

**CITY OF OWOSSO**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**MONDAY, MAY 06, 2013**  
**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 APRIL 15, 2013:**

**APPROVAL OF THE MINUTES OF SPECIAL MEETING OF APRIL 24, 2013:**

**APPROVAL OF THE MINUTES OF REGULAR MEETING OF APRIL 29, 2013:**

**ADDRESSING THE CITY COUNCIL**

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

**PROCLAMATIONS / SPECIAL PRESENTATIONS**

1. Culture! Weekend. A proclamation of the Mayor's office proclaiming May 17-19, 2013 as Culture! Weekend in the City of Owosso.
2. Shiawassee Homebuilders Presentation. Association President Jerry Meyer will present a "Before and After" pictorial display of the rehabilitation pilot project house at 1409 West Main Street.
3. MAGNET Update. Detective Lieutenant James Wolf will present an update on the MAGNET program.

**PUBLIC HEARINGS**

1. Special Assessment District No. 2013-01. Conduct a public hearing to receive citizen comment regarding Resolution No. 3 for Special Assessment District No. 2013-01 for Brooks Street from Cleveland Street to the north end for street reconstruction.

2. Special Assessment District No. 2013-02. Conduct a public hearing to receive citizen comment regarding Resolution No. 3 for Special Assessment District No. 2013-02 for Chipman Street from Stewart Street to the railroad for street reconstruction.
3. Special Assessment District No. 2013-03. Conduct a public hearing to receive citizen comment regarding Resolution No. 3 for Special Assessment District No. 2013-03 for Cleveland Street from Chestnut Street to Carmody Street for street reconstruction.
4. Special Assessment District No. 2013-04. Conduct a public hearing to receive citizen comment regarding Resolution No. 3 for Special Assessment District No. 2013-04 for Krust Drive from Dewey Street to North Street for street reconstruction.
5. 2013-2014 Proposed City Budget. Conduct a Public Hearing to receive citizen comment regarding proposed 2013-2014 City Budget.

## **CITIZEN COMMENTS AND QUESTIONS**

### **CITY MANAGER REPORT**

### **CONSENT AGENDA**

1. Traffic Control Order No. 1285 Amendment. Authorize amendment to Traffic Control Order No. 1285, which formalized the street and parking lot closures for the Curwood Festival, to reflect the closure of the south west portion of the Public Safety parking lot at 8:00am June 4, 2013 to accept delivery of the entertainment tent.
2. Girls on the Run 5K Permission. Consider application of Girls on the Run Mid-Michigan for use of Gould Street from Jackson Drive to Mallard Circle and Jackson Drive and Mallard Circle from 8:00am to 10:00am on Sunday, May 19, 2013 for a 5k run and authorize Traffic Control Order No. 1290 formalizing the request.
3. Humane Society 5K & 5K9 River Run Permission. Consider application of the Shiawassee Humane Society for permission to use Jerome Avenue and Oakwood Avenue adjacent to Wilman Field and the James Miner River Trail from 8:00am to noon on Saturday, May 11, 2013 for a 5K race and a 5K Dog Walk/Run and authorize Traffic Control Order No. 1291 formalizing the request.
4. Change to Street Lighting Contract. Consider amendment to the Street Light Contract with Consumers Energy to reflect the removal of one incandescent fixture and the installation of one high pressure sodium fixture in the alley behind 110 East Exchange Street and authorize the Mayor and City Clerk to execute appropriate documents.
5. Bid Award – Mowing. Authorize bid award to Fourstar Landscaping, LLC for mowing of private properties in violation of the weed ordinance and for certain city-owned properties for the 2013 mowing season in the following amounts: \$15 for a single lot, \$20 for a double lot, and \$25 for lots larger than a double lot, \$15 for each Osburn Lakes lot, and \$35 for the Gould House lot.

### **ITEMS OF BUSINESS**

1. Michigan Main Street Program—Community Requirements and Expectation Agreement. The resolution would authorize the execution of an agreement detailing the city's and its Local Main Street Program to minimum participation standards including the employment of a full-time program director, guaranteeing funding for five years, maintaining membership in the National Main Street Center Network, and agreeing to reporting requirements. The Michigan Main Street Program agrees to provide training, to provide design services annually for three projects, and payment of registration for one person to attend the National Main Street Conference. The agreement may be terminated with 30 days notice by either party.

2. Schedule Budget Work Session. Consider scheduling a budget work session for Wednesday, May 8, 2013 at 7:00 p.m.

### **COMMUNICATIONS**

1. Michigan Liquor Control Commission. Communication regarding the transfer of ownership for the 2 Harrands convenience stores.
2. Richard C. Williams, Finance Director. Cash and Investment Position for quarter ending March 31, 2013.
3. Historical Commission. Minutes of April 8, 2013.
4. Parks & Recreation Commission. Minutes of April 22, 2013.
5. Planning Commission. Minutes of April 22, 2013.

### **CITIZEN COMMENTS AND QUESTIONS**

### **NEXT MEETING**

Monday, May 20, 2013

### **BOARDS AND COMMISSIONS OPENINGS**

Building Board of Appeals – 2 Alternates, terms expire 06-30-2015 (candidates must possess construction knowledge)

### **ADJOURNMENT**

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

**OWOSSO CITY COUNCIL**

**APRIL 15, 2013**

**7:30 P.M.**

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

**OPENING PRAYER:** LIEUTENANT CASSY GREY  
SALVATION ARMY

**PLEDGE OF ALLEGIANCE:** LYDIA HAWTHORNE  
AMERICORPS COMMUNITY RESOURCE NAVIGATOR

**PRESENT:** Mayor Benjamin R. Frederick, Mayor Pro-Tem Cindy S. Popovitch,  
Councilpersons Loreen F. Bailey, Thomas B. Cook, Christopher T.  
Eveleth and Burton D. Fox.

**ABSENT:** Councilperson Michael J. Erfourth

**APPROVE AGENDA**

Motion by Councilperson Eveleth to approve the agenda with the following change:

Consent items 2-9 regarding Special Assessments will move to Item of Business 5 to allow for technical corrections.

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

**APPROVAL OF THE MINUTES OF REGULAR MEETING OF APRIL 1, 2013**

Motion by Councilperson Cook to approve the Minutes of the Regular Meeting of April 1, 2013 as presented.

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

**PROCLAMATIONS / SPECIAL PRESENTATIONS**

**AMERICORPS SERVICE MEMBER INTRODUCTION**

A presentation was given introducing Lydia Hawthorne as the area's Americorps Community Resource Navigator. She will be responsible for helping area residents access, and transition to, the new online benefit system for the Department of Human Services. Those desiring her assistance can contact her at Capital Area Community Services.

**ARBOR DAY PROCLAMATION**

Mayor Frederick read aloud the following proclamation of the Mayor's Office declaring April 27, 2013 as Arbor Day in the City of Owosso:

**A PROCLAMATION  
OF THE MAYOR'S OFFICE OF THE CITY OF OWOSSO, MICHIGAN  
DESIGNATING APRIL 27, 2013 AS  
ARBOR DAY IN THE CITY OF OWOSSO**

*Whereas,* In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees. This holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

*Whereas,* decades before this in the 1830's, Owosso was making the transition from settlement to city thanks to the amazing vision of Alfred and Benjamin Williams. The Williams brothers joined with early settlers Dr. and Mrs. John Barnes in designing a city layout that would preserve a natural character and aesthetic appeal. This led them to plant many of the trees that have made our city streets so beautiful for over 175 years, leading to the lovely arbors of trees that frame so many of our boulevards and the many mature trees that stand in our yards, and

*Whereas,* these trees have reduced the erosion of our precious topsoil by wind and water, cut our heating and cooling costs by shading our homes, cleansed the air, produced life-giving oxygen, and provided habitat for wildlife, at the same time increasing property values, enhancing the economic vitality of business areas, and generally adding beauty to our neighborhoods and parks, and

*Whereas,* it falls to each generation to continue the stewardship that was launched by our founding families through the planting of new trees throughout our city to replace those that are lost, and

*Whereas,* Owosso is proud to hold the Tree City USA designation and to be engaged this year in a first-ever partnership with the Owosso Public Schools promoting urban forestry. This volunteer effort and partnership will culminate in the planting of more than forty trees within the historic Emerson Oak Grove and the Emerson Elementary School grounds while educating youngsters and adults about the importance of our trees and tree planting.

*Now, Therefore,* I, Benjamin R. Frederick, Mayor of the City of Owosso, do hereby proclaim April 27th, 2013 as Arbor Day in the City of Owosso, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

*Further,* I urge our citizens to plant trees to promote the well-being of this generation and our posterity.

Proclaimed this 15<sup>th</sup> day of April, 2013.

The Mayor extended an open invitation to participate in the Arbor Day

#### **PUBLIC HEARINGS**

None.

#### **CITIZEN COMMENTS AND QUESTIONS**

Marsha Ladd, 735 Lingle Avenue, said she was very pleased by the City's new website. She went on to comment about the Bentley Park improvement project bid and the proposed budget. She said it was vitally important to provide good restroom facilities in a park with so many attractions for young children. In regard to the budget she indicated there were a number of things she like in the budget but she was very much opposed to any increase in taxes saying the City needed to attract new residents and higher taxes would do the opposite. She said she also objected to the proposal for the hire of a part time employee to oversee the Curwood Castle and the Gould House operations. Lastly, she indicated she didn't feel a \$10,000 sign proposed for Fayette Square was a prudent expense. The Mayor thanked her for her thoughtful input on the budget.

Gary Sensibaugh, 729 Genesee Street, suggested that in light of the Newtown school shooting that police make their presence known around area school buildings by parking near them to complete their reports. Eddie Urban, 601 Glenwood Avenue, said he was opposed to allowing drinking in McCurdy Park and was heading to the Corunna City Council meeting to express his objection.

Mayor Frederick inquired whether the Public Safety Department had considered Mr. Sensibaugh's suggestion. It was noted the idea had been relayed to officers.

Mayor Pro-Tem Popovitch commented on a couple of newspaper articles she had seen recently documenting local recycling programs in other communities. She asked that services like this be considered as the Council examines the budget for the coming year.

Councilperson Fox indicated the sign designating the future location of the Firemen's Memorial was put up recently officially kicking off fund raising events for the project. He thanked local architect Jeff Peltier for his work designing the structure to house the memorial as well as a local contractor that had pledged to donate all of the cement needed for the project.

Councilperson Eveleth announced the Farmers Market block party to be held April 27<sup>th</sup> on Exchange Street. The event will be the kick off for the Downtown Farmers Market and will feature food and beer tasting. He also noted that he attended the Living Green Symposium over the weekend and had the honor of presenting Jeff Peltier with a certificate of appreciation for his extensive work around the community. Mr. Peltier was in the audience and received a round of applause.

Mayor Pro-Tem Popovitch inquired about how long the Arbor Day event will be going on as she is involved in the annual Hospital Auxiliary 5k run that day and was curious if she could attend both events. She also wished the Owosso Middle School Destination Imagination teams good luck as they head to the State competition this weekend.

### **CITY MANAGER REPORT**

City Manager Crawford indicated he had no comments but did seek clarification on the application from the Farmers Market for use of Exchange Street, inquiring whether they had insurance or were seeking a waiver. It was noted the application was incorrect and no waiver was being requested, the City should be in receipt of proof of insurance for the event.

### **CONSENT AGENDA**

Motion by Councilperson Eveleth to approve the Consent Agenda as follows:

Set Public Hearing - 2013-2014 City Budget. Set required Public Hearing pursuant to Chapter 8 of the City Charter for May 6, 2013 to receive citizen comment regarding proposed 2013-2014 City Budget.

Friday Night Car Cruise Permission. Consider waiving the insurance requirement, approving the application of Owosso Main Street for use of Exchange Street from Washington Street to Water Street between 6:00 pm and 9:00 pm on the second Friday of each month from May to October 2013 for a cruise-in, and authorizing Traffic Control Order No. 1287 formalizing the request.

Farmers Market Block Party Permission. Consider approving the application of the Downtown Owosso Farmers Market for use of Exchange Street between Ball Street and Washington Street from 3:00 pm to 9:00 pm on Saturday, April 27, 2013 for the Downtown Owosso Farmers Market block party and authorize Traffic Control Order No. 1288 formalizing the request.

Farmers Market Permission. Consider approving the application of the Downtown Owosso Farmers Market for use of Exchange Street between Water Street and Park Street from 6:00 am to 2:00 pm on consecutive Saturdays from May 4, 2013 through October 26, 2013 (using Exchange Street from Ball Street to Park Street on June 8, 2013 to accommodate the Curwood Festival) for the 2013 farmer's Market and authorize Traffic Control Order No. 1289 formalizing the request.

Flexible Spending Account Terms Adoption. Authorize acceptance of the terms governing the Flexible Spending Accounts available to City employees, with a retroactive effective date of January 1, 2013 as follows:

**RESOLUTION NO. 26-2013**

**ADOPTING THE CITY OF OWOSSO FLEXIBLE SPENDING PLAN**

WHEREAS, the city of Owosso, a Michigan municipal corporation, provides a cafeteria plan for its employees;

WHEREAS, under the tax laws of the United States of America the city council must adopt a resolution for the calendar year effective January 1, 2013 and subsequent years;

NOW THEREFORE, the city council of the city of Owosso, Michigan (the employer) resolves:

- FIRST: that the form of Cafeteria Plan including a Dependent Care Flexible Spending Account and Health Flexible Spending Account effective January 1, 2013 presented and attached is approved and adopted and that the duly authorized agents of the city are hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.
- SECOND: that the Administrator is instructed to take such actions that they deem necessary and proper to implement the Plan, and to set up adequate accounting and administrative procedures to provide benefits under the Plan.
- THIRD: that the duly authorized agent of the employer (the human resources director) shall act as soon as possible to notify city employees of the Cafeteria Plan's adoption by delivering to each employee a copy of the attached *Summary Plan Description*, which is hereby approved.
- FOURTH: the undersigned certifies that attached as Exhibits A and B, respectively, are true copies of the *City of Owosso Flexible Spending Plan* and the *Summary Plan Description* approved and adopted in this resolution.
- FIFTH: that all prior resolutions and documents for the *City of Owosso Flexible Spending Plan* are rescinded as of January 1, 2013.

Bid Award Extension – Dry Cleaning. Waive bidding irregularities and authorize a one-year extension to the contract with Rubob's Inc./Ruthy's Laundry Center for dry cleaning services for the Public Safety Department in an amount not to exceed \$6,500.00 as follows:

**RESOLUTION NO. 27-2013**

**AUTHORIZING A CHANGE ORDER  
TO THE PURCHASE ORDER FOR  
DRY CLEANING SERVICES  
WITH RUBOB'S, INC./RUTHY'S LAUNDRY CENTER**

WHEREAS, the City Council approved a purchase agreement with Rubob's, Inc./Ruthy's Laundry Center for dry cleaning services on August 1, 2012; and

WHEREAS, as there are no longer any other dry cleaners operating in the City it is prudent to extend the purchase order with Rubob's, Inc./Ruthy's Laundry Center; and

WHEREAS, Rubob's, Inc./Ruthy's Laundry Service has agreed to continue to provide the requested dry cleaning services for the 2013-14 fiscal year at 2012-13 prices, creating the need to amend the original purchase order.

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

FIRST: The City of Owosso agrees to extend the purchase order with Rubob's, Inc./Ruthy's Laundry Center for dry cleaning services to cover the 2013-14 fiscal year.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit A, Amendment to the Contract for Services Between the City of Owosso, Rubob's, Inc./Ruthy's Laundry Center, increasing the total by an amount not to exceed \$6,500.00.

THIRD: The above expenses shall be paid from Police Division line item 101-300-741000 and Fire Division line item 101-335-741000.

Warrant No. 462. Accept Warrant No. 462 as follows:

Vendor	Description	Fund	Amount
CalFirst Leasing Corporation	Annual Payment for HME Tower/Ladder Fire Truck	General	\$121,717.50
Logicalis, Inc	Network Engineering Support February 2013	General	\$ 6,902.00
Brown & Stewart, PC	Professional Services-March 12, 2013 – April 8, 2013	General	\$ 8,273.20
Caledonia Charter Township	Caledonia Utility Fund payment covering the quarter ending March 31, 2013	Water	\$ 16,461.39
Owosso Charter Township	Owosso Charter Township water sales payment covering the quarter ending March 31, 2013	Water	\$ 7,580.10

\*Check Register – March 2013. Affirm check disbursements totaling \$756,583.50 for the month of March 2013.

Motion supported by Councilperson Cook.

Roll Call Vote.

AYES: Mayor Pro-Tem Popovitch, Councilpersons, Cook, Fox, Eveleth, Bailey, and Mayor Frederick.

NAYS: None.

ABSENT: Councilperson Erfourth.

\*Due to its length full text of this item is not included in the minutes. A full copy of this document is on file in the Clerk's Office.

## **ITEMS OF BUSINESS**

### **FINAL GRANT APPLICATION – CDBG DOWNTOWN FAÇADE GRANT**

City Manager Crawford indicated staff had been working on this project for a number of months and was very happy that it looked like their efforts would be paid off in the award of a grant. He went on to say that the action tonight would not mark the final action needed for the project but final authorization from the State was expected soon.



There was question as to the level of funding for which the City would be responsible. It was noted the grant would cover 75% of the costs, 24% would be covered by property owners, and the remaining 1% would be covered by the City (approximately \$6,400).

There was also question regarding whether the Quaker Oats sign on the side of the Nail Boutique building would be restored as a part of the project. It was noted it would remain as it is.

Council expressed its excitement about the numerous construction projects that would be possible with the grant funding.

Motion by Councilperson Eveleth to authorize final application for the CDBG grant in the amount of \$270,750.00 to assist in the rehabilitation of 6 downtown facades and further authorize appropriate staff members to execute necessary documents as follows:

### **RESOLUTION NO. 28-2013**

#### **A RESOLUTION TO APPROVE THE FINAL APPLICATION AND PROGRAM FOR THE 2013 OWOSSO FAÇADE PROJECT**

WHEREAS, the City of Owosso recognizes the importance of its downtown as it relates to the economic and cultural development of the community, as well as the overall quality of life; and

WHEREAS, the Owosso Master Plan indicates that investment in the downtown structures so that they can sustain modern economic and residential functions in the new economy is essential to the community's future; and

WHEREAS, the Owosso Downtown Development Authority/Main Street Board has been working with city staff to secure façade designs and a Community Development Block Grant towards assisting building owners in the downtown towards such ends; and

WHEREAS, six properties have been selected by state and local processes for inclusion in an application to receive façade grant support from the Michigan Economic Development Corporation, with such properties listed as follows:

110 E. Exchange St.  
111 E. Main St.  
112 S. Washington St.  
112 W. Exchange St.  
117-119 N. Washington St.  
207 N. Washington St.

WHEREAS, the beneficiaries of this project would include all residents in the community, and the city has been identified as being greater than 51% low and moderate income persons; and

WHEREAS, the total project cost of the project is \$360,500, with \$270,375 requested from the MEDC, \$83,853 expected to be supported by the said property owners, and \$6,397 to be provided by the City of Owosso as outlined in the grant application; and

WHEREAS, this plan is consistent with the community's development plans as outlined in the grant application; and

WHEREAS, city staff is currently completing the Part 2 Application, the environmental review, and other required elements of the CDBG application process; and

WHEREAS, a public hearing was held on this project on Thursday, April 4, 2013 in which no comments were received; and

WHEREAS, no project costs (CDBG or non-CDBG) can be incurred prior to a formal grant award, completion of the environmental review procedures and formal, written authorization to incur costs has been provided by the city's CDBG Project Manager.

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 authorize city staff to submit the completed Part 2 Application for façade improvements to the MEDC and further commits to funding the project in the amount of \$6,397.

SECOND: The same council hereby designates Adam Zettel, ACIP, Community Development Director, as the Project Manager and authorizes him to sign and execute the Part 2 Application and all attachments, as well as the grant agreement.

Motion supported by Councilperson Fox.

Roll Call Vote.

AYES: Councilpersons Bailey, Cook, Fox, Mayor Pro-Tem Popovitch, Councilperson Eveleth, and Mayor Frederick.

NAYS: None.

ABSENT: Councilperson Erfourth.

#### **BUDGET WORK SESSION DATE(S)**

There was discussion regarding availability and conflicts with other meetings.

Motion by Councilperson Bailey to set budget work sessions for Wednesday, April 24, 2013 at 7:00 pm and Monday, April 29, 2013 at 7:00 pm, with the possibility of further meetings considered at the May 6<sup>th</sup> regular meeting.

Motion supported by Mayor Pro-Tem Popovitch.

Roll Call Vote.

AYES: Councilpersons Fox, Bailey, Mayor Pro-Tem Popovitch, Councilpersons Cook, Eveleth, and Mayor Frederick.

NAYS: None.

ABSENT: Councilperson Erfourth.

#### **TREE PURCHASE – EMERSON GROVE**

Mayor Frederick indicated the project was a true collaborative effort with the purchase funded entirely by grants and private donations and the work necessary for installation and maintenance donated by Nash Nurseries, the Schools, the City, and private citizens. He went on to say that he hoped this was the first of many acknowledgements of School property as public spaces to be enjoyed by all. He invited everyone to join in the Arbor Day event scheduled for April 27<sup>th</sup> at 9:30 am to help plant trees.

Councilperson Cook gave his support to the project and said he felt a sign indicating the City status as a Tree City would be appropriate for the location. Mayor Frederick noted that there was interest by the High School wood shop students to address the signage needs of the grove.

Motion by Councilperson Eveleth to authorize the purchase of trees from Nash Nursery as a part of the joint effort with the Owosso Public Schools for the refurbishment of the old growth oak grove at Emerson School in the amount of \$7,190.00 as follows:

**RESOLUTION NO. 29-2013**

**RESOLUTION AUTHORIZING THE NO BID PURCHASE OF TREES FOR  
THE MICHIGAN DNR COMMUNITY FORESTRY GRANT PROGRAM  
EMERSON GROVE PLANTING PLAN**

WHEREAS, the oak grove at Emerson School, also known as Emerson Grove, is an historic site known and cherished throughout the community as a mature and shaded cluster of oaks that brings the feel of a forest to the heart of the community; and

WHEREAS, many community members affiliated with the Owosso Public Schools, the City of Owosso, local businesses, and the general public feel that a reinvestment in this asset is necessary to preserve the area's heritage and improve the quality of life in the community; and

WHEREAS, a project was approved that partnered the City of Owosso with the Owosso Public Schools to plant new oaks and maples on the historic property at Emerson School; and

WHEREAS, this project will not only beautify a public space but also educate and promote best practice forestry goals and operations within the school operations department and its students, and showcase urban forestry to volunteers and the community at large in an effort to build a stronger culture of urban forestry stewardship; and

WHEREAS, the City of Owosso has written and received a grant in the amount of \$3,800 to assist with this endeavor; and

WHEREAS, the community has come together to raise funds for this project, collecting \$3,390.00; and

WHEREAS, the trees to be ordered for this project exceed \$5,000 in value and as such are subject to the bid process; and

WHEREAS, city code Section 2-344 permits exceptions to the bid policy under specific circumstances for purchases that exceed \$5,000; and

WHEREAS, the city finds that the uniqueness of the tree donations in applying for and executing this grant project make said trees a commodity that is non-competitive.

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

- FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to purchase trees from Nash Nursery in the amount of \$7,190.00 as outlined in the attached schedule, such funds to be paid from general fund line item 101-000-600.648.
- SECOND: City staff is directed to execute this order and undertake all financial and project tracking and reporting as necessary to be reimbursed by the DNR for expenses up to \$3,800.
- THIRD: The Owosso City Council affirms its commitment to funding, through the in-kind services of its staff and workforce, such elements as outlined in the grant application.

FOURTH: The City of Owosso agrees to maintain satisfactory financial accounts, documents and records and make them available to the Department of Natural Resources for auditing at reasonable times.

Motion supported by Councilperson Fox.

Roll Call Vote.

AYES: Councilpersons Eveleth, Cook, Fox, Mayor Pro-Tem Popovitch, Councilperson Bailey, and Mayor Frederick.

NAYS: None.

ABSENT: Councilperson Erfourth.

### **BID AWARD – BENTLEY PARK PROJECT**

Mayor Frederick indicated this project had been bid out last fall but the estimates came back significantly higher than anticipated so changes were made to the bid specs and the item was rebid in an effort to reduce the cost necessary to complete the work. Despite this effort only one bid was received and the proposed price was even higher than the first round of bidding. He said he did not see how another delay and rebid could significantly reduce the cost of the project. He went on to say he felt it was important to undertake the project as Bentley Park is a premier park for the City and it was important the park be completed.

There was discussion whether only one bathroom could be rehabbed to save money and setting a time limit to rehabilitate the second bathroom so it's not forgotten.

Councilperson Cook inquired about the funding for the project asking about the amount of grant funding and the amount that had been budgeted for the project. He further inquired what the City was obliged to complete under the terms of the grant. He said that while he would be very disappointed if the grant money had to be returned because the City contribution was too high he would be very cautious about spending money that wasn't budgeted. City Manager Crawford pointed out that a certain amount of funds had been saved in the past by not doing maintenance in the park and that Council may look at the situation as reclaiming those funds from the fund balance.

Three different Council members expressed their feeling that it was important to complete the full project, saying it was important to do what they said they would do when the project was first broached, that the completed park would be an asset to the City, and the longer the park went unrepaired the costlier the project would become.

There was further discussion regarding the option to utilize one of the three tennis courts for other purposes including a potential ice rink in the winter as mentioned in the staff memo. It was noted the tennis court area could be used for an ice rink but the cost would be prohibitive and was not within the scope of the project.

Motion by Councilperson Fox to approve bid award to Oak Construction Company for the Bentley Park Recreation Passport Grant Project in the amount of \$98,000.00, encompassing \$29,300 in grant funds and \$58,700 from the General Fund as follows:

### **RESOLUTION NO. 30-2013**

#### **RESOLUTION AUTHORIZING THE EXECUTION OF A BID AWARD THE MICHIGAN DNR BENTLEY PARK RECREATION PASSPORT GRANT**

WHEREAS, Bentley Park is noted as being one of the oldest parks with the most public exposure in the city; and

WHEREAS, the park facilities are exceeding their useful life, and regular maintenance cannot effectively address some of the facility shortcomings; and

WHEREAS, the City of Owosso Parks and Recreation Commission, in conjunction with city staff, investigated and audited Bentley Park in the fall of 2010 for the purpose of planning an investment strategy to rehabilitate and rejuvenate the park and subsequently delivered a capital rehabilitation plan to the City Council in October of 2010; and

WHEREAS, the City of Owosso and its partners intend to rehabilitate the existing facilities, increase accessibility, enhance the natural features, and increase use with a new playscape; and

WHEREAS, the City of Owosso, the Owosso Kiwanis Club, and the Shiawassee Community Foundation are publicly and financially committed to carrying out the improvements in Bentley Park; and

WHEREAS, the State of Michigan Department of Natural Resources has awarded a Recreation Passport Grant applications in the amount of \$29,300 toward the rehabilitated facilities for the purpose of "providing public outdoor recreation opportunities or facilities and infrastructure to support public outdoor recreation activity"; and

WHEREAS, the City of Owosso has received one bid, in the amount of \$98,000, to complete certain portions of the project.

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 accept the bid in the amount of \$98,000 to complete the project as specified in the bid documents.
- SECOND: The Mayor is instructed and authorized to sign such documents as necessary between the City of Owosso and Oak Construction Company of Flushing, Michigan.
- THIRD: The Owosso City Council commits to amend the budget to enable a general fund contribution of \$58,700 for the project.
- FOURTH: The City of Owosso agrees to maintain satisfactory financial accounts, documents and records and make them available to the Department of Natural Resources for auditing at reasonable times.
- FIFTH: The City of Owosso selects the alternate bid that will result in one tennis court being left open for a multi-purpose area, finding such an adjustment would enhance the use of the park in the winter and summer months.

Motion supported by Councilperson Eveleth.

Roll Call Vote.

AYES: Councilpersons Eveleth, Bailey, Fox, Mayor Pro-Tem Popovitch, and Mayor Frederick.

NAYS: Councilperson Cook.

ABSENT: Councilperson Erfourth.

**SPECIAL ASSESSMENT RESOLUTIONS** (Items 2-9 moved from the Consent Agenda)

City Manager Crawford indicated the following items had been pulled from the Consent Agenda to tend to minor corrections and wording changes. He directed that spelling and punctuation errors be addressed and that, upon the recommendation of the City Attorney, all the resolutions be adjusted to reflect the fact that they are proposed projects the necessity of which has yet to be determined.

Motion by Councilperson Eveleth to authorize Resolution Nos. 1 & 2 for Special Assessment Districts 2013-01, 2013-02, 2013-03, and 2013-04 as follows:

**Special Assessment District No. 2013-01      Brooks Street from Cleveland Street to the north end**

**RESOLUTION NO. 31-2013**

WHEREAS, the City Council of the City of Owosso deems it may be necessary to acquire and construct the following described improvement:

**Brooks Street from Cleveland Street to the north end  
Street Reconstruction**

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The matter of making said public improvement is hereby referred to the City Manager, who shall prepare a report thereon, which shall include plans and detailed estimates of the cost thereof and a description of the special assessment district and such other pertinent information as will permit the City Council to decide the cost, extent and necessity of the public improvement and what proportion of the cost should be paid by the City at large.

The City Manager shall present said report to the City Council when same has been prepared.

**Special Assessment District No. 2013-02      Chipman Street from Stewart Street to the railroad**

**RESOLUTION NO. 32-2013**

WHEREAS, the City Council of the City of Owosso deems it may be necessary to acquire and construct the following described improvement:

**Chipman Street from Stewart Street to the railroad  
Street Reconstruction**

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The matter of making said public improvement is hereby referred to the City Manager, who shall prepare a report thereon, which shall include plans and detailed estimates of the cost thereof and a description of the special assessment district and such other pertinent information as will permit the City Council to decide the cost, extent and necessity of the public improvement and what proportion of the cost should be paid by the City at large.

The City Manager shall present said report to the City Council when same has been prepared.

**Special Assessment District No. 2013-03      Cleveland Street from Chestnut Street to Carmody Street**

**RESOLUTION NO. 33-2013**

WHEREAS, the City Council of the City of Owosso deems it may be necessary to acquire and construct the following described improvement:

**Cleveland Street from Chestnut Street to Carmody Street**

### **Street Reconstruction**

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The matter of making said public improvement is hereby referred to the City Manager, who shall prepare a report thereon, which shall include plans and detailed estimates of the cost thereof and a description of the special assessment district and such other pertinent information as will permit the City Council to decide the cost, extent and necessity of the public improvement and what proportion of the cost should be paid by the City at large.

The City Manager shall present said report to the City Council when same has been prepared.

### **Special Assessment District No. 2013-04      Krust Drive from Dewey Street to North Street**

#### **RESOLUTION NO. 34-2013**

WHEREAS, the City Council of the City of Owosso deems it may be necessary to acquire and construct the following described improvement:

#### **Krust Drive from Dewey Street to North Street Street Reconstruction**

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The matter of making said public improvement is hereby referred to the City Manager, who shall prepare a report thereon, which shall include plans and detailed estimates of the cost thereof and a description of the special assessment district and such other pertinent information as will permit the City Council to decide the cost, extent and necessity of the public improvement and what proportion of the cost should be paid by the City at large.

The City Manager shall present said report to the City Council when same has been prepared.

### **Special Assessment District No. 2013-01      Brooks Street from Cleveland Street to the north end**

#### **RESOLUTION NO. 35-2013**

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

#### **Brooks Street from Cleveland Street to the north end 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 \$60,838.95 and determines that \$30,670.88 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 \$30,168.07 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, May 6, 2013 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:

**Brooks Street from Cleveland Street to the north end**

TAKE NOTICE that the City Council may acquire and construct the following described public improvement: **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, May 6, 2013 for the purpose of hearing any person to be affected by the proposed public improvement.

**Special Assessment District No. 2013-02**      **Chipman Street from Stewart Street to the railroad**

**RESOLUTION NO. 36-2013**

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

**Chipman Street from Stewart Street to the railroad  
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 \$186,884.81 and determines that \$74,753.24 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 \$112,131.57 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, May 6, 2013 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:

**Chipman Street from Stewart Street to the railroad**

TAKE NOTICE that the City Council may acquire and construct the following described public improvement: **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, May 6, 2013 for the purpose of hearing any person to be affected by the proposed public improvement.

**Special Assessment District No. 2013-03**

**Cleveland Street from Chestnut Street to Carmody Street**

**RESOLUTION NO. 37-2013**

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

**Cleveland Street from Chestnut Street to Carmody 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 \$199,242.92 and determines that \$100,444.78 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 \$98,798.14 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, May 6, 2013 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:

**Cleveland Street from Chestnut Street to Carmody Street**

TAKE NOTICE that the City Council may acquire and construct the following described public improvement: **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, May 6, 2013 for the purpose of hearing any person to be affected by the proposed public improvement.

**Special Assessment District No. 2013-04      Krust Drive from Dewey Street to North Street**

**RESOLUTION NO. 38-2013**

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

**Krust Drive from Dewey Street to North 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 \$271,675.52 and determines that \$136,960.39 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 \$134,715.13 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, May 6, 2013 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:

**Krust Drive from Dewey Street to North Street**

TAKE NOTICE that the City Council may acquire and construct the following described public improvement: **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, May 6, 2013 for the purpose of hearing any person to be affected by the proposed public improvement.

Motion supported by Councilperson Fox.

Roll Call Vote.

AYES: Mayor Pro-Tem Popovitch, Councilpersons Fox, Cook, Eveleth, Bailey, and Mayor Frederick.

NAYS: None.

ABSENT: Councilperson Erfourth.

### **COMMUNICATIONS**

Charles P. Rau, Building Official. March 2013 Building Department Report.

Charles P. Rau, Building Official. March 2013 Code Violations Report.

Kevin D. Lenkart, Public Safety Director. March 2013 Police Department Report.

Kevin D. Lenkart, Public Safety Director. March 2013 Fire Department Report.

Planning Commission. Minutes of March 25, 2013.

Parks & Recreation Commission. Minutes of March 25, 2013.

### **CITIZEN COMMENTS AND QUESTIONS**

Tom Manke, business owner at 118 South Washington Street, thanked the Council for committing funds to the completion of the Bentley Park rehabilitation project. He said he felt readers of his Facebook page would approve. He went on to say that his readers were not happy about the City spending money to purchase new chairs for the Council Chamber and the demolition of houses. He thanked the Police Department for their work in solving a recent hit and run case. Lastly he noted that the City doesn't need to spend money to have an ice rink in the winter, simply pour water on the ground and wait for it to freeze.

James Morel, 996 Marguerite Drive, asked that the proposed budget be posted to the website in Excel so that he could analyze the data as he was unable to manipulate the data in its current pdf format.

Eddie Urban, 601 Glenwood Avenue, had returned from the Corunna City Council meeting and noted that the Corunna City Council voted against allowing the consumption of alcohol in McCurdy Park.

David Bandkau, Planning Commission member, invited everyone to the upcoming Planning Commission meeting April 22<sup>nd</sup>. He said the Commission would be examining design standards and temporary uses and would welcome any comments on the subjects.

Mayor Frederick asked that Mr. Morel's request be honored. Staff noted that it is common practice for official documents to be posted on a website using formats such as pdf to ensure the integrity of the documents. It was suggested Mr. Morel place a FOIA request for his desired format

Mayor Pro-Tem Popovitch inquired if the City had hired an employee for the proposed Gould House/Curwood Castle position. It was noted that no one had been hired and no solicitations for hire had been offered. It was simply a request from the Historical Commission that seemed appropriate to address during budget discussions.

There was discussion regarding the purchase of chairs for the Council Chamber, including the source of the funds for the purchase and whether the Council would be addressing the issue at any point in the future. City Manager Crawford noted after many years of minimal maintenance that the Building Authority had met recently to consider the purchase of chairs, exterior doors for the main floor of City Hall, and potentially carpet for the Council Chamber. He explained the Building Authority fund was the source of the money for the purchases and that the Building Authority Commission had sole discretion for the funds. It was further noted that funds from said account were restricted to capital improvement purchases for City buildings.

Mayor Frederick noted that people had been asking for new chairs for the Council Chamber for a long time and he felt the City owed it to citizens to provide reasonably comfortable chairs for meetings.

#### **NEXT MEETING**

Wednesday, April 24, 2013 – Budget Work Session, 7:00 pm  
Monday, April 29, 2013 – Budget Work Session, 7:00 pm  
Monday, May 06, 2013 – Regular Meeting, 7:30 pm

#### **BOARDS AND COMMISSIONS OPENINGS**

Building Board of Appeals – 2 Alternates, terms expire 06-30-2015 (candidates must possess construction knowledge)

#### **ADJOURNMENT**

Motion by Councilperson Eveleth for adjournment at 8:42 p.m.

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

---

Benjamin R. Frederick, Mayor

---

Amy K. Kirkland, City Clerk

## **OWOSSO CITY COUNCIL**

**APRIL 24, 2013**

**7:00 P.M.**

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

**PLEDGE OF ALLEGIANCE:** MAYOR BENJAMIN R. FREDERICK

**PRESENT:** Mayor Benjamin R. Frederick, Mayor Pro-Tem Cindy S. Popovitch, Councilpersons Loreen F. Bailey, Thomas B. Cook, Michael J. Erfourth, and Christopher T. Eveleth.

**ABSENT:** Councilperson Burton D. Fox.

Motion by Councilperson Eveleth to set a time limit of 8:30 p.m.

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

### **DISCUSSION – BUDGET**

Finance Director Rick C. Williams and City Manager Donald D. Crawford presented the budget information to council. Mr. Williams explained that due to declining home values and reductions in state shared revenue the city has lost over \$600,000 over just the last 3 to 4 years.

Council discussed the city's payment to the retirement system. There was a question why everyone's payment is increasing. Mr. Williams explained the city has a defined benefit plan and the portfolio experienced major losses with a \$1.1 million loss going back to 2008 and those are smoothed in over four year period. This will be the last year of that process; however, there is another loss of 700,000 and that will be smoothed over in 4 years. The Actuary will be here for the June Retirement Board Meeting and will be discussing different actuarial options for the System.

Motion at 8:30 p.m. by Councilperson Cook to extend the time limit until 9:00 p.m.

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

There was a discussion regarding the expense of the brush pickup and the Aiken Road drop off site. It was noted that more residents are taking advantage of the curbside pick up and due to this there is more work at the drop off site.

Mr. Crawford explained there is one request to increase capital outlay expenditures. There was a long list of projects proposed but it was eliminated. The request in question is to have 2 police cars fitted with video cameras. Public Safety Director Kevin D. Lenkart explained that Owosso is one of the very few cities in the state that do not have video cameras in police cars. The benefits would be an increase in prosecutions and a decrease in liability and lawsuits.

### **CITIZEN COMMENTS AND QUESTIONS**

James Morel, 996 Marguerite Drive, Owosso, questioned the allocation of funds. He suggested the city could take money from the water fund to cover any potential short falls in the general fund. It was noted that governmental accounting regulations permit this only under certain very specific circumstances.

### **ADJOURNMENT**

Motion by Councilperson Eveleth to adjourn at 9:04 p.m.

Motion supported by Councilperson Cook and concurred in unanimous vote.

Benjamin R. Frederick, Mayor  
Roxane Cramer Clerk's Assistant

Note: Complete printed copies of the minutes and any ordinances contained therein are available to the public at the Office of the City Clerk and the Shiawassee District Library – Owosso Branch during regular business hours or on the Internet at [www.ci.owosso.mi.us](http://www.ci.owosso.mi.us).

## OWOSSO CITY COUNCIL

APRIL 29, 2013

7:00 P.M.

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

**PLEDGE OF ALLEGIANCE:** MAYOR BENJAMIN R. FREDERICK

**PRESENT:** Mayor Benjamin R. Frederick, Mayor Pro-Tem Cindy S. Popovitch, Councilpersons Loreen F. Bailey, Thomas B. Cook, Michael J. Erfourth, and Christopher T. Eveleth.

**ABSENT:** Councilperson Burton D. Fox.

There was discussion regarding amending the agenda to include a budget discussion as well as setting a time limit for the meeting.

Motion by Councilperson Erfourth to set a meeting time limit of 9:00 pm. Motion supported by Councilperson Eveleth and concurred in by unanimous vote.

Motion by Councilperson Eveleth to approve the agenda with the addition of Item of Business 3. Budget Discussion. Motion supported by Councilperson Cook and concurred in by unanimous vote.

### **ITEMS OF BUSINESS**

#### **SOUTH WASHINGTON STREET CORRIDOR STUDY: PRESENTATION BY STUDENTS FROM THE MSU CENTER FOR COMMUNITY AND ECONOMIC DEVELOPMENT**

A five member group from the Michigan State Center for Community and Economic Development conducted a comprehensive study of the South Washington Street corridor to determine a strategy to enhance the corridor between Baker College and the downtown in an effort to stimulate economic growth and create a sense of place for this entryway into the City. Four members of the group were on hand to present their report addressing the existing issues, and their recommendations, for South Washington Street from the Shiawassee River Bridge south to Gute Street. The assessment performed consisted of gathering and analyzing demographic information, a market analysis, a streetscape, roadway and housing inventory, a commercial/industrial inventory, an assessment of all of the intersections, and gathering stakeholder input. Utilizing the Complete Streets standards they made short-term, mid-term, and long-term recommendations for each block of the corridor. A sampling of their recommendations is as follows:

##### Short-Term Recommendations (3 months – 1 year):

- Stripe for a bike lane
- Stripe all cross walks
- Stripe the street for 2 lanes of traffic w/ turn lane
- Install pertinent wayfinding signage
- Partner with property owners to install landscaping

##### Mid-Term Recommendations (1 year – 3 years):

- Install pedestrian lighting
- Repairing/removing pedestrian obstructions

##### Long-Term Recommendations (3 years – 5 years):



Widen sidewalks  
Achieve compliance with ADA accessibility guidelines  
Encourage the development of retail business  
Encourage façade improvements

Mayor Frederick thanked the group for their work on the project.

The meeting recessed from 7:29 pm until 7:35 pm to prepare for the next presentation.

**CITYWIDE PAVEMENT MANAGEMENT STUDY: PRESENTATION BY DR. ABBAS BUTT ON THE PAVEMENT MANAGEMENT STUDY WITH RECOMMENDATIONS FOR SHORT-TERM AND LONG-TERM IMPROVEMENTS**

Dr. Abbas Butt was again on hand to present further information on the pavement management study his company conducted on City streets. The presentation included an overview of the survey work the company had initially conducted along with added information gleaned from additional scans of the streets. Each block of the City's 150 lane miles of street were analyzed using automated distress survey equipment, ground penetrating radar, and surface deflection technology. All of the information collected was deposited in a database and further analyzed to determine a numerical value defining the condition of each block of pavement. Using West Oliver Street as an example, Dr. Butt detailed how the information collected could be used to determine the strength of the pavement and the type of maintenance that would be most appropriate for each section of the street. He and his staff have assembled the data into a usable database and pertinent City staff will be trained on how to utilize the data for the development of a pavement management program.

Dr. Butt spent a significant amount of time discussing the deteriorating overall rating of the street system as a whole, indicating that his research showed a steep decline in the overall score of the system over the course of the next 20 years should the current maintenance standards go unchanged. He strongly encouraged the Council to develop design standards for the different types of streets within the City to ensure that any work performed in the future could be held to a written and approved standard, avoiding some of the recent trouble the City has had with sub-par work from contractors. He went on to say that significant funds will need to be dedicated to street maintenance/reconstruction in order to reverse the downward trend but the hope was that the information he collected would allow the City to make strategic maintenance decisions and ensure the best use of the funds available.

There was discussion regarding the use of new materials to safeguard decent quality streets from further deterioration, slurry sealing streets within a couple of years of reconstruction, avoiding the temptation to lower the quality of repairs to keep the assessments low, including slurry sealing in the initial costs for reconstruction, and the potential need to let some low scoring streets remain as they are to allow higher scoring streets to be preventatively maintained.

City Manager Crawford introduced Randy Chesney as the City's new contract engineer. He will be assisting current staff on a part time basis. Mr. Chesney indicated he had experience in pavement management and he felt that a new maintenance philosophy could gradually lift the overall quality level of the street system.

Motion by Councilperson Eveleth to extend the meeting 5 minutes to allow for citizen comments. Motion supported by Councilperson Erfourth and concurred in by unanimous vote.

**BUDGET DISCUSSION** (this item was added to the agenda)

This item was not addressed due to a lack of time.

### **CITIZEN COMMENTS & QUESTIONS**

Eddie Urban, 601 Glenwood Avenue, inquired if there was any way to mix steel with the asphalt to make it stronger. He also inquired whether the City has any equipment that could be used to determine the density of the layers hidden underneath the pavement. Dr. Butt noted that his company had already conducted such a survey and the information was included in the database.

### **ADJOURNMENT**

Motion by Councilperson Eveleth for adjournment at 9:08 p.m.

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

---

Benjamin R. Frederick, Mayor

---

Amy K. Kirkland, City Clerk



April 24, 2013

Benjamin Frederick, Mayor  
City of Owosso  
301 W. Main Street  
Owosso, Michigan 48867

PLEASE NOTE MAILING ADDRESS CHANGE

Dear Mayor Frederick:

As the Commander of the Mid-Michigan Area Group Narcotics Enforcement Team (MAGNET), I am once again seeking your support for our team. I would also like to thank you for your support in the past. Without the financial support from your community, the efforts of MAGNET would be greatly reduced. MAGNET provides an invaluable service to the citizens and businesses within your community and is worthy of your review.

It is the mission of MAGNET to investigate, arrest, and prosecute illegal drug traffickers at all levels with emphasis on mid to upper level drug dealers. MAGNET not only targets subjects trafficking drugs we also target other drug related crimes such as breaking and entering, assaults and robberies. MAGNET operates within Shiawassee and Gratiot counties and is the only specialized drug investigative unit that protects the communities of the two (2) counties. In addition, the team provides training programs to area law enforcement agencies to better educate local police officers on drug enforcement issues. We also provide training and awareness programs to area schools, businesses, social workers, fire departments, and others regarding changing drug trends such as the Methamphetamine problem.

To help make/keep our investigative efforts efficient and effective, I am seeking an annual financial commitment at \$1.00 per capita to help us maintain our effectiveness. Based on most recent census figures, the population for your city/village is 15,194, making your commitment to the unit \$15,194. If approved by your respective government officials, please make payment payable to MAGNET and forward to the above address.

Thank you in advance for your consideration to this request. Please contact me if you have any questions or would like to schedule my appearance before your council.

Respectively,

JAMES D. WOLF, D/LT.  
Unit Commander – MAGNET

JDW/rjc

C: Township Clerk





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

---

# ***MEMORANDUM***

---

DATE: May 1, 2013

TO: City Council

FROM: Amy K. Kirkland  
City Clerk

RE: Special Assessment – Public Hearings

---

Monday's meeting will represent the third step in the Special Assessment process with the conduct of the hearings of necessity. The purpose of these hearings is to determine whether or not a proposed project is necessary. After receiving public comment Council has three options:

1. Approve the project as presented, 2. Reject the project entirely, 3. Amend the scope of the project. Should you decide to proceed with any or all of the projects requests for bid will be posted. Once bids have been obtained and a winning bidder determined the actual cost to each individual affected property will be determined and Council will be asked to set the public hearings addressing the amounts of the individual assessments.

Attached you will find a summary table listing the streets to be reconstructed, the estimated cost of the projects, estimated amounts to be specially assessed, the estimated amount assessed to the City at large, as well as a short description of the work being proposed.

You will also find an attached letter from a property owner objecting to the project, as well as an example of one of the letters that was sent out to potentially affected property owners. I will forward on to you any other comments we receive between now and the opening of the hearings on Monday.

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

**BROOKS STREET  
FROM CLEVELAND STREET TO THE NORTH END**

WHEREAS, the City Council, after due and legal notice, has met and 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: Brooks Street from Cleveland Street to the north end.
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 \$ 60,838.95 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 \$ 30,666.70 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied: Brooks Street from Cleveland Street to the north end 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.

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.

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

**CHIPMAN STREET  
FROM STEWART STREET TO THE RAILROAD**

WHEREAS, the City Council, after due and legal notice, has met and 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: Chipman Street from Stewart Street to the railroad.

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 \$186,884.81 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 \$ 74,753.24 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied: Chipman Street from Stewart Street to the railroad 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.

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.

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

**CLEVELAND STREET  
FROM CHESTNUT STREET TO CARMODY STREET**

WHEREAS, the City Council, after due and legal notice, has met and 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: Cleveland Street from Chestnut Street to Carmody Street.
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 \$199,242.92 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 \$100,439.07 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied: Cleveland Street from Chestnut Street to Carmody 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.

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.

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

**KRUST DRIVE  
FROM DEWEY STREET TO NORTH STREET**

WHEREAS, the City Council, after due and legal notice, has met and 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: Krust Drive from Dewey Street to North Street.
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 \$271,675.52 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 \$136,969.55 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied: Krust Drive from Dewey Street to North 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.

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.

**2013 SPECIAL ASSESSMENT SUMMARY  
RECONSTRUCTION**

DISTRICT	STREET NAME	FROM	TO	ESTIMATED COST	ASSESSABLE FRONT FEET	FRONT FOOT RATE	AMOUNT ASSESSED	PERCENT ASSESSED	CITY SHARE
2013-01	<b>Brooks Street</b>	<b>Cleveland Street</b>	<b>the north end</b>	\$60,838.95	853.75	\$ 35.92	\$30,666.70	50.41%	\$30,172.25
	milling 4" of the existing surface, installation of 4" of new pavement, and installation of new concrete driveway approaches								
2013-02	<b>Chipman Street</b>	<b>Stewart Street</b>	<b>the railroad</b>	\$186,884.81	2,250.93	\$ 33.21	\$74,753.24	40.00%	\$112,131.57
	milling 4" of the existing surface, installation of 4" of new pavement, installation of new concrete driveway approaches, and installation of new storm sewer and curb & gutter at the radius of Lafayette Street, Hoyt Street and the south side of Brooks Street								
2013-03	<b>Cleveland Street</b>	<b>Chestnut Street</b>	<b>Carmody Street</b>	\$199,242.92	1,913.13	\$ 52.50	\$100,439.07	50.41%	\$98,803.85
	milling 5" of the existing surface, installation of 5" of new pavement, and the replacement of miscellaneous deteriorated sections of curb								
2013-04	<b>Krust Drive</b>	<b>Dewey Street</b>	<b>North Street</b>	\$271,675.52	4,136.80	\$ 33.11	\$136,969.55	50.42%	\$134,705.97
	milling 4" of the existing surface, installation of 4" of new pavement, and the replacement of miscellaneous deteriorated sections of curb								
TOTALS				\$718,642.20	9,154.61		\$342,828.56		\$375,813.64
<b>GRAND TOTAL</b>									<b><u>\$718,642.20</u></b>



To whom it may concern:

April 24, 2013

Ref: #050-490-000-029-00

I received the proposed street construction letter for my property at 219 Lafayette Blvd. and do not think that the road is in need of replacement. I own from Lafayette Blvd to Chestnut St. and it looks to me, that all is needed is one pothole at the corner of Chestnut and Cleveland to be filled. The road is in otherwise good condition and does not get that much traffic. There are much worse roads in the city that could be improved. As for the mention of deteriorated curbs, there are not curbs, and that is one of the main reasons I purchased this home. I do not want curbs and sidewalks to maintain in the winter.

I purchased my home last September because I needed a cheaper place to live, as I could not afford my home in Saginaw County anymore. I had to borrow money from my parents to purchase this home and now your proposal will cost me \$10,355.63 dollars for a special assessment on my home that only has an SEV of \$38,600. I cannot afford to pay my payments to my parents, taxes and now a special assessment too. I have had to work 6 to 7 days a week for the last 9 years to make ends meet and now due to medical issues have had to quit my second job, so that I can hopefully keep working my fulltime job. I quit Sunday and then Monday received this letter from the city for a proposed special assessment to benefit my property. I cannot see where there will be any benefit; let alone \$10,355.63 plus interest.

I bought this home in hopes of living here the rest of my life, but if this goes through I will probably be forced to try and sell it or refinance to pay my parents back then walk away like the last people who lived here did.

Please reconsider this project. If you drive around the city I'm sure you will find streets that are really in need of repair. This block of Cleveland does not even have a patch yet and is definitely not in need of tearing up and installing new pavement. Just patch the pothole at the corner and it will still be good for years.

Sincerely,

Cynthia Deming  
219 Lafayette Blvd  
Owosso, MI  
989-377-6806



**NOTICE OF SPECIAL ASSESSMENT  
CITY OF OWOSSO, MICHIGAN**

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

POULLION, JULIUS & TRACEY  
301 N BROOKS ST  
OWOSSO MI 48867

**Parcel #:**

050-490-000-086-00

**Description:**

LOTS 160 & 161 PARK HILL ADD

**Property Address:**

301 N BROOKS ST

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

***STREET RECONSTRUCTION OF  
BROOKS STREET FROM CLEVELAND STREET TO THE NORTH END***

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

Take further notice that the 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 Council Chambers, Owosso, Michigan on Monday, May 6, 2013 at 7:30 p.m. for the purpose of hearing any person to be affected by the proposed public improvement.

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

Further information on the proposed project and payment options are located on the reverse side of this notice.



The following work is planned: MILLING 4" OF THE EXISTING SURFACE,  
INSTALLATION OF 4" OF NEW PAVEMENT, AND  
INSTALLATION OF NEW CONCRETE DRIVEWAY  
APPROACHES

The City Council has set the hearing noted on the front of this notice for the purpose of providing citizens affected by the proposed improvement the opportunity to comment on the necessity of the project. Comments may be made in person at the time of the hearing or in writing at any point up the close of the hearing. Written comments should be directed to the Owosso City Council, 301 West Main Street, Owosso, MI 48867.

The Special Assessment amount listed below is an estimate only and may change as the project is vetted further.

Contact the City Treasurer's Office at (989)725-0515 for more details about payment and income requirements.



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

---

# ***MEMORANDUM***

---

DATE: April 24, 2013

TO: City Council

FROM: Kevin Lenkart  
Director of Public Safety

RE: Traffic Control Order # 1285 - Amended

---

The Curwood Festival requests approval of the amended traffic control order No# 1285, that will allow for the closure of the south west corner of the Public Safety parking lot on Tuesday, June 4, 2013 at 8:00 AM for the delivery of the entertainment tent.

Attached is a list of street and parking lot closures with the requested amendment.

Staff recommends approval and authorization of the amended traffic control order formalizing the action.

**CITY OF OWOSSO**

**TRAFFIC CONTROL ORDER**

*(SECTION 2.53 UNIFORM TRAFFIC CODE)*

ORDER NO.	DATE	TIME
1285 - Amended	3/21/2013	1:10 PM

REQUESTED BY  
Kevin Lenkart – Director of Public Safety

TYPE OF CONTROL  
Traffic Control – Closing of streets and parking lots for Curwood Festival  
starting June 5, 2013 and ending 6:00 PM June 10, 2013

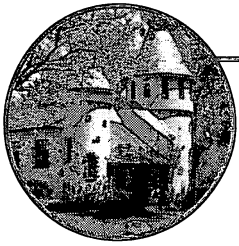
LOCATION OF CONTROL  
See Attached.

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

**REMARKS**

Amended to add: The closure of the south west corner of the public safety parking lot on  
June 4, 2013 at 8:00 AM

- The closure of Water Street from Main to Mason on Thursday, June 6, 2013 @ 3:00 PM until the completion of festival activities on Sunday June 9, 2013.
- The closure of Water Street between Main and Ball to allow set-up and operations of the carnival, from Wednesday June 5, 2013 @ 0900 until the completion of the festival activities on Sunday June 9, 2013.
- The closure of Exchange Street parking lot between Water and Ball for the Ultimate Air Dog Show from Noon Thursday June 7, 2013 until the completion of festival activities on Sunday June 9, 2013.
- The set up of bleachers at the Northwest corner of Exchange Street parking lot and the entrance of the Armory parking lot directly opposite for the spectator events that occur Saturday June 8, 2013 until the completion of festival activities on Sunday June 9, 2013.
- The closure of the entire Armory parking lot from Thursday June 6, 2013 at 5:00 PM until the completion of festival activities on Sunday June 9, 2013.
- The closure of the Public Safety parking lot for the Carnival and the entertainment tent area, Wednesday June 5, 2013 thru Monday, June 10, 2013.
- **The closure of the south west corner of the Public Safety parking lot on June 4, 2013 at 8:00 AM**
- Curwood Castle drive changed to a one-way traffic pattern, north from Main Street and West on River Street for smoother traffic flow on Thursday, June 6, 2013 thru Sunday June 9, 2013.
- Necessary closures for the Children's parade as follows: barricades needed for the Children's parade by 6:00 PM Friday June 7, 2013. Dewey and King Streets, Dewey and Oliver Streets, Gilbert and Oliver Streets, Queen and Randolph Streets. The parade route is as follows: West on Oliver St, South on Park St, West on Exchange St, North on Ball St, ending on Williams St. Rain date for the Children's parade is Sunday June 9, 2013.
- Necessary closures for the Heritage Parade which takes place on Saturday, June 8, 2013 at 2:00 PM on M-21 from Gould Street to Chipman Street. Detour route will be well marked/signed to continue smooth traffic flow around the parade. Barricades are needed for the parade line-up on Gould Street at Grover, Comstock and Jerome Streets.
- The closure of the lot on the corner of Curwood Castle Drive and Bradley on Wednesday evening June 5, 2013 for set-up through Sunday, June 9, 2013 for Renaissance Encampment.



# Curwood Festival

April 17, 2013

City of Owosso  
Kevin Lenkart  
301 W. Main Street  
Owosso, MI 48867

Dear Kevin:

Thank you for advising the board that our street and parking lot closures have been approved by City Council. The conditions for approval were that the festival nor any of its events use paint to mark off areas on the streets, curbs or sidewalks.

We have found that we had originally asked for:

- The closure of the public safety parking lot for the Carnival and the entertainment tent area, Wednesday, June 5, 2013 thru Monday, June 10, 2013.

Our tent company is scheduled to bring in the tent on Tuesday, June 4, at 8:00 a.m. Therefore we need to amend our original request and ask that the South East corner of the public safety parking lot be closed for this to happen.

If you have further questions, I can be reached at the office Tues-Thurs from 10:30 a.m. – 2:30 p.m. We look forward to hearing that this has been approved.

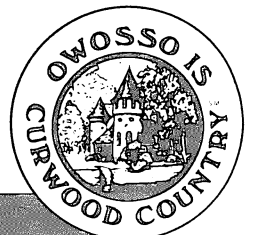
Thank you for your time, consideration and continued support in this matter.

Sincerely,

Sherri Bakos  
Office Manager  
Curwood Festival Inc.

P.O. BOX 461 • OWOSSO, MICHIGAN 48867 • 989-723-2161

[www.curwoodfestival.com](http://www.curwoodfestival.com) [curwoodfestival@michonline.net](mailto:curwoodfestival@michonline.net)





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

---

# ***MEMORANDUM***

---

DATE: April 23, 2013  
TO: City Council  
FROM: Kevin Lenkart  
Director of Public Safety  
RE: Traffic Control Order # 1290

---

Girls on the Run Mid-Michigan proposes the use of Gould Street between Jackson Drive and Mallard Circle as well as Jackson Drive and Mallard Circle for a 5K Run on Sunday May 19<sup>th</sup>, 2013 from 8:00am to 10:00am.

The Public Safety Department has issued Traffic Control Order No# 1290 in accordance with the Rules for the Issuance of Certain Traffic Control Orders. Required insurance has been submitted.



**CITY OF OWOSSO**

**TRAFFIC CONTROL ORDER**

*(SECTION 2.53 UNIFORM TRAFFIC CODE)*

ORDER NO.	DATE	TIME
1290	04/24/13	11:41 AM

**REQUESTED BY**

Kevin Lenkart – Director of Public Safety

**TYPE OF CONTROL**

Closure of Gould Street between Jackson Drive and Mallard Court as well as the closure of Jackson Drive and Mallard Court on May 19, 2013 from 8:00 AM to 10:00 AM

**LOCATION OF CONTROL**

Closure of Gould Street between Jackson Drive and Mallard Court as well as the closure of Jackson Drive and Mallard Court

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

**REMARKS**



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

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

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

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

Name of individual or group: Girls on the Run Mid Michigan Date: 4-22-13

Primary Contact Person

Name:

Stephanie McClintock

Title:

Council co-director

Address:

659 Hollywood Dr.

Owosso, MI 48867

Phone:

989 723 6329

Requested Date(s): 5-19-13

Requested Hours: 9am - 10am

Area Requested (Parking Lot - Parade Route): see enclosure

Detailed description of the use for which the request is made: 5K run/walk

see enclosure

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

Do Not Write Below This Line - For Officials Use Only

Approved ☐ Not Approved ☐

Date: \_\_\_\_\_

Traffic Control Order Number \_\_\_\_\_

Cc: DDA - Director  
WCIA - Chairperson



**ATHLETA**



## Mid Michigan Girls on the Run 5K Run/Walk

**Sunday, May 19, 2013**

*Charity Run – Benefiting the GOTR Scholarship Fund*

**Where: Owosso High School**

7654 E. North Street, Owosso, MI 48867 Follow N. M-52, east on North Street

**Time: 9:00 a.m.**

Entry Fees:	Regular Registration Postmarked by 5/14/13	Late/Race Day Registration
Adult	\$25	\$30
Child (12 and under)	\$15	\$20
Family	\$50	\$60
Running Buddy	\$15	\$20
GOTR Participant's Name _____		
<input type="checkbox"/> Pair me with a GOTR Participant that needs a buddy.		

**Packet Pick Up:** Friday, May 17 at Playmakers, Okemos, 5-8 p.m. and Saturday, May 18 at Owosso's Farmers Market, Water and Exchange Street, Downtown Owosso 8 am - 1 p.m. or race day, Sunday, May 19 starting at 7:30 a.m.

**Awards:** The top 3 RUN participants in each age group (male and female) will receive an award. Prizes for overall male and female winners. Walkers will not receive awards

Chipped timing sponsored by the Michigan Running Foundation.

**Contact:** Stephanie McClintock at (989) 723-6329, [stephanie.mcclintock@girlsontherun.org](mailto:stephanie.mcclintock@girlsontherun.org), Mary Kelpinski at (517)282-0970, [mary.kelpinski@girlsontherun.org](mailto:mary.kelpinski@girlsontherun.org) or visit us on the web at [www.gotrmidmichigan.org](http://www.gotrmidmichigan.org).

Name:		
Gender:	Age:	Phone:
Address:		
City	State	Zip
Email		
T-Shirt Circle Size: <b>Youth:</b> Small Med Large <b>Adult:</b> Small Med. Large XL XXL		

**Waiver:** In consideration of accepting this entry form, I hereby for myself, my heirs, executors, and assignees waive and release all rights and claims for damage I may have against Girls on the Run Mid Michigan, the sponsors of the this event, its agents, representatives, successors, and volunteers for any injuries or damages suffered by me while traveling to, from, or participating in this event.

**Photo Release:** I hereby grant permission to GORT Mid Michigan the right to use, reproduce, and/or distribute photographs, films, videotapes, and sound recordings of me, without compensation or approval rights, for use in materials created for purposes of promoting the activities of GOTR Mid Michigan.

**Race day photos will be available at:** [www.visualtheoryphotography.com](http://www.visualtheoryphotography.com)

\_\_\_\_\_  
Signature of Participant or Parent/Guardian, if Under 18 Years of Age      Date: \_\_\_\_\_

**Make Checks payable to GOTR Mid Michigan**

**Mail Registration Forms to:**

**GOTR c/o Mary Kelpinski,**

**2564 Vandekarr Rd, Owosso, MI 48867**

<b>RACE FEE:</b> _____
<b>DONATION:</b> _____
<b>TOTAL DUE:</b> _____

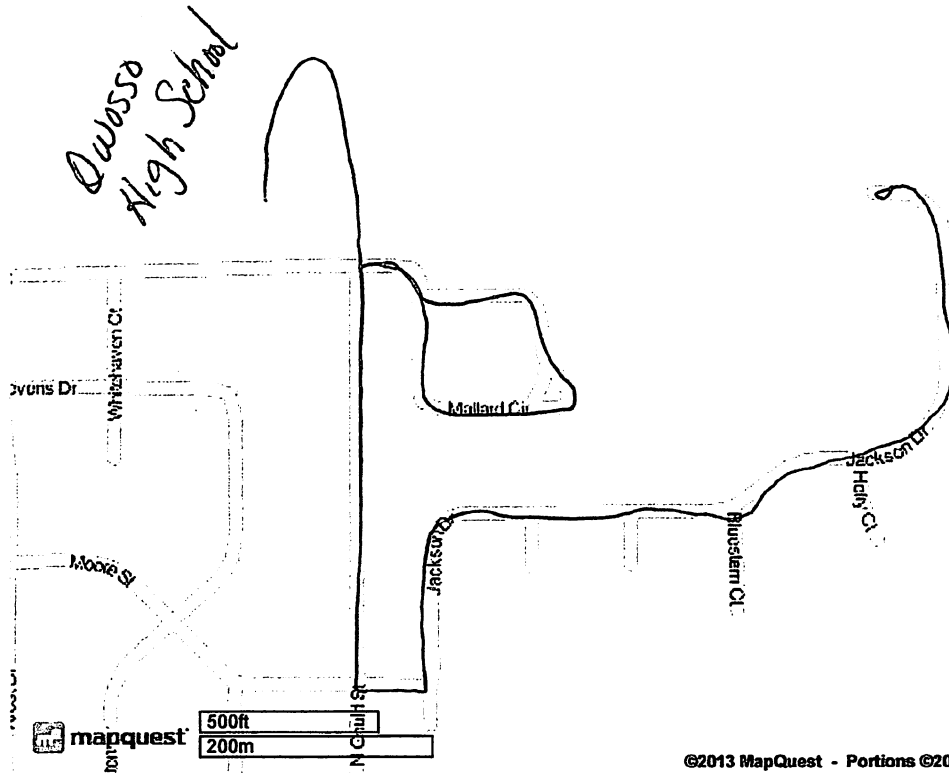


mapquest

Map of:

Owosso, MI

Notes

©2013 MapQuest - Portions ©2013 NAVTEQ | [Terms](#) | [Privacy](#)

©2013 MapQuest, Inc. Use of directions and maps is subject to the MapQuest Terms of Use. We make no guarantee of the accuracy of their content, road conditions or route usability. You assume all risk of use. [View Terms of Use](#)

BOOK TRAVEL with mapquest

877-577-5766

Book Now

Markel Insurance Company

COMMERCIAL GENERAL LIABILITY POLICY  
DECLARATIONS



3602CY303167-4

Policy No. 3602CY303167-5

Renewal of Policy No.

Named Insured and Mailing Address (No., Street, Town or City, County, State, Zip Code)

Get Fit! Shiawassee  
4900 Ojibwa Trail  
Owosso, MI 48867

Policy Period: from 08-15-2012 until 08-15-2013, at 12:01 A.M. Standard Time  
at your mailing address shown above.

IN RETURN FOR THE PAYMENT OF THE PREMIUM AND SUBJECT TO ALL TERMS OF THIS POLICY,  
WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.

<b>LIMITS OF INSURANCE</b>				
General Aggregate Limit (Other Than Products--Completed Operations)	\$	3,000,000		
Products--Completed Operations Aggregate Limit	\$	1,000,000		
Personal and Advertising Injury Limit	\$	1,000,000		
Each Occurrence Limit	\$	1,000,000		
Damage To Premises Rented To You Limit	\$	See MGL232	Any One Premises	
Medical Expense Limit	\$	See MGL232	Any One Person	
<b>RETROACTIVE DATE (CG 00 02 only) N/A IN STATE OF NEW YORK</b>				
Coverage A of this Insurance does not apply to 'bodily injury' or 'property damage' which occurs before the Retroactive Date, if any, shown here: None <small>(Enter Date or 'None' if no Retroactive Date applies)</small>				
<b>DESCRIPTION OF BUSINESS AND LOCATION OF PREMISES</b>				
Form of Business:	NOC			
Business Description:	Girl Scout Councils		89724 / Edwards Church & Muse, Inc PO Box 12457 Charlotte, NC 28220	
Location of All Premises You Own, Rent or Occupy:				
<b>SEE ATTACHED "EXTENSION OF DECLARATIONS"</b>				
<b>PREMIUM</b>				
Classification	Code No.	Premium Basis	Rate	Advance Premium
<b>SEE ATTACHED "EXTENSION OF DECLARATIONS"</b>				
Total Advance Premium:\$ 5,080.00				
<b>FORMS AND ENDORSEMENTS</b>				
Forms and Endorsements applying to this Coverage Part and made part of this policy at time of issue: MJ1(04/95), MD002(09/99), CG0001(12/07), CG2029(11/85), CG2407(01/96), MGL101(09/95), MGL102(10/09), MGL103-A(07/05), MGL132(09/95), MGL145(09/95), MGL147(09/95) MGL171(05/09), MGL232(05/09), CG0068(05/09), CG0168(10/09), CG2173(01/08), MGL-TERR-2(01/08), CG2133(11/85), CG2135(10/01), CG2147(12/07), CG2149(09/99), CG2160(09/98) CG2196(03/05), MGL148(09/95), MGL182(06/98), MGL223(07/05), MIL006(05/09), MIL127(05/09), MIL140(10/01), IL0286(09/08), IL0017(11/98), IL0021(09/08)				

Countersigned: July 30, 2012  
JCO Glen Allen, VA

By Bruce A. Kay  
Bruce A. Kay

THIS POLICY IS SUBJECT TO THE COMMON POLICY CONDITIONS, COVERAGE PART DECLARATIONS, COVERAGE PART COVERAGE FORM(S)

COMMERCIAL GENERAL LIABILITY POLICY  
EXTENSION OF DECLARATIONS

Effective Date: 08-15-2012 ,  
12:01 A.M., Standard Time

Policy Number: 3602CY303167-5

LOCATION OF PREMISES

Location of All Premises You Own, Rent or Occupy:

Location #1 4900 Ojibwa Trail, Owosso, MI, 48867

PREMIUM

Classification	Code No.	Premium Basis	Rate	Advance Premium
LOCATION #1				
GL Plus Extension - Miscellaneous	44444	4704 - Percent of Premium	INCL.	INCL.
Abuse or Molestation Coverage - YMCA	44444	400 - Member (Each Member)	INCL.	INCL.
Youth Recreation Programs * - Not for Profit	49891	400 - Child (Each)	INCL.	INCL.
Youth & Recreation Programs - Special Events - Not				
For Profit - Hazard 4 - Multi-Day Event	49891	1 - Flat	INCL.	INCL.

Extension of Declarations - Total Advance Premium: \$ 5,080.00



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

---

# ***MEMORANDUM***

---

DATE: April 30, 2013

TO: City Council

FROM: Kevin Lenkart  
Director of Public Safety

RE: Traffic Control Order #1291

---

The Humane Society proposes use of the streets adjacent to Wilman Field (Jerome Ave. & Oakwood Ave.) and the river trail from 8:00am to Noon for their 5<sup>th</sup> annual Dog Walk/Run on Saturday, May 11, 2013. The group has indicated the required insurance will be forthcoming.

The Public Safety Department has issued Traffic Control Order No# 1291 in accordance with the Rules for the Issuance of Certain Traffic Control Orders. Staff recommends approval and further authorization of a traffic control order formalizing the action.

**CITY OF OWOSSO**

**TRAFFIC CONTROL ORDER**

*(SECTION 2.53 UNIFORM TRAFFIC CODE)*

ORDER NO.	DATE	TIME
1291	05/01/13	9:01 AM

**REQUESTED BY**

Kevin Lenkart – Director of Public Safety

**TYPE OF CONTROL**

Closure of the streets adjacent to Wilman Field (Jerome and Oakwood Streets) and the river trail from 8:00 AM to 12 Noon on May 11, 2013

**LOCATION OF CONTROL**

The streets adjacent to Wilman Field (Jerome and Oakwood Streets) and the river trail

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

**REMARKS**





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

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

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

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

Name of individual or group: Shawassee Humane Society Date: \_\_\_\_\_

Primary Contact Person

Name:

DAVID FAULKNER

Title:

Executive Director

Address:

2752 W Bennington Rd

Owosso MI 48867

Phone:

989 723 4262

Requested Date(s): 5/11/13 Requested Hours: 7am - 2pm

Area Requested (Parking Lot - Parade Route): parking at and around  
Willman Field

Detailed description of the use for which the request is made: SK run to benefit  
Humane Society. Run to take place along river.

☒ Attach copies of any rules or policies applicable to persons participating in the event.

☒ Evidence to the City of insurance coverage applicable to the event or activity naming the City as an additional insured in an amount of not less than \$500,000 combined single limit.

or

☐ The City Council may waive such insurance requirement if it determines that insurance coverage is unavailable or cannot be obtained at a reasonable cost and the event or activity is in the public interest or fulfills a legitimate and recognized public purpose.

Do Not Write Below This Line - For Officials Use Only

Approved ☐ Not Approved ☐

Date: \_\_\_\_\_

Traffic Control Order Number \_\_\_\_\_

Cc: DDA - Director  
WCIA - Chairperson

# Shiawassee Humane Society



## 5K RIVER RUN

**SATURDAY, MAY 11, 2013**

*All proceeds to help feed, shelter and provide medical care for homeless animals in Shiawassee County.*

**LOCATION:**

Willman Field, 301 S Dewey Street, Owosso MI 48867

**START TIME:**

9:00 am, Followed by Award Ceremony

**TIMED BY:**

Michigan Running Foundation

**AWARDS:**

Male and Female Overall Winner, Master Winner and winners by age group

**AGE GROUPS:**

12 & under, 13-14, 15-19, 20-24, 25-29, 30-34, 35-39, 40-44, 45-49, 50-54, 55-59, 60-66, 65-59, 79+

**ENTRY FEE:**

\$20 if postmarked by May 3, 2013 (T-shirts for all pre-registered racers)  
Race Day \$25

Checks payable to: **Shiawassee Humane Society**

Mail to: Shiawassee Humane Society, c/o 5K9 Day, PO Box 1622, Owosso, MI 48867 or register on-line at [www.runningfoundation.com](http://www.runningfoundation.com).

- Packet pick up on Friday, May 10, 2013 from 6pm – 8pm at Roma's Back door (200 E Comstock St, Owosso MI 48867)
- Race Day: packet pick up and registration at Willman Field from 8:15 am – 8:50 am

Visit our website at [www.5K9day.com](http://www.5K9day.com) for last year's pictures and results; for pledge forms; and for registration forms.

XX

### REGISTRATION FORM: Shiawassee Humane Society 5K9 River Run

Name: \_\_\_\_\_ Age \_\_\_\_\_ Male Female

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Amount Paid: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Shirt Size (circle one): Y- Sm Y- Med Y-Lg Y-X-L Sm Med Lg XL XXL XXXL

Send Check payable to: Shiawassee Humane Society, c/o 5K9 Day, PO Box 1622, Owosso MI 48867

**Waiver:** *I know that running a road race is a potentially hazardous activity. I should not enter unless I am medically able and property trained. I assume all risks associated with running this event. I, myself, and anyone entitled to act on my behalf, waive and release the Shiawassee Humane Society, Owosso Public Schools, and all sponsors, their representative and successors, and all volunteers for all claims or liabilities of any kind arising out of my participation in this event.*

Participant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Pledge forms available at [www.5K9day.com](http://www.5K9day.com) so friends and family can also help raise funds for homeless animals.*

# Shiawassee Humane Society



## 5K9 DOG WALK/RUN SATURDAY, MAY 11, 2013

*All proceeds to help feed, shelter and provide medical care for homeless animals in Shiawassee County.*

### LOCATION:

Willman Field, 301 S Dewey Street, Owosso MI 48867

### START TIME:

10:30 am, Followed by Award Ceremony

### ENTRY FEE:

\$20 for first dog; \$30 for 2-3 dogs if postmarked by May 3, 2013 (One T-shirt for all pre-registered walk entries)  
5K9 Day \$25 per dog

#### New this year:

Family Rate: \$45 for 1-3 dogs and up to 4 walkers with three T-shirts-pre-register only

Each dog will be timed in this event. This is a walk/run with runners leading the group. Timing will be done by a professional timer. Volunteer will collect the dog's number to determine winners. Awards go to the first place dog/owner in each age group and ribbons for second and third place.

Checks payable to: Shiawassee Humane Society

Mail to: Shiawassee Humane Society, c/o 5K9 Day, PO Box 1622, Owosso, MI 48867 or register on-line at [www.runningfoundation.com](http://www.runningfoundation.com).

- T-shirt and tag pick up and registration at Willman Field from 9:00 am – 10:20 am

Visit our website at [www.5K9day.com](http://www.5K9day.com) for last year's pictures and results; for pledge forms; and for registration forms.



### REGISTRATION FORM: Shiawassee Humane Society 5K9 Day Dog Walk/Run

☐ One Dog (\$20)    ☐ 2-3 Dogs (\$30)    ☐ Family Rate (\$45)    ☐ Day of Race (\$25)

☐ Free Registration with Vendor: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

List all dog names with (ages): 1. \_\_\_\_\_ ( ) 2. \_\_\_\_\_ ( )

3. \_\_\_\_\_ ( )

Shirt Size (circle one): Y- Sm   Y- Med   Y-Lg   Y-X-L   Sm   Med   Lg   XL   XXL   XXXL

*If signing up for the Family Rate: Circle three shirt sizes above*

Send Check payable to: Shiawassee Humane Society, c/o 5K9 Day, PO Box 1622, Owosso MI 48867

Waiver: *I know that running a road race is a potentially hazardous activity. I should not enter unless I am medically able and properly trained. I assume all risks associated with running this event. I, myself, and anyone entitled to act on my behalf, waive and release the Shiawassee Humane Society, Owosso Public Schools, and all sponsors, their representative and successors, and all volunteers for all claims or liabilities of any kind arising out of my participation in this event.*

Participant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Pledge forms available at [www.5K9day.com](http://www.5K9day.com) so friends and family can also help raise funds for homeless animals.*



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

---

# *MEMORANDUM*

---

DATE: May 2, 2013

TO: City Council

FROM: Amy K. Kirkland  
City Clerk

RE: Change to street lighting contract

---

Before you is a proposed contract change to the street lighting we have with Consumers Power. The proposal is to move one of the poles in the alley behind the businesses in the 100 block of E. Exchange Street, and in the process change out an incandescent fixture to a more efficient high pressure sodium fixture. The necessity of this change was prompted by the construction of a deck on the back side of the building at 110 E. Exchange which brought electrical wires attached to the pole in question into close proximity with potential human interference. As you can see from the attached diagram provided by Consumers Energy the alley is the staging area for a number of electrical connections to adjoining buildings. The proposed change represents an opportunity to “clean up” and better organize the electrical connections, remove the safety hazard presented by the deck’s close proximity to the current electrical pole, and upgrade the current lighting to a more efficient fixture.

Staff recommends approval of the proposed change.

**AUTHORIZATION FOR CHANGE IN STANDARD LIGHTING CONTRACT (COMPANY-OWNED)**

Consumers Energy Company is authorized as of \_\_\_\_\_, by the City of  
Owosso, to make changes, as listed below, in the lighting system(s) covered by the existing Standard  
Lighting Contract between the Company and the City \_\_\_\_\_ of Owosso, dated  
04/01/1977.

☒ General Service Unmetered Lighting Rate GUL, Standard High Intensity Discharge as identified in Exhibit A.  
☐ General Unmetered Experimental Lighting Rate GU-XL as identified in Exhibit B.

Notification Number 1019796833

Construction Work Order Number \_\_\_\_\_

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract  
dated 04/01/1977, shall remain in full force and effect.

\_\_\_\_\_  
By: \_\_\_\_\_  
Its

\_\_\_\_\_  
This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof,  
each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including  
this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business  
records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been  
stored electronically.

## RESOLUTION

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the ☒ City ☐ Village ☐ Township of Owosso, dated 04/01/1977, in accordance with the Authorization for Change in Standard Lighting Contract dated as of \_\_\_\_\_, heretofore submitted to and considered by this ☐ Commission ☒ Council ☐ Board; and

RESOLVED, further, that the \_\_\_\_\_ Clerk be and are authorized to execute such authorization for change on behalf of the ☒ City ☐ Village ☐ Township.

STATE OF MICHIGAN )  
 ) ss  
COUNTY OF Shiawassee )

I, \_\_\_\_\_, Clerk of the ☒ City ☐ Village ☐ Township of Owosso do hereby certify that the foregoing resolution was duly adopted by the ☐ Commission ☒ Council ☐ Board of said municipality, at the meeting held on \_\_\_\_\_.

\_\_\_\_\_  
☒ City ☐ Village ☐ Township Clerk

Dated:

\_\_\_\_\_

## GENERAL SERVICE UNMETERED LIGHTING RATE GUL, STANDARD HIGH INTENSITY DISCHARGE

[illegible]

Comments: \_\_\_\_\_

## GENERAL UNMETERED EXPERIMENTAL LIGHTING RATE GU-XL

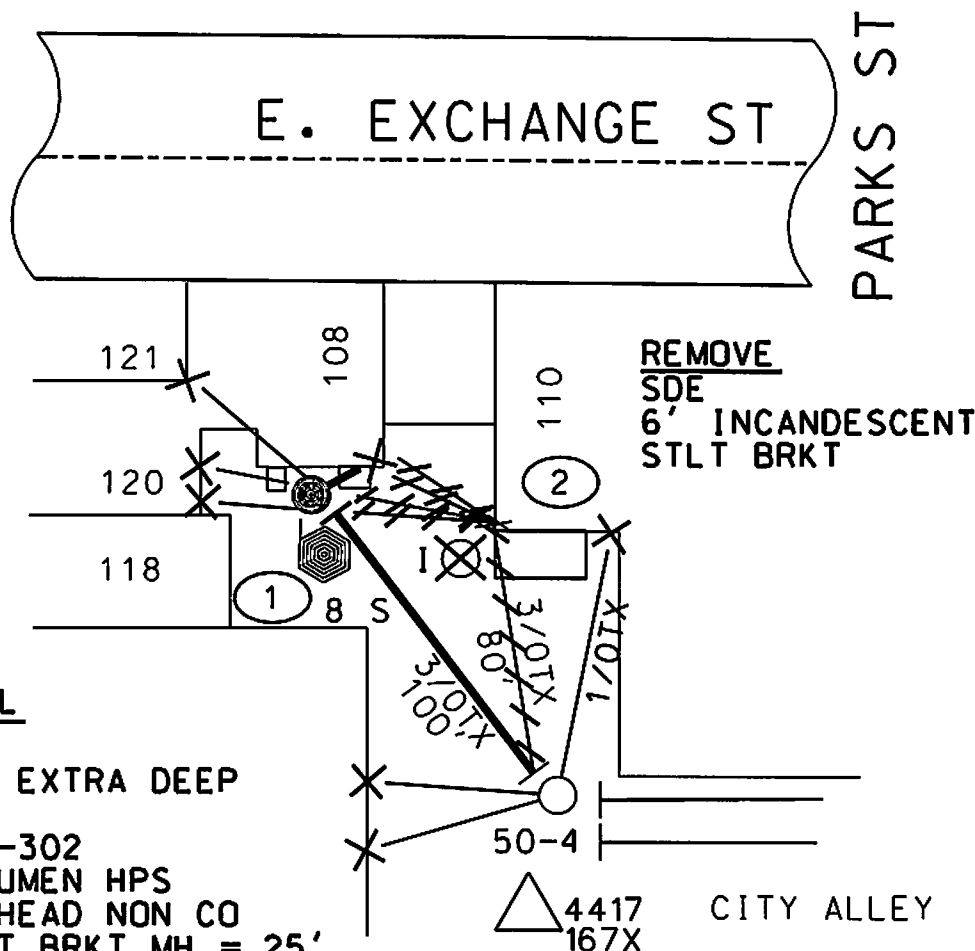
[illegible]

Comments: \_\_\_\_\_





SHIAWASSEE CO  
OWOSSO TWP  
T07 R52 SEC.13



### INSTALL

45-4  
SET 2' EXTRA DEEP  
SDE  
per 23-302  
8500 LUMEN HPS  
COBRA HEAD NON CO  
6' STLT BRKT MH = 25'  
per 42-103

SAG 3/0TX @ 4'-6"  
TRANSFER 4 SERVICES  
OFF BUILDING AND  
ONTO NEW POLE.

ORDER NUMBER

**Consumers Energy**

A CMS Energy Company

**ELECTRIC**

DESIGNED BY  
TMMAHAR  
APPROVED BY

DATE  
04/08/13  
DATE

110 E Exchange St Owosso

For: JAMES GUTTING  
110 E EXCHNAGE ST.

SHEET 1 OF 1

SCALE  
NONE

#### -CONSTRUCTION CERTIFICATION-

Work was constructed as Engineered or Changed as Indicated.  
All Salvageable Material Was Returned to Stores.

Signed \_\_\_\_\_ in Direct Charge of Work

Dates: Started \_\_\_\_\_ Completed \_\_\_\_\_

MSS DIG NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_

TLM NUMBER

0752134414

# OF  
RODS

OHMS

CONSTRUCTION MEASURE NUMBER

100002292755

ORDER TYPE

MAINTENANCE  
ACTIVITY TYPE

DESIGN NUMBER

ECNC

RLO

10375092

STAKED

☐ YES

☐ NO

TREES

☐ YES

☐ NO

SUBSTATION

OWOSSO

WD NO.

0067

CIRCUIT

GOULD

CKT NO.

07

LCP NO.

0881

ELECTRIC CAD TITLE BLOCK (8-1/2x11) 10-30-2008

SHEET A

4/17/2013 7:33:31 AM d:\of\wrod\ustn\tempdgn\10375092\10375092.001

DESIGN FILE NAME: 10375092.001

T R S 07 52 13



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

---

# ***MEMORANDUM***

---

DATE: May 6, 2013

TO: City Council

FROM: Mark A. Sedlak  
Director of Public Services/Street Administrator

RE: 2013 Tall Grass Mowing Bid

---

This year, Fourstar Landscaping, LLC submitted the low overall bid for the 2013 Tall Grass Mowing Bid. The unit prices they submitted were: private properties - \$15 for normal size lot (66'x132'), \$20 for double lot and \$25 for anything over the size of a double lot; for city-owned properties - \$15 each for the 29 city-owned lots in Osburn Lakes Subdivision and \$35 for the Gould House Lot.

We recommend Council award the 2013 Tall Grass Mowing Bid to Fourstar Landscaping, LLC. If you have any questions, please feel free to contact me at 725-0551.

MS/mmj

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

**AUTHORIZING THE EXECUTION OF A CONTRACT  
WITH FOURSTAR LANDSCAPING, LLC.  
FOR THE MOWING OF PRIVATE PROPERTIES IN VIOLATION OF THE CITY  
WEED ORDINANCE AND CERTAIN CITY-OWNED PROPERTIES**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has an ordinance requiring property owners to mow their lots to control the growth of tall grass and noxious weeds; and

WHEREAS, the City of Owosso will mow private properties that are in violation of the ordinance if the owners refuse to mitigate the situation; and

WHEREAS, efficiencies can be gained from contracting out for service to mow such properties as well as certain City-owned properties; and

WHEREAS, the City of Owosso sought bids for the mowing of weed ordinance violation properties and certain city-owned properties; and a bid was received from Fourstar Landscaping, LLC.; and it is hereby determined that Fourstar Landscaping, LLC. is qualified to provide such services and that it has submitted the lowest responsible and responsive bid;

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

FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to employ Fourstar Landscaping, LLC. for the service of mowing private properties in violation of the weed ordinance and certain city-owned properties upon the city's request.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit A, Contract for Services Between the City of Owosso, Michigan and Fourstar Landscaping, LLC for mowing and trimming services at the following rates:

Private properties:		
normal city size lot or smaller	=	\$15.00 each
normal to double city size lot	=	\$20.00 each
larger than double size	=	\$25.00 each
City-owner properties:		
Osburn Lakes Subdivision lots	=	\$15 each
Gould House Lot	=	\$35 each

THIRD: The above expenses shall be paid from the General Fund.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF OWOSSO,  
SHIAWASSEE COUNTY, MICHIGAN THIS 6<sup>th</sup> DAY OF MAY, 2013

AYES:  
NAYS:  
ABSTENTIONS:  
ABSENT:

CITY OF OWOSSO

ATTEST:

---

Benjamin R. Frederick, Mayor

---

Amy K. Kirkland, City Clerk

## CITY OF OWOSSO BID TABULATION SHEET

DATE 4/9/2013DEPT. Public Works

Page 1 of 2

SUBJECT: 2013 Tall Grass Mowing Program

				Fourstar Landscaping Lennon		Millennium Lawn Service Owosso		Turf Worx Owosso	
ITEM #	DESCRIPTION	EST. QTY	UNIT	UNIT PRICE	SEASON TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Mow & Trim Single Residential Lot	50	EA	\$ 15.00	\$ 750.00	\$ 18.50	\$ 925.00	\$ 22.00	\$ 1,100.00
2	Mow & Trim Double Residential Lot	30	EA	\$ 20.00	\$ 600.00	\$ 24.50	\$ 735.00	\$ 44.00	\$ 1,320.00
3	Mow & Trim Larger Residential Lot	20	EA	\$ 25.00	\$ 500.00	\$ 31.00	\$ 620.00	\$ 64.00	\$ 1,280.00
4	Mow & Trim 29 City-Owned Lots once a month for 5 months	1	LS	\$ 435.00	\$ 2,175.00	\$ 710.50	\$ 3,552.50	\$ 630.00	\$ 3,150.00
5	Mow & Trim Gould House Lot weekly basis ffrom 5/1/13/ through 9/30/13 (approx. 22 weeks)	1	EA	\$ 35.00	\$ 770.00	\$ 30.00	\$ 660.00	\$ 38.00	\$ 836.00
				*Item #4 & #5 total on submitted bid does not reflect actual total of Unit Price times frequency of mowing.		*Item totals for Items 1,2, & 3 on bid does not reflect actual total of Unit Price times frequency of mowing.			
LOCAL PREFERENCE DOES NOT AFFECT BID OUTCOME									
TOTAL BID				\$ 4,795.00		\$ 6,492.50		\$ 7,686.00	

TOTAL BID PRICING ADJUSTED FOR LOCAL PURCHASING PREFERENCE:

DEPT.

HEAD: \_\_\_\_\_

GENERAL LIABILITY INSURANCE

EXPIRATION DATE: \_\_\_\_\_

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

PURCH.

AGENT: \_\_\_\_\_

WORKERS COMPENSATION INSURANCE

EXPIRATION DATE: \_\_\_\_\_

COUNCIL

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

STAFF

REC.: \_\_\_\_\_

SOLE PROPRIETORSHIP

EXPIRATION DATE: \_\_\_\_\_

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

## CITY OF OWOSSO BID TABULATION SHEET

DATE 4/9/2013

## CITY OF OWOSSO BID TABULATION SHEET

DATE 4/9/2013

DEPT. Public Works

SUBJECT: 2013 Tall Grass Mowing Program

				Mid Michigan Turf Owosso		Carlton Tree Owosso		Crooked Tree Nursery Owosso	
ITEM #	DESCRIPTION	EST. QTY	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Mow & Trim Single Residential Lot	50	EA	\$ 55.00	\$ 2,750.00	\$ 67.50	\$ 3,375.00	\$ 30.00	\$ 2,025.00
2	Mow & Trim Double Residential Lot	30	EA	\$ 75.00	\$ 2,250.00	\$ 85.00	\$ 2,550.00	\$ 45.00	\$ 3,825.00
3	Mow & Trim Larger Residential Lot	20	EA	\$ 100.00	\$ 2,000.00	\$ 110.00	\$ 2,200.00	\$ 50.00	\$ 5,500.00
4	Mow & Trim 29 City-Owned Lots once a month for 5 months	1	LS	\$ 625.00	\$ 3,125.00	\$ 2,000.00	\$ 10,000.00	\$ 1,885.00	\$ 9,425.00
5	Mow & Trim Gould House Lot weekly basis from 5/1/13 through 9/30/2013 (approx. 22 weeks)	1	EA	\$ 38.00	\$ 836.00	\$ 65.00	\$ 1,300.00	\$ 60.00	\$ 1,320.00
				*Item #5 Total based on 25 weeks mowing on submitted bid instead of 22 weeks for proposed bid.		*Item #5 Total on submitted bid based on 20 weeks -not the approx. 22 approximate weeks.		Items 4 & 5 Totals on submitted bid do not reflect accurately the Unit Price times the frequency of mowing.	
TOTAL BID				\$	10,961.00	\$	19,425.00	\$	22,095.00

TOTAL BID PRICING ADJUSTED FOR LOCAL PURCHASING PREFERENCE:



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

---

# *MEMORANDUM*

---

DATE: May 2, 2013  
TO: City Council  
FROM: City Manager  
RE: Michigan Main Street Program

---

The initial agreement with Michigan Main Street has expired. The attached new agreement is the standard agreement for a selected level community which is apparently a level up because Owosso has successfully completed the associate level.

The selected level provides Owosso with specialized training. The intent of the selected level is to assist communities in implementing the Main Street Four-Point Approach® to revitalization by creating a fully-functioning and sustainable local Main Street program. The Main Street program has an active board of directors, providing oversight and direction, four volunteer-driven committees completing projects and a Main Street manager assisting with day-to-day needs.

Michigan Main Street staff members, along with other professionals, are supposed to work closely with selected level communities to train their boards and committees, hire a full-time Main Street manager, recruit volunteers and get the program up and running. In addition, communities receive a market analysis and other specialized training designed to help revitalize their downtown or traditional neighborhood commercial district.

## **Commitment by Select Communities**

- Must have successfully completed services provided in Associate Level prior to applying
- Employ a full-time Main Street manager who will coordinate and facilitate the work of the program
- Establish and maintain an active board of directors and committees using the Main Street 4-Point Approach®
- Participate in all trainings and services provided by the MMS
- Fund the local Main Street program through both public and private partnerships at a level allowing for the full operation of the program
- Submit monthly reports to the MMS
- Submit annual reports to the MMS

- Maintain a membership with the NMSC network
- Meet accreditation standards set by NMSC by the fifth year?

The agreement requires approval by the local Main Street Board (chairperson) and the City Council (city manager). The commitment allows the city to terminate upon a 30 day notice.

**RESOLUTION APPROVING MICHIGAN MAIN STREET PROGRAM—  
COMMUNITY RESOLUTION OF COMMITMENT AGREEMENT BEGINNING FEBRUARY 25, 2013**

WHEREAS, the Owosso City Council has received the Michigan Main Street Program--Community Resolution of Commitment Agreement from the Owosso Downtown Development Authority for an agreement with the Michigan Main Street Center and the Michigan Main Street Program; and

WHEREAS, the Owosso City Council has recognized the importance of preserving and redeveloping the Downtown Owosso core area; and

WHEREAS, the Owosso Downtown Development Authority was established by the Owosso City Council with the goal of preserving and redeveloping the Downtown area of Owosso; and

WHEREAS, the Owosso City Council understands that the Main Street Program is a tool to aid in the preservation and redevelopment of downtowns; and

WHEREAS, the Owosso City Council understands that the Michigan Main Street Center provides training, assistance and resources that are essential to the proper execution of the Main Street Program and can improve the impact the program has on the downtown area;

THEREFORE, BE IT RESOLVED, that:

- FIRST: the Owosso City Council supports the Owosso Downtown Development Authority's decision to become a Selected Level member with the Michigan Main Street Center for five years, obtain the necessary education as to the operation of the Main Street Program and to continue the program to further the preservation and redevelopment of the downtown area.
- SECOND: it is understood that all associated costs be paid 100% from the Downtown Development Authority (Owosso Main Street) budget.
- THIRD: the city manager be authorized to execute the Michigan Main Street Program - Community Resolution of Commitment Agreement that is attached.



# **Michigan Main Street Program Community Requirements and Expectations Agreement**

## **Selected Level**

THIS AGREEMENT is entered into and executed by Michigan Main Street ("MMS"), whose address is 735 East Michigan Avenue, Lansing, MI 48909, and the Community of City of Owosso, County of Shiawassee, State of Michigan (the "Community") whose address (City, State, Zip Code) is 301 W. Main, Owosso, MI, and its Local Program ("Local Program") whose address (City, State, Zip Code) is \_\_\_\_\_, each of such parties being a "Party" to this Agreement, for the purpose of implementing the MMS Program in the Community.

WHEREAS, MMS has entered into a contract with the National Trust for Historic Preservation, National Main Street Center, Washington, D.C. ("NTHP NMSC"), to provide technical expertise, training and services to designated Michigan communities;

WHEREAS, this Agreement is for the purpose of setting forth the MMS Program requirements and expectations for the Community's Local Main Street Program, pursuant to its designation as a Selected Michigan Main Street Community and pursuant to contractual arrangements between NTHP NMSC and MMS, so as to assist in the revitalization of the designated Local Program area of OWOSSO, Michigan;

NOW THEREFORE, in consideration of the foregoing mutual covenants and agreements contained herein, the parties have agreed to do as follows:

### **SECTION I. The Community and its Local Main Street Program agree to these Minimum Participation Standards:**

1. Employ a full-time (no less than forty (40) hours per week) program director for the Local Program who will be responsible for the day-to-day administration of the Main Street program in the Community, and develop a job description to describe the duties for which the program director is responsible. During transition periods between program directors, the Local Main Street Program must make all efforts to hire a new director within a reasonable amount of time. Generally, an interim director should be in place two months after a program director leaves and a full-time director should be in place six months after a director leaves.
2. Develop and maintain an active Board of Directors and Committees, following the National Main Street Four-Point Approach™, to actively lead the Local Program by developing work plans, utilizing volunteers, and successfully completing all stated programmatic activities.

3. Fund the Local Program for the full five years of this Agreement at a level allowing for the full operation of the program. Funding must contain both dedicated funds by public entities and private contributions through fundraising activities.
4. Participate in all scheduled MMS Program services (outlined in Section II.1 of this Agreement). Travel expenses to any required sessions are the sole responsibility of the Local Program. If the Community is temporarily without a program director, or the program director is unable to attend, then a representative from the Community is required to attend in their place.
  - A. Absenteeism: An unexcused absence by the Local Program director, or a representative from the Community, will result in the suspension of all services. Once services are suspended, a written warning to the chair of the board and the program director will be issued requesting an explanation on why training sessions have not been attended. Services will be reinstalled once training issues are resolved.
  - B. Full-time equivalent (FTE): At minimum, one (1) individual from the community must be present for the entirety of the provided service. It is acceptable for two (2) individuals to divide the time between them, as long as the community is represented for the entirety of the provided service.
    - i. The Local Program director is specifically required, at minimum, to participate in Day 1 of the MMS Quarterly Training.
    - ii. A representative from the Community is specifically required to participate in Day 2 of the MMS Quarterly Training.
5. Submit complete and accurate monthly reports by the 10<sup>th</sup> of each month on the form provided by the MMS Program.
6. Submit complete and accurate annual reports by the first Friday of August each year on the form provided by the MMS Program.
7. Maintain a current membership in the National Main Street Center Network.
8. Achieve accreditation by meeting the Ten Standards of Performance set by the NTHP NMSC during the period of this Agreement outlined in Attachment 1.
9. Utilize the MMS Program name and logo with MMS Program pre-approval. The use of the name and logo can be used for marketing materials, window signs, flags, letterhead, banners, pins, etc. The MMS Program name and logo are trademark protected. Any MMS road signs given to the Community by the MMS Program are property of the MMS Program and shall be returned if the Community is no longer an MMS Community. See Section III, Number 3, of this Agreement.
10. Maintain the Local Main Street Program's boundaries and organization structure approved upon the Community's designation as a Michigan Main Street Community. Changes to

either of these require MMS Program approval as it could affect the services provided to the Community.

11. Understand all requirements of this Agreement must be met regardless of changes within the Local Main Street Program, such as temporary displacement of program director. If requirements of this Agreement are not met, MMS Program services will be suspended, and a written warning to the Chair of the Board of Directors and program director will be issued requesting an explanation. Once requirements are met, MMS Program services will be reinstated. If requirements continue to not be met, this Agreement will be terminated and the Community will no longer be a Michigan Main Street Community. All rights associated with the Community's participation in the MMS Program will be revoked, including the right to use the MMS Program name and logo.
12. Assume full responsibility for all costs and expenses associated with the performance of the Local Main Street Program and the performance of its rights and responsibilities under this Agreement. The Community and the Local Main Street Program further acknowledge that the MMS Program is not responsible to the Community and the Local Main Street Program for any costs associated with this Agreement or the services provided under this Agreement, including but not limited to those costs or expenses incurred as a result of anticipated or actual participation in the MMS Program, the NTHP NMSC Program or pursuant to the Community's selection or participation as a Michigan Main Street Community.

## **SECTION II. The MMS Program agrees to provide these services:**

1. Provide five years of customized program training and technical assistance to each Michigan Main Street Community. Training and technical assistance are anticipated as follows, but may be modified by the MMS Program, in its sole discretion, to meet programmatic needs:

### **Program Services Provided to Selected MMS Communities:**

- MMS Orientation Training (L)
- Base-Line Assessment (C)
- Manager Selection Assistance (C)
- Board Training (C)
- Manager Training (C)
- Committee Training (C)
- Main Street Building Basics (C)
- Design Services – (3) three per year for a total of fifteen
- Work Plan Development Training (C)
- Volunteer Development Training (C)
- Market Study – incl. Downtown Housing & Population Recruitment Strategy (C)
- Resource Team (C)
- MMS Quarterly Training
- Annual Program Evaluations (C)
- Accreditation w/ the National Main Street Center
- MMS Listserv Opportunities
- National MS Conference Registration – (1) one per year

- Resource Library Materials
- MMS Road Signs – (2) two
- Specialized Technical Assistance Training – upon meeting accreditation
- Retail Merchandising Training (C)
- Entrepreneurship Training (L)
- Real Estate Development Training (L)

*L= (in Lansing); C= (In the Community)*

2. Conduct MMS Quarterly Training statewide for program directors and Local Main Street Program volunteers. Specific forum training topics will vary and be based on the combined needs of all Michigan Main Street Communities. One forum will be held in each Selected Michigan Main Street Community.
3. Conduct an Annual Program Evaluation for each Local Main Street Program. In order to receive this service, the Community and Local Main Street Program must be in compliance with the above Minimum Participation Standards (Section 1)
4. Provide advice, information, and additional on-site assistance to the Community, Local Program, its staff, and its Board of Directors upon request by the Local Program and subject to MMS Program schedule, program constraints, staff availability, and costs associated with the request. The MMS Program may request the assistance of other State or Federal agencies.
5. Provide three (3) Main Street Building Basic workshops and Design Services for up to three (3) buildings per year for the five years of this Agreement. The fifteen Design Services may be scheduled according to the Community's needs and may be used any time as long as the Local Program is in compliance with this Agreement. If the Community has any Design Services remaining at the end of this Agreement, the Community must continue its participation as a Master Michigan Main Street Community in order to receive the remaining services.
6. Provide two road signs utilizing the MMS Program logo for placement at entryways into the Community.
7. Invite all Selected Michigan Main Street Communities to attend training and technical assistance opportunities in the other Selected Michigan Main Street Communities.
8. Accredited, on behalf of the NTHP NMSC, all eligible Michigan Main Street Communities that meet the above Minimum Participation Standards (Section 1) and the NTHP NMSC Ten Standards of Performance outlined in Attachment 1.

### **SECTION III. The parties hereto otherwise agree as follows:**

1. **TERM OF THE AGREEMENT.** This Agreement, beginning February 25, 2013 shall remain in effect until such time as the "Termination or Cancellation" provisions hereof are

invoked. All procedures for termination and cancellation are outlined below in Section III.17.

2. **CONFIDENTIAL INFORMATION.** Except for information provided to MMS at its request or as part of this Agreement, the Community, Local Program, and their employees, agents, and representatives shall not disclose, other than to the extent required by law, including without limitation, the Freedom of Information Act, any information or data, including but not limited to all materials furnished to the Community and/or Local Program by MMS ("Confidential Information") without the written consent of MMS. Confidential information does not include information that is already in the possession of, or is independently developed by, the Community and/or Local Program; becomes publicly available other than through breach of this Section; or is received by the Community and/or Local Program from a third party with authorization to make such disclosures or is released with MMS's prior written consent.
3. **LICENSING OF CERTAIN MARKS.** MMS grants to Local Program a license to utilize the MMS Program trade names, trademarks, logo, and/or service marks ("MMS Marks") for the express purpose of publicizing the Community's selection and involvement as a the MMS Program Community. Local Program's use of the MMS Marks shall be approved by MMS in advance of use.
4. **INTELLECTUAL PROPERTY RIGHTS.** Local Program acknowledges that it is being granted a limited license during the term of this Agreement by MMS hereunder to use the MMS Marks in accordance with the terms and conditions of this Agreement, and that no further or greater rights are granted in or to the MMS Marks. Local Program acknowledges that MMS owns all rights, title and interest in and to the MMS Marks and that it will do nothing inconsistent with MMS's ownership of the Marks.
5. **INDEMNIFICATION AND LIABILITY INSURANCE.** The Community and its Local Program shall indemnify, defend, and hold harmless MMS and its subsidiaries, agents, employees and contractors from any damages, liability, costs or expenses that it may sustain through the negligence or willful acts of the Community and/or its Local Program pertaining to the performance of this Agreement. The Community and its Local Program shall maintain such insurance as shall be necessary to protect MMS from claims that may arise out of or as a result of the Community's and/or Local Program's operations pursuant to this Agreement. The Community and/or Local Program will provide and maintain its own property damage insurance (written at not less than full replacement cost), workers compensation insurance (written for not less than any limits of liability required by law), and liability insurance (maintained at not less than \$1 million per occurrence, and \$5 million in the aggregate). MMS shall be listed as an additional named insured on all such insurance policies. The Community and Local Program shall provide to MMS periodic certificates of insurance to evidence the compliance with such insurance requirements, and, in any event, shall deliver such certificates to MMS within 10 days after request by MMS.
6. **TOTAL AGREEMENT.** This Agreement contains the entire agreement between the parties superseding any prior or concurrent agreements as to the services being provided, and no oral or written terms or conditions which are not contained in this Agreement shall

be binding. This Agreement may not be changed except by mutual agreement of the parties, reduced to writing and signed.

7. **ASSIGNMENT/TRANSFER/SUBCONTRACTING.** Except as contemplated by the Agreement, the Community and its Local Program shall not assign, transfer, convey, subcontract, or otherwise dispose of any duties or rights under this Agreement without the prior specific written consent of MMS. Any future successors of the Community and/or Local Program will be bound by the provisions of this Agreement unless MMS otherwise agrees in a specific written consent.
8. **COMPLIANCE WITH LAWS.** The Community and Local Program shall comply with all applicable laws, ordinances, regulations, rules, orders, judgments, decrees or other requirements imposed by any governmental authority (collectively, "laws"). The Community and/or Local Program is not, and will not during the term of this Agreement, be in violation of any laws to which it is subject, and will not fail to obtain any licenses, permits or other governmental authorizations necessary to carry out its duties hereunder.
9. **WAIVER.** A failure or delay in exercising any right with respect to this Agreement will not operate as a waiver unless otherwise stated in this Agreement, and will not excuse subsequent failures or delays, 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, and will not be construed as an automatic exercise of subsequent rights.
10. **NOTICES.** Any notice, approval, request, authorization, direction or other communication under this Agreement shall be given in writing and shall be deemed to have been delivered and given for all purposes (i) on the delivery date if delivered by electronic mail or by confirmed facsimile; (ii) on the delivery date if delivered personally to the Party to whom the same is directed; (iii) one (1) business day after deposit with a commercial overnight carrier, with written verification of receipt; or (iv) three (3) business days after the mailing date, whether or not actually received, if sent by U.S. mail, return receipt requested, postage and charges prepaid, or any other means of rapid mail delivery for which a receipt is available. The notice address for the Parties shall be the address as set forth in this Agreement, with the other relevant notice information, including the recipient for notice and, as applicable, such recipient's fax number or e-mail address, to be reasonably identified by notifying Party. MMS, the Community and Local Program may, by notice given hereunder, designate any further or different addresses to which subsequent notices shall be sent.
11. **NON-DISCRIMINATION AND UNFAIR LABOR PRACTICES.** In connection with this Agreement, the Community and its Local Program shall not discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, gender, height, weight, marital status or handicap. In connection with this Agreement, the Community and its Local Program shall not violate 1980 Public Act 278, as amended, MCL 423.321, et seq, by entering into a subcontract with any individual person, firm or entity who has been found in contempt of court by a Federal Court of Appeals on not less than three (3) occasions involving different

violations during the preceding seven (7) years for failure to correct an unfair labor practice as prohibited by Section 8 of Chapter 372 of the National Labor Relations Act. Violations of law after the beginning date of this Agreement may result in its termination.

12. **SEVERABILITY.** The invalidity or unenforceability of a particular provision of this Agreement shall not affect the validity or enforceability of any other provision of this Agreement, provided that the principal intent of this Agreement can be preserved.
13. **GOVERNING LAW AND JURISDICTION.** This Agreement is made and entered into in the State of Michigan and shall in all respects be interpreted, enforced and governed under the laws of the State of Michigan. The parties agree that any legal actions concerning this Agreement shall be brought in the Ingham County Circuit Court in Ingham County, Michigan, USA. The terms of this paragraph shall survive the termination of the cancellation of this Agreement.
14. **NO EMPLOYMENT, PARTNERSHIP OR AGENCY RELATIONSHIP.** the MMS Program is limited to furnishing its technical services to the Community and its Local Program and thus nothing contained herein shall create any employer-employee relationship. Further, this Agreement does not create a partnership relationship.
15. **NO THIRD PARTY BENEFICIARIES.** There are no express or implied third party beneficiaries to this Agreement.
16. **COUNTERPARTS.** This Agreement may be executed in one or more counterparts and by facsimile, each of which shall constitute an original, and all of which together shall constitute one and the same instrument.
17. **TERMINATION OR CANCELLATION.**
  - A. This Agreement may be terminated by MMS by providing written notice of default and termination to the Community and its Local Program ("Notice of Default and Intent to Terminate") upon the occurrence of any of the following events or conditions ("Event of Default"):
    - (i) any representation or covenant made by the Community and/or its Local Program is determined by MMS, in its reasonable judgment, to be incorrect at the time that such representation or covenant was made in any material respect, including, but not limited to, the Reports and compliance with laws as required under this Agreement;
    - (ii) The Community's and/or its Local Program's failure to comply with any of the requirements of this Agreement;
    - (iii) use of the program training, technical assistance, and resources provided pursuant to this Agreement for purposes other than as set forth in this Agreement.

- A. Notwithstanding the foregoing, the Community and its Local Program acknowledges that MMS's performance of its obligations under this Agreement is dependent upon the continued approval of funding and/or the continued receipt of state funding. In the event that the State Legislature, the State Government or any State official, public body corporate, commission, authority, body or employees, or the federal government (a) takes any legislative or administrative action which fails to provide, terminates or reduces the funding or programmatic support necessary for this Agreement, or (b) takes any legislative or administrative action, which is unrelated to the source of funding or programmatic support for this Agreement, but which affects MMS's ability to fund and administer the MMS Program, then MMS may cancel this Agreement by providing notice to the Community and its Local Program of cancellation. Cancellation may be made effective immediately, upon delivery of notice to the Community or its Local Program, or with such other time period as MMS, in its sole discretion, deems reasonable.
- B. In addition to the above, either party may terminate its obligations under this Agreement, without cause, by giving the other party a 30-calendar day written notice of such termination.
- D. In the event that this Agreement is terminated, neither MMS nor the Community or its Local Program shall have any further obligation to perform under this Agreement. The Community and/or Local Program shall, unless otherwise directed by MMS in writing, immediately take all reasonable steps to terminate operations under this Agreement.
18. **RESERVATIONS.** MMS reserves the right to modify services provided to the Community and/or its Local Program as necessary.
19. **AUTHORITY TO EXECUTE THIS AGREEMENT.** The signatories below warrant that they are authorized to enter into this Agreement.
20. **Failure to sign and submit this agreement to MMS on or before May 31, 2013, will result in the termination of the Community's participation in the MMS Program.**

*[signatures follow on next page]*



IN WITNESS WHEREOF, the parties have executed this Agreement.

\_\_\_\_\_  
("COMMUNITY")

BY: \_\_\_\_\_  
(City Manager or Village President) (Date)

\_\_\_\_\_, Michigan  
(City or Village)

\_\_\_\_\_  
("LOCAL PROGRAM")

BY: David L. Acton 4-25-13  
(Local Main Street Board Chairperson) (Date)

\_\_\_\_\_  
(Local Program)

**MICHIGAN MAIN STREET**

BY: \_\_\_\_\_  
(Director, Downtown & Community Services) (Date)

BY: \_\_\_\_\_  
(State Historic Preservation Officer) (Date)

**National Trust for Historic Preservation / National Main Street Center**

**Ten Standards of Performance  
for Accreditation**

---

1. Has broad-based community support for the commercial district revitalization process, with strong support from both the public and private sectors
2. Has developed vision and mission statements relevant to community conditions and to Local Program's organizational stage
3. Has a comprehensive Main Street work plan with measurable objectives
4. Possesses an historic preservation ethic
5. Has an active board of directors and committees
6. Has an adequate operating budget
7. Has a paid professional program director
8. Conducts a program of on-going training for staff and volunteers
9. Reports key statistics
10. Is a current member of the National Main Street Network



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
MICHIGAN LIQUOR CONTROL COMMISSION  
ANDREW J. DELONEY  
CHAIRMAN

STEVE ARWOOD  
DIRECTOR

April 22, 2013

Owosso City Council  
Attn: Clerk  
301 W. Main St.  
Owosso, MI 48867-2925

The purpose of this letter is to notify this local legislative body that the Michigan Liquor Control Commission has received an application for a license, as follows:

**Request ID#: 675696**

**Transfer interest in 2013 SDM License**

**Name of applicant(s): Harrands, Inc.**

**Business address and phone: 620 E. Oliver, Owosso, MI 48868, Shiawassee County  
(B) 989-725-6612**

**Home address and phone number of partner(s)/subordinates:**

Christopher Harrand: 1899 Manitou Dr. Owosso, MI 48867 (B) 989-725-6706

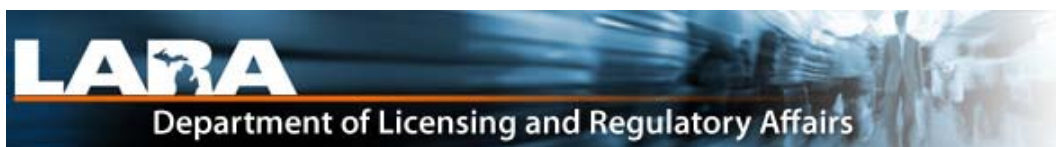
Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit. Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor.

Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION  
Retail Licensing Division (866) 813-0011

kaw

[Michigan.gov Home](#)[LARA Home](#)[Sitemap](#)[Contact](#)[Online Services](#)[Agencies](#)**Business Id - 132032****Applicant/Licensee - HARRANDS, INC.****DBA Name - HARRAND'S****Address - 620 E OLIVER OWOSSO, MI 48867****Request Details**

Request Id	Status	Transaction	Transaction Completion Date
<a href="#">675696</a>	Pending	TRANSFER STOCK INTEREST BY DROPPING THE ESTATE OF ROBERT F. HARRAND AND ROSEMARY HARRAND, AS JOINT STOCKHOLDERS THROUGH TRANSFER OF 20,000 SHARES OF STOCK TO NEW STOCKHOLDER, CHRISTOPHER HARRAND, ON DECEMBER 29, 2012.	

[Re-Query](#)[Return](#)[Michigan Liquor Control Commission](#)

Lansing, MI 48909-7505

Ph: 517-322-1400

Fx: 517-322-6137

[Michigan.gov Home](#) | [LARA Home](#) | [LARA Contact](#) | [State Web Sites](#)  
[Privacy Policy](#) | [Link Policy](#) | [Accessibility Policy](#) | [Security Policy](#)

Copyright © 2001- 2013 State of Michigan



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
MICHIGAN LIQUOR CONTROL COMMISSION  
ANDREW J. DELONEY  
CHAIRMAN

STEVE ARWOOD  
DIRECTOR

April 23, 2013

Owosso City Council  
Attn: Clerk  
301 W. Main St.  
Owosso, MI 48867-2925

The purpose of this letter is to notify this local legislative body that the Michigan Liquor Control Commission has received an application for a license, as follows:

**Request ID#: 675697**

**Transfer interest in 2013 SDM License**

**Name of applicant(s): Harrands Market Inc.**

**Business address and phone: 644 Alger, Owosso, MI 48867, Shiawassee County**

**Home address and phone number of partner(s)/subordinates:**

Christopher Harrand: 1899 Manitou Drive, Owosso, MI 48867 (B) 989-725-6706 (C) 810-691-1103

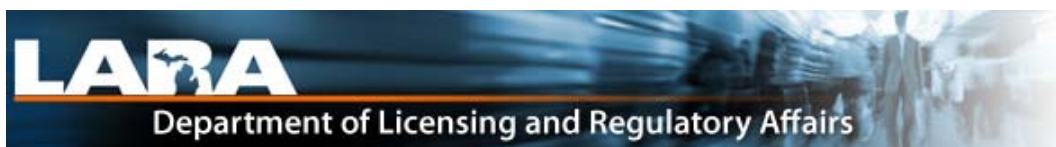
Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit. Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor.

Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION  
Retail Licensing Division (866) 813-0011

kaw

[Michigan.gov Home](#)[LARA Home](#)[Sitemap](#)[Contact](#)[Online Services](#)[Agencies](#)**Business Id - 132030****Applicant/Licensee - HARRANDS MARKET INC.****DBA Name - HARRAND'S MARKET****Address - 644 ALGER OWOSSO, MI 48867****Request Details**

Request Id	Status	Transaction	Transaction Completion Date
<a href="#">675697</a>	Pending	TRANSFER STOCK INTEREST BY DROPPING THE ESTATE OF ROBERT F. HARRAND AND ROSEMARY HARRAND, AS JOINT STOCKHOLDERS THROUGH TRANSFER OF 32,000 SHARES OF STOCK TO NEW STOCKHOLDER, CHRISTOPHER HARRAND, ON DECEMBER 29, 2012.	

[Re-Query](#)[Return](#)[Michigan Liquor Control Commission](#)

Lansing, MI 48909-7505

Ph: 517-322-1400

Fx: 517-322-6137

[Michigan.gov Home](#) | [LARA Home](#) | [LARA Contact](#) | [State Web Sites](#)  
[Privacy Policy](#) | [Link Policy](#) | [Accessibility Policy](#) | [Security Policy](#)

Copyright © 2001- 2013 State of Michigan



301 W. MAIN • OWOSSO, MICHIGAN 48867-2958 • (989) 725-0570 • FAX (989) 723-8854

---

# MEMORANDUM

---

DATE: 1 May 2013

TO: Owosso City Council

FROM: Rick Williams, Finance Director

SUBJECT: Cash and Investment Position  
3rd Quarter Ending March 31, 2013  
Information Only – No Action Required

---

The cash and investment position, summarized below, for quarter ending March 31, 2013 totaling \$13,622,694.40, includes the primary and some component units of the City. It does not include the portfolio of the Employees Retirement System or Downtown Development Authority

Type of Deposit/Investment	Maturity	Insured	*Uninsured	Rating
Demand & Time Deposits At Cost	< 1 yr	402,345.94		*
Negotiable Order of Withdrawal At Cost	< 1 yr	1,347,056.83	631,805.00	*
Money Market Accounts At Cost	< 1 yr	1,076,634.67	4,537,562.61	*
Mutual Funds At Cost, NAV \$1/share	< 1 yr		3,776,387.92	AAAm
Savings Accounts At Cost	< 1 yr			
US, Agency, Gov't Bonds Fair Value	1-3 yrs		1,850,901.43	AA-

\*Mutual Funds and Commercial Paper are insured under limited circumstances through SIPC. Depository accounts with banking institutions are rated internally on a scale of one to five based on capital adequacy, asset quality, management, earnings, liquidity, and sensitivity to market risk.

Minutes of the **April 8, 2013**, regular meeting  
of the **Owosso Historical Commission** held  
at the Curwood Castle, 7:00 p.m.

Members Present: City Treasurer Ronald Tobey, Chairman Michael Erfourth, and members Joni Forster, Shaffer Fox, Elaine Greenway, Scott Newman, Lorraine Weckwert and Gary Wilson

Members Absent: Paul Heimnick, Don Schneider

Guests Present: none

The meeting was called to order at 7:07 p.m. by Chairman Erfourth.

Motion to adopt proposed agenda made by Newman, supported by Forster and approved after the addition of the Comstock cabin tour request.

Citizen Comments: none

Motion by Newman to accept and place on file the minutes of the March 11, 2013, regular meeting. Supported by Wilson and carried.

Members were presented the February 2013 financial report. Motion by Newman to approve report, supported by Wilson and carried with dissent from Forster.

Chairman Erfourth reported that no redraft of the bylaws had been received.

Weckwert arrived at 7:13.

No updates were available for acquisition of the Curwood painting.

The subcommittee for the 2013 Home Tour has met and is planning an additional meeting. Thirteen sites have been obtained and research has almost been completed on those sites.

Another bid for castle floor refinishing had been solicited but no information was available.

A meeting for CultureFest 2013 is scheduled for April 16<sup>th</sup> at 1:00. Fox and Greenway will represent the commission.

Members by consensus agreed that the Gould House would continue to be available for event bookings. A request to review the rental agreements was made and will be placed on the May agenda.

Forster and Erfourth will set a date for cabin cleaning and inform the group of the event.

Members discussed souvenir items available at the castle and the selection process for same. Forster moved to allocate \$1,000 from Administrative Expense/Operating Supplies to buy new items and to reset prices of current items to reflect the market. Support by Weckwert and approved. Erfourth will investigate new options for T-shirts.

Members continued to be interested in formalizing the Endowment Fund to be able to promote it encouraging contributions. It was noted the balance now stands at \$20,620.



It was noted that the family of former Castle docent, John Hughan, had made a donation to the commission in his memory.

Members were informed that a fill-in part-time docent position had been advertised. A general announcement will be made to members at the time an interview committee is being formed.

Forster reported that the Perry Baptist Church is celebrating a 150<sup>th</sup> anniversary with special events and would like to tour the Comstock Cabin. The church can trace its history back to services held at the cabin. Forster will coordinate this event.

Meeting adjourned at 8:58 p.m. by consensus.

Respectfully submitted,  
Ronald J. Tobey  
Secretary/Treasurer

**Minutes  
Regular Meeting of the Parks & Recreation Commission  
Council Chambers, City Hall  
April 22, 2013 – 6 p.m.**

The meeting was called to order at 6:08 p.m. by Vice-Chairman Selbig.

**Pledge of Allegiance:** The Pledge of Allegiance was recited by all in attendance.

**Roll Call** was taken by Recording Secretary Marty Stinson.

**Members Present:** Vice-Chairman Jeff Selbig; Commissioners Tim Alderman, and Sherri Chavora.

**Members Absent:** Chairman Michael Espich; and Commissioner Nikki Hathaway.

**Others Present:** Adam Zettel, Assistant City Manager and Director of Community Development; Paul Early, Advocate for the Splash Pad; Ron Baker, Advocate for the Rails to Trails project.

**Approve Agenda for April 22, 2013:**

A motion to approve the agenda as presented was made by Commissioner Alderman and supported by Commissioner Chavora.

Ayes: all. Motion carried.

**Approve Minutes from March 25, 2013 meeting:**

A motion to approve the minutes from the March 25, 2013 meeting was made by Commissioner Chavora and supported by Commissioner Alderman.

Ayes: all. Motion carried.

**Public Comments:**

Mr. Paul Early reminded the board that he still had the 1,000 gallon tank and other items for the splash pad in his yard. The permit is in the final steps of approval and will probably be done in May. It is in the same place as it has been for the last few months – waiting on the DEQ. Each permit for each unit will need to be separately applied for to the DEQ.

6:18 p.m. Mr. Early left. Discussion continued about possibly needing bike racks after the board sees the use of the splash pads.

**Communications:**

1. Staff memorandum
2. March 25, 2013 minutes
3. Trail connector study (electronic)
4. Trail update (Ron Baker)

**Business:**

**1. Bentley Park and Disc Golf Update**

Adam Zettel, Assistant City Manager and Director of Community Development, noted that the council has approved the bid for \$98,000 for all the projects at Bentley Park. The goal is to have them done by July 1, 2013 from the grant. The city work will be completed as the Department of Public Works has

time. The playscape dedication, summer project, and splash pad should all be pretty much done by mid-summer.

Mr. Zettel also stated the disc golf was approved by the Council. Commissioner Chavora stated \$516 was raised on Saturday at the plunge at Hopkins Lake.

**2. CIS Trail Connector Presentation**

Mr. Ron Baker is involved with a group that is getting together to work with “Rails to Trails” with the abandoned railroad tracks from Lowell to Smith Road. The plan is to bring it into Owosso to the James Miner River Trail. MDOT has agreed to put up bike route and share the road signs. Mr. Baker described both the northern and southern routes through Owosso.

**A motion to recommend approval of the northern route was made by Commissioner Alderman and supported by Commissioner Chavora.**

**Ayes: all. Motion carried.**

**Public / Board Comments:** None

**Adjournment:**

**A motion to adjourn the meeting was made by Commissioner Chavora and was supported by Commissioner Alderman. The meeting adjourned at 6:52 p.m. until Tuesday, May 28, 2013.**

**Ayes: all. Motion carried.**

---

Adam Zettel, Secretary

mms

**MINUTES  
REGULAR MEETING OF THE OWOSSO PLANNING COMMISSION  
Council Chambers, City Hall  
April 22, 2013 – 7:00 pm**

**CALL TO ORDER:** Meeting was called to order at 7:00 p.m. by Chairman William Wascher.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was recited by all in attendance.

**ROLL CALL:** Roll Call was taken by Recording Secretary Marty Stinson.

**MEMBERS PRESENT:** Chairman William Wascher; Vice-Chairman Frank Livingston; Commissioners David Bandkau, Tom Kurtz, Cindy Popovitch, Brent Smith, and Thomas Taylor.

**MEMBERS ABSENT:** Secretary Melvin Renfrow; and Commissioner Ron Schlaak.

**OTHERS PRESENT:** Adam Zettel, Assistant City Manager and Director of Community Development; Tom Manke, Friends and Community News and Views; and Christopher A. Grzenkowicz, P.E. of DESINE INC

**AGENDA APPROVAL:**

**MOTION BY COMMISSIONER LIVINGSTON, SUPPORTED BY COMMISSIONER BANDKAU TO APPROVE THE AGENDA FOR APRIL 22, 2013 WITH THE CHANGE OF MOVING UP BUSINESS ITEM No. 1 SITE PLAN REVIEW BEFORE THE PUBLIC HEARINGS.  
YEAS ALL. MOTION CARRIED.**

**MINUTES APPROVAL:**

**MOTION BY COMMISSIONER POPOVITCH, SUPPORTED BY COMMISSIONER KURTZ TO APPROVE THE MINUTES OF THE MEETING OF MARCH 25, 2013 WITH THE FOLLOWING REVISION:**

\*\*\*\*\*

**YEAS ALL. MOTION CARRIED.**

**COMMUNICATIONS:**

1. Staff memorandum
2. PC minutes from March 25, 2013
3. Westown Mixed Use Development Plan
4. Outdoor sales and storage; temporary use text
5. Design standards text

**COMMISSIONER / PUBLIC COMMENTS:**

Mr. Tom Manke, Friends and Community News and Views, 118 S. Washington, but living in Owosso Township, commented that the city is writing too many rules and regulations. The writers to his social media site will not move into the city because of the rules. They comment that they don't need to come to meetings – they will go to social media instead.

**BUSINESS ITEMS:**

**1. Site Plan for Westown Shell - 1107 W. Main Street**

Mr. Adam Zettel, Assistant City Manager and Director of Community Development, noted that Westown was rezoned from B-4 to B-3 including this site at 1107 W. Main Street. The carwash is to be demolished and the new building will compliment the historical nature of the area. Mr. Zettel thought that the plans were well designed and that it was a great project.

Christopher A. Grzenkowicz, P.E. of DESINE INC further described the project as a Subway Restaurant on the south half with a retail area available on the north half of the first floor. The second floor would

have three residentials. The project would not require any new curb cuts; would have 25 parking spaces; and would be designed to be similar to the other neighborhood buildings. Discussion continued regarding parking spaces; utilities; fence; signage; drains; drive-thru lane; dumpster; and lighting.

**MOTION BY COMMISSIONER KURTZ, SUPPORTED BY COMMISSIONER SMITH TO RECOMMEND APPROVAL OF THE SITE PLAN DATED APRIL 1, 2013 WITH THE AMENDED LIGHTING PLAN DATED APRIL 20, 2013, FOR THE WESTOWN MIXED USE DEVELOPMENT, WITH THE FOLLOWING CHANGES:**

- 1. PARKING SPACES MUST BE SIGNED FOR RESIDENTIAL AND EMPLOYEE USE AS APPROPRIATE FOR THOSE SPACES NOT IN THE PRIMARY LOT.**
  - 2. THE PYLON SIGN MUST BE ALTERED OR RELOCATED TO MEET CLEAR VISION REQUIREMENTS.**
  - 3. THE PROJECT MUST BE REVIEWED AND APPROVED BY THE CITY UTILITY SUPERVISOR.**
  - 4. THERE MUST BE ADEQUATE VEHICLE HEADLAMP SCREENING / FENCE.**
- YEAS ALL. MOTION CARRIED.**

**PUBLIC HEARING:**

**1. Outdoor Sales and Storage; Temporary Uses**

Chairman Wascher opened the public hearing at 6:40 p.m.

Mr. Dan Harrow of Mason Street commented about Section E regarding the uses of sandwich board signs and permits. It was clarified by Mr. Zettel that only topics pertaining to the business that the sign was in front of could be on the sign. No advertising for another business is allowed. These signs will require right of way permits from the Building Official.

**MOTION BY COMMISSIONER BANDKAU, SUPPORTED BY COMMISSIONER TAYLOR TO RECOMMEND THAT SECTION F, # 2 SHOULD BE CHANGED TO 300 SQUARE FEET.**  
**YEAS ALL. MOTION CARRIED.**

**2. Design Standards**

Chairman Wascher opened the public hearing at 7:59 p.m.

Mr. Tom Manke stated that Sections 38-393, A & B are straight out lies. Discussion with board followed. Mr. Dan Harrow asked questions of the board on several sections and discussions continued with the board.

8:51 p.m. Public hearing closed.

**MOTION BY COMMISSIONER LIVINGSTON, SUPPORTED BY COMMISSIONER KURTZ TO TABLE THE DESIGN STANDARDS DISCUSSION TO THE NEXT MEETING.**  
**YEAS ALL. MOTION CARRIED.**

**COMMISSIONER COMMENTS:**

Commissioner Bandkau noted that this board doesn't have a guarantee that future people won't interpret these regulations differently.

**ADJOURNMENT:**

**MOTION BY COMMISSIONER KURTZ, SUPPORTED BY COMMISSIONER POPOVITCH, TO ADJOURN AT 9:00 P.M. UNTIL MAY 27, 2013.**  
**YEAS ALL. MOTION CARRIED.**

---

Melvin Renfrow, Secretary

mms