTIVITY FOR MONTH 09/30/2019</th>
<th>AVAILABLE BALANCE 09/30/2019</th>
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</thead>
<tbody>
<tr>
<td>000</td>
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**TOTAL REVENUES:** 2,052,374.00

**TOTAL EXPENDITURES:** 2,152,374.00

**NET OF REVENUES & EXPENDITURES:** 50,000.00

#### Fund 661 - FLEET MAINTENANCE FUND:

<table>
<thead>
<tr>
<th>Account</th>
<th>Description</th>
<th>2019-20 AMENDED BUDGET</th>
<th>YTD BALANCE 09/30/2019</th>
<th>ACTIVITY FOR MONTH 09/30/2019</th>
<th>AVAILABLE BALANCE 09/30/2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>000</td>
<td>REVENUE</td>
<td>1,215,746.00</td>
<td>171,443.20</td>
<td>48,080.66</td>
<td>1,044,302.80</td>
</tr>
<tr>
<td>891</td>
<td>FLEET MAINTENANCE</td>
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<tr>
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<td>156,112.00</td>
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**TOTAL REVENUES:** 1,215,746.00

**TOTAL EXPENDITURES:** 1,215,746.00

**NET OF REVENUES & EXPENDITURES:** (100,000.00)

---

*Available Balance / Pct Budget Used does not reflect amounts encumbered.*
### Fund 661 - Fleet Maintenance Fund

<table>
<thead>
<tr>
<th>GL NUMBER</th>
<th>DESCRIPTION</th>
<th>2019-20 AMENDED BUDGET</th>
<th>YTD BALANCE</th>
<th>ACTIVITY FOR MONTH 09/30/2019</th>
<th>AVAILABLE BALANCE</th>
<th>% BDGT USED</th>
</tr>
</thead>
<tbody>
<tr>
<td>09/30/2019</td>
<td>TOTAL EXPENDITURES</td>
<td>1,215,746.00</td>
<td>232,976.78</td>
<td>176,033.06</td>
<td>982,769.22</td>
<td>19.16</td>
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<tr>
<td>09/30/2019</td>
<td>TOTAL REVENUES</td>
<td>1,215,746.00</td>
<td>171,443.20</td>
<td>48,080.66</td>
<td>1,044,302.80</td>
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<td>09/30/2019</td>
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<td>(127,952.40)</td>
<td>61,533.58</td>
<td>100.00</td>
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### Fund 661 - Fleet Maintenance Fund:

<table>
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<th>2019-20 AMENDED BUDGET</th>
<th>YTD BALANCE</th>
<th>ACTIVITY FOR MONTH 09/30/2019</th>
<th>AVAILABLE BALANCE</th>
<th>% BDGT USED</th>
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</thead>
<tbody>
<tr>
<td>TOTAL EXPENDITURES</td>
<td>1,215,746.00</td>
<td>232,976.78</td>
<td>176,033.06</td>
<td>982,769.22</td>
</tr>
<tr>
<td>TOTAL REVENUES</td>
<td>1,215,746.00</td>
<td>171,443.20</td>
<td>48,080.66</td>
<td>1,044,302.80</td>
</tr>
<tr>
<td>NET OF REVENUES &amp; EXPENDITURES</td>
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<td>(127,952.40)</td>
<td>61,533.58</td>
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### TOTAL REVENUES - ALL FUNDS

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<th>2019-20 AMENDED BUDGET</th>
<th>YTD BALANCE</th>
<th>ACTIVITY FOR MONTH 09/30/2019</th>
<th>AVAILABLE BALANCE</th>
<th>% BDGT USED</th>
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### TOTAL EXPENDITURES - ALL FUNDS

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<th>YTD BALANCE</th>
<th>ACTIVITY FOR MONTH 09/30/2019</th>
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<th>% BDGT USED</th>
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### NET OF REVENUES & EXPENDITURES

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From: Building Department  
To: Owosso City Council

Building Department Report SEPTEMBER 2019

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Totals                                         $766,700        $28,178     118

2018 COMPARISON TOTALS

SEPTEMBER 2018 Totals                        $642,350        $17,097     75

BUILDING PERMITS ONLY                      -         23
## Code Enforcement Activity
### SEPTEMBER 2019

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**Total Entries** 15

**BLOWING GRASS INTO STREET**

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**Total Entries** 1

**BRUSH**

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**Total Entries** 1

**BRUSH PILES**

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**Total Entries** 1

**BUILDING VIOL**
# Code Enforcement Activity

## SEPTEMBER 2019

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**Total Entries** 2

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**Total Entries** 7

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**Total Entries** 2

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**Total Entries:**
- Fence Violation: 1
- Front Yard Parking: 4
- Garbage & Debris: 4
### Code Enforcement Activity

**SEPTEMBER 2019**

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**Total Entries**: 27

**GARBAGE CANS**

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**Total Entries**: 2

**HEALTH & SAFETY**

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**Total Entries**: 2

**HOUSE FIRE**

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**Total Entries**: 1

**LAWN MAINTENANCE**

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#### SEPTEMBER 2019

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**MULTIPLE VIOLATIONS**

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## Code Enforcement Activity

**SEPTEMBER 2019**

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**Total Entries** 4

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### RENTAL UNIT VIOL

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**Total Entries** 4

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### SIDEWALK VIOLATION
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### SEPTEMBER 2019

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Rental - Renewals -

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Residential Parking Permit

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Totals:

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**Report Summary**

|                     | Total Inspections: 172 |
MEMORANDUM

DATE: October 01, 2019
TO: Owosso City Council
FROM: Eric E. Cherry
   Police Department Lieutenant
RE: September 2019 Police Reports

Attached are the statistics for the Police Department for September 2019. One report is an offense summary for the month of September, by offense type. The other report, neighborhood crime report, lists the occurred on date, case number, location, and the complaint type for reports in September. The officers completed four hundred fifty-nine (459) field interviews this month, which are calls were a full criminal report is not needed. Your Owosso Police Officers arrested thirty-seven (37) persons this month for forty-six (46) total offenses.

For September 2019 the police handled seven hundred one (701) police events, sixty-one (61) were traffic stops, about nine (9) percent of their work activity.

On the following page are two (2) pie charts one showing calls handled by Owosso City Police District, there are five (5) districts within the City of Owosso. The second pie chart is calls throughout the county handled by agency.

Respectfully,

Lt. Eric E. Cherry
BELOW IS A BREAKDOWN OF POLICE EVENTS HANDLED BY OWOSSO POLICE, BY DISTRICT

OD1: Owosso City District 1 (northwest, north of M-21 and west of M-52)
OD2: Owosso City District 2 (northeast, north of M-21 and east of M-52)
OD3: Owosso City District 3 (southwest, south of M-21 and west of M-52)
OD4: Owosso City District 4 (southeast, south of M-21 and east of M-52, excluding business district and police office)
ODB: Owosso City Downtown Business District
D1: Shiawassee County northwest district (west of M-52 and north of Hibbard Road)
D3: Shiawassee County northeast district (east of M-52 and north of Hibbard Road)
Others: Included City of Corunna’s 3 districts and any other area officer’s responded.

BELOW IS A BREAKDOWN OF EVENTS HANDLED BY AGENCY

SCSD: Shiawassee County Sheriff’s Office
PEPD: Perry City Police
SCF: Shiawassee County Fire Department
SP35: Michigan State Police Post #35
MOPD: Morrice City Police
911: Shiawassee County 911 Center

DUPD: Durand City Police
LAPD: Laingsburg City Police
OWPD: Owosso City Police
Others: All Other Departments

SCAS: Shiawassee County Ambulance Services
COPD: Corunna City Police

MOPD: Morrice City Police

Others: All Other Departments
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<tr>
<td>9/7/2019</td>
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<td>1964501449</td>
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<tr>
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<td>1964501472</td>
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<tr>
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<td>1964501520</td>
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<tr>
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<tr>
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<td>Incident ID</td>
<td>Location</td>
<td>Nature of Incident</td>
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<td>1964501436</td>
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<td>TRAFFIC - NO OPERATORS LICENSE</td>
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<td>TRAFFIC - RECKLESS DRIVING</td>
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<td>Jerome St/Washington St</td>
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<td>1300 block S George St</td>
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<td>W South St</td>
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<td>9/7/2019</td>
<td>1964501446</td>
<td>1300 block W Stewart St</td>
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<td>9/10/2019</td>
<td>1964501462</td>
<td>600 block S Alger St</td>
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<td>1900 block S Chipman St</td>
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<td>200 block N Water St</td>
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<td>700 block E North St</td>
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**Total** 181
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<tr>
<th>Offense</th>
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<tr>
<td>1072 - 10002 - Parental Kidnap</td>
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<tr>
<td>1205 - 12000 - Robbery - Street - Other Weapon</td>
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<tr>
<td>1302 - 13002 - Aggravated/Felonious Assault - Family - Other Weapon</td>
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<tr>
<td>1304 - 13002 - Aggravated/Felonious Assault - Non-Family - Gun</td>
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<tr>
<td>1305 - 13002 - Aggravated/Felonious Assault - Non-Family - Other Weapon</td>
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<tr>
<td>1313 - 13001 - Assault and Battery/Simple Assault</td>
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<td>1380 - 13003 - Telephone Used for Harassment, Threats</td>
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<tr>
<td>2073 - 20000 - Arson - Burning of Personal Property</td>
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<tr>
<td>2202 - 22001 - Burglary - Forced Entry - Residence (Including Home Invasion)</td>
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<td>2304 - 23006 - Larceny - Parts and Accessories from Vehicle</td>
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<td>2305 - 23005 - Larceny - Personal Property from Vehicle</td>
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<tr>
<td>2306 - 23007 - Larceny - From Shipment</td>
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<tr>
<td>2308 - 23003 - Larceny - From Building (Includes library, office used by public, etc)</td>
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<tr>
<td>2309 - 23007 - Larceny - From Yards (Grounds surrounding a building)</td>
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<td>2399 - 23007 - Larceny (Other)</td>
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<td>2404 - 24001 - Vehicle Theft</td>
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<td>2602 - 26001 - Fraud - Swindle</td>
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<td>2605 - 26002 - Illegal Use of Credit Card</td>
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<td>2677 - 26001 - Defrauding Hotels, Restaurants, Innkeeper, etc</td>
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<td>2699 - 26001 - Fraud (Other)</td>
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<td>2901 - 29000 - Damage to Property - Business Property</td>
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<td>2902 - 29000 - Damage to Property - Private Property</td>
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<td>2999 - 29000 - Damage to Property (other)</td>
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<td>3530 - 35001 - Cocaine - Sell</td>
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<tr>
<td>3547 - 35001 - Methamphetamine - Possess</td>
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<td>3560 - 35001 - Marijuana - Sell</td>
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<td>3562 - 35001 - Marijuana - Possess</td>
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<td>3565 - 35001 - Marijuana - Use</td>
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<td>3806 - 38001 - Neglect Child</td>
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<td>4801 - 48000 - Resisting Officer</td>
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<td>5005 - 50000 - Contempt of Court</td>
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<td>5006 - 50000 - Obstructing Justice</td>
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<td>5011 - 50000 - Parole Violation</td>
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<td>5013 - 50000 - Conditional Release Violation</td>
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<td>Description</td>
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<tr>
<td>5015</td>
<td>Failure to Appear</td>
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<td>5070</td>
<td>Violation of Preliminary Injunctive Order (Peace Bond)</td>
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<td>5090</td>
<td>Sex Offender - Failure to Comply with Reporting Duties</td>
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<td>5311</td>
<td>Disorderly Conduct</td>
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<td>5312</td>
<td>Disturbing the Peace</td>
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<td>5393</td>
<td>Disorderly Conduct (Other)</td>
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<td>5399</td>
<td>Public Peace (Other)</td>
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<td>5560</td>
<td>Dog Law Violations</td>
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<td>5599</td>
<td>Health and Safety Violations (Other)</td>
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<td>5707</td>
<td>Trespass (Other)</td>
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<td>7070</td>
<td>Runaway</td>
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<td>7399</td>
<td>Miscellaneous Arrest</td>
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<td>8027</td>
<td>Operating with Blood Alcohol Content of .17% or more</td>
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<tr>
<td>8041</td>
<td>Operating Under the Influence of Intoxicating Liquor</td>
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<td>8073</td>
<td>Traffic - Reckless Driving</td>
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<td>8271</td>
<td>Traffic - No Operators License</td>
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<tr>
<td>8273</td>
<td>Traffic - Driving on Susp/Revoked/Refused License</td>
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<td>8275</td>
<td>Traffic - Driver License Law Violations</td>
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<td>8277</td>
<td>Traffic - Registration Law Violations</td>
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<td>Motor Vehicle Violation</td>
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<td>9220</td>
<td>Civil Custodies - Walk Away - Mental Institute/Hospital</td>
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<td>Civil Custodies - Insanity (Mental)</td>
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<td>9923</td>
<td>Fire - Suspicious Fires</td>
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<td>9937</td>
<td>Other Non-Criminal Accidents - All Other</td>
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<td>9943</td>
<td>Inspections/Investigations - Suspicious Situations</td>
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<td>Inspections/Investigations - Lost and Found Prop</td>
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<td>Miscellaneous - Natural Death</td>
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<td>Miscellaneous - Missing Persons</td>
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<td>Miscellaneous - Non-Criminal</td>
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<td>Miscellaneous - Assist to Other Police Agency</td>
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MEMORANDUM

DATE: October 15, 2019

TO: Owosso City Council

FROM: Kevin Lenkart
       Director of Public Safety

RE: September 2019 Fire & Ambulance Report

Attached are the statistics for the Owosso Fire Department (OFD) for September 2019. The Owosso Fire Department responded to 242 incidents in the month of September.

OFD responded to 19 fire calls and responded to 223 EMS calls.
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<tr>
<th>Incident Type</th>
<th>9/1/19</th>
<th>9/8/19</th>
<th>9/15/19</th>
<th>9/22/19</th>
<th>9/29/19</th>
<th>10/6/19</th>
<th>10/13/19</th>
<th>10/20/19</th>
<th>10/27/19</th>
<th>11/3/19</th>
<th>11/10/19</th>
<th>11/17/19</th>
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<td>(73) System or detector malfunction</td>
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### TRANSPORTS
Percentage of Patient Encounters

- **78%**

### NON TRANSPORTS
Percentage of Patient Encounters

- **22%**

### RECORDS
In Selected Time Slice

- **223**

### 30 DAYS
In Selected Time Slice

#### Counts

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MINUTES
REGULAR MEETING OF THE
DOWNTOWN DEVELOPMENT AUTHORITY/MAIN STREET
CITY OF OWOSSO
October 3, 2019 AT NOON
CITY COUNCIL CHAMBERS

CALL TO ORDER: The meeting was called to order by Chairman Dave Acton at 12.07 P.M.

ROLL CALL: Was taken by Recording Secretary, Debbie Hebert

MEMBERS PRESENT: Chairman Dave Acton, Vice-Chairman Bill Gilbert, Chairman Lance Omer, Commissioner Theresa Trecha, and Commissioner Jim Woodworth.

MEMBERS ABSENT: Commissioner Ken Cushman, Mayor Chris Eveleth, Commissioner Bobbi Fuller, and Commissioner Jon Moore

OTHERS PRESENT: Josh Adams, DDA Director

AGENDA: IT WAS MOVED BY AUTHORITY MEMBER GILBERT AND SUPPORTED BY AUTHORITY MEMBER OMER TO AMEND THE AGENDA WITH THE DAY CHANGED TO THURSDAY.

AYES: ALL. MOTION CARRIED.

MINUTES: IT WAS MOVED BY AUTHORITY MEMBER TRECHA AND SUPPORTED BY AUTHORITY MEMBER WOODWORTH TO APPROVE THE MINUTES OF REGULAR MEETING HELD SEPTEMBER 4, 2019 AND SPECIAL MEETING ON SEPTEMBER 9, 2019.

AYES: ALL. MOTION CARRIED.

PUBLIC COMMENTS: NONE

ITEMS OF BUSINESS:

1) CHECK REGISTER

IT WAS MOVED BY AUTHORITY MEMBER TRECHA, SUPPORTED BY AUTHORITY MEMBER WOODWORTH TO APPROVE THE CHECK REGISTER FOR SEPTEMBER, 2019 AS PRESENTED.

AYES: ALL. MOTION CARRIED.

2) SEPTEMBER 2019 BUDGET REPORT- Maintenance budget is high, Director Adams will discuss with Kelley’s Refuse options to decrease expenses. Flower watering expense doubled. It is advisable that Design and Business Vitality review that program for next year. There will be a motivation to increase fund raising this year during Glo and NYE. Snow Queen appears to be an opportunity to raise funds with 3 possible candidates running.

3) REVOLVING LOAN FUND APPLICATION APPROVALS (6)
Applicant: Turnabout Ventures, LLC submitted 4 separate grant applications to obtain –Architectural Services to pursue upper floor residential development at the following locations:

1) 115 E. Main 2) 113 E. Main
2) 110 N. Washington 4) 108 E. Exchange
Each application for the properties listed scored higher on the Rationale Worksheet than the required number for approval. The committee approved to fund 50% of the grant request to help move the project forward. Since the guideline allowed approval up to $1500 per apartment up to 8 apartments, that would have more than paid for the entire expense of Architectural Services for the project. It was the committees desire to require the property owner to have some stake in the cost of the project.

It was further agreed that more grant dollars could be given if assurances were made that the project will take place. (i.e. an agreement that would be contingent on development. If no development happens within a specified timeframe, grant dollars would have to be returned).

Commissioner Woodworth shared his memory of the intent of the program providing Up to $1500, per apartment for architectural services and should not be penalized if able to get the services for an amount less than the $1500. However, as noted by Chairman Actor that was not made clear in the documents. There was variation in the intent. It wasn’t made clear that the grant was contingent on the project becoming a reality beyond architectural drawings.

Director Adams has already spoken with Mr. Erfourth, Turnabout Ventures, LLC, who is eager to sign an agreement stating that grant dollars would be returned if work is not completed. Commissioner Woodworth would like to encourage Turnabout Ventures interaction with the DDA by obtaining the signed document noted above and approve granting the remaining 50% after the project is completed because it is under the maximum amount. The board will give additional consideration to pay the remaining 50% at the appropriate time when facts are known regarding amounts and timeframe.

The board encourages the Revolving Loan committee to revisit to further clarify the requirements and specifics of grants for future applications.

Authority Member Gilbert made a motion to approve Turnabout Ventures project grants as presented in the summary sheets to provide a commitment letter approving 50% of the costs to Turnabout Ventures, LLC in exchange for a signed commitment to return grant funds if the project is not implemented. Motion seconded by Authority Member Woodworth.

AYES ALL: MOTION CARRIED.

Applicant: Nom Nom Sweeties, Project: 218 S. Washington Street
Project Scope of Work: Match on Main Bridge Loan of $7,000

Director Adams is in receipt of signed grant agreement from Match on Main approving the project. When the bridge loan monies are used to develop the space, receipts will be submitted to the Match on Main program, who in turn will reimburse those monies to the Revolving Loan program.

A motion to approve the loan of $7,000 to Nom Nom Sweeties as presented in the Revolving Loan Fund & Grant Program Rationale Worksheet was made by Authority Member Woodworth and Seconded by Authority Member Omer.

AYES ALL: MOTION CARRIED.

Project Scope of Work: Loan For Business Working Capital: $50,000

Owner, Ben Frederick and managers curate purchases as the community tells them the items they want. 15 to 20 young entrepreneurs will be a part of the program. Commodity will be turned into an experience.

Authority Member Woodworth motioned to approve a $50,000 loan to Owosso Books & Beans, LLC per the Revolving Loan Fund Rationale Worksheet. A second was made by Authority Member Gilbert.

AYES ALL: MOTION CARRIED.

The board requested a quarterly report be submitted by the Revolving Loan Fund Committee informing them of outstanding balances, interest earned and past due payments.
3) REVOLVING LOAN FUND – 114 W. MAIN

114 W. Main loan project was presented by Director Adams for consideration to the Revolving Loan Fund Committee.

The property owners of 114 W. Main are scheduled to begin the revitalization project of the second floor as soon as the mini closeout is completed of the CDBG Façade Project. Adams presented the concept of using revolving loan as a bridge loan to the 114 W. Main project to pay the contractor of the Façade project to allow the project to close. It will be slightly more than $100,000. It will be for a time no more than one week. It is to allow the project to begin as planned since it has already been delayed.

AUTHORITY MEMBER GILBERT MOTION TO PROVIDE A SHORT TERM BRIDGE LOAN TO RUSSWOOD REI GROUP OF 114 W. MAIN STREET TO ALLOW THE CREWS TO BEGIN IF NEEDED AS PRESENTED BY DIRECTOR ADAMS. THE MOTION WAS SECONDED BY AUTHORITY MEMBER OMER.

AYES ALL: MOTION CARRIED

COMMITTEE UPDATES:

1) Design & Business Vitality – The streetscape subcommittee will begin meeting again on same day and time. Notices will be sent. A volunteer will move forward with The Quaker Oats sign renovation. Commission Woodworth will make efforts to contact Quaker Oats for a 50% match of any type.
   New bridge baskets have arrived and can be mounted on the bridge with built in clamps.

2) Promotion & Outreach – Glo and NYE committees are meeting. They are in search of sponsorships. Halloween Trick and Treat will take place on October 26th for one hour. A children’s costume parade is being planned.

3) Business Owners Committee – None.

4) Manager Updated – See Director Report.

Board Continuing Education/Information:

- Director Report – National Main Street is currently in Owosso attending their National Conference staying at the Comstock and attending meetings at the Armory. Tours will take place throughout the city accompanied by City Manager, Nathan Henne.

   The Santa Training School will arrive on October 4th at 1:15 p.m. with 300 Santas in attendance. SRI has extended an invitation to the DDA to attend.

PUBLIC COMMENTS: None

BOARD COMMENTS: None

ADJOURNMENT: IT WAS MOVED BY AUTHORITY MEMBER WOODWORTH AND SUPPORTED BY AUTHORITY MEMBER OMER TO ADJOURN AT 1:05 P.M. AYES: ALL. MOTION CARRIED.
CALL TO ORDER: Chairman Espich called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE: Was recited.

ROLL CALL: Was taken by Joshua Adams.

MEMBERS PRESENT: Chairman Mike Espich, Vice-Chair Jeff Selbig, Commissioners Elaine Greenway and Christopher Owens.

MEMBERS ABSENT: Commissioners Nick Sebastmy and Randy Woodworth and Andrew Workman.

OTHERS PRESENT: None

APPROVAL OF AGENDA: COMMISSIONER GREENWAY MADE A MOTION TO APPROVE THE AGENDA FOR SEPTEMBER 25, 2019 AS IS.

MOTION SUPPORTED BY VICE-CHAIR SELBIG.

AYES ALL, MOTION CARRIED.


MOTION SUPPORTED COMMISSIONER GREENWAY.

AYES ALL, MOTION CARRIED.

PUBLIC COMMENTS/COMMISSIONER COMMENT:

Vice-chair Selbig inquired on the status of Pickle Ball

Mr. Adams reported that Phil Hathaway had shared that Mr. Hathaway was concerned about the condition of the court that was to be used for the Pickle Ball court. Mr. Adams said the Mr. Hathaway reported to him the court is cracked and has shifted.

Chairman Espich also shared that he thought that Adam Zettel, former city employee, and staff liaison to Parks and Recreation Commission, had chosen the company he did partly because they offered a ten year warranty for it.

Mr. Adams stated he would check into the warrant.

Chairman Espich read the following email from Commissioner Woodworth;

Gentlemen,

I have decided to resign from the Parks and Recreation Commission. I’m proud of our accomplishments during my tenure and will continue to privately support projects I believe to be important to our community. This decision has been prayed over and it’s clear that it is time for me to step away from this position. I thank you all for your diligent efforts and wish you the greatest success in future endeavors.

Your forever friend of the parks,

Randy Woodworth
Chairman Espich expressed his thoughts that Commissioner Woodworth had been a great commissioner and the rock and soul behind the skate park. He also expressed that he will be missed as a commissioner but certain that he will be seen around.

Commissioners had a discussion regarding the replacement of commissioners and some possible replacements.

Chairman Espich asked Mr. Adams if he had heard anything about the Loan a Pole Sign

Mr. Adams reported that he had not heard anything about that.

COMMUNICATIONS:

None

BUSINESS:

Capital Improvement Discussion

Mr. Adams explained that he had planned to have City Manager Henne come to tonight’s meeting to talk about the discussion the commissioner’s had at the meeting last month. Mr. Henne wasn’t able to be at the meeting.

Mr. Adams reported there is about $95,000.00 currently in the Parks and Recreation account that the commission can steward. He went on to explain that some other entities capture some of the money such as veterans and the DDA. Mr. Adams felt parks and recreation would end up with more than $95,000.00.

Mr. Adams explained that some people pay taxes on time and others will pay later. The account should continue to have money added to it as the tax money is paid.

Mr. Adams stated that he spoke with the city manager and he will be at the next meeting.

Check Register Review – July 2019 & August 2019

Mr. Adams stated that he did give commissioners the detail on the checking account and the commissioners will receive it with every packet.

Disc Golf – Update

Chairman Espich stated that Tim Law and he met with the DPW at the disc golf course. They walked the course to see where the signs and tee signs needed to be. He also reported that the DPW has a bunch of posts they are going to cut down to the size that Mr. Law had asked for. Mr. Law also wanted to put some hooks on some of the tee pad signs for the disc bags. The DPW is going to paint and set the poles.

Mr. Adams reported that he had spoken to Mr. Chinavare and Mr. Chinavare would like a detailed list of everything that needs to be done. Mr. Chinavare also stated it would probably in the spring before DPW can get to it, if they can do it.

Chairman Espich stated he would like Mr. Adams to check with Mark Mitchell on the project.

Mr. Adams said he would check with Mr. Mitchell.

National Fitness Campaign Grant

Mr. Adams recapped previous discussion regarding this. Mr. Adams reported that he checked with the city manager on this. The city manager stated that council has quite a bit of stuff going and didn’t feel that right now it would work for them. Mr. Adams also reported that he would contact the company tomorrow and let them know that the city isn’t interested in it at this time and may consider it in the years to come.

Mr. Adams reported that he was going to update the grant application for the Grove Holman Building. He said the city
scored 160 which isn’t bad. He stated he could probably gain 20 points and maybe get it up to 200 points which he felt would probably be in the running for the grant.

Commissioners and Mr. Adams discussed possible points gained.

**Vault Toilets**

Chairman Espich brought up to the commissioners a discussion on vault toilets. He stated he had talked to certain companies just to get some prices.

**Parks Inventory and Needs List**

Chairman Espich stated that he thought it would be a good idea for the commissioners to go out and visit the parks to give them a visual, either as a group or individually.

Mr. Adams reported on replacing the lighting at the Kiwanis Field. He stated it would be an expensive project even more than both years of the millage dollars.

Commissioners had a lengthy discussion revolving around light replacement at the Kwanis Field and with ideas of how to have some cost sharing with the project.

**Next Meeting October 23 @ 7 p.m.**

All commissioners present agreed to meet October 23rd at 7 p.m.

**PUBLIC COMMENTS/COMMISSIONER COMMENT:**

Vice-Chair Selbig stated that one of the children’s swings at Bentley Park that the latch is broken.

Mr. Adams stated he agreed with Chairman Espich that commissioners should go out and visit the parks to help develop the priority list. He also encouraged commissioners to take pictures.

Vice-Chair Selbig asked when the mulch at Bentley has been changed. He stated some people complained saying it was almost like dirt.

Commissioner Greenway shared that the rubberized mulch they used at Harmon Patridge Park was very expensive.

Chairman Espich reported that because the DPW is swamped and won’t be able to get to the tee pads until next year that Krupp’s would make the pads deliver them and set them for about $8,000.00.

Vice-Chair Selbig asked if the James Miner Trail was lighted. Mr. Adams responded it was not once past the Oakwood Bridge.

Chairman Espich welcomed Commissioner Owens to the commission and thanked him for his willingness to serve.

**VICE-CHAIR SELBIG MADE A MOTION TO ADJOURN AT 8:35 P.M.**

**MOTION SUPPORTED BY COMMISSIONER OWENS**

**ALL AYES, MOTION CARRIED.**