

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF MARCH 18, 2024
7:30 P.M.
VIRGINIA TEICH CITY COUNCIL CHAMBERS**

PRESIDING OFFICER: MAYOR ROBERT J. TEICH, JR.

OPENING PRAYER: PASTOR BILL MOULL
OWOSSO FREE METHODIST CHURCH

PLEDGE OF ALLEGIANCE: JUSTIN HORVATH, SEDP PRESIDENT

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

ABSENT: None.

APPROVE AGENDA

Motion by Mayor Pro-Tem Osika to approve the agenda with the removal of Item of Business #2 Blight Grant Agreement.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF MARCH 4, 2024

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of March 4, 2024 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Kim White, Director of the Shiawassee District Library, said there is a free event at the Lebowsky Center on Saturday, April 13, 2024 at 1:00 p.m. to hear the author of "Firekeeper's Daughter."

Tom Manke, 2910 W. M-21, said the book is great. He asked why the City went with an out-of-town realtor. He said it was a shame because he thought the City had a program if you have a business in Owosso you can get paid up to 10% more.

Justin Horvath, SEDP president, said the SEDP supports Item #1 on the consent agenda for 344 W. Main Street and Item #2 for the Brownfield plan for new housing development for Woodland Trails and Washington Park.

Jane Ferraro, 302 W. Oliver Street, asked the council to vote against the zoning ordinance in regard to residential districts.

Mayor Pro-Tem Osika stated the Shamrock Shuffle was a success and thanked the volunteers.

Mayor Teich announced the Owosso Chocolate Walk on April 20, 2024 from 1:00 to 4:00 p.m. Check in is at Gilbert's Hardware and tickets are \$10.

CONSENT AGENDA

Motion by Councilmember Pidek to approve the Consent Agenda as follows:

Set Public Hearing - Obsolete Property Rehabilitation Exemption Certificate – 344 West Main Street. Set a public hearing for Monday, April 1, 2024 to receive citizen comment regarding

the application from Curwood Place LLC for an Obsolete Property Rehabilitation Exemption Certificate for the property located at 344 West Main Street as follows:

RESOLUTION NO. 28-2024

SETTING A PUBLIC HEARING TO CONSIDER APPLICATION FOR AN OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE FOR THE PROPERTY COMMONLY KNOWN AS 344 W. MAIN STREET

WHEREAS, the City of Owosso received application for an Obsolete Property Rehabilitation Exemption Certificate on February 23, 2024 from Curwood Place LLC; and

WHEREAS, the City of Owosso approved a request to establish an Obsolete Property Rehabilitation District on September 6, 2016 for the property described as:

LOTS 10 THRU 15 & W 132' LOT 8 & W 132' OF S 18' LOT 7 BLK 6 LUCY L COMSTOCKS ADD, INCL W 132' CLSD ALLEY; and

WHEREAS, a public hearing must be held and it must be determined that approval of the Obsolete Property Rehabilitation Certificate would be beneficial to the City of Owosso, as well as local and regional economy.

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 Monday, April 1, 2024 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.

SECOND: the City Clerk gives the notifications as required by law.

THIRD: the city staff is directed to investigate and determine if the qualifications of the act are satisfied and report said findings at the hearing.

Master Plan Implementation Goals: 1.19, 3.20, 5.13

Set Public Hearing – Proposed Brownfield Plan #23. Set a public hearing for Monday, April 1, 2024 to receive citizen comment regarding the proposed Brownfield Redevelopment Plan #23 – Woodland Trails/Washington Park Redevelopment Project as follows:

RESOLUTION NO. 29-2024

SCHEDULING A PUBLIC HEARING FOR ADOPTION OF BROWNFIELD PLAN #23 – WOODLAND TRAILS/WASHINGTON PARK REDEVELOPMENT PROJECT PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF ACT 381 OF THE PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996, AS AMENDED

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Brownfield Authority recommended approval of Brownfield Plan #23 – Woodland Trails/Washington Park Redevelopment Project; and

WHEREAS, Public Act 381 of 1996, as amended, requires a public hearing before approval by the governing body.

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

FIRST: a public hearing is called for April 1, 2024 at or about 7:30 p.m. in the City Hall Council Chambers for the purpose of hearing comments from those interested in the project and brownfield plan.

SECOND: the City Clerk gives the notifications required by Public Act 381.

THIRD: City staff is directed to investigate and determine if the qualifications of the act are satisfied and report findings at the hearing.

Master Plan Implementation Goals: 1.2, 1.4, 5.11

Traffic Control Order - The Shi-Tri 2024. Approve request from Fitness Coliseum and the Friends of the Shiawassee River for use of Lot #10 on May 18, 2024 from 12:00pm through May 19, 2024 at 2:00pm and various streets on Sunday, May 19, 2024 from 8:00am through 11:30am for The Shi-Tri and further approve Traffic Control Order No. 1511 formalizing the action.

Master Plan Implementation Goals: 1.17, 4.2, 4.6, 5.9, 5.12

***MSHDA NEP Grant – Grant Agreement Approval.** Approve and accept the terms and conditions of MSHDA Neighborhood Enhancement Program (NEP) Grant, Grant # HDF-2024-37-NEP in the amount of \$75,000, designate authorized signatories for said grant, and authorize implementation of the grant according to the Program Guidelines as follows:

RESOLUTION NO. 30-2024

**APPROVING A NEIGHBORHOOD ENHANCEMENT PROGRAM
HOUSING DEVELOPMENT FUND GRANT AGREEMENT
BETWEEN THE CITY OF OWOSSO AND
THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY (MSHDA)**

WHEREAS, the Michigan State Housing Development Authority Neighborhood Enhancement Program (NEP) is designed to improve the livability and aesthetic of homes in economically disadvantaged neighborhoods through the funding of exterior improvements to homes/property; and

WHEREAS, the City of Owosso applied for and received an NEP Grant totaling \$75,000 to assist willing property owners in funding exterior improvements to their homes, such as roof replacement, windows and siding; and

WHEREAS, the beneficiaries of this grant will include residents of the community with qualified incomes as determined by the application process defined in the Program Guidelines; and

WHEREAS, the residential homes that qualify will be determined by the application process as defined in the program guidelines; and

WHEREAS, the City of Owosso will not be required to match any grant dollars, but will serve to administer the grant, be a pass-through entity for grant funds, and abide by the terms and conditions set forth in the grant agreement.

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

- FIRST: it has heretofore determined that it is advisable, necessary and in the public interest to enter into the Housing Development Fund Grant Agreement, Grant # HDF-2024-37-NEP, between the Michigan State Housing Development Authority and the City of Owosso dated March 4, 2024.
- SECOND: Planning & Building Director Tanya S. Buckelew and City Manager Nathan R. Henne are designated as Authorized Signers for said grant with the authority to sign the associated grant agreement, submit payment requests and request grant amendments.
- THIRD: Planning & Building Director Tanya S. Buckelew is recognized as the MSHDA appointed Grant Administrator for said grant and is authorized to administer the projects named to completion in accordance with the Program Guidelines.

Master Plan Implementation Goals: 1.14, 6.6

***Contract Authorization – Ambulance Services to Fairfield Township.** Authorize agreement with Fairfield Township to provide ambulance service coverage on their behalf with a charge to the Township in the amount of \$14,000.00 annually plus charges for services provided as follows:

RESOLUTION NO. 31-2024

**AUTHORIZING AGREEMENT TO PROVIDE AMBULANCE
SERVICES BETWEEN CITY OF OWOSSO AND FAIRFIELD TOWNSHIP**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Public Safety Department and Fairfield Township desire to enter into an agreement to have Owosso provide ambulance coverage to Fairfield Township, Shiawassee County Michigan; and

WHEREAS, City of Owosso operates a Fire Department which has the ability to provide ambulance service to Fairfield Township.

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 an agreement to provide ambulance services to

Fairfield Township for an annual fee as outlined in Agreement for Ambulance Services with Fairfield Township/City of Owosso.

SECOND: the mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Agreement for Ambulance Services with Fairfield Township/City of Owosso.

Master Plan Implementation Goals: 3.1, 3.2, 7.1

***Contract Authorization – Ambulance Services to Middlebury Township.** Authorize agreement with Middlebury Township to provide ambulance service coverage on their behalf with a charge to the Township in the amount of \$37,591.33 annually plus charges for services provided as follows:

RESOLUTION NO. 32-2024

AUTHORIZING AGREEMENT TO PROVIDE AMBULANCE SERVICES BETWEEN CITY OF OWOSSO AND MIDDLEBURY TOWNSHIP

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Public Safety Department and Middlebury Township desire to enter into an agreement to have Owosso provide ambulance coverage to Middlebury Township, Shiawassee County Michigan and;

WHEREAS, City of Owosso operates a Fire Department which has the ability to provide ambulance service to Middlebury Township.

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 an agreement to provide ambulance services to Middlebury Township for an annual fee as outlined in Agreement for Ambulance Services with Middlebury Township/City of Owosso.

SECOND: the mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Agreement for Ambulance Services with Middlebury Township/City of Owosso.

Master Plan Implementation Goals: 3.1, 3.2, 7.1

***Bid Award – 2024 Bridge Projects.** Approve bid award to E.T. Mackenzie Company of Grand Ledge, Michigan for bridge rehabilitation on the Gould Street Bridge and the Oakwood Pedestrian Bridge in the amount of \$274,893.95 with a \$10,000 contingency and further approve payment to the contractor upon satisfactory completion of the project or portion thereof as follows:

RESOLUTION NO. 33-2024

AUTHORIZING THE AWARD OF THE 2024 BRIDGE PROJECTS TO E.T. MACKENZIE COMPANY OF GRAND LEDGE, MICHIGAN

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined the Gould Street bridge requires compression seal replacement, concrete patching, sidewalk sealing, and epoxy patching and the Oakwood Pedestrian bridge requires deck board replacement, and that it is in the public's best interest to complete these repairs; and

WHEREAS, the city of Owosso sought bids for the rehabilitation of these bridges as part of the 2024 Bridge Projects, and the low responsive bid was received from E.T. Mackenzie Company in the amount of \$274,893.95; and

WHEREAS, E.T. Mackenzie Company is hereby determined to be qualified to provide such 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's best interest to employ E.T. Mackenzie Company to make repairs on the Gould Street bridge and the Oakwood Pedestrian bridge as part of the 2024 Bridge Projects.

SECOND: the mayor and city clerk are instructed and authorized to sign the necessary documents to execute the services contract with E.T. Mackenzie Company in the amount of \$274,893.95.

THIRD: the accounts payable department is authorized to pay E.T. Mackenzie Company for work satisfactorily completed on the project up to the initial contact amount of \$274,893.95 plus contingency in the amount of \$10,000.00 with prior authorization for a total of \$284,893.95.

FOURTH: the above expenses shall be paid from Major Street fund account number 202-473-818.000 (\$133,001.75) and Parks fund account number 101-751-974.000 (\$141,892.20), and other funds as appropriate.

Master Plan Implementation Goals: 3.4, 3.22

***Bid Award – 2024 Sewer Lining Project.** Approve bid award to Corby Energy Services, Inc. of Belleville, Michigan for sanitary and storm sewer living services in the amount of \$141,902.00 with a \$20,000 contingency and further approve payment to the contractor upon satisfactory completion of the project or portion thereof as follows:

RESOLUTION NO. 34-2024

AUTHORIZING THE AWARD OF THE 2024 SEWER LINING PROJECT TO CORBY ENERGY SERVICES, INC. OF BELLEVILLE, MICHIGAN

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has determined segments of sanitary and storm sewers on various streets in the City have become deteriorated or damaged and that rehabilitation is advisable, necessary and in the public interest; and

WHEREAS, the City of Owosso sought bids for the lining of these segments of sanitary and storm sewer as part of the 2024 Sewer Lining Project, and the low responsive and responsible bid was received from Corby Energy Services, Inc. in the amount of \$141,902.00; and

WHEREAS, Corby Energy Services, Inc. is hereby determined to be qualified to provide such 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 employ Corby Energy Services, Inc. to line segments of deteriorated or damaged sanitary and storm sewer as part of the 2024 Sewer Lining Project.

SECOND: the Mayor and City Clerk are instructed and authorized to sign the necessary documents to execute the services contract with Corby Energy Services, Inc. in the amount of \$141,902.00.

THIRD: the accounts payable department is authorized to pay Corby Energy Services, Inc. for work satisfactorily completed on the project up to the initial contact amount of \$141,902.00 plus contingency in the amount of \$20,000.00 for a total of \$161,902.00.

FOURTH: the above expenses shall be paid from the Major and Local Street Maintenance Funds accounts 202-463-818.000 and 203-463-818.000 (\$35,475.50 each) and Sewer Fund account 590-901-973.000-SEWERREHAB (\$70,951.00).

Master Plan Implementation Goals: 3.4

Warrant No. 641. Authorize Warrant No. 641 as follows:

Vendor	Description	Fund	Amount
Randy Smith 304 Oakwood Avenue	Reimbursement – Water service line replacement – leak at 221 North Ball St	Water	\$10,642.00

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

***Ordinance Amendment - Zoning Ordinance Rewrite**

Mayor Teich stated the last ordinance was adopted in 1977, with many addendums over the years. He further went on to state the current ordinance allows for tri and quad plex's, with Planning Commission approval. The proposed ordinance allows them as a permitted use and any structure over 2,000 square feet would go in front of Planning Commission for approval, otherwise an Administrative Review would occur starting with the Building Department. In the event of a proposed tri or quad plex, whether renovating an existing house or building new, the first question is – would the parking be sufficient. Setbacks being proposed would allow existing non-conforming to be in conformance. The section regarding residential infill for existing neighborhoods was added to regulate the character of new infill housing and promote harmony in neighborhoods between new and existing housing units and suitable character in terms of site payout, building dimensions, architectural design and building materials.

Council members asked questions for additional clarity on the proposed ordinance.

Motion by Mayor Pro-Tem Osika to approve the proposal to repeal and replace Chapter 38, Zoning, of the Code of Ordinances with the correction to Article III. Zoning districts in General. Sec. 38-76. Historic overlay districts. (5) add The Oliver Street Historic District, The Westtown Historic District, the Michigan Avenue Historic District and The Mason Street Historic District and move Chapter 26, Signs, within the new Zoning Ordinance, to update the City's Zoning Ordinance and map as follows:

ORDINANCE NO. 844

**APPROVING AMENDMENT
TO REPEAL AND REPLACE CHAPTER 38, ZONING,
AND RELOCATE CHAPTER 26, SIGNS, WITHIN THE ZONING ORDINANCE**

WHEREAS, in an effort to attract economic development to the City of Owosso, City staff has been working toward the goal of obtaining Redevelopment Ready Communities certification; and

WHEREAS, the next step in the process involved a comprehensive review of the City's Zoning Ordinance to remove obsolete rules and procedures, streamline requirements, and regulate for the kind of development the community desires; and

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Planning Commission believes a complete re-write of Chapter 38, Zoning, including an updated Zoning Map, will better address the needs of the community; and

WHEREAS, the Planning Commission held public hearings at their August 28, 2023 and November 27, 2023 regularly scheduled meetings regarding the proposal to repeal and replace the Zoning Ordinance in which no citizen comments were voiced or received; and

WHEREAS, the Planning Commission recommends the repeal and replacement of Chapter 38, Zoning, in its entirety; and

WHEREAS, they further recommend shifting the Sign Ordinance from Chapter 26, Signs, to an Article within the new Chapter 38, Zoning.

WHEREAS, the City Council held a public hearing on March 4, 2024, heard all interested persons, and deliberated on the proposed ordinance amendments.

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

SECTION 1. REPEAL. That Chapter 38, Zoning, including the Zoning Map, is hereby repealed in its entirety.

SECTION 2. REPLACEMENT. That the new Chapter 38, Zoning, shall read as follows:

INSERT TEXT OF NEW ZONING ORDINANCE HERE

(Due to its length, at over 200 pages, full text of the new Zoning Ordinance will not be printed here. Please see the Record of Ordinances, Ordinance No. 844, in the City Clerk's Office to view the text in its entirety.)

SECTION 3. RELOCATE. That Chapter 26, Signs, shall be relocated to Article XX, Signs, of the new Chapter 38, Zoning, with no further changes.

SECTION 4. SEVERABILITY. The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of this Ordinance as a whole or any section or provision of this Ordinance other than the section or provision so declared to be unconstitutional or invalid.

SECTION 5. INCONSISTENT ORDINANCES. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are repealed.

SECTION 7. 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 8. EFFECTIVE DATE. This amendment shall become effective April 8, 2024.

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

Master Plan Implementation Goals: A.1, A.8, 1.22, 2.13, 4.9, 4.11, 4.13, 4.14, 4.15, 4.17, 5.6, 5.13, 5.15, 5.29

Blight Grant Agreement – (This item was removed from the agenda.)

COMMUNICATIONS

Parks and Recreation Commission. 2023 Annual Report.
Tanya S. Buckelew, Planning & Building Director. February 2024 Building Department Report.
Tanya S. Buckelew, Planning & Building Director. February 2024 Code Violations Report.
Tanya S. Buckelew, Planning & Building Director. February 2024 Inspections Report.
Tanya S. Buckelew, Planning & Building Director. February 2024 Certificates Issued Report.
Kevin D. Lenkart, Public Safety Director. February 2024 Police Report.
Kevin D. Lenkart, Public Safety Director. February 2024 Fire Report.
Owosso Historical Commission. Minutes of February 27, 2024.
Parks & Recreation Commission. Minutes of February 28, 2024.
Downtown Development Authority. Minutes of March 6, 2024.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 2910 W. M-21, talked about smaller homes and downsizing. He asked if the commercial roofs are being inspected downtown.

Cheryl Farver, 414 Adams Street, said she is disappointed in council.

Mayor Teich said congratulations to Chief Lenkart for the work on the Fairfield and Middlebury Township ambulance services contracts.

NEXT MEETING

Monday, April 01, 2024

BOARDS AND COMMISSIONS OPENINGS

Building Board of Appeals – Alternate - term expires June 30, 2024
Building Board of Appeals – Alternate - term expires June 30, 2025
Zoning Board of Appeals – Alternate – term expires June 30, 2024
Zoning Board of Appeals – Alternate – term expires June 30, 2025

ADJOURNMENT

Motion by Mayor Pro-Tem Osika for adjournment at 8:29 p.m.

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

Robert J. Teich, Jr., Mayor

Tanya B. Buckelew, Recording Clerk

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