

CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MONDAY, MAY 05, 2014
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 21, 2014:

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.

STUDENT REPRESENTATIVE REPORT

PROCLAMATIONS / SPECIAL PRESENTATIONS

1. Buddy Poppy Sale Kickoff. Poppy Queen Samantha Taylor will sell the ceremonial first Buddy Poppy to Mayor Benjamin Frederick marking the start of the annual Buddy Poppy Sale in Owosso.
2. Dandy Walker Awareness Month. A proclamation of the Mayor's Office declaring May 2014 as Dandy Walker Syndrome and Hydrocephalus Awareness Month in the City of Owosso.

PUBLIC HEARINGS

1. 2014-2015 Proposed City Budget. Conduct a Public Hearing to receive citizen comment regarding proposed 2014-2015 City Budget.

CITIZEN COMMENTS AND QUESTIONS

CITY MANAGER REPORT

CONSENT AGENDA

1. Boards and Commissions Appointment. Approve the appointment of Erin Powell to the Historical Commission for a term expiring December 31, 2014 (filling the unexpired term of Elaine Greenway).
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 from 9:00am to 10:30am on Sunday, May 18, 2014 for a 5k run and authorize Traffic Control Order No. 1312 formalizing the request.
3. Lebowsky Center Parking Reservation Permission. Approve application of the Owosso Community Players for use of the four parking spaces on Main Street in front of their building to serve as a drop off zone during performances to be held May 9-11 and May 16-18, with additional parking reservation of the first space in the Park/Main parking lot on May 9th and authorize Traffic Control Order No. 1313 formalizing the request.
4. Train Expo 2014 Permission. Approve application of the Steam Railroading Institute for use of South Washington Street from Water Street to Corunna Avenue from June 19th – 23rd and Jerome Avenue from Washington Street to Owosso Bolt and Brass from June 16th – 23rd for the Train Expo 2014 and authorize Traffic Control Order No. 1314 formalizing the request.
5. Cost Agreement Amendment – Rehabilitation of Gould Street Bridge. Approve Amendatory Cost Agreement No. 14-5162 with the Michigan Department of Transportation to reflect the revised total estimated cost for the project and the estimated costs to be borne by all parties involved.
6. Warrant No. 481. Authorize Warrant No. 481 as follows:

Vendor	Description	Fund	Amount
B S & A Software	Annual service/support fees- Building Department/ Delinquent Personal Property/Internet Services- May 1, 2014 – May 1, 2015	General	\$7,950.00
ATI Group	Lighting upgrades payment per Consumers Energy Small Business Solutions Program	General	\$19,077.11

ITEMS OF BUSINESS

1. Special Use Permit – Allen Paper Company. Consider issuance of a Special Use Permit for a loft apartment in the Allen Paper Company building located at 601 Clinton Street.
2. Council Election Date Change. Consider setting a public hearing to receive citizen comment regarding the proposal to change the date of City Council elections from odd year November elections to even year November elections.
3. Street Bond Proposal. Consider resolution authorizing submittal of a street bond proposal to voters on the August 5, 2014 Primary Election ballot.

COMMUNICATIONS

1. Historical Commission. Minutes of April 14, 2014.
2. Downtown Historic District Commission. Minutes of April 16, 2014

CITIZEN COMMENTS AND QUESTIONS

NEXT MEETING

Tuesday, May 6, 2014 at 6:00 p.m. – Budget Work Session
Wednesday, May 14, 2014 at 6:00 p.m. – Budget Work Session
Monday, May 19, 2014 at 7:30 p.m. – Regular Meeting

BOARDS AND COMMISSIONS OPENINGS

None.

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.

OWOSSO CITY COUNCIL

APRIL 21, 2014

7:30 P.M.

PRESIDING OFFICER: MAYOR BENJAMIN R. FREDERICK

OPENING PRAYER: MAYOR BENJAMIN R. FREDERICK

PLEDGE OF ALLEGIANCE: DESTINATION IMAGINATION DELEGATION

PRESENT: Mayor Benjamin R. Frederick, Mayor Pro-Tem Christopher T. Eveleth, Councilpersons Loreen F. Bailey, David B. Bandkau, Burton D. Fox, Elaine M. Greenway, and Robert J. Teich, Jr.

ABSENT: None.

APPROVE AGENDA

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

Move Consent 2. Property Sale – Vandekarr Road – Twenty One Day Posting to Item of Business 1.
Move Consent 3. Property Lease – Tillable Acreage – Twenty One Day Posting to Item of Business 2.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF APRIL 7, 2014

Motion by Councilperson Fox to approve the Minutes of the Regular Meeting of April 7, 2014 as presented.

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

STUDENT REPRESENTATIVE REPORT

The Destination Imagination Delegation comprised of four students from Owosso Middle School: Frankie Riley, Morgan Louch, Emily Rau, and Lucy Popovitch, gave a brief presentation outlining their upcoming participation in the Destination Imagination Global Finals in Tennessee saying they were thrilled to be going back for a second time. They also announced several fund raisers and asked for financial support from the public to help them cover the cost of the trip.

PROCLAMATIONS / SPECIAL PRESENTATIONS

PLUNGE FOR PARKS PRESENTATION

The Parks & Recreation Commission presented the City with the proceeds of the 3rd Annual Plunge for Parks, in the amount of \$4,452.46, to be used for the purchase of an ice rink kit for Bentley Park. Also on hand for the presentation was Plunge for Parks event sponsor, Lansing Area Federal Credit Union, with their donation of \$2,000.00 for the purchase.

ARBOR DAY PROCLAMATION

Mayor Frederick read aloud the following proclamation of the Mayor's Office declaring April 25, 2014 as Arbor Day in the City of Owosso and announced the date for Green Up/Clean Up and a tree planting event on May 10th.

A PROCLAMATION

**OF THE MAYOR'S OFFICE OF THE CITY OF OWOSSO, MICHIGAN
DESIGNATING APRIL 25, 2014 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 again this year in a partnership with the Owosso Public Schools promoting urban forestry. This volunteer effort and partnership will culminate in the planting of more 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 25th, 2014 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 21st day of April, 2014.

PUBLIC HEARINGS

NEW PERSONAL PROPERTY TAX ABATEMENT – ALLIANCE HNI

A Public Hearing was conducted to receive citizen comment regarding the application of Alliance HNI, LLC, 525 South Gould Street, for a New Personal Property Tax Exemption.

The following people commented regarding the proposed tax exemption:

Justin Horvath, CEO of the SEDP, commented on the large impact Alliance HNI has on the area and encouraged Council to continue their support of the company.

Greg Hedegore, Alliance HNI President, briefly detailed the company's objective to provide mobile imaging services to local health systems. He noted that anything they could do to control their costs could be passed on to hospitals and patients.

Councilperson Fox indicated he was struggling with this decision in light of the fact the proposed budget is so tight. He further indicated he felt it was not fair the hospital pays no taxes yet the City provides them with emergency services.

Mayor Frederick expressed his feeling that companies should not be penalized for improving the quality of their equipment and that it was naïve to think that personal property tax revenues would continue to support the City.

Motion by Mayor Pro-Tem Eveleth to authorize the following resolution approving a New Personal Property Tax Exemption for Alliance HNI, LLC:

RESOLUTION NO. 40-2014

**TO APPROVE A NEW
PERSONAL PROPERTY EXEMPTION APPLICATION
P.A. 328 OF 1998, AS AMENDED
ALLIANCE HNI LEASING COMPANY, LLC
525 S. GOULD STREET**

WHEREAS, pursuant to P.A. 328 of 1998, as amended, after a duly noticed public hearing held on April 21, 1997, the City Council of the City of Owosso, an eligible distressed area as defined in Section 11 of the State Housing Development Authority Act of P.A. 346 of 1966, by Resolution, established a Brownfield Redevelopment Zone, as provided for in PA 381 of 1996; and

WHEREAS, the applicant Alliance HNI Leasing Company, LLC was approved for a New Personal Property Exemption 038-2001 by the State Tax Commission on December 28, 2001 for a period of twelve (12) years and said New Personal Property Exemption 038-2001 scheduled to expire December 30, 2013 was extended per PA 399 of 2012; and

WHEREAS, the applicant Alliance HNI Leasing Company, LLC, an eligible business, has filed an application for Exemption of New Personal Property due to the possible repeal of PA 397 thru PA 401; and

WHEREAS, before acting on said application, the City Council of the City of Owosso, held a public hearing held on April 21, 2014 at City Hall, 301 W. Main Street, Owosso, MI, 48867 at 7:30 p.m., at which the Applicant, the City Assessor, and a representative of the effected taxing units were given written notice and were afforded an opportunity to be heard on said Application; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Owosso finds and determines that the granting of the Exemption of New Personal Property currently in force under P.A. 328 of 1998, as amended, shall not have the effect of substantially impeding the operation, or impairing the financial soundness of the taxing unit which levies ad valorem property taxes in the City of Owosso; and

BE IT RESOLVED the New Personal Property Exemption when issued shall be, and remain in force and effective for a period of twelve years, beginning April 21, 2014, and ending December 30, 2025; and

BE IT RESOLVED that for the exemption to maintain its eligibility each year, the company shall submit two personal property statements annually to the City Assessor, one for the exempted new personal property and another for all other personal property, and payment for real and personal property taxes must be current; and

BE IT RESOLVED the Application submitted by Alliance HNI Leasing Company, LLC is approved for an Exemption of New Personal Property that will be located at the property described as:

PART OF BLOCK 21, BLOCK A, VACATED PARKDALE AVENUE, VACATED OAKDALE AVENUE OF THE RESUBDIVISION OF BLOCK 19, 20 & 21 OF GEORGE T ABREY'S WOODLAWN PARK

ADDITION, ALSO PART OF BLOCKS 22 & 23 OF GEORGE TO ABREY'S WOODLAWN PARK
ADDITION, ALSO PART OF SE 1/4 SECTION 19, T7N-R3E, DESCRIBED AS BEGINNING AT A POINT
THAT IS, S71°00'00"E ON SOUTHERLY LINE OF CORUNNA AVENUE (M-71), 323.83 FEET &
S17°28'30"W 39.65 FEET FROM NORTHEAST CORNER OF BLOCK 20 - ALONG WESTERLY R/W OF
AARR SOUTHEASTERLY 812.66 FEET, N62°20'33"W ON NORTHERLY R/W LINE OF RAILROAD,
569.15 FEET, NORTHEASTERLY ON EASTERLY R/W LINE OF GOULD STREET TO POB. (1.93
ACRES M/L)

Motion supported by Councilperson Teich.

Roll Call Vote.

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

NAYS: Councilperson Fox.

HOUSING GRANT APPLICATION

Housing Program Manager Sarah Warren-Riley introduced the topic by providing an update on previous projects completed with funding from MSHDA's Housing Resource Fund. A 2009 Targeted Homeowner Rehabilitation grant in the amount of \$183,000 was used to assist 7 homeowners with needed home repairs. And a 2010 Downtown Rental Rehabilitation grant in the amount of \$175,000 was to assist property owners with the creation of 5 new quality affordable housing units in the upper stories of the downtown. The application proposed will assist in the creation of 8 new rental units in the downtown as well as the rehabilitation of 4 existing downtown units.

A Public Hearing was conducted to receive citizen comment regarding the grant application to the MSHDA Housing Resource Fund for funds to assist in the creation and/or rehabilitation of downtown rental housing units.

There were no citizen comments.

Mayor Frederick applauded the continued efforts to rehabilitate buildings downtown and thanked the property owners for their investments.

Motion by Mayor Pro-Tem Eveleth to approve the following resolution authorizing an application to the MSHDA Housing Resource Fund for funds to assist in the creation and/or rehabilitation of downtown rental housing units.

RESOLUTION NO. 41-2014

TO APPROVE MICHIGAN STATE HOUSING AUTHORITY (MSHDA) HOUSING RESOURCE FUND DOWNTOWN RENTAL REHABILITATION GRANT APPLICATION

WHEREAS, the City of Owosso is interested in the continuing effort to support investment in downtown buildings while at the same time providing affordable housing opportunities for its moderate, low and very low income residents; and

WHEREAS, City Councilmembers accept the recommendation of the City of Owosso Housing & Neighborhood Development Division to apply for \$420,000 through the Michigan State Housing Development Authority Resource Fund for a Targeted Homeowner Rehabilitation and a Downtown Rental Rehabilitation Grant; and

WHEREAS, the Michigan State Housing Development Authority requires a resolution authorizing submission of the aforementioned grant application; and

WHEREAS, the City Councilmembers authorize the Mayor to sign the grant application form and related documents such as Environmental Review and Collaboration/Leverage Agreements as required and allow the City Manager to sign related grant documents when allowed by MSHDA as required;

WHEREAS, the City Councilmembers held a public hearing on April 21st, 2014 regarding the proposed Downtown Rental Rehabilitation Grant;

THEREFORE, BE IT RESOLVED that the City of Owosso authorizes the City of Owosso Housing & Neighborhood Development Division to submit an application for funding through the Michigan State Housing Authority's Housing Resource Fund for a Downtown Rental Rehabilitation Grant, authorizes the Mayor and City Manager to sign grant related documents on behalf of the City of Owosso.

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

CITIZEN COMMENTS AND QUESTIONS

County Commission Chairman Jeff Bartz was on hand to update the Council on County issues, saying Mary Norbeck had been appointed to the empty District 1 Commission seat and modems would be installed in City police vehicles as a part of an overall 911 system update. He went on to say that the County had negotiated a deal with the Humane Society to house stray dogs from the City and they had made strides to allow City officers 24/7 access to the County animal database bringing resolution to a long-standing issue regarding the control of stray animals.

Shelva Cebulski, 1243 Marion Street, said she has long supported City Council but has been unable to attend meetings for the last 18 months due to serious health issues. She said her health issues are only exacerbated when her neighbors burn. She asked for strict enforcement of the burning ordinance and further asked that Public Safety officers take the initiative to investigate a fire when they see smoke instead of waiting for a call. She pleaded with people not to burn.

George Stevenson, 7195 Hidden Lake Road, Perry, announced he is a candidate for the 35th Judicial Circuit Court seat that will be vacated with the retirement of current Judge Gerald Lostracco. He spoke of his experience in the Attorney General's Office as well as his experience prosecuting criminal and civil cases. He asked for the support of local voters in November.

John Hankard, DDA Member, spoke about the success of the recent downtown clean-up & pizza tasting event saying over 60 people volunteered. He also reminded folks the Farmers Market block party is this weekend, tickets are \$20.

Tom Manke, business owner at 118 South Washington Street, said he felt bad for people with breathing issues, noting that he himself has a problem but he didn't think his neighbors should have to restrict their burning because of him. He said it was his medical problem and no one else was obligated to deal with it.

Thomas Moorehad, member of the Landlord's Association, said he would like to see a moratorium on rental inspections as a means of providing a cost savings to the City in tough budget times. He also

distributed copies of a Request for Restitution form used in other jurisdictions to seek reimbursement for the costs of enforcement and prosecution of DUI's, suggesting the City consider something similar. Shelah Hockman, 705 Campbell Drive, said she has witnessed people seriously suffering when neighbors burn. She said she recognized open burning will not go away entirely but strictly enforcing the current ordinance would have a positive effect. She said open burning was a privilege, not a right.

Mike Cline, 621 Wright Avenue, inquired whether the Vandekarr Road property proposed for sale was the entire parcel or just the house. He also expressed his feeling that Council should not put the street bond back on the ballot because voters had already turned it down in November.

Bill Young, organizer of the Friday Night Car Cruise, thanked everyone for their help in navigating the waters of the street closure process. That being said, he asked Council to re-examine the street closure process because it is not working well. He said that he is trying to bring business downtown but the current process continually thwarts his efforts and gives too much power to individual downtown business owners to dictate the events downtown.

Roger Snyder, 211 North Washington Street, said Council should thank local landlords for improving the housing stock of the City and Council's policies are unnecessarily harming them. He also said he felt that requesting those convicted of DUI to reimburse the City for the cost of prosecuting them was too onerous.

William C. Brown, City Attorney, indicated he had investigated the recovery of costs a number of years ago but both local judges indicated they would not be receptive to the idea. He went on to say that he would be happy to approach them about the subject again.

Mayor Frederick noted the street closure process still has problems, but it is a work in progress. He said he would like to see some long-standing events given perpetual status so they can avoid the application process each year. He also noted he agreed that enforcement of the burning ordinance was the key to making it work.

There was discussion regarding the number of calls Public Safety received regarding fires in the last week, asking Public Safety officers to take the initiative when they see smoke, enforcing the ordinance to the letter of the law, and being good neighbors.

Councilperson Bailey listed a number of issues that concerned her including: water service that was shut off after the water bill had been paid, how the City was working with the SRI on the Train Festival, her suspicion that the burning of garbage happens more frequently at rental properties, and the use of the new Durapatcher and street sweeper.

Councilperson Greenway suggested landlords incorporate garbage service into their rent to reduce the burning of noxious materials.

Councilperson Fox noted that the street sweeper is following the brush pick up crew, burning isn't limited to rental properties, the health of Owosso citizens should be of interest to everyone, people need to show compassion to those that are not in good health and should do what they can to help one another, and increased enforcement of the burning ordinance would be a good start.

Josh Adams, Main Street Manager, detailed the DDA's efforts to encourage visitors to the Train Festival to come downtown. He said organizers have been meeting monthly to develop plans and coordinate efforts.

CITY MANAGER REPORT

City Manager Crawford distributed a large spreadsheet containing budget information from the past nine years to help with the budgeting process. He noted that he would look into the matter involving water shut off after a bill was paid. Lastly he noted that the Durapatcher is being used almost every day but was not useful for larger potholes which would need to be patched with cold patch.

The Council recessed briefly from 9:02 p.m. to 9:08 p.m.

CONSENT AGENDA

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

Set Public Hearing - 2014-2015 City Budget. Set required Public Hearing pursuant to Chapter 8 of the City Charter for May 5, 2014 to receive citizen comment regarding proposed 2014- 2015 City Budget.

Property Sale – Vandekar Road - Twenty One Day Posting. (This item was moved to Item of Business 1.)

Property Lease – Tillable Acreage - Twenty One Posting. (This item was moved to Item of Business 2.)

Rescind Resolution No. 18-2014. Rescind Resolution No. 18-2014 to reflect the fact that the City will not be reconstructing Howard Street this year.

Boards & Commissions Appointment. Confirm the Mayoral appointment of Elaine Greenway to the City of Owosso Employees' Retirement System Board of Trustees for a term expiring November 9, 2015.

Steps for Courage 5K Run and Competitive Walk Permission. Consider application of the Memorial Healthcare Auxiliary for use of portions of West King Street, Seventh Street, Oliver Street, Chipman Street, Center Street, Alturas Drive and Alta Vista Drive from 9:00am to 11:00am on Saturday, April 26, 2014 for the 7th Annual Steps for Courage Run and Competitive Walk and authorize Traffic Control Order No. 1309 formalizing the request.

Friday Night Car Cruise Permission. Consider waiving the insurance requirement, approving the application of Owosso Main Street for use of South Washington Street from Jerome Avenue to Comstock Street and East Comstock Street from Washington Street to Park Street between 5:00 pm and 9:00 pm on the second Friday of each month from May to September 2014 for a cruise-in, and authorizing Traffic Control Order No. 1310 formalizing the request.

Cruise to the Castle Car Show Permission. Consider waiving the insurance requirement, approving the application of Owosso Main Street for use of downtown streets and parking lots on Sunday, July 27, 2014 from 6:00 am to 4:00 pm for the Cruise to the Castle Car Show, and authorizing Traffic Control Order No. 1311 formalizing the request.

Professional Services Agreement – DIG Grant Parts 1 & 3. Approve professional services agreement with Fleis & Vandenbrink Engineering Inc. for engineering services for Parts 1 & 3 of the DIG Grant in the amount of \$57,693.00 as follows:

RESOLUTION NO. 42-2014

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT
FOR PROFESSIONAL ENGINEERING SERVICES WITH
FLEIS & VANDENBRINK ENGINEERING, INC.
FOR THE 2014 DOWNTOWN INFRASTRUCTURE GRANT PROJECT, PARTS 1 & 3**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, is undertaking a major infrastructure project as a part of the DIG Grant awarded in March 2014; and

WHEREAS, this project requires the services of a professional engineering firm; and

WHEREAS, Fleis & Vandenbrink Engineering, Inc. has been prequalified to perform such work and offers to perform work as described in the city's Request For Proposal for the 2014 Downtown Infrastructure Grant Project, Parts 1 & 3; and

WHEREAS, Fleis & Vandenbrink, Engineering, Inc. offers to complete said services in return for compensation in an amount not to exceed \$57,693.00; and

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 employ the firm of Fleis & Vandenbrink Engineering, Inc. to provide professional engineering services for the 2014 Downtown Infrastructure Grant Project, Parts 1 & 3.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Addendum to an Agreement for Professional Engineering Services between the City of Owosso, Michigan and Fleis & Vandenbrink Engineering, Inc.*
- THIRD: The Accounts Payable department is authorized to make payment up to the amount of \$57,693.00 to Fleis & Vandenbrink Engineering, Inc. upon successful completion of stated work.
- FOURTH: The above expenses shall be paid from the proceeds of the 2010 General Obligation Unlimited Tax Bonds fund.

*Full text of the professional services agreement and addendum are on file in the Clerk's Office.

Professional Services Agreement – DIG Grant Part 2. Approve professional services agreement with Fishbeck Thompson Carr & Huber, Inc. for engineering services for Part 2 of the DIG Grant in the amount of \$59,900.00 as follows:

RESOLUTION NO. 43-2014

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES WITH FISHBECK, THOMPSON, CARR & HUBER, INC. FOR 2014 DOWNTOWN INFRASTRUCTURE GRANT PROJECT, PART 2

WHEREAS, the City of Owosso, Shiawassee County, Michigan, is undertaking a major infrastructure project as a part of the DIG Grant awarded in March 2014; and

WHEREAS, this project requires the services of a professional engineering firm; and

WHEREAS, Fishbeck, Thompson, Carr & Huber, Inc. has been prequalified to perform such work and offers to perform work as described in the city's Request For Proposal for the 2014 Downtown Infrastructure Grant Project, Part 2; and

WHEREAS, Fleis & Vandenbrink, Engineering, Inc. offers to complete said services in return for compensation in an amount not to exceed \$59,900.00; and

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 employ the firm of Fishbeck, Thompson, Carr & Huber, Inc. to provide professional engineering services for the 2014 Downtown Infrastructure Grant Project, Part 2.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially

in the form attached, Addendum to an Agreement for Professional Engineering Services between the City of Owosso, Michigan and Fishbeck, Thompson, Carr & Huber, Inc.*

THIRD: The Accounts Payable department is authorized to make payment up to the amount of \$59,900.00 to Fishbeck, Thompson, Carr & Huber, Inc. upon successful completion of stated work.

FOURTH: The above expenses shall be paid from the proceeds of the 2010 General Obligation Unlimited Tax Bonds fund.

*Full text of the professional services agreement and addendum are on file in the Clerk's Office.

Bid Award – 2014 Tall Grass Mowing Program. (Due to an error this item was approved prior to a necessary correction. Approval of this item was rescinded later in the meeting and separate action was taken to approve it with the correction.)

Warrant No. 480. Authorize Warrant No. 480 as follows:

Vendor	Description	Fund	Amount
Logicalis, Inc	Network engineering support – March 2014	General	\$ 7,616.00
Brown & Stewart PC	Professional services December 10, 2013 – January 13, 2014	General	\$ 9,997.52
Owosso Charter Township	Owosso Charter Township water sales payment – January 1, 2014 – March 31, 2014	Water	\$ 3,724.47
Caledonia Charter Township	Caledonia Utility fund payment – January 1, 2014 – March 31, 2014	Water	\$17,132.03
State of Michigan- Department of Transportation	Traffic Signal Maintenance- March 26, 2012 – April 29, 2013	Major Streets	\$ 9,683.42

*Check Register–March 2014. Affirm check disbursements totaling \$726,460.99 for the month of March 2014.

*Full text of the Check Register is on file in the Clerk's Office.

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

PROPERTY SALE – VANDEKAR ROAD - TWENTY ONE DAY POSTING

Councilperson Bandkau indicated he had asked for this item to be pulled to receive further explanation on the purpose of the 21-day posting period. It was noted the period was a Charter requirement for the sale of real property and provided the public an opportunity to closely examine the proposal as well as an opportunity to submit a better offer.

Motion by Councilperson Bandkau to authorize the twenty-one (21) day posting period for sale of city owned property located at 1155 Vandekarr Road to Kenneth and Jodie Croskey in the amount of \$58,000.00 as follows:

RESOLUTION NO. 44-2014

**AUTHORIZING 21-DAY POSTING OF
PURCHASE AGREEMENT FOR THE SALE OF
CITY-OWNED PROPERTY AT 1155 VANDEKARR ROAD**

WHEREAS, the city owns a 36 acre parcel of property in Caledonia Township commonly known as 1155 Vandekarr Road and described as follows;

A PARCEL OF LAND IN SECTION 30, TOWNSHIP 7 NORTH, RANGE 3 EAST, DESCRIBED AS COMMENCING 29 RODS 1 FOOT 1 INCH SOUTH OF NORTHWEST CORNER, EAST 150 RODS, SOUTH 48 RODS 1 INCH, WEST 150 RODS NORTH TO BEGINNING, EXCEPT NORTH 10 FEET AND EXCEPT COMMENCING 77 RODS 1 FOOT 2 INCHES SOUTH OF NORTHWEST CORNER OF SECTION, EAST TO CENTER OF ANG RD, NORTHWESTERLY TO WEST SECTION LINE SOUTH TO BEGINNING AND EXCEPT COMMENCING 489.58 FEET SOUTH OF NORTHWEST CORNER OF SECTION, SOUTH 94.20 FEET, SOUTH 36 DEGREES 55 MINUTES EAST, 339.8 FEET, NORTH 53 DEGREES 5 MINUTES EAST, 625.8 FEET; SOUTH 89 DEGREES 10 MINUTES WEST, 705.4 FEET TO BEGINNING.

and

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

WHEREAS, the land containing the homestead has been surveyed and a 1.3 acre parcel has been split from the original 36 acre parcel in preparation for sale; and

WHEREAS, Kenneth and Jodie Croskey approached the City offering to purchase the homestead, described as follows, for a reasonable price;

PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 30, T7N-R3E, CALEDONIA TOWNSHIP, SHIAWASSEE COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT A POINT THAT IS S00°28'45"W ON THE WEST LINE OF SAID SECTION 30 A DISTANCE OF 583.78 FEET AND S36°26'15"E ON THE CENTERLINE OF VANDEKARR ROAD A DISTANCE OF 421.61 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 30; THENCE S89°33'20"E 361.98 FEET; THENCE S01°58'12"E 200.00 FEET; THENCE N89°33'20"W 220.47 FEET TO THE CENTERLINE OF VANDEKARR ROAD; THENCE N36°26'15"W ON SAID CENTERLINE A DISTANCE OF 249.82 FEET TO THE POINT OF BEGINNING, CONTAINING 1.336 ACRES, MORE OR LESS. SUBJECT TO THE USE OF THE WESTERLY 33.00 FEET THEREOF PARALLEL WITH THE CENTERLINE OF VANDEKARR ROAD, AS VANDEKARR ROAD. ALSO SUBJECT TO ALL OTHER EASEMENTS AND RESTRICTIONS OF RECORD.

and

WHEREAS, the value of the land in question has been determined according to the city's Property Sale Policy; and

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

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

1. The purchase agreement* for the property described above be posted for a 21-day period to allow for citizen comment.
2. The agreement be returned to council at the meeting of May 19, 2014 for potential final disposition.

Motion supported by Councilperson Fox.

Roll Call Vote.

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

NAYS: None.

*Full text of the purchase agreement is on file in the Clerk's Office.

PROPERTY LEASE – TILLABLE ACREAGE - TWENTY ONE POSTING

Councilperson Bandkau inquired why the term for the proposed lease was for 5 years instead of just an annual term. He also wondered if there was a possibility that access to the property could be granted in the form of an easement to make the property to be more marketable. It was noted the previous agreement for the parcel was for a 5-year period and the proposed lease could be terminated at any point. It was also pointed out the acreage in question had an odd shape and would be unsuitable for today's large farm implements if it were to be farmed without access to adjacent land.

Motion by Mayor Pro-Tem Eveleth to authorize the twenty-one (21) day posting period for the lease of approximately 10 acres of city owned tillable land near Hopkins Lake to Shawnee Creek Farms for \$500.00 per year for a period of five years as follows:

RESOLUTION NO. 45-2014

AUTHORIZING 21-DAY POSTING FOR A CROP FARMING CASH RENT AGREEMENT WITH MATT DUTCHER AND KEVIN DUTCHER D/B/A SHAWNEE CREEK FARMS

WHEREAS, the city of Owosso, Michigan ("City") is a municipal corporation organized under the provisions of the Home Rule City Act, Public Act 279 of 1909, as amended, and is governed by the provisions of the Owosso City Charter adopted April 6, 1964, as amended ("Charter"); and

WHEREAS, the city owns certain tillable acreage near Hopkins Lake that would be suitable for farming; and

WHEREAS, the city is not currently utilizing the land and desires to lease the land for farming purposes; and

WHEREAS, Matt and Kevin Dutcher, doing-business-as Shawnee Creek Farms, have expressed an interest in leasing the land for a 5-year period; and

WHEREAS, Charter Section 14.3 (b)(2) provides for a twenty one day posting period to allow public inspection of the proposed lease.

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 as owner of property that is suitable

for farming that a cash rent agreement* has been proposed for such land be leased to Matt Dutcher and Kevin Dutcher d/b/a Shawnee Creek Farms which farms adjacent land.

SECOND: the city council approves the posting of said agreement for a period of at least 21-days to allow for public inspection.

Motion supported by Councilperson Teich.

Roll Call Vote.

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

NAYS: None.

*Full text of the proposed cash rent agreement is on file in the Clerk's Office.

BUDGET WORK SESSION DATES

Council set the dates for desired budget work sessions as follows:

Wednesday, April 30, 2014 at 6:00 p.m.

Thursday, May 1, 2014 at 7:00 p.m.

Tuesday, May 6, 2014 at 6:00 p.m.

Wednesday, May 14, 2014 at 6:00 p.m.

All meetings will be held in the City Hall Conference Room and will be for a duration of up to two hours each.

SMALL URBAN PROGRAM FUND APPLICATION – SOUTH CEDAR STREET

City Manager Crawford explained the following four items were applications for funding only and there was no guarantee funding would be approved. He noted that when and if MDOT agrees the projects should occur and when they have the funding they would move forward, potentially some time in the next 3-4 years. He went on to say that it would be difficult for the City to come up with the matching funds without the assistance of bond funding. He also indicated some portion of the cost may need to be specially assessed to benefitted property owners.

Motion by Councilperson Fox to approve grant application to the Michigan Department of Transportation Small Urban Program for Surface Transportation Program funds to assist in the resurfacing of South Cedar Street from Stewart Street to Main Street, authorize participation in the Small Urban Program, and further authorize commitment of City funds equal to a 20% match plus the cost of project design and engineering as follows:

RESOLUTION NO. 46-2014

AUTHORIZING APPLICATION FOR SMALL URBAN PROGRAM FUNDS FOR SOUTH CEDAR STREET IMPROVEMENTS

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Public Service Department recommends the resurfacing of South Cedar Street from Stewart Street to Main Street; and

WHEREAS, the Michigan Department of Transportation offers a portion of its federal funds known as Surface Transportation Program funds for this work through its Small Urban Program; and

WHEREAS, the roadway proposed for improvement must be within federal-aid small urbanized areas, such as Owosso; and

WHEREAS, the roadway proposed for improvements must be on the federal-aid route system, which includes South Cedar Street; and

WHEREAS, the City of Owosso proposes to procure Small Urban Program funds for the purpose of providing a maximum of 80 percent (80%) federal match to the City's 2010 Unlimited Tax General Obligation Bond Proceeds as outlined in its application.

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 proceed with the resurfacing of South Cedar Street from Stewart Street to Main Street.

SECOND: That the City of Owosso is actively seeking Small Urban Program funds to partially fund the proposed roadway improvements and is willing to participate in the Small Urban Program.

THIRD: That appropriate city officials are authorized to sign the application documents and are further authorized to obligate City funds as its match of the project cost.

FOURTH: The City's portion of costs shall be paid from the City's 2010 Unlimited Tax Obligation Bond proceeds.

Motion supported by Councilperson Teich.

Roll Call Vote.

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

NAYS: None.

SMALL URBAN PROGRAM FUND APPLICATION – SOUTH CHESTNUT STREET

Motion by Mayor Pro-Tem Eveleth to approve grant application to the Michigan Department of Transportation Small Urban Program for Surface Transportation Program funds to assist in the resurfacing of South Chestnut Street from South Street to Stewart Street, authorize participation in the Small Urban Program, and further authorize commitment of City funds equal to a 20% match plus the cost of project design and engineering as follows:

RESOLUTION NO. 47-2014

AUTHORIZING APPLICATION FOR SMALL URBAN PROGRAM FUNDS FOR SOUTH CHESTNUT STREET IMPROVEMENTS

WHEREAS, The City of Owosso, Shiawassee County, Michigan, Public Service Department recommends the resurfacing of South Chestnut Street from South Street to Stewart Street; and

WHEREAS, the Michigan Department of Transportation offers a portion of its federal funds known as Surface Transportation Program funds for this work through its Small Urban Program; and

WHEREAS, the roadway proposed for improvement must be within federal-aid small urbanized areas, such as Owosso; and

WHEREAS, the roadway proposed for improvements must be on the federal-aid route system, which includes South Chestnut Street; and

WHEREAS, the City of Owosso proposes to procure Small Urban Program funds for the purpose of providing a maximum of 80 percent (80%) federal match to the City's 2010 Unlimited Tax General Obligation Bond Proceeds as outlined in its application.

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 proceed with the resurfacing of South Chestnut Street from South Street to Stewart Street.

SECOND: That the City of Owosso is actively seeking Small Urban Program funds to partially fund the proposed roadway improvements and is willing to participate in the Small Urban Program.

THIRD: That appropriate city officials are authorized to sign the application documents and are further authorized to obligate City funds as its match of the project cost.

FOURTH: The City's portion of costs shall be paid from the City's 2010 Unlimited Tax Obligation Bond proceeds.

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

SMALL URBAN PROGRAM FUND APPLICATION – EAST OLIVER STREET

Motion by Mayor Pro-Tem Eveleth to approve grant application to the Michigan Department of Transportation Small Urban Program for Surface Transportation Program funds to assist in the resurfacing of East Oliver Street from Washington Street to Gould Street, authorize participation in the Small Urban Program, and further authorize commitment of City funds equal to a 20% match plus the cost of project design and engineering as follows:

RESOLUTION NO. 48-2014

AUTHORIZING APPLICATION FOR SMALL URBAN PROGRAM FUNDS FOR OLIVER STREET FROM WASHINGTON STREET TO GOULD STREET

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Public Service Department recommends the reconstruction of East Oliver Street from Washington Street to Gould Street; and

WHEREAS, the Michigan Department of Transportation offers a portion of its federal funds known as Surface Transportation Program funds for this work through its Small Urban Program; and

WHEREAS, roadway improvements that are eligible for these funds must be located on the federal-aid

highway system and within the federal urban area boundary, such as Oliver Street in the City of Owosso; and

WHEREAS, the City of Owosso proposes to procure Small Urban Program funds for the purpose of providing a maximum of 80 percent (80%) federal match to the City's Unlimited Tax Obligation Bond Proceeds as outlined in its application.

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 proceed with the reconstruction of Oliver Street from Washington Street to Gould Street.
- SECOND: That the City of Owosso is actively seeking Small Urban Program funds to partially fund the proposed roadway improvements and is willing to participate in the Small Urban Program.
- THIRD: That appropriate city officials are authorized to sign the application documents and are further authorized to obligate City funds as its match of the project cost.
- FOURTH: The City's portion of costs shall be paid from the City's 2010 Unlimited Tax Obligation Bond proceeds.

Motion supported by Councilperson Greenway.

Roll Call Vote.

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

NAYS: None.

SMALL URBAN PROGRAM FUND APPLICATION – SOUTH WASHINGTON STREET

Motion by Councilperson Bailey to approve grant application to the Michigan Department of Transportation Small Urban Program for Surface Transportation Program funds to assist in the resurfacing of South Washington Street from Stewart Street to Corunna Avenue, authorize participation in the Small Urban Program, and further authorize commitment of City funds equal to a 20% match plus the cost of project design and engineering as follows:

RESOLUTION NO. 49-2014

**AUTHORIZING APPLICATION FOR SMALL URBAN FUNDS
FOR SOUTH WASHINGTON STREET IMPROVEMENTS**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Public Service Department recommends the reconstruction of South Washington Street from Stewart Street to Corunna Avenue; and

WHEREAS, the Michigan Department of Transportation offers a portion of its federal funds known as Surface Transportation Program funds for this work through its Small Urban Program; and

WHEREAS, roadway improvements that are eligible for these funds must be located on the federal-aid highway system and within the federal urban area boundary, such as Washington Street in the City of Owosso; and

WHEREAS, the City of Owosso proposes to procure Small Urban Program funds for the purpose of providing a maximum of 80 percent (80%) federal match to the City's Unlimited Tax Obligation Bond Proceeds as outlined in its application.

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 proceed with the resurfacing of South Washington Street from Stewart Street to Corunna Avenue.
- SECOND: That the City of Owosso is actively seeking Small Urban Program funds to partially fund the proposed roadway improvements and is willing to participate in the Small Urban Program.
- THIRD: That appropriate city officials are authorized to sign the application documents and are further authorized to obligate City funds as its match of the project cost.
- FOURTH: The City's portion of costs shall be paid from the City's 2010 Unlimited Tax Obligation Bond proceeds.

Motion supported by Councilperson Fox.

Roll Call Vote.

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

NAYS: None.

STREET BOND PROPOSAL

City Manager Crawford introduced the topic saying the sale of bonds would be essential to providing any sort of robust street improvement program over the next couple of years. He noted that while cities aren't allowed to have sinking funds he suggested Council approach the bond proposal similar to the way the Schools handle their sinking fund requests coming back to the voters every 3 to 4 years for the renewal of a manageable request. He went on to say that no decision would be required this evening, but encouraged Council to take the time to study the language.

There was discussion regarding the idea of attaching measurable results to the proposal, listing the streets that would be reconstructed with the funds, publicizing that list so voters know where the money will be spent, reducing the maturation of the bond to 15 years rather than the proposed 25, and whether the request should be on the August ballot or the November ballot.

Mayor Frederick asked that a list of streets that would be reconstructed with the bond proceeds be developed for presentation at the next meeting.

GARDEN CLUB BLUE STAR MEMORIAL MONUMENT

There was Council discussion regarding where the monument will be located within the park.

Motion by Councilperson Fox to approve the installation of a Blue Star Memorial marker in Fayette Square Park by the Owosso Garden Club as follows:

RESOLUTION NO. 50-2014

**GRANTING THE OWOSSO GARDEN CLUB PERMISSION TO INSTALL
A BLUE STAR MEMORIAL MARKER IN FAYETTE SQUARE**

WHEREAS, the city of Owosso has Fayette Square Park in the 500 block of North Washington Street within which monuments have been placed recognizing military veterans; and

WHEREAS, the Owosso Garden Club has raised funds for the purchase and installation of a Blue Star Memorial marker and has approached the city of Owosso about placing such a monument within Fayette Square Park.

NOW THEREFORE BE IT RESOLVED, by the city of Owosso, county of Shiawassee, state of Michigan that:

FIRST: the Owosso Garden Club is granted permission to install and maintain a Blue Star Memorial marker within Fayette Square Park.

SECOND: this permission is granted with the understanding that this permission may be withdrawn at anytime and for no reason and the monument may be relocated or removed by the city.

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

FEE SCHEDULE AMENDMENT – RENTAL REGISTRATION

Mayor Frederick noted that this item was multifaceted in that Council would need to consider the rental registration period, the rental registration fee, and the inspection period as well.

There was discussion regarding the current rate of inspections, allowing up to 10 years between inspections, allowing 5 years between inspections, and requiring an inspection when a property changes ownership.

A motion was made by Councilperson Bailey to set the rental inspection period at 5 years based on current capacity.

Councilperson Bandkau sought clarification whether the change would be embodied as an ordinance amendment. City Attorney William C. Brown indicated the change would be a policy amendment, not an ordinance amendment.

Motion by Councilperson Bailey to set the rental inspection period at 5 years based on current staff capacity.

Motion supported by Councilperson Greenway.

Roll Call Vote.

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

NAYS: Councilpersons Teich, Fox, and Bandkau.

Attention was then turned to the proposed Fee Schedule amendment.

There was discussion regarding where the money raised by the proposed registration fee would be spent, using the funds to educate landlords and tenants, maintaining the current fee and lengthening the registration period, concern with how the program is administered by staff, attempting to overcome the limitations of current staffing levels and software integration so prevent rental properties from falling through the cracks, instituting on-line registrations, determining triggers within various departments of City Hall that should cause actions to be taken, and maintaining the current registration period until administration issues are clarified.

Motion by Councilperson Fox to approve amending the Fee Schedule to reflect a rental registration period of 5 years and a fee of \$25.00 per unit as follows:

RESOLUTION NO. 51-2014

MODIFYING FEE SCHEDULE ESTABLISHING RENTAL HOUSING REGISTRATION FEES

WHEREAS, the city of Owosso requires the registration of all rental housing units with a renewal during the month of October on odd numbered calendar years with a two year registration charge of \$25.00 per unit; and

WHEREAS, the city of Owosso currently has no inspection fee; and

WHEREAS, the city of Owosso due to the number of units and the limited inspection personnel has not completed the rental inspections in the first two years.

NOW THEREFORE BE IT RESOLVED, by the city of Owosso, county of Shiawassee, state of Michigan that:

- FIRST: rental housing registrations be required for all occupied rental dwellings or dwellings advertised for rent.
- SECOND: the registration period be for a period of five years with registration fee of \$25.00 per unit.
- THIRD: all currently registered units will be considered registered until October 1, 2018.
- FOURTH: there shall be no inspection fee charged.

Motion supported by Councilperson Teich.

Roll Call Vote.

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

NAYS: Councilperson Bandkau.

COMMUNICATIONS

Susan K. Montenegro, Assistant City Manager. Bentley Park Bike Rack.
Charles P. Rau, Building Official. March 2014 Building Department Report.
Charles P. Rau, Building Official. March 2014 Code Violations Report.
Kevin D. Lenkart, Public Safety Director. March 2014 Police Report.
Kevin D. Lenkart, Public Safety Director. March 2014 Fire Report.

CITIZEN COMMENTS AND QUESTIONS

None.

BID AWARD – 2014 TALL GRASS MOWING PROGRAM – REVISITED

City Clerk Amy K. Kirkland noted that due to an error a correction to the Bid Award for the 2014 Tall Grass Mowing Program was not pointed out to Council prior to its authorization of the award. She indicated that after further examination the Finance Department had determined the City would be better served if two firms performed the work in question rather than a single vendor. Council was in receipt of two resolutions awarding portions of the bid to separate vendors and she asked that they consider rescinding the prior approval of the bid award in favor of the two resolutions now noted.

Motion by Mayor Pro-Tem Eveleth to reconsider the vote originally approving the bid award for the 2014 Tall Grass Mowing Program.

Motion supported by Councilperson Fox.

Roll Call Vote.

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

NAYS: None.

Councilperson Greenway inquired why the Gould House was charged separately from other City owned lots. It was noted that historically it had been handled separately from a cost accounting standpoint and staff continued to do so for the sake of consistency.

Motion by Mayor Pro-Tem Eveleth to authorize bid award to Robert L. Didur d/b/a Michigan Outdoor Services for mowing of certain city-owned properties for the 2014 mowing season in the following amounts: \$420.50 each mow for all 29 Osburn Lakes lots, and \$22.50 for the Gould House lot, and further authorize payment in an amount up to \$6,000 as follows:

RESOLUTION NO. 52-2014

**AUTHORIZING THE EXECUTION OF A CONTRACT
WITH MICHIGAN OUTDOOR SERVICES FOR THE MOWING OF
CERTAIN CITY-OWNED PROPERTIES**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, owns various real properties that require periodic mowing; and

WHEREAS, efficiencies can be gained from contracting out for service to mow such properties; and

WHEREAS, the City of Owosso sought bids for the mowing of certain city-owned properties; and a bid was received from Robert L. Didur d/b/a Michigan Outdoor Services; and it is hereby determined that Robert L. Didur d/b/a Michigan Outdoor Services 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 Robert L. Didur d/b/a Michigan Outdoor Services for the service

of mowing certain city-owned properties upon the city's request, upon receipt of acceptable insurance coverage as dictated in the bid documents.

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 Robert L. Didur d/b/a Michigan Outdoor Services for mowing and trimming services at the following rates:

City-owned properties:		
Osburn Lakes Subdivision lots (29)	=	\$420.50 per mow
Gould House Lot	=	\$22.50 each

THIRD: The above expenses shall be paid from the Department of Public Service Contractual Services fund - #101-441-818000.

FOURTH: The Accounts Payable department is authorized to pay Robert L. Didur d/b/a Michigan Outdoor Services for satisfactory service completed in an amount not to exceed \$6,000.00.

Motion supported by Councilperson Fox.

Roll Call Vote.

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

NAYS: Councilperson Greenway.

Motion by Councilperson Fox to authorize bid award to Kendra Nichols d/b/a Millennium Lawn and Snow Service for mowing of private properties in violation of the weed ordinance and for certain city-owned properties for the 2014 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, and further authorize payment in an amount up to \$6,000 as follows:

RESOLUTION NO. 53-2014

AUTHORIZING THE EXECUTION OF A CONTRACT WITH MILLENNIUM LAWN AND SNOW SERVICE FOR THE MOWING OF PRIVATE PROPERTIES IN VIOLATION OF THE CITY WEED ORDINANCE

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; and

WHEREAS, the City of Owosso sought bids for the mowing of weed ordinance violation properties; and a bid was received from Kendra Nichols d/b/a Millennium Lawn and Snow Service; and it is hereby determined that Kendra Nichols d/b/a Millennium Lawn and Snow Service 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 Kendra Nichols d/b/a Millennium Lawn and Snow Service for the service of mowing private properties in violation of the weed ordinance.

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 Kendra Nichols d/b/a Millennium Lawn and Snow Service 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

THIRD: The above expenses shall be paid from the Department of Public Service Contractual Services fund - #101-441-818000.

FOURTH: The Accounts Payable department is authorized to pay Kendra Nichols d/b/a Millennium Lawn and Snow Service for satisfactory service completed in an amount not to exceed \$6,000.00.

Motion supported by Mayor Pro-Tem Eveleth.

Roll Call Vote.

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

NAYS: None.

NEXT MEETING

Wednesday, April 30, 2014 at 6:00 p.m. – Budget Worksession
Thursday, May 1, 2014 at 7:00 p.m. – Budget Worksession
Monday, May 05, 2014 at 7:30 p.m. – Regular Meeting
Tuesday, May 6, 2014 at 6:00 p.m. – Budget Worksession
Wednesday, May 14, 2014 at 6:00 p.m. – Budget Worksession

BOARDS AND COMMISSIONS OPENINGS

Historical Commission, term expiring December 31, 2014

ADJOURNMENT

Motion by Mayor Pro-Tem Eveleth for adjournment at 10:23 p.m.

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

Benjamin R. Frederick, Mayor

Amy K. Kirkland, City Clerk



MEMORANDUM

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

DATE: April 28, 2014
TO: Mayor Frederick and the Owosso City Council
FROM: Kevin Lenkart
SUBJECT: Traffic Control Order 1312

RECOMMENDATION: Recommend approval of the application of the Girls on the Run Mid Michigan and authorization of Traffic Control Order No. 1312 for the closure of Gould Street between Jackson Drive and Mallard Court as well as Jackson Drive for a 5K Run on May 18, 2014 from 9:00 am – 10:30 am.

BACKGROUND:

FISCAL IMPACTS:

Document originated by: Cynthia Kriesel, Executive Secretary Owosso Public Safety

CITY OF OWOSSO

TRAFFIC CONTROL ORDER

(SECTION 2.53 UNIFORM TRAFFIC CODE)

ORDER NO.	DATE	TIME
1312	4/15/2014	10:20 AM

REQUESTED BY
Kevin Lenkart – Director of Public Safety

TYPE OF CONTROL
Traffic Control – Closure of Gould Street between Jackson Drive and Mallard Court as well as the closure of Jackson Drive on May 18, 2014 from 9:00 am – 10:30 am

LOCATION OF CONTROL
Closure of Gould Street between Jackson Drive and Mallard Court as well as the closure of Jackson Drive.

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: 4-14-14

Primary Contact Person Name: Stephanie McClintock

Title: Council Director

Address: 659 Hollywood Dr.
Owosso, MI 48867

Phone: 989 723 6329

Requested Date(s): May 18, 2014 Requested Hours: 9:00am - 10:30am

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

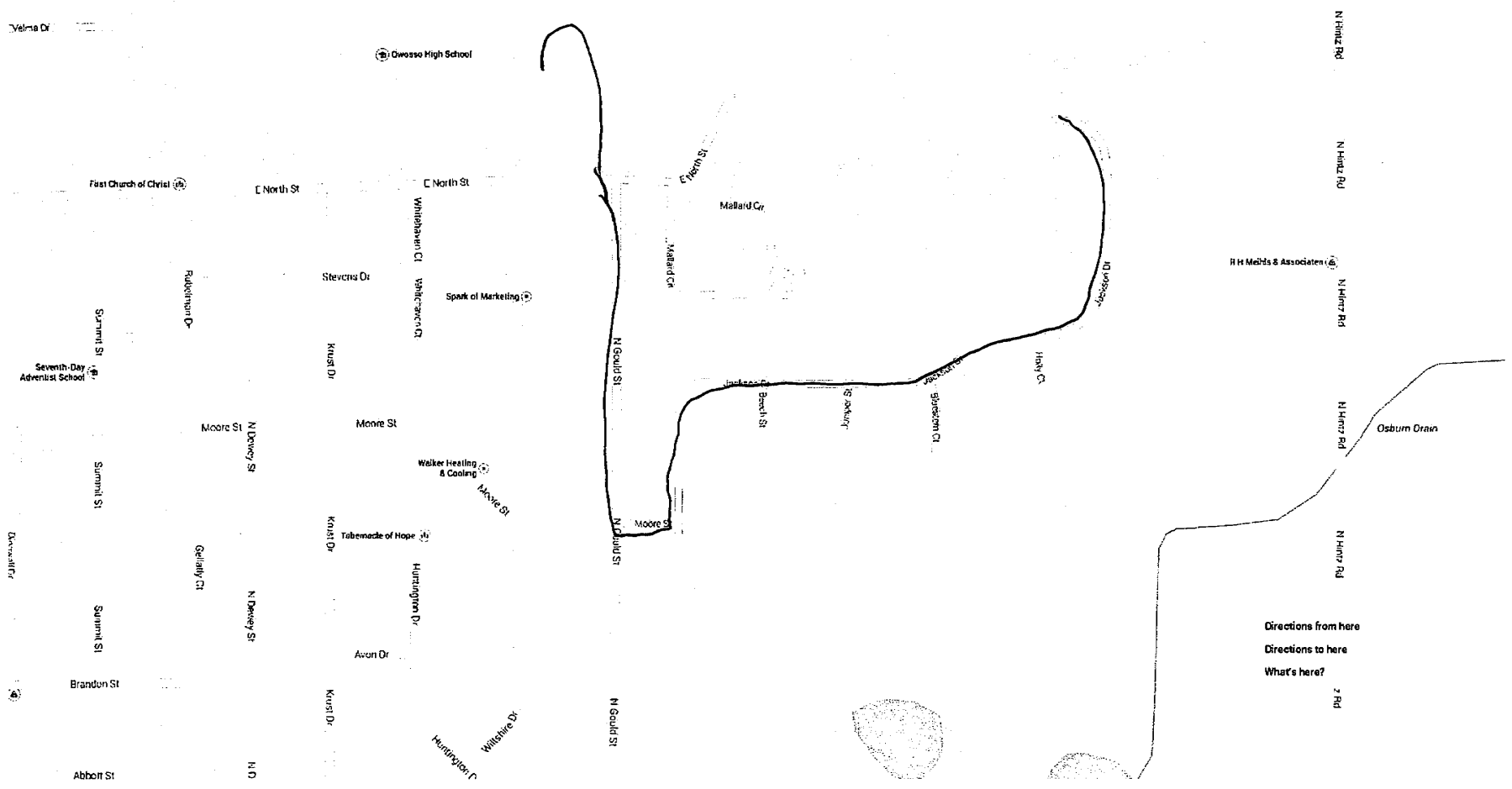
Detailed description of the use for which the request is made: 5K Run/Walk

- 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





Mid Michigan Girls on the Run 5K Run/Walk

Sunday, May 18, 2014 Time: 9:00 a.m.

Register online at GOTRMIDMICHIGAN.ORG until 5/14/14

Charity Run – Benefiting the GOTR Scholarship Fund

Where: Owosso High School

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

SPRING 2014 GOTR/GOT MidMichigan Participants DO NOT need to register

Entry Fees:	Regular Registration Postmarked by 5/4/14	Late/Race Day Registration
Adult	\$25	\$30
Child (12 and under)	\$15	\$20
Family	\$50	\$60
Running Buddy	\$10	\$15
GOTR Participant's Name _____		
<input type="checkbox"/> Pair me with a GOTR Participant that needs a buddy.		

Packet Pick Up: Friday, May 16 at Playmakers, Okemos, 5-8 p.m. and Saturday, May 17 at Owosso's Farmers Market, Water and Exchange Street, Downtown Owosso 8 am - 1 p.m. or race day, Sunday, May 18 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, or visit us on the web at www.gotrmidmichigan.org.

Name:		
Gender:	Age:	Phone:
Address:		
City	State	Zip
Email		
T-Shirt Circle Size: Youth: Small Med Large Adult: 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.

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 Stephanie McClintock
659 Hollywood Dr., Owosso, MI 48867

RACE FEE: _____
DONATION: _____
TOTAL DUE: _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/17/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Edwards Church & Muse 4000 Park Road Charlotte NC 28209	CONTACT NAME: PHONE (A/C, No, Ext): 704-529-4411 E-MAIL ADDRESS: siler@ecmins.com		FAX (A/C, No): 704-529-4422
	INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED GIRMI4 GOTR Mid Michigan (dba) Get Fit! Shiawassee 2564 Vandekarr RD Owosso MI 48867	INSURER A: Hanover Specialty / Verlan		524126
	INSURER B: The Travelers Companies		25658
	INSURER C:		
	INSURER D:		
	INSURER E:		
INSURER F:			

COVERAGES **CERTIFICATE NUMBER: 1582010367** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	Y	Y	ZH6 A076680 00	8/15/2013	8/15/2014	EACH OCCURRENCE	\$2,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$1,000,000
							MED EXP (Any one person)	\$1,000
							PERSONAL & ADV INJURY	\$2,000,000
							GENERAL AGGREGATE	\$4,000,000
							PRODUCTS - COMP/OP AGG	\$4,000,000
								\$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	Y	Y	ZH6 A076680 00	8/15/2013	8/15/2014	COMBINED SINGLE LIMIT (Ea accident)	\$1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				WC STATUTORY LIMITS	OTHER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$
B	D&O			105632715	8/15/2013	8/15/2014	Each Claim Aggregate	1,000,000 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Certificate holder is additional insured as respects to general liability for the operations of the insured when required by written contract.

CERTIFICATE HOLDER East Lansing Public Schools 509 Burchum East Lansing MI 48823	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE



OWOSSO PUBLIC SAFETY

Director of Public Safety
Kevin Lenkart

202 S. Water St. Owosso, MI 48867 Phone (989) 725-0580 Fax (989) 725-0528

MEMORANDUM

TO: City Council

FROM: Kevin Lenkart
Director of Public Safety

SUBJECT: Traffic Control Order 1313

DATE: April 21, 2014

Recommendation: Recommend approval for the above listed TCO. The Owosso Community Players are requesting four parking spots be used as a drop off zone in front of the Lebowsky Theatre on the nights they have events.

Background: The closure of the parking spots in front of the Lebowsky Theatre will not affect area businesses during their normal business hours. OCP staff is requesting one additional parking spot be reserved for a portable light tower on May 9th 2014 for their opening night.

Fiscal Impacts: None

CITY OF OWOSSO

TRAFFIC CONTROL ORDER

(SECTION 2.53 UNIFORM TRAFFIC CODE)

ORDER NO.	DATE	TIME
1313	4/22/2014	9:20 AM

REQUESTED BY
Kevin Lenkart – Director of Public Safety

TYPE OF CONTROL
Traffic Control – Closure of four parking spots in front of the Lebowsky Theatre, 120, 122, and 124 East Main Street on May 9, 2014 from 5:00 PM – Midnight, May 10th, May 16th, and May 18, 2014 from 6:00 PM – 11:00 PM, May 11, 2014 from 1:00 PM – 7:00 PM, and May 17, 2014 from 1:00 PM – 11:00 PM. Also, the closure of the first parking space next to the building in the Park Street/Main Street parking lot across from the theater on May 9, 2014 from 10:00 AM – Midnight.

LOCATION OF CONTROL
Four parking spots in front of the Lebowsky Theatre, 120, 122, and 124 East Main Street and the first parking space next to the building in the Park Street/Main Street parking Lot across from the theater.

APPROVED BY COUNCIL _____ 20 _____

REMARKS



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

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

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

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

Name of individual or group: Owosso Community Players Date: 4-16-14

Primary Contact Person Name: Linda Keenan

Title: Director

Address: 114 E Main St
Owosso 48867

Phone: 517-862-8082

Requested Date(s): See attached Requested Hours: _____

Area Requested (Parking Lot - Parade Route): See attached

Detailed description of the use for which the request is made: Establish a "drop off" zone for those attending the OCP production of Shrek.

- 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

Establish a “drop off” zone using the four parking slots in front of the Lebowsky Center, 120-122-124 East Main St.

May 9 – 5pm to midnight

May 10 – 6pm to 11pm

May 11 – 1pm to 7pm

May 16 – 6pm to 11pm

May 17 – 1pm to 7pm

6pm to 11pm

May 18 – 6pm to 11pm

Also reserve the first parking space, next to the building, in the Park Street/Main Street parking lot across from the theater for a portable light tower.

May 9 – 10am to midnight

INSURANCE COMPANY
6101 ANACAPRI BLVD., LANSING, MI 48917-3999AGENCY AL BOURDEAU INSURANCE AGENCY
01-0369-00 MKT TERR 079 (810) 742-3411INSURED OWOSSO COMMUNITY PLAYERS
SEE FORM 59270ADDRESS PO BOX 606
OWOSSO MI 48867-0606**UMBRELLA POLICY DECLARATIONS**

Effective 12-01-2013

POLICY NUMBER 47-751-536-00

Company Use 14-21-MI-1312

Agency Bill	POLICY TERM	
	12:01 a.m.	12:01 a.m.
	12-01-2013	09-03-2014

COMMERCIAL UMBRELLA**LIMITS OF LIABILITY:**

Products-Completed Operations Aggregate	\$ 5,000,000
Employers Liability Aggregate	\$ 5,000,000
Other Aggregate	\$ 5,000,000
Each Incident Limit	\$ 5,000,000

RETAINED LIMIT: \$ 10,000 (Waived when an Auto-Owners Insurance Group Company provides both the Commercial Automobile and Commercial General Liability coverage).**FORMS THAT APPLY TO THIS POLICY:**

26800 (07-05)Z	26606 (10-05)Z	59350 (01-08)Z	26366 (07-05)Z	26505 (07-08)Z
26572 (08-10)Z	26527 (09-09)Z	26793 (08-10)Z	26827 (07-05)Z	

COMMERCIAL UMBRELLA PREMIUM**PREMIUM**
\$1,561.46

THE POLICY PREMIUM SHOWN ABOVE INCLUDES:

TERRORISM
CERTIFIED ACTS SEE FORMS 59350, 26505, 59390 \$15.46

TOTAL POLICY PREMIUM	TERM \$1,561.46
----------------------	--------------------

PROGRAM: Commercial

DISCOUNT APPLIES FOR AFFILIATION WITH: SHIAWASSEE REGIONAL CHAMBER OF COMMERCE

A 7% Cumulative Multi-Policy Discount applies. Supporting policies are marked with an (X):

Comm Auto() Comm Prop/Comm Liab(X) Farm() WC() Life() Personal()

THIS POLICY IS EXEMPT FROM THE FILING REQUIREMENTS OF SECTION 2236 OF THE INSURANCE CODE OF 1956, 1956 PA 218, MCL 500.2236.

AUTO-OWNERS INS. CO.

Issued 12-06-2013

AGENCY AL BOURDEAU INSURANCE AGENCY
01-0369-00 MKT TERR 079

Agency
Bill

POLICY NUMBER
Company Use

47-751-536-00
14-21-MI-1312

INSURED OWOSSO COMMUNITY PLAYERS

Term 12-01-2013 to 09-03-2014

SCHEDULE OF UNDERLYING INSURANCE

NAME OF INSURER	TYPE OF POLICY	YOU HAVE AGREED TO MAINTAIN LIMITS AS FOLLOWS:	
AUTO-OWNERS INSURANCE COMPANY	COMMERCIAL GENERAL LIABILITY General Aggregate Products and Completed Operations Aggregate Occurrence Personal/Advertising Injury Hired/Non-Ownership Automobile Liability	COMBINED SINGLE LIMITS	\$2,000,000 \$2,000,000 \$1,000,000 \$1,000,000 Included
ACCIDENT FUND INS CO OF AMERICA	EMPLOYER'S LIABILITY Bodily Injury by Accident Bodily Injury by Disease Bodily Injury by Disease	Per Accident Per Employee Policy Limit	LIMIT \$1,000,000 \$1,000,000 \$1,000,000



OWOSSO PUBLIC SAFETY

Director of Public Safety
Kevin Lenkart

202 S. Water St. Owosso, MI 48867 Phone (989) 725-0580 Fax (989) 725-0528

MEMORANDUM

TO: City Council

FROM: Kevin Lenkart
Director of Public Safety

SUBJECT: Traffic Control Order 1314

DATE: April 29, 2014

Recommendation:

Recommend Owosso City Council approve TCO # 1314.

Background:

The Steam Railroading Institute Train Expo 2014 will be held June 20-22. The Expo main site will be at the SRI Building on S. Washington Street. The SRI has requested to have Washington Street closed for the festival and Jerome Street and the adjacent parking lot closed for a carnival.

Fiscal Impacts:

None

Document originated by: Kevin Lenkart

CITY OF OWOSSO

TRAFFIC CONTROL ORDER

(SECTION 2.53 UNIFORM TRAFFIC CODE)

ORDER NO.	DATE	TIME
1314	4/29/2014	9:47 AM

REQUESTED BY
Kevin Lenkart – Director of Public Safety

TYPE OF CONTROL
Traffic Control –

Closure of South Washington Street from Water Street to Corunna Avenue beginning June 19, 2014 @ 6:00 AM to June 23, 2014 @ 4:00 PM.

Jerome Street from Washington Street to the beginning of the building occupied by Owosso Bolt & Brass from Monday June 16, 2014 @ 9:00 AM through Monday June 23, 2014 @ 4:00 PM.

LOCATION OF CONTROL
See above.

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: Steam Railroad Institute Date: April 21, 2014

Primary Contact Person

Name: Dave Shorter
Title: Executive Director- Steam Railroad Institute
Address: 405 S. Washington
Owosso MI 48867
Phone: 989-725-9464

Requested Date(s): June 16-June 23 Requested Hours: (Varies- see attached form)

Area Requested (Parking Lot - Parade Route): See Attached

Detailed description of the use for which the request is made: See Attached

- 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



405 S. WASHINGTON STREET • P.O. BOX 665 • OWOSSO, MICHIGAN 48867
989.725.9464 • FAX 989.723.1225 • WWW.MSTRP.COM

DAVID SHORTER
EXECUTIVE DIRECTOR

April 21, 2014

City of Owosso
Attn: City Council
301 W. Main Street
Owosso, MI 48867

Honorable Members of the Owosso City Council.

On behalf of the Board of Directors of the Michigan State Trust for Railway Preservation (dba) Steam Railroading Institute we respectfully request the following street closures for our Train Expo 2014, Locomotive, Wings and Wheels event.

1. South Washington Street from Water Street continuing through to Howard Street, beginning 6:00am on Thursday, June 19, 2014 and commencing on Monday, June 23, 2014 no later than 4:00pm.
2. Jerome Street from Washington Street to the beginning of the building occupied by the firm Owosso Bolt and Brass from Monday, June 16, 2014 at 9:00am through Monday, June 23, 2014 commencing at 4:00pm.

This event is scheduled to open for patrons from 10:00am – 7:00pm daily for the duration of this festival.

The closings will ensure a safe environment for good fun, games and food for the patrons of this event and safety to the citizens of our community.

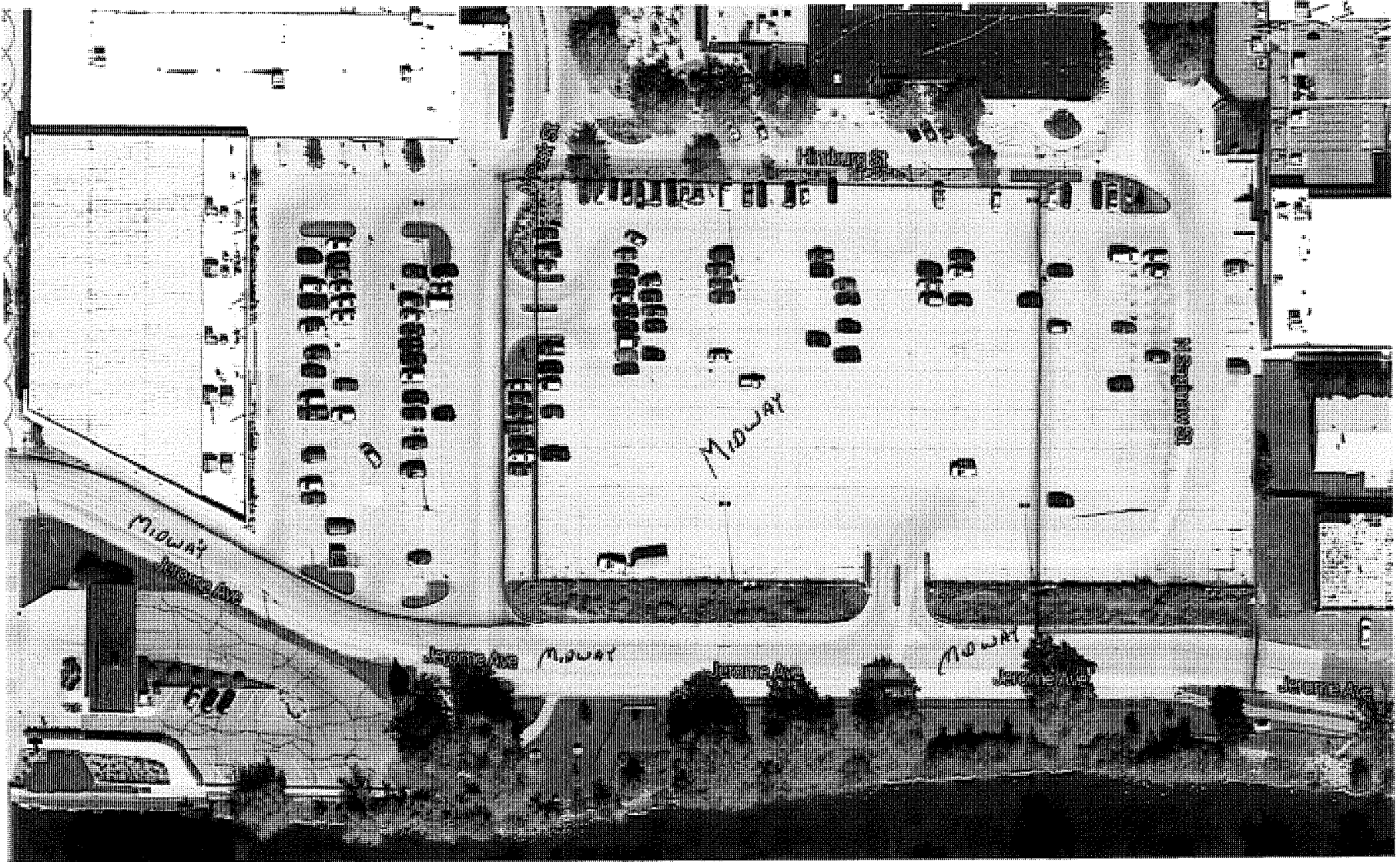
Sincerely,

David Shorter

Executive Director

BOARD OF DIRECTORS

AARNE FROBOM, CHAIR ~ RICHARD GRETER, VICE CHAIR ~ PAUL COOK, SECRETARY ~ CHRIS KURZWEIL, TREASURER
STEVEN J. KNAPP, DIRECTOR ~ GARY KNUDSEN, DIRECTOR ~ TOM SPRINGSDORF, DIRECTOR
HAROLD FRYE, DIRECTOR ~ CAROL L. DOWSETT, ED.D., DIRECTOR





405 S. WASHINGTON STREET • P.O. BOX 665 • OWOSSO, MICHIGAN 48867
989.725.9464 • FAX 989.723.1225 • WWW.MSTRP.COM

April 25, 2014

DAVID SHORTER
EXECUTIVE DIRECTOR

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

To whom it may concern:

By way of this memorandum; the Steam Railroading Institute (SRI) has received signed documentation, and notification from the proprietors of the NCG Cinema, that during the period of June 18, 2014 to June 23, 2014 SRI will be authorized the use of the city owned parking lot managed by NCG Cinema and adjacent to Jerome Street in The City of Owosso.

SRI's intention is to allow Wade Shows of Livonia, Michigan use of this property to erect, maintain and produce an entertainment midway for public use during our Train Expo 2014, Locomotives Wings and Wheels.

It is our request to have this area closed for public use from June 16-23 2014.

Sincerely

Kevin B. Mayer
Director of Operation
Steam Railroading Institute.

BOARD OF DIRECTORS

AARNE FROBOM, CHAIR ~ RICHARD GRETER, VICE CHAIR ~ PAUL COOK, SECRETARY ~ CHRIS KURZWEIL, TREASURER
STEVEN J. KNAPP, DIRECTOR ~ GARY KNUDSEN, DIRECTOR ~ TOM SPRINGSDORF, DIRECTOR
HAROLD FRYE, DIRECTOR ~ CAROL L. DOWSETT, ED.D., DIRECTOR

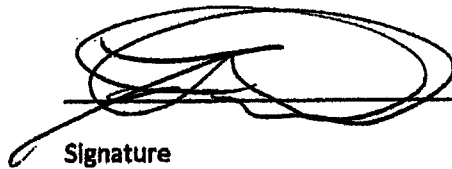


Name of Business NCG Cinema

Name of
Administrator Tim Ditts
 REGIONAL MANAGER

Phone Number 989-725-8755

I give permission for the Steam Railroad Institute to use the parking lot for the Train Expo 2014 event as a midway for the date June 16 -23, 2014. The area we allow is from the light pole on the East side of the parking lot West to the end of the parking lot we lease. From the north all the way to the South between the East West boundaries.

 Tim Ditts

Signature
 4/11/14

Date

Comments: _____



CERTIFICATE OF LIABILITY INSURANCE

OP ID: KC

DATE (MM/DD/YYYY)

04/22/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER LYMAN & SHEETS INSURANCE 2213 East Grand River P.O. Box 16127 Lansing, MI 48901 Dale A. Sheets	CONTACT NAME: Kim Smith PHONE (A/C, No, Ext): 517-482-2211 E-MAIL ADDRESS: kims@lymansheets.com PRODUCER CUSTOMER ID #: MICH-23	FAX (A/C, No): 517-371-4881
	INSURER(S) AFFORDING COVERAGE	
INSURED Michigan State Trust for Railway Preservation dba The Steam Rail Roadng Institute PO Box 665 Owosso, MI 48867-0665	INSURER A: Liberty Surplus Insurance	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY		RRNY425444-1	01/01/2014	01/01/2015	EACH OCCURRENCE \$ 10,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	<input checked="" type="checkbox"/>				DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000
	<input checked="" type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR					MED EXP (Any one person) \$
	<input checked="" type="checkbox"/> RR Liability					PERSONAL & ADV INJURY \$ 10,000,000
GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$ 20,000,000
<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG \$ 10,000,000
AUTOMOBILE LIABILITY						
<input type="checkbox"/> ANY AUTO						COMBINED SINGLE LIMIT (Ea accident) \$
<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per person) \$
<input type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per accident) \$
<input type="checkbox"/> HIRED AUTOS						PROPERTY DAMAGE (PER ACCIDENT) \$
<input type="checkbox"/> NON-OWNED AUTOS						\$
						\$
UMBRELLA LIAB <input type="checkbox"/> OCCUR						
EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE						EACH OCCURRENCE \$
DEDUCTIBLE						AGGREGATE \$
RETENTION \$						\$
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						
ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N <input checked="" type="checkbox"/> N/A						WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/>
If yes, describe under DESCRIPTION OF OPERATIONS below						E.I. EACH ACCIDENT \$
						E.I. DISEASE - EA EMPLOYEE \$
						E.I. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

City of Owosso
 301 W Main St
 Owosso, MI 48867

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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MEMORANDUM

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

DATE: May 5 2014

TO: Owosso City Council

FROM: Mark Sedlak, Director of Public Services

SUBJECT: Cost Agreement Amendment for rehabilitation of the Gould Street Bridge over the Shiawassee River

RECOMMENDATION:

I recommend City Council approve MDOT Amendatory Cost Agreement No. 14-5162 for the rehabilitation of the Gould Street Bridge over the Shiawassee River. The Agreement has been approved by the City Manager as to substance and form. A resolution to approve the Agreement is attached for your consideration.

BACKGROUND:

On March 17, 2014, City Council approved MDOT Cost Agreement No. 14-5000. The cost amount has since changed after MDOT received bids from interested contractors. This Amendatory Agreement is presented to fix the rights and obligations of both parties to proceed with the project at the revised cost amount. The work includes epoxy overlay of the bridge deck, pin and hanger replacement, partial cleaning and coating of structural steel, riprap, deck joint replacement, approaches, and maintaining traffic; together with necessary related work.

FISCAL IMPACTS:

The total revised estimated cost for this project is \$608,200; of that amount Federal Critical Bridge funds will pay \$486,600.00 and State Local Bridge funds will pay \$91,200.00. The City's estimated share is \$30,400.00. The City will also be responsible for any cost overruns exceeding the \$608,200.00 estimated for the project. Funds for the City's share of cost are available in Account No. 202-451-818000-GOULDBRIDGE.

This document originated by: Marlene Jungnitsch, Executive Secretary

RESOLUTION NO.

**AUTHORIZING AMENDMENT OF MDOT COST AGREEMENT FOR REHABILITATION
OF GOULD STREET BRIDGE OVER THE SHIAWASSEE RIVER**

WHEREAS, within the City of Owosso there is a bridge over the Shiawassee River carrying traffic on Gould Street; and

WHEREAS, this bridge must be regularly maintained for the safety and expediency of users of the bridge; and

WHEREAS, this maintenance is costly and complex, requiring expertise outside that of City staff; and

WHEREAS, the City has applied for, and received, Federal Critical Bridge Funds to assist in the rehabilitation of the bridge and the Michigan Department of Transportation has agreed to oversee the project; and

WHEREAS, the City approved Cost Agreement No. 14-5000 assigning the responsibilities and obligations of the parties involved; and

WHEREAS, after letting bids MDOT determined Agreement No. 14-5000 should be amended to reflect higher than anticipated costs revealed by the letting; and

WHEREAS, after review, city staff recommends approval of MDOT Amendatory Cost Agreement No. 14-5162 for Rehabilitation of Gould Street Bridge over the Shiawassee River.

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 Amendatory Contract No. 14-5162 for the rehabilitation of the Gould Street Bridge over the Shiawassee River.
- SECOND: That the City of Owosso is willing to participate in the project cost as illustrated within said contract.
- THIRD: That the Mayor and City Clerk are hereby authorized to sign the Amendment as attached.
- FOURTH: The City Council hereby directs staff to allocate \$30,400.00 from the major street fund and approves payment for services upon completion, or as otherwise requested by the State, in accordance with the contract and amendment.

AMENDMENT TO CONTRACT 14-5000

COM

Control Section	BHT 76004
Job Number	115675
Project	BHT 1476(006)
Federal Item No.	RR 8652
CFDA No.	20.205 (Highway Research Planning & Construction)
Contract No.	14-5162

THIS AMENDATORY CONTRACT is made and entered into this date of _____, by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF OWOSSO, a Michigan municipal corporation, hereinafter referred to as the "REQUESTING PARTY"; for the purpose of fixing the rights and obligations of the parties in agreeing to this Amendment to CONTRACT #14-5000.

WITNESSETH:

WHEREAS, the parties to the Amendment have heretofore, by a Contract dated March 20, 2014, hereinafter referred to as "CONTRACT 14-5000" provided for the construction and financing of that which is hereinafter referred to as the "PROJECT" and is described as follows:

Rehabilitation work for the structure B01 of 76-04-11 (#9892), which carries Gould Street over the Shiawassee River, Section 19, T7N, R3E, City of Owosso, Shiawassee County, Michigan; including epoxy overlay, pin and hanger replacement, partial cleaning and coating of structural steel, riprap, deck joint replacement, approach, and maintaining traffic work; and all together with necessary related work.

WHEREAS, the DEPARTMENT and the REQUESTING PARTY having appropriate authority desire to amend CONTRACT 14-5000 to provide for the removal of the limits on the federal funds (\$339,504) and on the state Local Bridge funds (\$63,657) to be applied to the eligible items of the PROJECT COST and the increase in the estimated PROJECT COST based on the low bid amount.

NOW, THEREFORE, it is hereby agreed by and between the parties hereto that:

1. Section 5 of CONTRACT 14-5000 is revised to read as follows:

5. The PROJECT COST shall be met in part by Federal Funds and by state Local Bridge Funds. Federal Highway Bridge Replacement and Rehabilitation Program

Funds shall be applied to the eligible items of the PROJECT COST at a participation ratio equal to 80 percent. The state Local Bridge Funds shall be applied to the eligible items of the PROJECT COST at a participation ratio equal to 15 percent. The remaining 5 percent of the eligible items of PROJECT COST, as well as any ineligible items of PROJECT COST, shall be paid 100 percent by the REQUESTING PARTY in the manner and at the times hereinafter set forth.

Any items of PROJECT COST not reimbursed by Federal Funds or paid by state Local Bridge Funds will be the sole responsibility of the REQUESTING PARTY.

2. Section 6 of CONTRACT 14-5000 is revised to read as follows:

6. No working capital deposit will be required for this PROJECT.

In order to fulfill the obligations assumed by the REQUESTING PARTY under the provisions of this contract, the REQUESTING PARTY shall make prompt payments of its share of the PROJECT COST upon receipt of progress billings from the DEPARTMENT as herein provided. All payments will be made within 30 days of receipt of billings from the DEPARTMENT. Billings to the REQUESTING PARTY will be based upon the REQUESTING PARTY'S share of the actual costs incurred less Federal Funds and State Funds earned as the PROJECT progresses.

In the event of any discrepancies between PART I and PART II of this contract, the provisions of PART I shall prevail.

3. EXHIBIT I of CONTRACT 14-5000 is superseded by EXHIBIT I REVISED, dated March 25, 2014 attached hereto and made a part hereof. Any references to EXHIBIT I in CONTRACT 14-5000 shall be construed to mean EXHIBIT I REVISED.

4. Except as amended by the provisions herein, all of the provisions, covenants, and obligations of the parties contained in CONTRACT 14-5000 shall remain in full force and effect.

5. The REQUESTING PARTY waives any and all claims it has or may have against the DEPARTMENT which arise out of the need to amend CONTRACT 14-5000.

6. This Amendatory contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the parties hereto; upon the adoption of the necessary resolution approving said contract and authorizing the signatures thereto of the respective officials of the REQUESTING PARTY, a certified copy of which resolution shall be attached to this contract.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed the day and year first above written.

CIT OF OWOSSO

MICHIGAN DEPARTMENT
OF TRANSPORTATION

By _____
Title:

By _____
Department Director MDOT

By _____
Title:



March 25, 2014

EXHIBIT I REVISED

CONTROL SECTION BHT 76004
JOB NUMBER 115675
PROJECT BHT 1476(006)
STRUCTURE B01 OF 76-04-11 (#9892)

	<u>TOTAL ESTIMATED COST</u>	<u>FEDERAL FUNDS</u>	<u>STATE LOCAL BRIDGE FUNDS</u>	<u>TOTAL FEDERAL & STATE AID</u>	<u>BALANCE REQ. PARTY'S SHARE</u>
<u>STRUCTURE AND APPROACHES</u>					
Construction (Contracted)	\$608,200	\$486,600	\$91,200	\$577,800	\$30,400

NO DEPOSIT REQUIRED



WARRANT 481
April 29, 2014

Vendor	Description	Fund	Amount
B S & A Software	Annual service/support fees- Building Department/Delinquent Personal Property/Internet Services- May 1, 2014 – May 1, 2015	General	\$ 7,950.00
ATI Group	Lighting upgrades payment per Consumers Energy Small Business Solutions Program	General	\$19,077.11
		Total	\$27,027.11



MEMORANDUM

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

DATE: May 1, 2014

TO: City Council

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

SUBJECT: Approval of a Special Use Permit to create a loft apartment within an older industrial building located at 601 Clinton Street.

RECOMMENDATION:

The Owosso planning commission held discussion at its regular meeting on April 28, 2014 regarding the application for a special use permit and site plan review for 601 Clinton Street. All site plan requirements were met and the commission approved the site plan as submitted.

The planning commission recommends that city council approves the special use permit for this address.

BACKGROUND:

Adding loft apartments within older industrial buildings is a wonderful way to repurpose and revitalize these types of buildings. Although Allen Paper Company remains busy, the second floor has not been used to its full potential. A loft apartment is a great way to give purpose to this space.

FISCAL IMPACTS:

No negative impacts will be felt.

Document originated by:
Susan Montenegro

RESOLUTION NO.

AUTHORIZING A SPECIAL USE PERMIT FOR 601 CLINTON STREET

This permit issued and entered into this 5th day of May, 2014, by and between the City of Owosso, Michigan and Paula Alexander of 601 Clinton Street, Owosso, Michigan, 48867 hereinafter referred to as the owner and/or operator.

WHEREAS, a petition for a special use permit has been filed by Paula Alexander with the City of Owosso requesting permission to place a loft apartment in an older industrial building located above the Allen Paper Company pursuant to the provisions of Section 38-454 (e) of the City Code of the City of Owosso, on the premises described as follows:

N 56' OF LOT 1 BLK 22 A L & B O WILLIAMS ADD

and

WHEREAS, after due and legal notice as required by law, the City of Owosso Planning Commission heard as an item of business on April 28, 2014 the above request, considering same.

NOW, THEREFORE BE IT RESOLVED BY THE OWOSSO CITY COUNCIL that after consideration of the request, the following use subject to special conditions is hereby approved:

“Special Use Permit - Loft Apartment”

I. GOVERNMENTAL REGULATIONS

The Owner shall comply with all state, city and other governmental regulations relative to the operation of a Conversion of One-Family Dwelling. The specific standards by which this permit must continue to meet eligibility are attached as Exhibit A.

II. INSPECTION DATE OF THE PERMIT

May 5, 2015

The land use shall be inspected by the building inspector on or about May 5, 2015 (on the first anniversary) from the date of approval by the City Council to assure compliance with the permit. Inspections may be more frequent if complaints about the land use are registered.

The Planning Commission may introduce site plan controls where it is found that the action of the permit has caused an adverse impact based on any one or more of the general standards of Section 38-453 of the Owosso City Code.

III. HOURS OF OPERATION -- N/A

IV. BUFFER ZONE -- N/A

V. PERMIT COMPLIANCE, CONDITIONS THEREOF

A. Approval given by the City Council, under which premises are not used or work is not started within one (1) year or when such use or work has been abandoned for a period of one (1) year, shall lapse and cease to be in effect. The building inspector shall notify the applicant in writing, mailed to the address listed on the application, that such land use permit has expired.

B. Violations - Article XXIV of Chapter 38, Zoning, of the City of Owosso Ordinance Code outlines provisions for non-compliance in terms of fines, imprisonment, and costs of prosecution.

VI. MODIFICATION OF THE SITE PLAN -- N/A

VII. PERMITS

Uses subject to special conditions may require one or more permits as specified in Article XIX, Section 38-454 of the City of Owosso Ordinance Code. No other permit will be issued until a site plan has been approved by the Planning Commission and use permit has been approved by the City of Owosso City Council.

VIII. SPECIAL CONDITIONS

The following conditions are required in conjunction with the provisions of the Ordinance Code and for approval of the land use:

1. The permit shall be reviewed upon sale of the property to a new owner.
2. The permit shall be recorded in the Office of the Register of Deeds.
3. Dedicated residential parking of two (2) spaces shall be located in the garage attached to the southeast corner of the Allen Paper Company building.

Exhibit A

(e) *Loft apartments in older industrial buildings:* The development of an apartment or apartments in the upper stories of older industrial buildings, hereinafter entitled "loft apartments," may be permitted subject to the following specific standards and conditions:

- (1) *Need:* It can be demonstrated that the building is an architectural landmark at least fifty (50) years old and an example of a period of style or method of construction significant to the region. Also the building's upper floors are considered functionally obsolete for industrial purposes and would clearly benefit from the development of a loft apartment dwelling or group of dwellings, the benefit being the justification for continued investment and rehabilitation of a historically significant structure. The development of residential living units shall not impair existing, routine legal conforming operations of industrial activity onsite or existing and future uses on neighboring properties. The planning commission and city council shall place a critical emphasis on the evaluation of the short term and long term influence of mixing residential living with industrial district uses. A finding of potential interference or residential complaints or legal standing against industrial uses, such as hours of operation, activity in shipping areas, noise, and the like-referenced areas of conflict specified in the Uniform Building Code shall result in the denial of a special use permit for loft apartments.
- (2) *Location:* The structure is located on the boundary of a residential district, said boundary including any residential districts on the opposite side of a street.
- (3) *Square footage:* Each apartment shall contain at least one thousand (1,000) square feet of floor area, the purpose of said area being the control of lower residential densities in industrial areas and the provision of adequate residential storage area within the unit. The apartment shall contain at least one hundred (100) square feet of floor space dedicated to storage. Each unit shall contain a functional laundry area with hookups for a washer and dryer.

- (4) *Parking*: Parking shall comply with [section 38-380](#), off-street parking requirements, and shall be in addition to the loading zone and parking space requirements for the balance of the structure's zoning specifications for parking.
- (5) *Open space*: Compliance with [section 38-123](#) is required.
- (6) *Floor area ratio*: The provisions of [section 38-352](#)(e) shall apply.



MEMORANDUM

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

DATE: May 1, 2014

TO: Mayor Frederick and the Owosso City Council

FROM: Amy K. Kirkland, City Clerk

SUBJECT: Change in election dates

RECOMMENDATION:

I recommend Council approve the attached resolution setting a public hearing for May 19, 2014 to receive citizen comment regarding the proposal to change City Council elections to even-year November elections from their current schedule of odd-year November elections.

BACKGROUND:

In the years since the Charter was written a number of changes have been made to the schedule for City Council elections. Council elections were originally scheduled for the first Tuesday in April of even numbered years, with the primary elections held in February. Needless to say, elections look a lot different today! In recent years the State has made a significant push to consolidate elections to certain pre-set days in part to attempt to increase continually declining voter participation rates. The thought is that by setting election dates well ahead of time voters will be more cognizant of when elections are taking place and are more likely to vote. Further effort on the State's part was made in late 2012 when legislation was passed that allows cities to move their elections to even-year November elections with a simple affirmative vote of Council.

Currently Council members in the City of Owosso are elected at odd-year November elections. These elections typically receive little participation, ranging anywhere from 10% to 15% of registered voters and have an average cost of \$7,500 (without considering the cost of wages for permanent Clerk's Office staff). Considering the fact that each election requires several weeks of preparations by Clerk's Office staff making the move to even-year November elections should reap a savings of several thousand dollars for each election avoided.

The proposal does not come without disadvantage though, namely the idea that Council candidates may get "lost in the shuffle" of a large ballot. Even-year November ballots can reach quite a length given the fact that they contain a number of state and federal races along with any ballot proposals which can be quite numerous and complicated by themselves. It is possible that our local election would never get the attention it deserves on such a ballot. That being said it certainly would be seen by more voters as the turnout for a typical even-year November election ranges anywhere from 40% to 65% of registered voters. You must also consider the fact that your own terms will be lengthened by one year. State law dictates the terms of elected officials cannot be shortened, only lengthened, due to any changes affecting the term of service. In this case, those with a term expiration of November 9, 2015 would have their terms extended until November 14, 2016, and those with a term expiring November 13, 2017 would have their terms extended until November 13, 2018. And finally, it should be noted that the law does not provide for a means of shifting the election back to odd years should it be discovered that the even year elections are not advantageous.

Should you decide to move forward with the proposal to shift Council elections the State law permitting the change lays out the process for doing so as follows:

MCL 168.642

- (7) A resolution permitted under this section or section 642a is valid only if a city council adopts the resolution in compliance with all of the following:
- (a) The resolution is adopted before 1 of the following:
 - (i) If the resolution is permitted under subsection (2), (3), or (4), January 1, 2005.
 - (ii) If the resolution is permitted under section 642a(1), (2), or (4), January 1 of the year in which the change in the date of the election takes effect.
 - (b) Before adopting the resolution, the council holds at least 1 public hearing on the resolution. The public hearing may be held on the same day and immediately before considering the adoption of the resolution.
 - (c) The council gives notice of each public hearing on the resolution in a manner designed to reach the largest number of the jurisdiction's qualified electors in a timely fashion.
 - (d) The council votes on the resolution and, on a record roll call vote, a majority of the council's board members, elected or appointed, and serving, adopt the resolution.
 - (e) The council files the resolution with the secretary of state.

According to this process a decision would need to be made as to how best to reach registered voters. In the spirit of the process we use for ordinance amendments I would suggest that upon setting the time and place for the public hearing that ads be placed in the local papers giving notice of the hearing, notices be posted at City Hall and the Library, and notice placed on the City website.

FISCAL IMPACTS:

Each election avoided would save the City at least \$7,500 in funds plus the associated soft costs for Clerk's Office personnel.

RESOLUTION NO.

**ESTABLISHING REGULAR ELECTIONS IN NOVEMBER OF EACH EVEN YEAR
COMMENCING WITH THE CITY ELECTION OF NOVEMBER 2016**

WHEREAS, the City of Owosso currently holds elections for City Council members in November of odd years; and

WHEREAS, participation in odd year November elections has waned significantly in recent times; and

WHEREAS, the cost of holding elections continues to grow in spite of decreasing voter turnout; and

WHEREAS, Michigan Election Code MCL § 168.642(a)(4), as amended by PA 523 of 2012, authorizes the governing body of a city that holds elections for city officers at odd-year November elections to change its regular election schedule for future years to even-year November elections by the adoption of a resolution in compliance with the requirements of section 642 of the Michigan Election Code (MCL § 168.642); and

WHEREAS, it should be noted the aforesaid law provides that the terms of the City's current elected and appointed Council members not be shortened and that the terms for elected city offices continue until successors are elected and qualified starting with the November 2016 election; and

WHEREAS, the aforesaid law requires a public hearing prior to the consideration of a resolution moving City Council elections to even year November elections.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL THAT:

FIRST: A public hearing is set for Monday, May 19, 2014 at 7:30 p.m. to hear citizen comment regarding the proposal to move City Council elections to even-year November elections.

SECOND: The Clerk is directed to publish notice of said hearing at least once in the Argus Press, post notification at City Hall and the Owosso Public Library, as well as posting notice on the City's website.

August 5, 2014 Ballot Language

City of Owosso

**Bond Proposal
for Street and Sidewalk Improvements**

Shall the City of Owosso, Shiawassee County, Michigan, borrow the principal sum of not to exceed Four Million Dollars (\$4,000,000) and issue its general obligation unlimited tax bonds therefor in one or more series, payable in not to exceed twenty-five (25) years from the date of issue of each series, for the purpose of paying the city's costs of acquiring and constructing local and major street improvements in the city consisting of paving, repaving, reconstructing and improving streets, sidewalks, and parking areas, and all necessary appurtenances and attachments thereto? The estimated millage to be levied in 2015 is .8801 mills (per \$1,000 of taxable value) and the estimated simple average annual millage rate required to retire the bonds is .8411 mills (per \$1,000 of taxable value).

YES _____
NO _____

This item is to be a topic of detailed discussion at the Budget Work Session to be held May 1, 2014 at 7:00 p.m. As such, the list of streets proposed for reconstruction will not be developed until the discussion named above takes place. Further information will be posted when it becomes available.

DRAFT

Minutes of the **April 14, 2014**, regular meeting
of the **Owosso Historical Commission** held
at the Gould House, 7:00 p.m.

Members Present: Chairperson Joni Forster, members Kerry Baker, Sue Ludington, James Gutting, Lorraine Weckwert, Justin Parker, Elaine Greenway and Director Mitchell Speers

Members Absent: (1 vacancy)

Guests Present: Burton Fox

The meeting was called to order at 7:00 p.m. by Chairperson Forster.

Forster asked for approval of the agenda and several members asked for additions. Additions: Old Business-Sofas, Friday Night event during Curwood Festival, Kiwanis and castle floors/New Business-Firehouse Bell, Community Education and City entry signs. Gutting moved to approve the amended agenda, supported by Ludington and carried 6-1.

Director Speers gave a brief report, updating members as to progress on a variety of topics. Included: grant progress, locks changed on OHC properties, new sales items, new refrigerator, banners, Musicale piano, sleigh moved to Woodard Station, easel purchased, and scheduled visit by Questers.

The communications were brought to member's attention.

A motion was made to accept and place on file the Regular minutes of March 10, 2014, with corrections. Director Speers noted the corrections, member Greenway moved to accept the amended minutes, seconded by Gutting and accepted.

Chairperson Forster directed members to updates of old business. Greenway discussed the Home Tour and the Kiwanis fundraiser being cancelled. Director Speers gave an update on the purchase of a furnace and water heater, noting that there were on hold. Chairperson Forster noted that the update to the OHC bylaws has not been completed. Members shared their dissatisfaction with the delays and guest, Fox and member Greenway agreed to address these situations at the next Council Meeting.

Director Speers reported that a letter had been sent to the Gould House tenants, asking to arrange a date to review the apartments. Only Crawford had responded, but no date was set.

Member Gutting reported that he was continuing to look into having an ice cream social event at the Gould House, during the Curwood Festival.

Director Speers reviewed a Curwood Castle flooring refinishing estimate from Mr. Sandless and reported that the sofas for the castle may not be completed until the fall.

Chairperson Forster addressed new business and Director Speers reported that the Castle would be open, free to the public, on August 23, as part of the Tour Our Town event. Speers also reviewed the Volunteer application and policies with the group and shared with the members, that Michael Gute has begun interning with the OHC.

Chairperson Forster read a letter to members, detailing the deterioration of the castle signs posted at several entrances to the city. She also noted that the signs are the responsibility of the City of Owosso.

Member Gutting discussed a bell, formerly housed at City Hall, and his desire to see it displayed. Along with member, Parker and guest, Fox, agreement was made to look into arrangements.

Motion by Parker to adjourn the meeting at 8:52 p.m., seconded by Gutting.

Respectfully submitted,
Mitchell Speers
Secretary/Treasurer

MINUTES FOR THE REGULAR MEETING
DOWNTOWN HISTORIC DISTRICT COMMISSION
APRIL 16, 2014 at 6:00 p.m.
COUNCIL CHAMBERS / CITY HALL

MEETING WAS CALLED TO ORDER at 6:04 p.m. by Chairperson Newman.

ROLL CALL was taken by Recording Secretary Marty Stinson

MEMBERS PRESENT: Chairperson Scott Newman; Commissioners James Eaton, Lance Omer, and Gary Wilson.

MEMBERS ABSENT: Vice-Chairperson Vincent Gonyou; Secretary Philip Hathaway; and Commissioner Matthew Van Epps.

OTHERS PRESENT: Ms. Sarah Warren-Riley, Housing Program Manager; Ms. Susan Montenegro, Assistant City Manager and Director of Community Development; Ryan Henry, Applicant for 201 N. Water Street, Kincaid Henry Building Group; Jeff Deason, President of the Shiawassee Regional Chamber of Commerce.

MINUTES APPROVAL: Motion by Commissioner Wilson, supported by Commissioner Omer to approve the minutes for March 19, 2014.

Yeas: All. Motion was passed.

AGENDA APPROVAL: Motion by Commissioner Eaton, supported by Commissioner Wilson to approve the agenda for the meeting of April 16, 2014.

Yeas: All. Motion was passed.

COMMUNICATIONS:

- 1) Staff Memorandum
- 2) Meeting minutes of March 19, 2014

PUBLIC COMMENTS: None.

PUBLIC HEARINGS: None.

ITEMS OF BUSINESS:

1) 201 N. Water St. – Façade Renovation Application

Ryan Henry, Kincaid Henry Building Group, stated that he is originally from Owosso along with his partner, Mr. Kincaid. They both worked on the Marshall Street Armory renovation in Lansing. The plan here in Owosso is to remove the Chamber of Commerce Building in front the Armory on Water Street and create shared offices and conference rooms in the Armory. There will be a brand new elevator. It will still have the gym floor with the original volume with the original trusses exposed. There will be shared break and meeting rooms. The stage area will be a large conference room. The lower level will be office space. The overhead door will have glass doors; and the river side will have a large window and additional glass doors leading to a balcony overlooking the river. The building is in good shape for its age. They will reopen the bricked in windows and put back in the wood doors. There will be all new electric, mechanical and plumbing. The bars on the windows will be removed. There will be a new asphalt shingle roof.

Mr. Henry is already working directly with SHPO. Commissioner Omer asked where the incubators will be. Mr. Henry answered they will be located all over the building. Chairman Newman asked what would be the only things that wouldn't be a restoration. Mr. Henry said the south elevator. All existing openings will have new doors and there will be a new cut into the brick for the restrooms doors.

There was a discussion about the performance area or "engagement point" as Mr. Henry called it in front of the armory.

MOTION BY COMMISSIONER EATON, SUPPORTED BY COMMISSIONER OMER THAT THE OWOSSO DOWNTOWN HISTORIC DISTRICT COMMISSION, FINDING THAT THE PROPOSED EXTERIOR IMPROVEMENTS AT 201 N. WATER STREET MEET THE SECRETARY OF THE INTERIOR'S STANDARDS, AS WELL AS LOCAL STANDARDS, HEREBY DIRECTS STAFF TO ISSUE A CERTIFICATE OF APPROPRIATENESS FOR THE WORK AND BUILDING PERMIT APPLICATION AS APPLIED FOR AND ILLUSTRATED FOR REHABILITATION EFFECTIVE AS OF APRIL 16, 2014.

YEAS: ALL. MOTION WAS PASSED.

BOARD COMMENTS: The board found this to have a sensitive approach and to be a great presentation.

ADJOURNMENT:

MOTION BY COMMISSIONER WILSON; SUPPORTED BY COMMISSIONER OMER TO ADJOURN THE MEETING AT 6:44 P.M.

YEAS ALL. MOTION CARRIED.

Phil Hathaway, Secretary

mms