

OWOSSO CITY COUNCIL

DECEMBER 2, 2013

7:30 P.M.

PRESIDING OFFICER: MAYOR BENJAMIN R. FREDERICK

OPENING PRAYER: PASTOR MARLENE WEBSTER
OWOSSO CHURCH OF THE NAZARENE

PLEDGE OF ALLEGIANCE: MAYOR BENJAMIN R. FREDERICK

PRESENT: Mayor Benjamin R. Frederick, Mayor Pro-Tem Christopher T. Eveleth, Councilpersons Loreen F. Bailey, Burton D. Fox, John V. Greenway, and Robert J. Teich, Jr.

ABSENT: Councilperson David B. Bandkau.

Councilperson Fox led the group in a moment of silence in memory of his dear friend and prominent local cable channel supporter Jim Hardwick on the occasion of his passing.

APPROVE AGENDA

Motion by Mayor Pro-Tem Eveleth to approve the agenda with the following changes:

Move Consent 2. First Reading & Set Public Hearing – PILOT Ordinance Amendment to Item of Business 2.

Add new Consent 6 as follows:

6. Boards and Commissions Appointments - Addition. Approve the following additional Mayoral boards and commissions appointment:

| Name | Board/Commission | Term Expires |
|---------------|-------------------------|---------------------|
| Justin Parker | Historical Commission | 12-31-2016 |
| Burton Fox | Retirement board | Term of office |

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF NOVEMBER 18, 2013

Motion by Councilperson Bailey to approve the Minutes of the Regular Meeting of November 18, 2013 as presented.

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

STUDENT REPRESENTATIVE REPORT

None.

PROCLAMATIONS / SPECIAL PRESENTATIONS

2013 AMOS GOULD OUTSTANDING CITIZEN AWARD – W. SHAFFER FOX

Mayor Frederick presented the 2013 Amos Gould Outstanding Citizen Award to W. Shaffer Fox, honoring him for his constant volunteer efforts to improve the city and his life-long personal promotional campaign to let the world know about Owosso. To commemorate the honor Mr. Fox was presented with a key to the City.

Mr. Fox thanked everyone for the tremendous honor saying he was surprised and overwhelmed to receive the award. He went so far as to say that no other recognition would mean more to him. He said he thanked God every day for the privilege of living in Owosso, saying it was the best place on earth. And he closed his remarks with his personal mantra: Owosso. Today. Tomorrow. And forever.

PUBLIC HEARINGS

ORDINANCE AMENDMENT – SECTION 19-3, BEGGING

The proposed amendment would repeal Section 19-3, Begging, bringing the City into compliance with a recent U.S. Court of Appeals ruling declaring begging a form of speech protected by the First Amendment.

A public hearing was conducted to receive citizen comment regarding the proposed repeal of Chapter 19, Nuisances, Section 19-3, *Begging*.

There were no citizen comments.

Whereas, the Council, after due and legal notice, has met and there being no one to be heard, motion by Mayor Pro-Tem Eveleth that the following ordinance be adopted:

ORDINANCE NO. 747

**AN ORDINANCE TO REPEAL
OWOSSO CITY CODE SECTION 19-3, BEGGING**

WHEREAS, the City of Owosso has an ordinance on its books prohibiting begging; and

WHEREAS, a recent ruling by the United States Court of Appeals has ruled that begging is a form of free speech protected by the First Amendment; and

WHEREAS, in light of this ruling the City has an obligation to repeal its local ordinance.

NOW, THEREFORE BE IT RESOLVED, THE CITY OF OWOSSO ORDAINS that Chapter 19, Offenses, Article I, Section 19-3, *Begging*, of the Code of the City of Owosso be amended as follows:

SECTION 1. REPEAL. That Section 19-3 of the Owosso City Code pertaining to begging is repealed.

~~Sec. 19-3. Begging.~~

~~It shall be unlawful for any person to beg in any public place.~~

SECTION 2. EFFECTIVE DATE. This amendment shall become effective December 23, 2013.

SECTION 3. AVAILABILITY. This ordinance may be purchased or inspected in the city clerks' office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

Motion supported by Councilperson Greenway.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Bandkau.

CITIZEN COMMENTS AND QUESTIONS

Eddie Urban, 601 Glenwood Avenue, said he quit counting after the Mayor had named 101 good things that Shaffer Fox has done. He said he met Shaffer when they were both members of the Cable Commission and he was a calm stable force for the sometimes cantankerous group. He went on to say that he had attended the funeral for Jim Hardwick and he discovered many things about him that he didn't know previously. He said he was a great guy.

Mayor Pro-Tem Eveleth echoed all of the sentiments about Shaffer Fox saying he is a great ambassador for the City. He went on to express his thanks for another hugely successful Glow Owosso event. He said the event was larger than ever and all reports indicated it was a great downtown event.

Mayor Frederick thanked Mayor Pro-Tem Eveleth for all of his work on Glow Owosso and relayed his appreciation for the ever growing event as well as the continuing improvements in the downtown.

Councilperson Fox said he was happy to call Shaffer Fox his friend.

CITY MANAGER REPORT

City Manager Donald D. Crawford briefly detailed the project status report calling attention to a few items such as the upcoming façade grant meeting, the standardization of RFP's and related documents, the conclusion of the leaf collection program for the year, and the number of people signed up to receive paperless utility bills.

CONSENT AGENDA

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

Special Assessment District No. 2013-04 – Hazards and Nuisances. Authorize Resolution No. 1 setting a public hearing for Monday, December 16, 2013 to receive citizen comment regarding Special Assessment District No. 2013-04, Hazards and Nuisances, as it relates to unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances as follows:

RESOLUTION NO. 141-2013

**SPECIAL ASSESSMENT DISTRICT NO. 2013-04
HAZARDS AND NUISANCES**

WHEREAS, the Assessor has prepared a special assessment roll for the purpose of specially assessing that portion of the unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances more particularly hereinafter described to the properties specially benefited by said public improvement, and the same has been presented to the Council by the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll is hereby accepted and shall be filed in the office of the City Clerk for public examination.
2. The Council shall meet at the Owosso City Hall, Owosso, Michigan at 7:30 o'clock p.m., on Monday, December 16, 2013 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same.
3. The City Clerk is directed to publish the notice of said hearings once in *The Argus Press*, the official newspaper of the City of Owosso, not less than ten (10) days prior to said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of the property subject to assessment, as indicated by the records in the City Assessor's office as shown on the general tax rolls of the City, at least ten (10) days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.

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

**NOTICE OF HEARING TO REVIEW
SPECIAL ASSESSMENT ROLL – HAZARDS AND NUISANCES
CITY OF OWOSSO
COUNTY OF SHIAWASSEE, MICHIGAN**

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

TAKE NOTICE that a Special Assessment Roll-Hazards and Nuisances has been prepared for the purpose of defraying the unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances of the above described property.

| PARCEL NUMBER | ADDRESS | BALANCE |
|----------------------|-------------------|----------------|
| 050-602-014-008-00 | 1064 TRACY | \$6,385.94 |
| 050-113-006-005-00 | 1108 RYAN | \$70.00 |
| 050-113-008-031-00 | 1229 MILWAUKEE | \$417.98 |
| 050-536-000-034-00 | 1230 N SHIAWASSEE | \$678.61 |
| 050-547-000-006-00 | 1230 S SHIAWASSEE | \$245.00 |
| 050-537-000-040-00 | 1232 W MAIN | \$65.00 |
| 050-390-004-012-00 | 1260 ADAMS | \$581.17 |
| 050-140-000-034-00 | 1398 N HICKORY | \$75.00 |
| 050-113-016-008-00 | 1415 YOUNG | \$65.00 |
| 050-220-000-044-00 | 1420 YOUNG | \$65.00 |
| 050-602-007-005-00 | 1803 W STEWART | \$330.00 |
| 050-660-011-001-00 | 219 N CEDAR | \$11,844.23 |
| 050-601-000-037-00 | 221 W STEWART | \$400.89 |
| 050-580-000-053-00 | 308 OAKWOOD | \$115.00 |
| 050-601-000-064-00 | 319 W RIDGE | \$244.63 |
| 050-651-006-007-00 | 320 CASS | \$145.76 |
| 050-420-003-017-00 | 408 MONROE | \$130.00 |
| 050-601-000-001-00 | 409 GRACE | \$130.00 |
| 050-391-000-027-00 | 413 LAVEROCK | \$115.00 |
| 050-680-004-004-00 | 421 HURON | \$452.40 |
| 050-391-000-015-00 | 433 E MASON | \$210.00 |
| 050-673-004-021-00 | 508 RYAN | \$65.00 |
| 050-180-004-014-00 | 511 JEROME | \$65.00 |
| 050-010-023-002-00 | 516 GARFIELD | \$617.18 |

| PARCEL NUMBER | ADDRESS | BALANCE |
|----------------------|----------------|--------------------|
| 050-120-001-005-00 | 518 RIVER | \$210.00 |
| 050-010-023-004-00 | 528 GARFIELD | \$225.00 |
| 050-510-000-024-00 | 616 CAMPBELL | \$195.00 |
| 050-420-003-005-00 | 621 GRAND | \$437.18 |
| 050-010-003-015-00 | 702 GLENWOOD | \$195.00 |
| 050-580-000-137-00 | 706 JEROME | \$115.00 |
| 050-191-000-021-00 | 706 WILTSHIRE | \$539.63 |
| 050-580-000-138-00 | 708 JEROME | \$190.00 |
| 050-610-002-003-00 | 715 N SAGINAW | \$195.00 |
| 050-420-007-009-00 | 719 LINGLE | \$65.00 |
| 050-010-004-001-00 | 740 LINCOLN | \$150.00 |
| 050-450-000-021-00 | 804 CENTER | \$6,394.69 |
| 050-580-000-082-00 | 819 E COMSTOCK | \$677.05 |
| 050-602-001-004-00 | 820 S CHIPMAN | \$356.60 |
| 050-602-004-013-00 | 826 HAMMONT | \$130.00 |
| 050-602-003-011-00 | 830 WILKINSON | \$446.59 |
| 050-010-004-003-00 | 837 GLENWOOD | \$140.00 |
| 050-010-003-023-00 | 902 GLENWOOD | \$115.00 |
| 050-010-004-002-00 | 903 GLENWOOD | \$65.00 |
| 050-536-000-004-00 | 914 N WATER | \$70.00 |
| 050-602-012-008-00 | 921 NAFUS | \$65.00 |
| 050-580-000-140-00 | 930 JEROME | \$415.17 |
| 050-602-008-011-00 | 937 KENWOOD | \$65.00 |
| 050-010-023-001-00 | 990 CORUNNA | \$300.85 |
| | | <u>\$35,271.55</u> |

TAKE NOTICE THAT ANY HAZARDS/NUISANCES INVOICES OR CHARGES REMAINING UNPAID AS OF THEIR DUE DATE WILL BE INCLUDED ON THIS ROLL.

The said Special Assessment Roll-Hazards and Nuisances is on file for public examination with the City Clerk and any objections to said Special Assessment Roll-Hazards and Nuisances must be filed in writing with the City Clerk prior to the close of the hearing to review said Special Assessment Roll-Hazards and Nuisances.

TAKE FURTHER NOTICE that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter and his or her personal appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessments may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall, Owosso, Michigan at 7:30 p.m. on Monday, December 16, 2013 for the purpose of reviewing said Special Assessment Roll-Hazards and Nuisances and for the purpose of considering all objections to said roll submitted in writing. If you have questions regarding this notice, please contact the City Treasurer's Office at 725-0599.

Boards and Commissions Appointment. Approve the Mayoral appointment of Shawn Kiley to the Historical Commission, for a term expiring December 31, 2016, effective January 1, 2014.

Downtown Infrastructure Grant Part II Application. Authorize the execution of the DIG Grant commitment letter and submission of a Part II application to the Michigan Economic Development Corporation as follows:

RESOLUTION NO. 142-2013

RESOLUTION AUTHORIZING SIGNING OF A COMMITMENT LETTER, SUBMISSION OF A PART II APPLICATION TO THE MEDC, AND DESIGNATION OF A PROJECT MANAGER FOR A DOWNTOWN INFRASTRUCTURE GRANT

WHEREAS, the City of Owosso, Shiawassee County, Michigan, recognizes the importance of its downtown and downtown institutions as they relate to the economic and cultural development of the community, as well as the overall quality of life; and

WHEREAS, the Owosso Master Plan, Park Plan, and DDA plan indicate that investment in the downtown infrastructure is essential to the community's future; and

WHEREAS, the armory renovation project is moving forward successfully; and

WHEREAS, there is a need to provide for improvements related to public parking, building relocation, trailhead provision, trail improvements, and river improvements; and

WHEREAS, application was made to the MEDC for a downtown infrastructure grant for an amount estimated at approximately \$1,060,000 to complete these improvements.

WHEREAS, the city, DDA, and private partners tentatively agreed to match \$373,000 to match \$695,000 of such grant funds, with the city's share at \$125,000 of general fund dollars; and

WHEREAS, the MEDC is recommending approval of the grant to the Michigan Strategic Fund; and

WHEREAS, the city must execute a letter of commitment, submit a Part II application, and designate a project manager to continue this process.

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 declare the Mayor the "certifying officer" for purposes of this grant and to authorize him to sign the attached commitment letter and send it to the MEDC.
- SECOND: The city council hereby affirms allocation an amount not to exceed \$125,000 to support this project, to be allocated from the city's general fund at a future time, contingent upon the commencement of the armory project, final DIG award, and final approval of the project specifications.
- THIRD: The city council hereby designates Adam Zettel, ACIP, Community Development Director, or another designee of the city manager, as the "project manager" and "environmental review officer" and further authorizes him to sign and execute the Part 2 Application and all attachments, as well as the grant agreement.

Purchase Authorization – Variable Frequency Drives. Authorize the purchase of three variable frequency drives for the Waste Water Treatment Plant from McNaughton-McKay Electric Company in the amount of \$23,723.52 and further authorize payment upon receipt of the equipment as follows:

RESOLUTION NO. 143-2013

**AUTHORIZING PURCHASE AND PAYMENT TO
MCNAUGHTON-MCKAY ELECTRIC COMPANY
FOR TWO EATON CUTLER HAMMER VARIABLE FREQUENCY DRIVES
AT THE WASTEWATER TREATMENT PLANT**

WHEREAS, the City has determined it necessary and prudent to replace three variable frequency drives at the city of Owosso Wastewater Treatment Plant, Shiawassee County, Michigan, and

WHEREAS, the Plant Replacement Fund can readily finance this necessary replacement cost, and

WHEREAS, three competitive quotations were previously obtained in June for the replacement of two similar drives, and

WHEREAS, McNaughton-Mckay was the low bid in June and agrees to extend the same bid unit prices for the additional three drives in a total amount of \$23,723.52.

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

- FIRST: The city of Owosso has heretofore determined that it is advisable, necessary and in the public interest to purchase 3 replacement variable frequency drives from McNaughton-Mckay Electric Company in the amount of \$23,723.52.
- SECOND: The purchase contract shall be in the form of a city purchase order and the accounts payable department is authorized to submit payment to McNaughton-Mckay in the amount of \$23,723.52 upon satisfactory City receipt of the drives.
- THIRD: The above expenses shall be paid from the Wastewater Plant Replacement Fund.

Warrant No. 474. Authorize Warrant No. 474 as follows:

| Vendor | Description | Fund | Amount |
|--|---|-------------|---------------|
| Michigan Municipal Risk Management Authority | Building and property insurance | General | \$59,109.75 |
| Sungard Public Sector Inc | Software maintenance/licensing fees for public safety computer system – January 1, 2014 – December 31, 2014 | General | \$ 9,134.07 |
| Logicalis, Inc | Network engineering support-October 2013-revised amount | General | \$ 9,520.00 |

Boards and Commissions Appointments - Addition. Approve the following additional Mayoral boards and commissions appointments (added to the agenda):

| Name | Board/Commission | Term Expires |
|---------------|--|---------------------|
| Justin Parker | Historical Commission | 12-31-2016 |
| Burton Fox | Employees' Retirement System Board of Trustees | Term of office |

Motion supported by Councilperson Fox.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Bandkau.

ITEMS OF BUSINESS

WEST MAIN STREET PARKING CONTRACT

Assistant City Manager Adam H. Zettel explained that the Master Plan process had highlighted some parking issues in Westtown along the Main Street corridor that could be resolved with the creation of on-street parking. Plans are currently underway by MDOT to reconstruct West M21 and North M52 in 2014 creating the perfect opportunity to correct the issues. As the work involved in creating the on-street parking will be performed at the request of the City a contract has been drafted embodying the responsibilities of all parties involved. That contract is before the Council this evening. He went on to say that the additional work is strongly supported by both Westtown area merchants and City staff.

Motion by Councilperson Fox to approve a contract with MDOT for the construction of additional parking on West Main Street in the amount of \$11,400 as follows:

RESOLUTION NO. 144-2013

**A RESOLUTION TO APPROVE
A CONTRACT WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION TO MAKE
IMPROVEMENTS FOR PARKING ON WEST M-21**

WHEREAS, the City of Owosso worked closely with the merchants of Westtown throughout the master plan process and made findings that indicated strong benefits to curbside parking on the south side of M-21 between State Street and the railroad in Westtown; and

WHEREAS, City of Owosso staff worked closely with the MDOT to include such parking on the 2014 M-21 resurfacing project; and

WHEREAS, the provision of such parking cannot be financially provided by the MDOT.

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

FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to approve MDOT contract #13-5619 to widen a section of M-21 for parking purposes.

SECOND: The city council hereby directs the Mayor and City Clerk to execute said contract.

THIRD: The city council hereby directs staff to allocate \$11,400 from the major street fund and approves payment for services upon completion, or as otherwise requested by the state, in accordance with the contract.

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Bandkau.

FIRST READING & SET PUBLIC HEARING – PILOT ORDINANCE AMENDMENT

(Moved from Consent 2.)

Councilperson Fox indicated he requested this item be pulled from the Consent Agenda to provide the new Council members with an opportunity to hear the history on the ordinance.

Assistant City Manager Zettel explained that the Master Plan had highlighted the need for senior housing and the former Lincoln School was placed in an ideal location for that housing. The Woda Group specializes in converting such structures into senior housing and has completed similar projects around the country. He went on to say the Planning Commission and the previous Council strongly supported the proposed project. The proposal involves many moving parts and some of the parameters governing the project have changed since it was originally proposed, namely the expiration of a set of federal tax credits which have tipped the balance of the financing for the project to the point of infeasibility. In effort to continue with the project the Woda Group has approached the City with a request to reduce the previously agreed upon 10% PILOT to a 4% payment to help absorb the loss in tax credits. It was further noted the reduced amount would match the PILOT for the Kona Villa development and would still represent an increase in the tax rolls as the property is currently non-taxable school property.

Gregory Mustric of the Woda Group gave a brief overview of the proposed project and indicated he would be happy to answer any questions.

Councilperson Teich inquired about the timeline for the project. Mr. Mustric indicated they will apply to MSHDA for financing in February and would hope to know something by June. If they are approved they would move immediately to purchase the property and would expect to start construction in late 2014.

Councilperson Greenway inquired whether their financing plan was written so tightly that a 6% reduction in the payment to the City would make that big of a difference to the project. Mr. Mustric indicated that the reduction in the PILOT would allow the company to take on extra debt to finance the project.

There was a brief discussion regarding the proposed rents for the finished units and how they compare to other rents in the area. Mr. Mustric indicated that research had shown the proposed rents were competitive.

Motion by Councilperson Fox to conduct the first reading and set a public hearing for Monday, December 16, 2013 to receive citizen comment regarding the proposed amendment to Section 32-40, Establishment of annual service charge for Lincoln House, of the Code of Ordinances of the City of Owosso to reduce the Woda Group's annual payment in lieu of taxes to accommodate unforeseen changes in the Federal tax credits available to the project as follows:

RESOLUTION NO. 145-2013

**CITY OF OWOSSO
AN ORDINANCE TO AMEND
CHAPTER 32 TAXATION OF THE CODE OF ORDINANCES
TO PROVIDE FOR A PAYMENT IN LIEU OF TAXES
FOR THE LINCOLN HOUSE PROJECT**

WHEREAS, the Woda Group, also known as the Lincoln House LDHA Limited Partnership, has proposed a 28 unit low income housing development that is to be targeted toward seniors; and

WHEREAS, the project is located at 120 Michigan Avenue, parcel number 050-700-001-008-00, at the corner of Michigan Avenue and Clinton Streets, partially within the former Lincoln School; and

WHEREAS, the City of Owosso 2012 Master Plan explicitly indicates that this property and structure would be ideally reused as senior housing; and

WHEREAS, the City of Owosso City Council has approved the rezoning of this parcel to PUD and subsequently approved the final site plan for the development; and

WHEREAS, the rents for the housing will be controlled for the purpose of creating affordable low income housing for seniors, thereby reducing property revenues; and

WHEREAS, the reuse of this vacant structure and the housing of senior citizens near the downtown has a recognized public purpose; and

WHEREAS, all zoning and site plan approvals required by ordinance have been approved by the city council; and

WHEREAS, a substantial change in the federal tax credit policy has made this project infeasible under the current payment in lieu of taxes ordinance.

NOW THEREFORE, THE CITY OF OWOSSO ORDAINS that Chapter 32, Taxation, Article III, Service Charge in Lieu of Taxes for Certain Housing Developments, Sections 43, of the City of Owosso city code be added as follows:

SECTION 1. AMENDMENT. That existing Section 32-40, should be amended as follows:

Sec 32-40. Establishment of annual service charge for Lincoln House.

Housing Developments for elderly persons of low income or persons of low income and the property on which they shall be constructed shall be exempt from all property taxes from and after the commencement of construction. The City, acknowledging that the Sponsor and the Authority, in the case of a Sponsor receiving a Federally aided Mortgage, have established the economic feasibility of the Housing Development in reliance upon the enactment and continuing effect of this Ordinance and the qualification of the Housing Developments for exemption from all property taxes and a payment in lieu of taxes as established in this Ordinance, will accept payment of an annual service charge for public services in lieu of all property taxes. The annual service charge shall be equal to ~~40%~~ 4% of the difference between the Annual Shelter Rent actually collected and utilities.

SECTION 2. SEVERABILITY. The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of this Ordinance as a whole or any section or provision of this Ordinance other than the section or provision so declared to be unconstitutional or invalid.

SECTION 3. INCONSISTENT ORDINANCES. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are repealed.

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

SECTION 5. AVAILABILITY. This ordinance may be purchased or inspected in the city clerks' office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

SECTION 6. PUBLIC HEARING. A public hearing is set for Monday, December 16, 2013 at approximately 7:30 p.m. in the City Hall Council Chambers to hear citizen comment regarding the proposed amendment.

Motion supported by Mayor Pro-Tem Eveleth.

Roll Call Vote.

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

NAYS: Councilperson Greenway.

ABSENT: Councilperson Bandkau.

COMMUNICATIONS

Parks & Recreation Commission. 2013 Parks Report & 2014 Action Plan.

Downtown Development Authority/Main Street. Minutes of November 6, 2013.

Historical Commission. Minutes of November 12, 2013.

Michael Espich, Chairman of the Parks & Recreation Commission, was present to detail the Parks Report and Action Plan. He indicated the group would be focused on raising funds to support the continued improvement of local parks through the formation of a non-profit organization that would be administered through the Shiawassee Community Foundation.

CITIZEN COMMENTS AND QUESTIONS

Kevin Brown, 205 East Oliver Street, congratulated Shaffer Fox on his receipt of the 2013 Amos Gould Outstanding Citizen Award saying he was very deserving. He also said he thought the parks foundation was a great idea.

General Grant, Owosso Public Schools Board of Education Member, encouraged Council to remember that the Schools have a purchase agreement with the Woda Group for the Lincoln School. He asked them to remember that the proposed project would not only provide downtown housing for seniors but would also utilize a historic building.

Sheryl Bradac, 617 Alger Avenue, congratulated Shaffer Fox. She also noted that when she moved back to town a few years ago she found it difficult as a senior with mobility issues to find appropriate affordable housing. She asked that Council consider that when they consider whether to reduce the payment in lieu of taxes for the proposed Lincoln House.

Councilperson Bailey noted that while she was out of town visiting her granddaughter her sister and brother-in-law stayed at her house and her brother-in-law commented that he felt everyone should come and stay in a wonderful small town like Owosso at some point.

NEXT MEETING

Monday, December 16, 2013

BOARDS AND COMMISSIONS OPENINGS

Planning Commission, term expires 06-30-2016

ADJOURNMENT

Motion by Mayor Pro-Tem Eveleth for adjournment at 8:45 p.m.

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

Benjamin R. Frederick, Mayor

Amy K. Kirkland, City Clerk