

CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MONDAY, AUGUST 04, 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 JULY 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.

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

1. Ordinance Amendment – Rental Registration Period. Conduct a public hearing to hear citizen comment regarding the proposed amendment to Chapter 8, Buildings and Building Regulations, Article VII, *Rental Dwelling Registration*, Section 8-154(a), Registration, to change the rental registration period to 5 years, reflecting the changes made to the Fee Schedule in April 2014.

CITIZEN COMMENTS AND QUESTIONS

CITY MANAGER REPORT

CONSENT AGENDA

1. First Reading and Set Public Hearing – Tri-Mer Corporation is applying for a Tax Abatement on their property for new development and construction. Conduct a first reading and set a public hearing for Monday, August 18, 2014 to receive citizen comment on the Real and Personal Property IFT application.

2. First Reading and Set Public Hearing – Conduct first reading and set a public hearing for Monday, August 18, 2014, to receive citizen comment on a proposed ordinance in the Owosso city code, Section 19-67 regarding breaking and entering of a motor vehicle.
3. Traffic Control Order No.1317 – Approve application of Jaimi Redmond, on behalf of the Gilbert Street residents to close Gilbert Street between Oliver Street and Queen Street on August 24, 2014 from 2:00 PM to 7:00 PM for a block party for neighborhood residents, waive the insurance requirement, and authorize Traffic Control Order No. 1317.
4. Boards and Commissions Appointments – Approve the Mayoral appointment of Shane Nelson to the Parks and Recreation Commission for a term expiring 06-30-2016 (to fill the unexpired term of Nicole Hathaway).
5. Change Order No. 3 – DIG Project Part 1 & 3 – Approve Change Order No. 3 to the contract with Fleis & Vandenbrink Engineering for the DIG Project, Parts 1 & 3 to add additional work beyond the scope of the original contract in the amount of \$1,749.00.
6. Purchase of New Police Car – Approve the purchase of a 2015 Ford Fusion S from Signature Auto Group of Owosso in the amount of \$17,856.00, waiving competitive bidding requirements in accordance with the *Code of Ordinance of the City of Owosso, Michigan* Section 2-345 (3).

ITEMS OF BUSINESS

1. Property Sale—Vacant Osburn Lakes Phase 1 Lots -Twenty One Day Posting – Authorize twenty-one (21)day posting period for sale of city owned property located in the Osburn Lakes, Phase 1 development.
2. Capital Improvement Funding – Consider alternatives for funding street improvements and proposals that could be placed on the November 2014 ballot.
3. FOIA for MVR – Resolution to establish a fee for processing FOIA request for a mobile video recorder.

COMMUNICATIONS

1. Kevin D. Lenkart, Public Safety Director. July 2013 Fire Report.
2. Historical Commission. Minutes of June 9, 2014.
3. Planning Commission. Minutes of July 28, 2014.
4. Parks and Recreation Commission. Minutes of July 28, 2014.

CITIZEN COMMENTS AND QUESTIONS

NEXT MEETING

Monday, August 18, 2014

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

JULY 21, 2014

7:30 P.M.

PRESIDING OFFICER: MAYOR BENJAMIN R. FREDERICK

OPENING PRAYER: LAY MINISTER GINA MOSKAL
ST. PAUL CATHOLIC CHURCH

PLEDGE OF ALLEGIANCE: JOSH ADAMS
OWOSSO MAIN STREET/DDA DIRECTOR

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

ABSENT: Mayor Pro-Tem Christopher T. Eveleth.

APPROVE AGENDA

Motion by Councilperson Bandkau to approve the agenda with the following addition:

Executive Session to discuss a legal opinion of the City Attorney (to be held prior to consideration of the Consent Agenda.)

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

APPROVAL OF THE MINUTES OF SPECIAL MEETING OF JUNE 30, 2014

Motion by Councilperson Bailey to approve the Minutes of the Special Meeting of June 30, 2014 as presented.

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

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

Motion by Councilperson Fox to approve the Minutes of the Special Meeting of June 30, 2014 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

CURWOOD FESTIVAL DONATION

Curwood Festival Treasurer Kristen Van Strate presented the City with a donation of \$1,000 from the Curwood Festival for maintenance of Curwood Castle.

ELEVATE PROGRAM

Local pastor Kevin Maginity introduced the Council to the ELEVATE Program. He described the program as the result of numerous group discussions held in the past months to discuss ways to improve the City by improving its self-image. He said the intent of the program is to foster a positive community atmosphere that will in turn foster community growth. This goal will be accomplished by "elevating" all members of the community, from one's co-workers, to the business people one interacts with, to classmates and congregation members. Each person in the community would be held accountable for

their actions with the mention of one word: elevate. Stickers will be distributed to those that wish to participate and make it known that they support the community.

SAFE ROUTES TO SCHOOL

Owosso Fellow Mary Shi delivered a presentation regarding the Safe Routes to School program. The program is a federal grant funding opportunity designed to encourage children to ride their bikes to school and to provide the necessary infrastructure improvements to provide safe bike routes for area children. She indicated there are 6 school locations within the City that would be eligible for grant funding of up to \$1.2 million in total. Each location would independently determine its needs and the City would provide administrative services for any grant funding received.

ACTIVE OWOSSO

Live Healthy Shiawassee representatives and Owosso Fellows Courtney Crawford, Chloe Larkin, and Mary Shi gave a brief presentation to City Council regarding the Active Owosso initiative. As a part of the work performed by the participants of the Owosso Fellows program a website was developed to function as a "one-stop shop" for those looking for healthy living opportunities, as well as connecting with other active minded community members in the Shiawassee County area. The site can be accessed at www.ActiveShiawassee.com or via Facebook. The Fellows also announced the hosting of a photo contest on Facebook looking for the best picture of people participating in healthy living events around the County.

PUBLIC HEARINGS

SPECIAL ASSESSMENT DISTRICT NO. 2014-04

ALLEY BOUNDED BY KING STREET, CLARK AVENUE, OLIVER STREET, AND FIRST STREET

A public hearing was conducted to receive citizen comment regarding Resolution No. 3 for Special Assessment District No. 2014-04 for the proposed improvements to the alley bounded by King Street, Clark Avenue, Oliver Street, and First Street.

The following people commented regarding the proposed project:

John Garrison, 802 West Oliver Street, indicated his alley is in really rough shape and he was looking forward to having the work done though he was concerned with the assessments proposed for property owners.

Dr. Robert Patterson, 515 Clark Street, written communication, requested the project not move forward due to cost concerns.

Motion by Councilperson Fox to adopt the following resolution:

RESOLUTION NO.

ALLEY BOUNDED BY KING STREET, CLARK AVENUE, OLIVER STREET, AND FIRST STREET FINDING OF NECESSITY

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited: Block 2 of H N and S A Williams Addition, public alley bounded by King Street, Clark Avenue, Oliver Street, and First Street.
2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be \$14,043.46 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.
3. The City Council determines that of said total estimated cost, the sum of \$14,043.46 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied: Block 2 of H N and S A Williams Addition, public alley bounded by King Street, Clark Avenue, Oliver Street, and First Street for alley resurfacing.
5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.

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

Motion supported by Councilperson Greenway.

Roll Call Vote.

AYES: Councilpersons Bandkau, Greenway, Bailey, Teich, Fox, and Mayor Frederick.

NAYS: None.

ABSENT: Mayor Pro-Tem Eveleth.

SPECIAL ASSESSMENT DISTRICT NO. 2014-05

**ALLEY BOUNDED BY WILLIAMS, BALL,
MASON, AND WATER STREETS**

A public hearing was conducted to receive citizen comment regarding Resolution No. 3 for Special Assessment District No. 2014-05 for the proposed improvements to the alley bounded by Williams, Ball, Mason, and Water Streets.

There were no citizen comments received.

Motion by Councilperson Bailey to authorize the following resolution:

RESOLUTION NO.

**ALLEY BOUNDED BY WILLIAMS, BALL, MASON, AND WATER STREETS
FINDING OF NECESSITY**

WHEREAS, the City Council, after due and legal notice, has met and there being no one to be heard regarding the proposed public improvement, more particularly hereinafter described; and

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited: Block 13 of Original Plat, public alley bounded by Williams Street, Ball Street, Mason Street and Water Street.
2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be \$19,133.27 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.
3. The City Council determines that of said total estimated cost, the sum of \$19,133.27 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied: Block 13 of Original Plat, public alley bounded by Williams Street, Ball Street, Mason Street and Water Street for alley resurfacing.
5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.

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

Motion supported by Councilperson Fox.

Roll Call Vote.

AYES: Councilpersons Greenway, Fox, Bailey, Bandkau, Teich, and Mayor Frederick.

NAYS: None.

ABSENT: Mayor Pro-Tem Eveleth.

SPECIAL ASSESSMENT DISTRICT NO. 2014-06

**ALLEY BOUNDED BY OLIVER, BALL,
WILLIAMS, AND WATER STREETS**

A public hearing was conducted to receive citizen comment regarding Resolution No. 3 for Special Assessment District No. 2014-06 for the proposed improvements to the alley bounded by Oliver, Ball, Williams, and Water Streets.

The following people commented regarding the proposed project:

Stanley Beltowski, 402 North Water Street, phone message indicating he is opposed to the project because he does not use the alley and feels it should be closed.

Motion by Councilperson Bailey to authorize the following resolution:

RESOLUTION NO.

**ALLEY BOUNDED BY OLIVER STREET, BALL STREET, WILLIAMS STREET AND WATER STREET
FINDING OF NECESSITY**

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited: Block 4 of Original Plat, public alley bounded by Oliver Street, Ball Street, Williams Street and Water Street.
2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be \$12,447.60 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.
3. The City Council determines that of said total estimated cost, the sum of \$12,447.60 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied: Block 4 of Original Plat, public alley bounded by Oliver Street, Ball Street, Williams Street and Water Street for alley resurfacing.
5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.

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

Motion supported by Councilperson Teich.

Roll Call Vote.

AYES: Councilpersons Fox, Bandkau, Bailey, Teich, Greenway, and Mayor Frederick.

NAYS: None.

ABSENT: Mayor Pro-Tem Eveleth.

SPECIAL ASSESSMENT DISTRICT NO. 2014-07

**ALLEY BOUNDED BY OLIVER, BALL,
WILLIAMS, AND WASHINGTON STREETS**

A public hearing was conducted to receive citizen comment regarding Resolution No. 3 for Special Assessment District No. 2014-07 for the proposed improvements to the alley bounded by Oliver, Ball, Williams, and Washington Streets.

There were no citizen comments received.

Motion by Councilperson Fox to authorize the following resolution:

RESOLUTION NO.

**ALLEY BOUNDED BY OLIVER STREET, BALL STREET, WILLIAMS STREET
AND WASHINGTON STREET
FINDING OF NECESSITY**

WHEREAS, the City Council, after due and legal notice, has met and there being no one to be heard regarding the proposed public improvement more particularly hereinafter described; and

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited: Block 5 of Original Plat, public alley bounded by Oliver Street, Ball Street, Williams Street and Washington Street.
2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be \$17,965.20 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.
3. The City Council determines that of said total estimated cost, the sum of \$17,965.20 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied: Block 5 of Original Plat, public alley bounded by Oliver Street, Ball Street, Williams Street and Washington Street for alley resurfacing.
5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.

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

Motion supported by Councilperson Greenway.

Roll Call Vote.

AYES: Councilpersons Bailey, Greenway, Bandkau, Teich, Fox, and Mayor Frederick.

NAYS: None.

ABSENT: Mayor Pro-Tem Eveleth.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, business owner at 118 South Washington Street, thanked the Council for adding a handicap accessible portable toilet in Bentley Park. He said it was a shame the new bathrooms could not be unlocked more often saying he felt a large restroom needs to be available to the public whenever the park is open.

Marsha Ladd, 735 Lingle Avenue, thanked Council for their time and effort in doing their job. She thanked the Mayor for hosting a meeting of concerned residents to attempt to put a plan in place to monitor the new bathrooms at Bentley Park. She said she also appreciated Councilperson Bandkau's correspondence regarding his proposal for a millage dedicated to street repair. She said she thought it was a well thought out and responsible proposal. She encouraged Council members to drive each of the streets and be cognizant of the location of the streets that will be proposed for reconstruction prior to deciding on the final list.

Kevin M. Brown, 205 East Oliver Street, said he would like someone to inform Central Dispatch of the law regarding firecrackers. He said he called about the use of firecrackers in his neighborhood several times but was told the law allows them at any time.

There was general Council discussion regarding how the list of streets proposed for reconstruction will be developed.

Councilperson Fox echoed Mr. Brown's statements regarding firecrackers.

Councilperson Bailey suggested the City put up signs that say "If you see something, say something" to encourage people to report those that are vandalizing City property. She asked that any signs include a phone number for reporting purposes.

Mayor Frederick and Councilperson Fox both noted recent spates of vandalism saying it has been a particularly tough year with the County losing their porta john bid due to overwhelming vandalism.

CITY MANAGER REPORT

The City Manager had nothing to report at the current time.

Motion by Councilperson Fox to adjourn to Executive Session at 8:31 p.m.

Motion supported by Councilperson Bailey.

Roll Call Vote.

AYES: Councilpersons Fox, Bailey, Bandkau, Greenway, Teich, and Mayor Frederick.

NAYS: None.

ABSENT: Mayor Pro-Tem Eveleth.

THE COUNCIL ENTERED EXECUTIVE SESSION AT 8:31 P.M.

THE COUNCIL RETURNED FROM EXECUTIVE SESSION AT 8:49 P.M.

CONSENT AGENDA

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

First Reading and Set Public Hearing – Ordinance Amendment. Conduct first reading and set a public hearing for Monday, August 4, 2014 to hear citizen comment regarding the proposed amendment to Chapter 8, Buildings and Building Regulations, Article VII, *Rental Dwelling Registration*, Section 8-154(a), Registration, to change the rental registration period to 5 years, reflecting the changes made to the Fee Schedule in April 2014 as follows:

RESOLUTION NO.

SETTING A PUBLIC HEARING FOR AN ORDINANCE AMENDING SECTION 8-154(a) OF THE OWOSSO CITY CODE REGARDING RENTAL REGISTRATION

WHEREAS, the city of Owosso has an ordinance on its books requiring the registration of rental dwelling units every two years with a fee of \$25.00; and

WHEREAS, the City Council has passed a resolution to modify the fee schedule to every five years and the ordinance needs to be amended to reflect that change; and

NOW THEREFORE BE IT RESOLVED THAT THE CITY OF OWOSSO ORDAINS that Chapter 8, Buildings and Building Regulations, Article VII, *Rental Dwelling Registration*, Section 8-154(a), Registration, be amended as follows:

SECTION 1. Section 8-154 (a) of the Owosso City Code is hereby amended to read:

Sec. 8-154(a). Registration.

(a) *Compliance required.* All rental dwelling unit owners are required to ~~bi-annually~~ register their rental dwelling units **every five years** pursuant to this article and shall comply with the following:

- (1) All existing rental dwelling units property shall be registered within 180 days of the effective date of the ordinance.
- (2) All newly constructed rental dwelling units shall be registered prior to any use or occupancy as a rental dwelling unit and every ~~year~~ **five years** thereafter.
- (3) A new owner shall register a rental dwelling unit, which is sold, transferred or conveyed, within 30 days of the date of the closing of such sale. Any existing registration shall be transferred to the new owner and shall be valid until its expiration or revocation for noncompliance with city codes and ordinances.
- (4) All existing nonrental dwelling units, which are converted to rental dwelling units, shall be registered prior to the date on which the property is first occupied for rental purposes and ~~bi-annually~~ **every five years** thereafter. Failure to comply will result in penalties as described in this ordinance or by resolution.

SECTION 2. EFFECTIVE DATE. This amendment shall become effective twenty days after passage.

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

SECTION 4. PUBLIC HEARING. A public hearing is set for Monday, August 4, 2014 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendment.

Antique Bike Show Permission. Approve application of House of Wheels/Westtown Corridor Improvement Authority for use of the parking lot in the 800 block of West Main Street (Lot #11) from 3:00am to 6:00pm on Sunday, August 10, 2014 for an antique bike festival, waive the insurance requirement, and authorize Traffic Control Order No. 1316 formalizing the request.

Bid Award – 2014 Double Chip Seal Program. Approve the low bid of Highway Maintenance and Construction Company for the 2014 Double Chip Seal Program in the amount of \$123,113.20 and authorize payment up to the contract amount upon satisfactory completion of the work or portion thereof as follows:

RESOLUTION NO.

**AUTHORIZING THE EXECUTION OF A CONTRACT FOR
THE 2014 DOUBLE CHIP SEAL PROGRAM
WITH HIGHWAY MAINTENANCE AND CONSTRUCTION COMPANY**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that improvement to the surface quality of various streets is advisable, necessary and in the public interest; and

WHEREAS, the city of Owosso sought bids to improve the surface of various streets as part of the 2014 Double Chip Seal Program; a bid was received from Highway Maintenance and Construction Company; and it is hereby determined that Highway Maintenance and Construction Company 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 Highway Maintenance and Construction Company for the surface improvement of various streets as part of the 2014 Double Chip Seal Program.

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 Highway Maintenance and Construction Company in the amount of \$123,113.20.

THIRD: The above expenses shall be paid from the Major and Local Street Maintenance Fund.

Bid Award – 2014 Sidewalk Replacement Program. Approve the low bid of Seifert Construction LLC for the 2014 Sidewalk Replacement Program in the amount of \$50,125.00 and authorize payment up to the contract amount upon satisfactory completion of the work or a portion thereof as follows:

RESOLUTION NO.

**AUTHORIZING THE EXECUTION OF A CONTRACT FOR
THE 2014 SIDEWALK REPLACEMENT PROGRAM
WITH SEIFERT CONSTRUCTION LLC**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined sections of the sidewalk on various streets in the City have become misaligned, deteriorated, or damaged and that replacement is advisable, necessary and in the public interest, and

WHEREAS, the city of Owosso sought bids for the replacement of these sections of sidewalk as part of the 2014 Sidewalk Replacement Program; a bid was received from Seifert Construction LLC; and is

hereby determined that Seifert Construction LLC is qualified to provide such services and that it has submitted the lowest responsible and responsive bid;

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

FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to employ Seifert Construction LLC for replacement of sections of damaged or misaligned sidewalk as part of the 2014 Sidewalk Replacement Program.

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 Seifert Construction LLC, in the amount of \$50,125.00.

THIRD: The above expenses shall be paid from the Major and Local Street Maintenance Funds, accounts 203-463-728-000 and 202-463-728-000.

Warrant No. 485. Authorize Warrant No. 485 as follows:

Vendor	Description	Fund	Amount
Brown & Stewart, PC	Professional services – June 10, 2014 – July 14, 2014	General	\$10,757.48
Logicalis, Inc	Network engineering support- June 2104	General	\$ 7,140.00
Johnson Controls Inc	Planned service agreement - August 1, 2014 – July 31, 2015	General- Historical	\$24,700.00
Owosso Charter Township	Owosso Charter Township water sales payment – April 1, 2014 – June 30, 2014	Water	\$ 8,676.33
Caledonia Charter Township	Caledonia Utility fund payment- April 1, 2014 – June 30, 2014	Water	\$17,857.98

*Check Register–June 2014. Affirm check disbursements totaling \$2,270,655.02 for the month of June 2014.

Motion supported by Councilperson Bandkau.

Roll Call Vote.

AYES: Councilpersons Teich, Fox, Bailey, Greenway, Bandkau, and Mayor Frederick.

NAYS: None.

ABSENT: Mayor Pro-Tem Eveleth.

*Due to its length, full text of the Check Register is not included in the minutes. Copies of this document can be found on file in the Clerk's Office.

ITEMS OF BUSINESS

PROPERTY SALE – 1120-1170 JUNIPER STREET

The Council thoughtfully considered the potential sale of city owned property located at 1120-1170 Juniper Street, with many of them expressing the idea that the decision they were facing was tough in that the property in question is the City's to sell but commitments had been made to the owners of property in the adjacent Phase 1. It was noted the decision boiled down to whether or not the sale of the property would benefit the public in general or simply a single private party.

Councilperson Teich indicated his frustration with the current situation saying it resulted from the lack of a plan.

Motion by Councilperson Fox to not sell the property at 1120-1170 Juniper Street.

Motion supported by Councilperson Bailey.

The Mayor reminded Council members that a Yes vote on the motion would prohibit the sale of the property and a No vote would potentially allow the sale.

Roll Call Vote.

AYES: Councilpersons Fox, Greenway, Bandkau, Bailey, and Mayor Frederick.

NAYS: Teich

ABSENT: Mayor Pro-Tem Eveleth.

A number of Council members expressed their sympathies to the Birchmeiers, saying the decision was not personal in nature but more aimed at finding an overall plan for the larger property before selling off a portion of it.

There was further discussion regarding where to go from here, not letting the overall issue of what to do with the Phase 2 property die with this action, and encouraging continued interaction between all the parties involved. Councilperson Fox encouraged Council to provide direction for staff to form a plan for the area. Mayor Frederick also mentioned the need to expedite the sale of vacant lots in Phase 1 to spur development and the potential formation of an ad-hoc committee to discuss the future of Phase 1.

STREET MILLAGE PROPOSAL DISCUSSION

Councilperson Bandkau started off the discussion saying he was trying to determine the feasibility of different funding methods for street reconstruction. Knowing the City had recently lost a bond issue he wanted to be more conservative yet still move the city forward. His recommendation is to ask for a 1.963 mills millage and maintain the current special assessment structure in an effort to leverage the revenues generated by the millage. He further noted that he recognizes that he does not have all the information or knowledge to make a solid list of street priorities and that development of that list would come in the near future. Mayor Frederick noted that time was running out to include this item on the November ballot, reminding Council the deadline for submission is August 12th. He indicated he would like to have proposed wording for the question on the August 4th agenda as well as a preliminary list of streets.

COMMUNICATIONS

Mark Sedlak, Director of Public Services. Temporary closure of Gould Street bridge.
Kevin D. Lenkart, Public Safety Director. June 2014 Police Report.

CITIZEN COMMENTS AND QUESTIONS

Laura Birchmeier, 1140 Jackson Drive, said she was very disappointed with Council's decision not to sell the property on Juniper Street. She said she has been trying to purchase property in that area for 4

years. She went on to indicate that she hoped the Council would consider one of the initial offers she made to the City to purchase the entire 70 acre undeveloped portion known as Phase 2.

Fred Finnen, 1180 Juniper Street, said he is a current board member for the Osburn Lakes HOA and would be happy to serve as the liaison between the board and the City for any future discussions regarding Phase 1.

Mayor Frederick indicated that he was aware that the Birchmeiers had made several different offers for the property but only the agreed upon proposal had made its way to Council for consideration. Councilperson Bailey asked if the alternative proposal could be considered.

NEXT MEETING

Monday, August 04, 2014

BOARDS AND COMMISSIONS OPENINGS

None.

ADJOURNMENT

Motion by Councilperson Bandkau for adjournment at 9:23 p.m.

Motion supported by Councilperson Fox 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: July 15, 2014
TO: City Council
FROM: Tyler Leppanen
Housing Program Manager
SUBJECT: Bringing the Rental Registration Ordinance into conformity with the Fee Schedule

RECOMMENDATION:

I recommend Council approve the attached resolution setting a public hearing for Monday, August 4, 2014 to receive citizen comment regarding the proposal to change the rental registration ordinance to reflect the changes in the Fee Schedule

BACKGROUND:

Current Owosso City Ordinance 704, Sec. 8-154(a) says that the rental dwelling unit registration period is to be every two years. However, at the April 21, 2014 meeting the City Council passed a resolution to modify the fee schedule and registration period from every two years to every five years. The amended Owosso City Ordinance would reflect this change.

FISCAL IMPACTS:

There are no direct fiscal impacts anticipated by bringing the ordinance into conformity with the Fee Schedule.

Document originated by: Tyler Leppanen

RESOLUTION NO.

SETTING A PUBLIC HEARING FOR
AN ORDINANCE AMENDING SECTION 8-154(a)
OF THE OWOSSO CITY CODE REGARDING RENTAL REGISTRATION

WHEREAS, the city of Owosso has an ordinance on its books requiring the registration of rental dwelling units every two years with a fee of \$25.00; and

WHEREAS, the City Council has passed a resolution to modify the fee schedule to every five years and the ordinance needs to be amended to reflect that change; and

NOW THEREFORE BE IT RESOLVED THAT THE CITY OF OWOSSO ORDAINS that Chapter 8, Buildings and Building Regulations, Article VII, *Rental Dwelling Registration*, Section 8-154(a), Registration, be amended as follows:

SECTION 1. Section 8-154 (a) of the Owosso City Code is hereby amended to read:

Sec. 8-154(a). Registration.

(a) *Compliance required.* All rental dwelling unit owners are required to ~~bi-annually~~ register their rental dwelling units **every five years** pursuant to this article and shall comply with the following:

- (1) All existing rental dwelling units property shall be registered within 180 days of the effective date of the ordinance.
- (2) All newly constructed rental dwelling units shall be registered prior to any use or occupancy as a rental dwelling unit and every ~~year~~ **five years** thereafter.
- (3) A new owner shall register a rental dwelling unit, which is sold, transferred or conveyed, within 30 days of the date of the closing of such sale. Any existing registration shall be transferred to the new owner and shall be valid until its expiration or revocation for noncompliance with city codes and ordinances.
- (4) All existing nonrental dwelling units, which are converted to rental dwelling units, shall be registered prior to the date on which the property is first occupied for rental purposes and ~~bi-annually~~ **every five years** thereafter. Failure to comply will result in penalties as described in this ordinance or by resolution.

SECTION 2. EFFECTIVE DATE. This amendment shall become effective twenty days after passage.

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

SECTION 4. PUBLIC HEARING. A public hearing is set for Monday, August 4, 2014 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendment.



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

MEMORANDUM

DATE: July 29, 2014

TO: Mayor Benjamin Frederick, City Council, and Manager Don Crawford

FROM: Larry Cook, Assessor

RE: Tax Abatement Application – TRI-MER Corporation, 1400 Monroe / McMillan St.

On July 24, 2014, the city clerk received an application for a Tax Abatement along with an application for a Real and Personal Property IFT from TRI-MER Corporation. Initial Review indicates the applicant meets the requirements for a tax abatement.

TRI-MER Corporation, specializing in environmental protection equipment internationally, has been a part of the City of Owosso for over 40 years. The continued growth of this company makes it necessary for them to build a 9600 square foot building on a vacant parcel of land they own south of their current facility on McMillan Street. The IFT application indicates the cost of this facility to be \$1,200,000 with an additional investment of \$150,000 in personal property. This expansion will retain current employees with an additional 10 full time employees proposed at a pay scale of \$13.00 to \$15.00 per hour.

An Industrial Facilities Tax Exemption Certificate, Act 198 of 1974, is a tax abatement which reduces the tax burden by 50%. The applicant is applying for the IFT exemption on real property only. The IFT exemption may be granted for up to 12 years.

An Industrial Development District for that area was established 3-19-79. The next step in the process is to set a public hearing for Monday, August 18, 2014 for the purpose of hearing public comments on this Real and Personal Property IFT application. The city clerk has notified the taxing jurisdictions of this application as required under the city's abatement policy and as required under the act and will forward any responses to you

As always, if you have any further questions, please feel free to contact me at (989) 725-0530.

**RESOLUTION NO.
SETTING PUBLIC HEARING TO CONSIDER APPLICATION FOR
AN INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE
TRI-MER CORPORATION
1400 MONROE / McMILLAN AVENUE**

WHEREAS, a tax abatement application was received July 24, 2014 from TRI-MER Corporation per the City of Owosso Tax Abatement Policy of June 7, 2010; and

WHEREAS, an application was also received July 24, 2014 from TRI-MER Corporation for a Real and Personal Property Industrial Facilities Tax Exemption Certificate; and

WHEREAS, an Industrial Development District was established March 19, 1979 for property described as:

BLOCKS 8 & 9 ALSO BEG SW COR LOT 1, BLK 11 TH N 03*39', E 366.24', TH S 62*27', E 556.27' TH S 01*05', W 118.70' TH W TO POB INCLUDING VACATED ABREY AVE. & ALLEYS ADJACENT AND WITHIN SAID BLOCKS. GEO. T. ABREY'S WOODLAWN PARK ADDN.; and

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

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

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

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

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

FIRST: the Owosso City Council sets a public hearing for August 18, 2014 on or about 7:30 p.m. in the council chambers for the purpose hearing comments for those within the proposed district, governmental taxing jurisdictions and any other resident or taxpayer, of the city of Owosso; and

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

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	Date received by Local Unit

STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION

All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) <u>Trimar Corp</u>		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) <u>3490</u>	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) <u>McMillan St Owosso</u>		1d. City/Township/Village (indicate which) <u>City of Owosso</u>	1e. County <u>Shawasssee</u>
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Research and Development (Sec. 2(9))		3a. School District where facility is located <u>Owosso</u>	
<input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Rehabilitation (Sec. 3(1))		3b. School Code	
4. Amount of years requested for exemption (1-12 Years) <u>12</u>			

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

See attached

6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	<u>1,200,000.00</u> Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total	<u>150,000.00</u> Personal Property Costs
6c. Total Project Costs * Round Costs to Nearest Dollar	<u>1,350,000.00</u> Total of Real & Personal Costs

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

	Begin Date (M/D/Y)	End Date (M/D/Y)	
Real Property Improvements	<u>9/01/14</u>	<u>6/01/15</u>	<input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements	<u>9/01/14</u>	<u>6/01/15</u>	<input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased

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

9. No. of existing jobs at this facility that will be retained as a result of this project.	10. No. of new jobs at this facility expected to create within 2 years of completion. <u>10</u>
---	--

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

a. TV of Real Property (excluding land)	
b. TV of Personal Property (excluding inventory)	
c. Total TV	

12a. Check the type of District the facility is located in: <input checked="" type="checkbox"/> Industrial Development District <input type="checkbox"/> Plant Rehabilitation District	12b. Date district was established by local government unit (contact local unit)	12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
---	--	---

APPLICANT CERTIFICATION - complete all boxes.

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

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

13a. Preparer Name <i>Lisa Cantu</i>	13b. Telephone Number <i>989-725-5809</i>	13c. Fax Number <i>989-725-5970</i>	13d. E-mail Address <i>lisa@rw.mfg.com</i>
14a. Name of Contact Person <i>Bret Ruess</i>	14b. Telephone Number <i>989-723-7838</i>	14c. Fax Number <i>989-723-7844</i>	14d. E-mail Address <i>bruess@trv-mn.com</i>
▶ 15a. Name of Company Officer (No Authorized Agents) <i>Bret Ruess</i>			
15b. Signature of Company Officer (No Authorized Agents) <i>[Signature]</i>		15c. Fax Number <i>989-723-7844</i>	15d. Date <i>7/24/14</i>
▶ 15e. Mailing Address (Street, City, State, ZIP Code) <i>PO Box 730 Owosso MI 48867</i>		15f. Telephone Number <i>989-723-7838</i>	15g. E-mail Address

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

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

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)		16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)	
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.			
16c. LUCI Code		16d. School Code	
17. Name of Local Government Body		▶ 18. Date of Resolution Approving/Denying this Application	

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

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

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, MI 48909-7971

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

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

Bret Ruess

We are proposing building a new industrial building in the City of Owosso to better accommodate our growing business.

We are proposing erecting a 9600 sqft industrial building complete with overhead cranes that will allow our operations to work in a safer and more productive manner.



Air Pollution Control Systems

Corporate Office

1400 E Monroe Street

PO Box 730

Owosso Michigan 48867

ph (989) 723-7636 ext. 311

fax (989) 723-7844

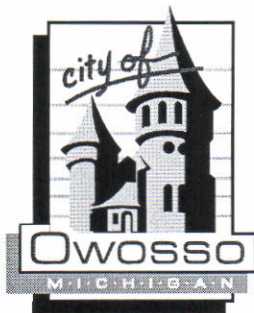
www.tri-mer.com

Bret Ruess

Vice President

mobile (989) 866-8188

bruess@tri-mer.com



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

APPLICATION FOR TAX ABATEMENT

Applicant (Official Company Name) Tri-Mer Corp.

Business Name (If Different) _____

Address of Proposed Project McMillan St.

Owosso MI 48867

Mailing Address (If Different) PO Box 730

Owosso MI 48867

Do you own the property? yes If no, what is your relationship? _____

Type of Abatement Requested (if known) PA198

Total square footage of all current buildings on site 0

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

See attached

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

Land improvements (excluding land): _____

Building improvements: Size 9600 sf \$ 1,200,000.00

Machinery & Equipment: 150,000

Furniture & Fixtures: 10,000

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

Building:

Start Date 9/1/14

Completion Date 6/1/15

Equipment installation (if applicable):

Start Date 9/1/14

Completion Date 6/1/15

Abatement Application

Page 2

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

How many employees do you currently employ? Full Time 65 Part Time _____

How many new employees do you estimate after project complete? Full Time 10
Part Time _____

When project is complete, how many will be:

Management/Professional _____ Wage level \$ _____
Skilled 10 Wage level \$ 13.00 - 15.00
Semi-Skilled _____ Wage level \$ _____
Un-Skilled _____ Wage level \$ _____

Name of Company Officer (contact person) Bret Ruess
Title Vice President
Signature [Signature] Date 7/29/14
Phone Number 989-723-7838

For City Staff Use Only

Was the applicant given a copy of Tax Abatement Policy? Y N

Is an abatement district in place for this project? Y N

If no, legal description of proposed district. _____

If yes, type of district in place _____ Year established _____

Does the proposed project meet the guidelines for Tax Abatement under the policy? Y N

If no, explain _____

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

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

Name of reviewer _____

Signature _____ Date _____

Bret Ruess

We are proposing building a new industrial building in the City of Owosso to better accommodate our growing business.

We are proposing erecting a 9600 sqft industrial building complete with overhead cranes that will allow our operations to work in a safer and more productive manner.



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www.tri-mer.com

Bret Ruess

Vice President

mobile (989) 556-8186

bruess@tri-mer.com



FARR AVE.

MONROE ST.

McMILLAN AVE.

HARRISON AVE.

ABREY AVE.

GARFIELD AVE.

TRI-MER CORP
MAIN
FACILITY

TRI-MER CORP
FACILITY

RWI Inc.

PROPOSED
9600 SF
BLD.



202 S. WATER • OWOSSO, MICHIGAN 48867-2958 • (989) 725-0599 •

MEMORANDUM

DATE: July 16, 2014

TO: Owosso City Council

FROM: Kevin Lenkart
Director of Public Safety

RE: Adoption of Owosso City Ordinance 19-67 Regarding the Breaking and Entering
of a Motor Vehicle

Recommendation:

I recommend Council approve the attached resolution setting a public hearing for Aug 4, 2014 to receive citizen comment regarding the proposal to adopt Owosso City Ordinance 19-67.

Background:

Currently the City of Owosso does not have an ordinance for Breaking and Entering of a Motor Vehicle. The adoption of this ordinance would prohibit someone from Breaking and Entering of a Motor Vehicle and permit Owosso Public Safety staff to enforce this crime.

RESOLUTION _____

RESOLUTION AUTHORIZING ADOPTING OWOSSO CITY ORDINANCE 19-67

WHEREAS, the City of Owosso, Shiawassee County, Michigan, does not have an ordinance for Breaking and Entering of a Motor Vehicle,

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

- FIRST: It shall be unlawful for any person to enter a motor vehicle unless the person:
1. Is the owner or lessee of the vehicle, or has some other contractual interest in the vehicle that would entitle the person to enter the vehicle;
 2. Is the owner or lessee of the real property upon which the vehicle is located; or
 3. Has permission to enter from an owner, a lessee, or an authorized operator of the motor vehicle, or the owner or lessee of the real property upon which the vehicle is located.
- SECOND:
1. A law enforcement officer acting within the scope of the officer's duties.
 2. A motor vehicle that is lawfully being moved because it is abandoned, inoperable, or improperly parked.
 3. An employee or agent of an entity that possesses a valid lien on a motor vehicle and who is expressly authorized by the lien holder to repossess the motor vehicle based upon the failure of the owner or lessee of the motor vehicle to abide by the terms and conditions of the loan or lease agreement.
- THIRD:
- "Enter" includes, but is not limited to, opening a door, trunk or hood of a vehicle, or inserting any part of one's body, or any object connected with the body, into a vehicle, which act shall include breaking the plane of an opened door, window, trunk or engine area.
 2. Any vehicle that falls within the definition of "motor vehicle" in the state's Michigan Vehicle Code.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF OWOSSO, SHIAWASSEE COUNTY, MICHIGAN THIS 18TH DAY OF August 2014.

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

CITY OF OWOSSO

ATTEST:

Benjamin R. Frederick, Mayor

Amy K. Kirkland, City Clerk



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: 4th Annual Block Party Date: 8-24-14

Primary Contact Person

Name: Jaimi Redmond

Title: _____

Address: 701 E. Oliver St

Owosso, MI 48867

Phone: 989-725-9006 or 989-666-6397

Requested Date(s): 8-24-14 Requested Hours: _____

Area Requested (Parking Lot - Parade Route): corner of Oliver St + Gilbert St

North to corner of Gilbert St + Queen St.

Detailed description of the use for which the request is made: _____

- ☒ 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

You're Invited

to a
party

**4th Annual Neighborhood
Block Party**

Date: August 24, 2014

Time: 2:30 pm

Lunch served at 3:00 pm

Location: North Gilbert Street

Please bring a passing dish, lawn chairs, &
BYOB.

Hot dogs will be provided. If you should want
something besides hotdogs, please bring it
already prepared.

Any questions, please call Jaimi @
989-725-9006

Come and get to know the people you live next to.

You're Invited

to a
party

You're Invited to a party

You're Invited to a party



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

MEMORANDUM

DATE: July 21, 2014

TO: City Council

FROM: Kevin Lenkart
Director of Public Safety

RE: Traffic Control Order # 1317

Jaimi Redmond on behalf of the Gilbert Street block party group proposes the use of Gilbert Street between Oliver Street and Queen Street on August 24, 2014 from 2:00 PM to 7:00 PM. The use of the street is for a block party for the neighborhood residents.

There were no rules or policies submitted by the group. The group is also requesting the council waive the insurance requirements.

The Public Safety Department has issued Traffic Control Order No# 1317 in accordance with the Rules for the Issuance of Certain Traffic Control Orders for your consideration.



MEMORANDUM

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

DATE: August 4, 2014

TO: Owosso City Council

FROM: Mark Sedlak, Director of Public Services

SUBJECT: Change order #3 for additional engineering services for the 2014 Downtown Infrastructure Grant Project Parts 1&3

RECOMMENDATION: I find the cost reasonable and recommend approval of Change Order No. 3 to the contract with Fleis & Vandenbrink Engineering, Inc. for engineering services for the Downtown Infrastructure Grant Project Parts 1&3 in the amount of \$1,749.00.

BACKGROUND: On June 2, 2014, City Council approved Change Order No. 1 amending the contract with Fleis & Vandenbrink Engineering, Inc. increasing the contract amount from \$57,693.00 to \$71,537.00 for professional engineering services in connection with improvements to the city parking facilities next to the Armory, for soil borings and electrical engineering. City staff has since requested additional services of the consultant. Specifically, Fleiss & Vandenbrink Engineering, Inc. is willing to perform these additional design services at a cost of \$1,749.00, bringing the new total for the contract to \$71,537.00.

FISCAL IMPACTS: Funds for this change order are available in account number 494-901-965-585 Contractual Services.

RESOLUTION NO.

**AUTHORIZING CHANGE ORDER #3 TO THE CONTRACT WITH
FLEIS & VANDENBRINK ENGINEERING, INC.
FOR
ADDITIONAL ENGINEERING SERVICES FOR
DOWNTOWN INFRASTRUCTURE GRANT PROJECT PARTS 1&3**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved a contract with Fleis & Vandenbrink Engineering Inc. on April 21, 2014 for Engineering Services for the Downtown Infrastructure Grant Project Parts 1&3; and

WHEREAS the city requests additional services of the consultant to analyze existing site conditions of the project site(s) and finds it necessary to have additional work performed beyond the original contractual scope of services; 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 amend the contract with Fleis & Vandenbrink Engineering Inc. for a cost to the City of Owosso of \$1749.00.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Amendment #3 to the Contract between the City of Owosso, Michigan and Fleis & Vandenbrink, Inc.
- THIRD: The Accounts Payable department is authorized to make payment up to the amount of \$71,537.00 to Fleis & Vandenbrink Engineering, Inc. upon successful completion of stated work.
- FOURTH: The above expenses shall be paid from the Contractual Services Fund, Account No. 494-901-965-585.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF OWOSSO, SHIAWASSEE COUNTY, MICHIGAN THIS 4th DAY OF AUGUST, 2014.

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

CITY OF OWOSSO

ATTEST:

Benjamin R. Frederick, Mayor

Amy K. Kirkland, City Clerk



July 22, 2014

Mr. Randy Chesney, P.E.
City of Owosso
City Hall, 301 West Main Street
Owosso, MI 48867

RE: 2014 Downtown Infrastructure Project, Part 1 and Part 3
Change Order No. 3 Request

Dear Randy,

We are hereby submitting a change order request for your review and approval of the additional professional services requested by the City of Owosso related to Part 3 of the 2014 DIG Grant project.

Part 3 – Armory Parking

Item No. 3A Additional Soil Boring Depth:

Upon commencement of soil borings the crew identified possible fill material in the upper soil layer. Borings were extended deeper than originally anticipated in an effort to identify the extent of the fill material. This item of work pertains to Item No. 3B (pavilion foundation design) of our Change Order No. 2 Request (Rev. No. 2) dated June 24, 2014.

Additional Sub Consultant Fee:	\$240.00
F&V Subcontract Administration Fee (10%):	<u>\$24.00</u>
Total:	\$264.00

Item No. 3B Additional Electrical Engineering:

Item of work includes the design, drafting, and specification of panel board, dimmer controller, electrical feed to six (6) receptacle locations on future pavilion structure, and three independent zone dimming circuits for pavilion area lighting, bollards, and parking lot lighting.

Additional Electrical Engineering:	\$1,485.00
------------------------------------	------------

Summary:

CHANGE IN CONTRACT PRICE:
Original Contract Price: <u>\$57,693.00</u>
Net Increase (Decrease) from previous Change Orders No. <u>1</u> to <u>2</u> : <u>\$12,095.00</u>
Contract Price prior to this Change Order: <u>\$69,788.00</u>
Net increase (decrease) of this Change Order: <u>\$1,749.00</u>
Contract Price incorporating this Change Order: <u>\$71,537.00</u>

Please contact me if you have any questions or need additional information at this time.

Sincerely,

FLEIS & VANDENBRINK ENGINEERING, INC.



Geric L. Rose, P.E., P.S.
Project Manager



OWOSSO PUBLIC SAFETY

Director of Public Safety
Kevin Lenkart

202 S. WATER • OWOSSO, MICHIGAN 48867-2958 • (989) 725-0580

MEMORANDUM

DATE: July 28, 2014
TO: City Council
FROM: Kevin Lenkart
Director of Public Safety
RE: New Detective Vehicle

Request council approves the purchase of one new vehicle for the Detective Bureau.

Recommend council waive the competitive bid process.

Owosso City Ordinance section 2-345(3) exception to competitive bidding states: Where the council shall determine that the public interest will best be served by joint purchase with, or purchase from, another unit of government.

Signature Auto Group of Owosso MI was awarded the Macomb County bid for police vehicles. The bid meets the definition of the aforementioned Section 2-345(3) joint purchase with another governmental unit. The State bid price from Signature Auto Group is \$17,856.00.

Recommend council approve the bid from Signature Auto Group.

RESOLUTION NO.

**RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR
PURCHASE OF POLICE VEHICLES WITH SIGNATURE AUTO GROUP OF OWOSSO**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has a police department requiring the use of police vehicles; and

WHEREAS, the City of Owosso desires to purchase one new vehicle for the Detective Bureau and a bid was received from Owosso Motors, Inc. d/b/a Signature Auto Group of Owosso, holder of the contract for police vehicles with Macomb County; and it is hereby determined that Signature Auto Group of Owosso is qualified to provide such vehicles and that it has submitted the responsible and responsive bid; and

WHEREAS, the City of Owosso may waive competitive bidding requirements in accordance with the *Code of Ordinance of the city of Owosso, Michigan* Section 2-345(3).

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

- FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to purchase one 2015 Ford Fusion S from Signature Auto Group of Owosso, utilizing the Macomb County contract, for a cost to the City of Owosso of \$17,856.00
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Contract for Services between the City of Owosso, Michigan and Signature Auto Group, Inc. in the amount of \$17,856.00.
- THIRD: Authorize payment to Signature Auto Group in the amount of \$17,856.00 upon delivery of the police vehicles.
- FOURTH: The above expenses shall be paid from the Police Division Capital Outlay fund 101-300-978.000.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF OWOSSO, SHIAWASSEE COUNTY, MICHIGAN THIS 4th DAY OF AUGUST 2014.

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

CITY OF OWOSSO

ATTEST:

Benjamin R. Frederick, Mayor

Amy K. Kirkland, City Clerk



August 1, 2014

City of Owosso Police Department
Attn: Director Kevin Lenkart
202 South Water Street
Owosso, MI 48867

Dear Director Kevin Lenkart:

2015 Ford Fusion S in Magnetic

\$17,856.00 ea

Standard Service Contract: 36,000 miles or 36 months factory Bumper to Bumper Warranty and 60,000miles 60 months Powertrain Warranty . Service to be handled by your local Ford Dealer.

Order Cutoff Date: TBD.

Ford Motor Company does not guarantee delivery---Ford Motor Company will make reasonable efforts to schedule orders received prior to fleet order cut-off date.

Payment requirements: All departments to pay on delivery of vehicle. 10-day grace period will be given if previous arrangements have been made. A \$9.50 per day floor plan will be charged if payment is not at the dealership within 10 days of delivery of the vehicle (s).

If you have any questions please call me, 888-92-FLEET (923-5338)

Respectfully Submitted,

Bill Campbell

Bill Campbell
Government & Fleet Sales

2015 Ford Fusion

Major Standard Equipment

MECHANICAL

- 2.5L i-VCT Engine
- 6-Speed Automatic Transmission
- Electric Power-Assist Steering
- SelectShift® (SST with thumb switch on gear shift)

EXTERIOR

- 16" Alloy Wheels – P215/60R16 BSW Tires
- Bright Exhaust Tip
- Chrome Grille
- Color-Keyed Exterior Door Handles
- Color-Keyed Mirrors with Power Adjust
- Color-Keyed Upper Front and Rear Bumpers
- Fixed Mast Antenna
- Mini Spare Tire
- Molded in color black rocker moldings
- Solar Tinted Glass

INTERIOR/COMFORT

- Front Carpeted Floor Mats
- Front Center Console w/Fixed Armrest
- LED Center High Mount Stop Light
- LED Rear Taillamps
- Overhead Console
- Perimeter Lighting
- Seat Back Map Pockets
- Seating – 5 Passenger
- Cloth Trim Seats
- 6-Way Manual Driver Seat (fore/aft, up/down with recline)
- Driver Manual Lumbar adjust
- 4-Way Manual Passenger Seat (fore/aft with recline)
- 4-Way Front Seat Head Restraints
- 2-Way Adjustable Rear-Seat Head Restraint
- Fold Down Split Rear-Seatback (60/40)
- Side Door Pockets

SAFETY & SECURITY

- Airbags
- Driver & Passenger Knee
- Dual Stage Front Driver & Passenger
- Front Seat Mounted Side-Impact
- Side Air Curtains
- AdvanceTrac® ESC & Brake Traction Control
- Anti-lock Brake System
- Child-Safety Rear-Door-Locks
- Electric-assist Parking Brake

- Emergency Brake Assist
- LATCH (Lower Anchors & Tether Anchors for Children)
- Perimeter Alarm
- Remote Keyless-Entry System with Trunk-lid Release (Key Fob Integrated Into Key) Integrated Keyhead Remote Transmitter

- Seat Belt Pretensioners
- SecuriLock® (Passive Anti-Theft System)
- SOS Post Crash Alert
- Tire Pressure Monitoring System

FUNCTIONAL

- 3 12v Powerpoints
- AM/FM Stereo/MP3/Single-CD (4 Speakers)
- Audio Input Jack & USB
- Automatic Halogen Projector Headlamps
- Dome Lights with Map Lights
- Driver and Passenger Dual Illuminated Visor Vanity Mirrors
- Easy Fuel® Capless Fuel-Filler
- Front and Rear Roof Grab Handles
- Front Driver & Passenger Only Seat Belt Minder®
- Hill Start Assist
- Illuminated Entry System
- Integrated Blind Spot Power Mirror
- Intermittent/Speed Sensitive Wipers
- Lockable Glove Compartment
- Message Center w/Trip Computer
- MyKey® Owner Controls Feature
- Power Door-Locks
- Power Windows w/Driver/Pass/Rear One-Touch-Up/Down Window Feature
- Rearview Camera
- Rear-window Defroster
- Redundant Audio Controls on Steering Wheel
- Remote Decklid Release
- Steering Wheel Mounted Cruise Control
- SYNC® Applink™ – Provides control of certain smartphone applications using SYNC® voice commands. Connect to apps like Pandora®, and more with your iPhone®, Blackberry®, or Android™ platform mobile phone
- SYNC® with MyFord® – Voice-Activated Communications and Entertainment System with 911 assist® & Vehicle Health Reports
- Tilt/Telescoping Steering Column

[x] Fusion S, Model Base Price P0G/100A/44W PKG (2.5L 4 Cyl Eng) \$17,781.00

Available Standard Options	Option #	Price
[] Front License Plate Bracket	153	N/C
[] Daytime running Lamps	942	45.00
[] Engine Block Heater	41H	90.00
[x] All Weather Floor Mats(Black) – Front and Rear	55M	75.00
[] Powercode Remote Start System	55S	345.00
[] Rear Inflatable Seat Belts	67B	190.00
[] Trunk Cargo Net	96B	25.00

Total Price \$17,856.00 ea

Fusion S Model Exterior Colors

Interior Trim Colors

Earth Gray [AE]

Tuxedo Black Metallic	[UH]	[]
Magnetic Metallic	[J7]	[x]
Ingot Silver Metallic	[UX]	[]
Oxford White	[YZ]	[]
Tectonic Metallic	[BT]	[]
Guard Metallic	[HN]	[]
Ruby Red \$395.00 Add	[RR]	[]
Bronze Fire \$395.00 Add	[H9]	[]

RESOLUTION NO. _____

**AUTHORIZING THE SALE OF CITY-OWNED
PROPERTY VARIOUS LOTS IN OSBURN
LAKES CONDOMINIUM DEVELOPMENT**

WHEREAS the City owns thirty (30) vacant lots in the Osburn Lakes Condominium Development;

WHEREAS the City intends to sell the lots for the sales prices listed on Exhibit A, the attached Resolution No. _____ in the column entitled "New Price";

WHEREAS Section 14.3(b)(2) of the City Charter requires that the resolution authorizing the sale of real estate remain on file with the City Clerk for public inspection for twenty-one (21) days after its original introduction at a meeting of the City Council;

WHEREAS it may be necessary to alter the boundaries and sizes of some lots;

WHEREAS it will be cumbersome and interfere with the marketability of the lots to post for twenty-one (21) days a proposed sale of individual lots; and

WHEREAS on August 4, 2014, the City Council approved a twenty-one (21) day posting period for public inspection of this Resolution and no objection or competitive offers have been received for the lots;

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

- First: The Council finds that it would be cumbersome and interfere with the marketability of the lots to post the sale of each individual lot for twenty-one (21) days;
- Second: Based on the advice of the City Attorney that the instant Resolution will satisfy the requirements of Owosso City Charter Section 14.3(b)(2);
- Third: The lots shall be sold for the prices listed on the column entitled "New Price" on Exhibit A;
- Fourth: If it is necessary to alter property lines of lots, the price of the altered lots shall be adjusted by adding or subtracting the square footage of the change based upon the sales prices listed on Exhibit A; and
- Fifth: The Mayor and City Clerk are instructed and authorized to execute appropriate documents to consummate said sales.



MEMORANDUM

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

DATE: August 1, 2014
TO: City Council
FROM: City Manager
SUBJECT: Osburn Lakes Phase 1 lot sales

The discussions on Osburn Lakes have opened up some questions, and one is how to sell lots in Phase 1. Initially, the developer sold the lots according to an established schedule. Since the city became the developer, a price schedule was adopted in 2011 and still no lots have sold. We have advised the realtors that the city would pay the standard commission. Note that sidewalks have been installed along Jackson Drive.

We probably should revisit the schedule. Unfortunately, Larry Cook, who would develop a new schedule, is off work for a few days. The price may be a stumbling block to sales, but from what I hear the small size of the lots makes it nearly impossible to build a house of any style other than those contained in the original development agreement. We should consider making some modifications.

Bill Brown has written this resolution which would start the clock to avoid the 21-day posting period imposed by the charter.

During the discussion, at the last meeting the need for a plan for the total development was mentioned. The plan developed in 2011 has been followed:

1. The city completed the streets in Phase 1.
2. The city installed sidewalks along Jackson Drive.
3. The city lowered the price for lots.
4. The city has maintained the vacant lots.
5. The city met with realtors, making it known that the lots were for sale.
6. The city decided to hold on to the undeveloped property and wait for better times.
7. The city has not gotten involved in the condo/homeowners' association.

The request by the Birchmiers raised new issues:

1. Should the city do anything to make the city-owned lots in Phase 1 more saleable?
2. Should the city take an active role in the condo/homeowners' association as a developer?
3. Should the city divest itself of the remaining undeveloped property, either in total or in parts?

The city might make the lots more saleable by modifying restrictions and/or lowering lot prices.

The city probably does not want to get involved in association issues.

The city can continue to make it known to developers that there is land ready to be developed generally along the lines as previously laid out. The city cannot afford to make capital improvements, and it is doubtful whether any developers are willing to do so. This could change quickly overnight should there be a major industrial expansion in the area--probably unlikely. There may be the possibility of a developer willing to develop a few lots if the city donates or sells the land at a very reduced cost. The city will have to wait until approached by someone willing to do so.

In no way should the city dispose of the undeveloped property just to get rid of it. The carrying cost is almost nothing. The original idea was to promote residential growth within the city and to enhance the tax

base. This has happened with Phase 1 and someday can happen with the undeveloped land. Developers across the nation acquire property and hold it for many years--30, 50 and even 75 years-- waiting for the right time.



OWOSSO PUBLIC SAFETY

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

Memorandum

TO: City Council

Date: 7-30-14

FROM: Kevin Lenkart Chief of Public Safety

In Re: MVR FOIA

Background: The Owosso Public Safety Department has purchased three (3) Coban mobile video recorders. (MVR) The MVR camera has the ability to record both audio and video.

The Michigan Freedom of Information Act (FOIA), at MCL 15.234 permits a public body to charge a fee for providing copies of public records. Subsection (c) of MCL 15.234(3) of MCL 15.234 (3) relates to the calculation of costs to the public body. The City of Owosso does not currently have a fee schedule for MVR FOIA.

Attached for your review and ultimately consideration by City Council is a Resolution establishing the fee for processing a FOIA request for a MVR. The City Council previously passed the fees for FOIA by resolution in 2013.

While a significant goal of the FOIA policy is to comply with the Act and confirm that the fees charged reflect the City of Owosso actual costs in providing any documentation, it is worth pointing out that the costs as set forth in the attached resolution and by previous council authorization are in line with those in other peer communities.

RESOLUTION NO.

RESOLUTION ADOPTING FOIA FEES FOR MOBILE VIDEO RECORDING

WHEREAS, the City of Owosso, County of Shiawassee, State of Michigan is a public body within meaning of the Michigan Freedom of Information Act (MFOIA) ; and

WHEREAS, in its capacity as a public body, the City of Owosso creates, possesses and maintains certain records which fit within definition of the term "public records" as defined in the MFOIA ; and

WHEREAS, the City of Owosso Public Safety Department has a Mobile Video Recorder System (MVRS) that has the capability to record audio and video; and

WHEREAS, the City of Owosso desires to establish a fee in accordance with and pursuant to the provisions of MFOIA for use in connection with requests received by it for the inspection and receipt of copies of MVRS

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 the fee for a MVRS recording under MFOIA is \$30.00.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF OWOSSO, SHIAWASSEE COUNTY, MICHIGAN THIS 4th DAY OF AUGUST 2014.

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

CITY OF OWOSSO

ATTEST:

Benjamin R. Frederick, Mayor

Amy K. Kirkland, City Clerk



OWOSSO PUBLIC SAFETY

Director of Public Safety
Kevin Lenkart

202 S WATER ST · OWOSSO, MICHIGAN 48867-2958 · (989)725-0580 · FAX (989)725-0528

MEMORANDUM

DATE: July 17, 2014
TO: City Council
FROM: Kevin Lenkart
Director of Public Safety
RE: June Fire Report

During the month of June 2014:

Fire Department responded to 181 Ambulance calls.

Fire Department responded to 18 Fire calls.

- 1 – Power line down
- 2 – Accidents
- 1 – Gas leak or smell
- 4 – Alarms
- 1 – False Alarm
- 1 – Electrical
- 1 – Public Assist
- 3 – Smoke Detectors
- 1 – Liquid spill
- 2 – Fires
- 1 – Cooking fire

Minutes of the **June 9, 2014**, regular meeting
of the **Owosso Historical Commission** held
at the Curwood Castle, 7:00 p.m.

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

Members Absent: (1 vacancy)

Guests Present: Don Crawford

The meeting was called to order at 7:00 p.m. by Chairperson Forster, but there was no quorum.

7:03 Ludington and Gutting arrived, establishing a quorum.

7:05 Weckwert arrived.

Chairman Forster turned to the agenda, with several members making additions. Forster asked for approval of the agenda with additions, Weckwert moved to approve, seconded by Gutting and accepted.

Chairman Forster proceeded to the approval of the minutes with corrections. Director Speers noted the errors and Parker moved to approve the minutes, seconded by Ludington and accepted.

City Manager, Don Crawford, discussed the DIG project and showed members proposed plans for the Curwood Park area. Crawford informed member that the June 1st ground breaking date had been extended and several members asked questions. Question topics included: storm runoff, a rain garden, lighting and the river bank wall.

The communications were brought to member's attention and Chairperson Forster noted the castle wages and the need to increase income. Weckwert discussed how events could help in this area and a Curwood 5k run was suggested.

Director Speers updated members on several events and activities that had taken place in the past month. Items included: donations of a Curwood dish set and the offer of a Curwood desk, the upcoming TOT event featuring the film "Spellbound", addition of a new phone and printer at the castle, the hanging of the castle banners and problem with the banners, the announcement to begin the refinishing castle floors, and that the updated furnace installation estimate for the Gould House had been received.

After reviewing the furnace bid, member Parker noted his concern with the cost of installation of the lower level "library" furnace, moved to decline the offer and to proceed with the original estimate from Brown's Plumbing & Heating for 3 new furnaces and an air condition unit for the lower level, with a total cost of \$9,800.00. Motion was seconded by Baker and passed.

The banners were also discussed and members noted their desire to have a boarder added to the banners, which were too short to hang properly from the park light poles. Director Speers agreed to contact Agnew Graphics regarding the correction.

Chairperson Forster directed members to updates of old business. With Greenway absent, Forster directed the discussion of the Home Tour to member Ludington. Ludington informed members that the focus of the tour had been changed to the "down town" area and listed several businesses that will be featured during the tour.

Forster noted that there had still been no update to the bylaws.

Gutting discussed the website, with Speers and Gutting agreeing to look into the cost of maintaining a website.

Director Speers agreed to put out a press release, noting the closing of Curwood Castle from July 21, 2014 to August 2, in order to have the floors refinished.

Members Gutting and Parker discussed the former city hall bell and designs for making a wooden A-frame to support the bell.

Weckwert discussed the bench outside of the castle and noted the possibility of coordinating with the Splash Park construction, in order to have a cement pad poured under the castle bench. Director Speers agreed to see if this could be arranged.

Purchase of the moose head was discussed and member Parker noted that, as it was now certain that the moose head in question would fit into the castle, that members should proceed with the purchase of a moose head. Parker moved to have Director Speers purchase the moose head from eBay, using two donations given specifically for this purchase (a \$1,000 gift and a \$2,100 gift). The purchase price of this moose head is \$2,500, plus a shipping fee of \$600, for a total of \$3,100.00. Motion was seconded by Ludington and passed.

Chairperson Forster brought up the budget and noted that the fiscal year would close at the end of the month. Director Speers agreed to get members the latest numbers in order to know what is left in the current budget.

Progress with Woodard Station was discussed, with member Weckwert noting that the OHC intern could be more involved and asked Director Speers to increase his supervision and involvement.

Chairperson Forster turned the floor over to member Parker, who with regret, proceeded to read his resignation letter to the Commission members.

Display of the Hoskins painting was discussed and Director Speers agreed to look into having DPW assist with this.

The need for updates to the Home Tour website was brought to member's attention

Director Speers discussed the Footbridge Plaque project and the problem with getting in touch with Jerry Voight. Ludington recommended reaching out to the Director of the OCP for contact information. Speers also discussed the completion of new steps for the Woodard Paymaster building and the need to still have steps replaced at the Comstock Cabin. This was followed by an update of the honey bee problem at the Gould House. Members were informed that Dave Anthony had been contacted.

Ludington discussed her review of the Fall apartment at the Gould House, noting that she found limited maintenance issues. She also noted that the Crawford apartment would be reviewed soon.

Chairperson Forster directed members to new business, with a new sign for the castle topping the agenda. Weckwert shared details regarding a sign display which will attach to our existing light pole. A question was raised in regards to possible insurance monies available from the damaged sign and director Speers agreed to look into it. Baker motioned to purchase the sign arm as described by Weckwert for up to \$500, seconded by Ludington and passed.

Removal of unnecessary items from Curwood Castle was discussed and Weckwert moved to proceed with the removal of these items, seconded by Baker and passed. Speers agreed to look into the removal or permanent donation of the Farner table in the basement.

The Gould House gardens were discussed next, with member Weckwert sharing an estimate of \$510.00 from Crooked Tree Nursery for the removal of several ivy and grass. Baker moved to have Crooked Tree remove these items and Gutting seconded. Motion carried.

Members discussed the possible use of the Gould House barn as a wedding setting and asked for this to be marketed as such through a press release.

The announcement of member Weckwert to the acquisitions committee was made and as Chair of the 2015 Historic Home Tour.

Weckwert discussed the desire to purchase material for the Curwood Castle valances and tie backs. Ludington moved to have no more than \$850.00 from restricted funds used to make this acquisition, seconded by Baker and passed.

Commissioners were informed that they would receive notification to complete the Director's 6 month evaluation.

Motion by Weckwert to adjourn the meeting at 9:24 p.m. and seconded by Gutting.

.

Respectfully submitted,
Mitchell Speers
Secretary/Treasurer

MINUTES
REGULAR MEETING OF THE OWOSSO PLANNING COMMISSION
Council Chambers, City Hall
July 28, 2014 – 7:00 pm

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

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

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

MEMBERS PRESENT: Chairman William Wascher, Vice-Chairman Frank Livingston, Secretary Tom Kurtz, Commissioners, Brent Smith, Craig Weaver and Randy Woodworth.

MEMBERS ABSENT: Commissioners David Bandkau, Mike O'Leary, Thomas Taylor.

OTHERS PRESENT: Susan Montenegro, Assistant City Manager and Director of Community Development; Charles, Rau, Building Official; Mr. Shane Applebee, Petitioner for 1011 Corunna Avenue; Mr. Jed Dingens, Architect for Mr. Applebee; Ms. Jane Idle, Property Owner near 1011 Corunna Avenue; Jason Kellogg, Tenant of Ms. Idle's property.

AGENDA APPROVAL:

MOTION BY COMMISSIONER WOODWORTH, SUPPORTED BY COMMISSIONER WEAVER TO APPROVE THE AGENDA FOR JULY 28, 2014.

YEAS ALL. MOTION CARRIED.

MINUTES APPROVAL:

MOTION BY COMMISSIONER LIVINGSTON, SUPPORTED BY COMMISSIONER KURTZ TO APPROVE THE MINUTES OF THE MEETING OF JUNE 23, 2014.

YEAS ALL. MOTION CARRIED.

COMMUNICATIONS:

1. Staff memorandum
2. PC minutes from June 23, 2014
3. Site Plan submission – 1011 Corunna Avenue
4. Rezoning Application – 1011 Corunna Avenue – public hearing

COMMISSIONER / PUBLIC COMMENTS:

Commissioner Woodworth commented that Corunna Avenue still had rezonings coming up.

PUBLIC HEARING: 1011 CORUNNA AVENUE – REZONING FROM B-1 TO B-4

Petitioner Shane Applebee has owned 1011 Corunna Avenue for 15 -20 years and now plans to install a propane refilling station for school buses. All the equipment and tanks will be above ground. He is requesting the zoning be changed from B-1 to B-4 for this use.

Public Hearing began at 7:07 p.m.

Ms. Jane Idle owns two bordering properties, one addressed at 1015 Corunna Avenue. She sees huge issues with traffic, trains and traffic lights at this corner. She also remembers the house that blew up five or six years ago. This is a residential district.

Her tenant, Mr. Jason Kellogg, spoke next and has worked for Schwan Foods. He has worked with propane and knows propane can be dangerous. When it leaks it can freeze your hands. It should be farther out of the city.

Public Hearing ended at 7:09 p.m.

Commission Comments:

Commissioner Woodworth commented about cell phone fires; his concern about the in and out traffic situation. He sees this area as a B-1 small commercial business area.

Commissioner Kurtz asked for clarification between B1 and B4 zoning. Ms. Susan Montenegro, Assistant City Manager and Director of Community Development, read both definitions from Chapter 38 of the City Ordinances. She then commented that there is nothing that really addresses propane specifically.

Mr. Applebee commented that propane safety has come a long way. There is now a key fob that reads and authorizes the pump to shut off by itself rather than manually. The equipment is checked yearly. All piping is above ground. The gas has to be the right mixture before there can be an explosion. It is heavier than air and will dissipate before it ignites. It is very safe because of the technology.

Ms. Idle asked if there are any other propane filling stations in this area. Mr. Rau, Building Official, said there were none when she spoke with him on the phone. Mr. Applebee commented the closest of this size would be St. Johns Schools. There are small propane filling stations at gas stations.

Commissioner Kurtz asked about traffic flow. Mr. Applebee said that right now there are only two buses planned. Eventually there could be a whole fleet. They operate to the south of Owosso and would require a curb cut on Corunna Avenue and then exit onto Gould Street completely missing the railroad tracks. It could run 24 hours. Per Ms. Montenegro, the International Fire Code prohibits them from distributing to the public without an attendant present.

Mr. Jed Dingens addressed the Planning Commission. B-1 zoning is silent on Propane Stations. B-4 zoning lists a pump station and was more generous in the issues. The pump will be 50 feet from any residential property. They are proposing a new fence.

Mr. Kellogg asked why this wasn't underground. Mr. Applebee replied that if it doesn't take off, he can remove the equipment. Mr. Kellogg asked about drunk drivers. Mr. Applebee explained there will be crash posts all around it and a shut off valve on the bottom of the tank.

MOTION BY COMMISSIONER WOODWORTH, SUPPORTED BY COMMISSIONER KURTZ THAT THE OWOSSO PLANNING COMMISSION CONFIRMS THE ZONING CHANGE FOR 1011 CORUNNA AVENUE FROM B-1 TO B-4 AND HEREBY RECOMMENDS SENDING TO THE CITY COUNCIL FOR A PUBLIC HEARING.

YEAS ALL. MOTION CARRIED.

SITE PLAN REVIEW: 1011 CORUNNA AVENUE

Mr. Jed Dingens began with noting that the lighting would be shielded and pointing down. This property already has a drain and a ridge down the middle. There is a curb cut on Gould Street which needs widening. There is no curb cut on Corunna Avenue, but a new one is needed. MDOT will need to do a review on this property also. There are two buses and each will refill once a week. The tank will be 55 feet from the property lines. There will be bollards around the tank to prevent being hit by vehicles. There will be a fence installed along the one residential property on the north line.

Chairman Wascher commented on the drainage arrows direction towards Wright Street. Those were changed towards the drain on the property. The size of the building was reduced to conform to setback regulations. It was asked how big the tanks on the buses were. 118 gallons per Mr. Applebee. Mr. Dingens noted that there were fire hydrants in each of the next blocks going east and west on Corunna Avenue.

Ms. Montenegro stated that the city doesn't have any issues at this time. Her personal view was that this was less dangerous than individuals filling small propane tanks. The Applebee's will probably have bigger hurdles with the railroads and MDOT.

Commissioner Woodworth commented that now the lot is vacant and does not add anything at all. His thought was this project still won't add any shopping or help anyone else's property.

Commissioner Weaver disagrees. It will look better than a vacant lot.

Mr. Applebee commented that this is a good location between Owosso and Corunna. Reesa doesn't have any room on their property. This is a cleaner alternative fuel that is cheaper. They have 28 – 30 buses. Owosso has no plans to change right now, but if we build it they will come...

Commissioner Kurtz sees this as a great business opportunity. Mr. Applebee said that Durand has three such buses, but they won't be coming over here. Schools are changing over.

MOTION BY COMMISSIONER KURTZ, SUPPORTED BY COMMISSIONER LIVINGSTON THAT THE OWOSSO PLANNING COMMISSIONER HERBY APPROVES THE SITE PLAN FOR 1011 CORUNNA AVENUE WITH THE SLOPE CHANGE TOWARD THE DRAIN AND BUILDING CHANGE TO MEET SETBACK REGULATIONS.

YEAS: SMITH, LIVINGSTON, WEAVER, KURTZ, WASCHER

NAY: WOODWORTH

MOTION CARRIED.

COMMISSIONER / PUBLIC COMMENTS:

Commissioner Smith thinks we're going to see more of these installations.

ADJOURNMENT:

MOTION BY COMMISSIONER KURTZ, SUPPORTED BY COMMISSIONER WEAVER TO ADJOURN AT 8:12 P.M.

YEAS ALL. MOTION CARRIED.

Tom Kurtz, Secretary

mms

**Minutes
Regular Meeting of the Parks & Recreation Commission
Council Chambers, City Hall
July 28, 2014 – 6 p.m.**

Call to order: The meeting was called to order at 6:02 p.m. by Chairman Espich.

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

Roll Call: Taken by Recording Secretary Marty Stinson.

Members Present: Chairman Michael Espich; Vice-Chairman Jeff Selbig; Commissioners Nikki Hathaway and Kristen Woodbury.

Members Absent: Commissioner Tim Alderman.

Others Present: Ms. Susan Montenegro, Assistant City Manager and Director of Community Development.

Approve Agenda for July 28, 2014 meeting:

A motion to approve the agenda for July 28, 2014 meeting was made by Commissioner Hathaway and supported by Commissioner Woodbury.

Ayes: all. Motion carried.

Approve Minutes from June 23, 2014 meeting:

A motion to approve the minutes from the June 23, 2014 meeting was made by Commissioner Woodbury and supported by Commissioner Selbig.

Ayes: all. Motion carried.

Public Comments: None

Board Comments:

Chairman Espich said the river clean up was nice.

Ms. Susan Montenegro, Assistant City Manager and Director of Community Development, was asked by Chairman Espich about the skate park and said she would check into that.

Communications:

1. Staff memorandum
2. June 23, 2014 minutes

Business:

1. Ice Rink Update

Chairman Espich noted that he and Mark Sedlak are still looking for a time to measure the tennis courts to see how big of an ice rink they can fit into the tennis courts. They may have an extra \$1,000 so they could get a larger rink.

Ms. Montenegro asked for Mark Mitchell, the Public Works Superintendent, where the rink is going to be stored off season. She asked about the swimming pool building. Chairman Espich said it was a fork lift

item when folded up. Discussion about a second skating rink where the Holman pool was; maybe install a cement pad there with the possibility of locking the rink at night.

2. Sledding Hill Safety Concerns at Holman Grove

Ms. Montenegro mentioned the railroad tie steps are crooked and the top of the hill is too small making it crowded when the people are gathering there. There are trees at the bottom with hay bales there last year. It was suggested to adjust the stairs, connect a rope beside the stairs or make a hand railing. It was also suggested to make a smaller slope halfway up and go west for younger kids.

3. Park Hours – in Park Rules and Regulations – Should it be an Ordinance?

Chairman Espich has spoken with Public Safety Director Lenkart. He is unable to enforce rules that are not a specific ordinance with specific hours. Police are unable to remove people from the parks at a specific time. Discussion of various parks and various hours. Chief Lenkart is to be invited to the next meeting to continue this discussion.

4. Volunteers Helping at the Dog Park and Around Town

Ms. Montenegro stated church and youth groups have worked around the community and at the Bark Park. There is also a realtor community that has asked to volunteer and is looking for suggestions on a project.

5. Trail Maintenance at Collamer Park (Kiwanis Trail)

Ms. Montenegro noted that the gentleman who voluntarily maintained the trails is no longer able to. It was suggested the morning Kiwanis or the Boy Scouts adopt the trails. Ms. Montenegro will contact both groups.

6. Handicap / Wheelchair Swings

Chairman Espich noted on social media a discussion about handicap / wheelchair swings. Ms. Montenegro printed off some suggestions, but no one has followed up with her. She will check her e-mails, and with RESD about their wheelchair swing.

7. Vandalism at Various Parks – Volunteer Group – Community Involvement

Chairman Espich attended a meeting with the Mayor and several others regarding the vandalism at the parks. They have decided to keep the bathrooms open during the day and some volunteers are closing them at night. Ms. Montenegro suggested a community volunteer watch may help and deter the vandalism. Chairman Espich suggested more people should call the non-emergency sheriff's department phone number when they see something occurring. Maybe this commission should write a letter to the editor. Ms. Montenegro read some suggestions from an article she included from the packet – stainless steel sinks instead of ceramic; dispensers in the wall, web-based cameras. Chairman Espich said that Chief Lenkart stated that Central Dispatch has too much to do than to watch cameras from the parks. Chairman Espich said that as long as Chief Lenkart was invited to the next meeting on another matter, maybe he could speak on this issue also.

Discussion:

1. Promoting Active Communities. Submitted on July 15 – Should receive a Bronze Award, Will find out in the Fall.

Ms. Montenegro noted that the assessment has already been turned in. There is no grant money; this is just to show Owosso is a walkable town and to promote activities.

2. www.activeshiawassee.com is up and running thanks to the hard work and dedication of

three Owosso Fellows, Mary Shi, Chloe Larkin and Courtney Crawford, through the Cook Family Foundation. Check the site out!

Ms. Montenegro explained that www.activeshiawassee.com promotes an active life style in Owosso and other communities and has a Facebook page.

Public / Board Comments: None

Adjournment:

A motion to adjourn the meeting was made by Commissioner Selbig and was supported by Commissioner Woodbury. The meeting adjourned at 6:53 p.m.

Ayes: all. Motion carried.

mms

Susan Montenegro, Secretary