

**CITY OF OWOSSO  
REGULAR MEETING OF THE CITY COUNCIL  
MINUTES OF AUGUST 3, 2015  
7:30 P.M.**

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

**OPENING PRAYER:** TOM MANKE

**PLEDGE OF ALLEGIANCE:** ZAK MATOUSEK  
EAGLE SCOUT CANDIDATE

**PRESENT:** Mayor Benjamin R. Frederick, Mayor Pro-Tem Christopher T. Eveleth, Councilpersons Loreen F. Bailey, Burton D. Fox, Elaine M. Greenway, and Michael J. O'Leary.

**ABSENT:** Robert J. Teich, Jr.

**APPROVE AGENDA**

Motion by Councilperson Bailey to approve the agenda as presented.

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

**APPROVAL OF THE MINUTES OF REGULAR MEETING OF JULY 20, 2015**

Motion by Councilperson Fox to approve the Minutes of the Regular Meeting of July 20, 2015 as presented.

Motion supported by Councilperson O'Leary and concurred in by unanimous vote.

**PROCLAMATIONS / SPECIAL PRESENTATIONS**

**Proclamation - Martha Stinson**

This item was postponed due to a scheduling error.

**Adams Park Project Update**

Eagle Scout candidate Zak Matousek provided an update on the Adams Park Project showing pictures of the build process and finished playscape. He thanked all the volunteers that helped and the City for their assistance in making the park upgrades a reality.

**PUBLIC HEARINGS**

None.

**CITIZEN COMMENTS AND QUESTIONS**

Janae Fear, Vice President of the Osobrn Lakes HOA, noted that Council had created an ad-hoc committee to maintain open lines of communication between the City, the HOA, and the realtor marketing the lots in the development. She said the board asked that any discussion of changes to the master documents start with the ad-hoc committee first.

Mayor Frederick read aloud a thank you letter he received from a citizen noting the great service she received from members of the City's water crew when a water main broke near her home.

Mayor Pro-Tem Eveleth commented on the recent Moonlight Market saying it was a tremendous success, so much so that another market event might be held later in the year. He thanked market master Tracey Peltier for all the work she put into the event.

Councilperson Fox echoed Mayor Pro-Tem Eveleth's comments on the Moonlight Market. He also commented on the ride-along he went on the previous week saying a lot goes on that people are not aware of and that he was proud of how the officers handled themselves on the job. He recommended every Council member participate in a ride-along to get a glimpse of the City from a police officer's prospective.

**CITY MANAGER REPORT**

City Manager Crawford distributed and detailed the Project Status Report for July.

**CONSENT AGENDA**

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

**First Reading & Set a Public Hearing - Numbering of Buildings Ordinance Amendment.** Conduct first reading and set a public hearing for Monday, August 17, 2015 to receive citizen comment regarding the proposed ordinance amendment to Chapter 8, Buildings and Building Regulations, Article IX, Numbering of Buildings, to bring the Code into compliance with the International Property Maintenance Code (2009) as follows:

**RESOLUTION NO. 70-2015**

**FIRST READING & SET PUBLIC HEARING FOR  
AN ORDINANCE AMENDING CHAPTER 8, BUILDINGS AND BUILDING REGULATIONS,  
ARTICLE IX, NUMBERING OF BUILDINGS  
OF THE CITY OF OWOSSO CODE**

WHEREAS, the City of Owosso adopted the International Property Maintenance Code (IPMC) as the standard for property maintenance in the City limits; and

WHEREAS, a discrepancy regarding the numbering of buildings exists between the City of Owosso Code and the IPMC and must be resolved.

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

SECTION 1. AMENDMENT. That existing Article IX, *Numbering of Buildings*, of Chapter 8, *Buildings and Building Regulations*, be amended to read:

**ARTICLE IX. - NUMBERING OF BUILDINGS**

**Sec. 8-190. - Required.**

All buildings in the city shall bear a distinctive street number ~~on the front at or near the front entrance of the premises~~ in accordance with and as designated upon the street plan map on file in the office of the city engineer.

**Sec. 8-191. - Specifications.**

The owners and occupants of all buildings in the city shall cause the correct numbers to be placed thereon in accordance with the street plan map. Such numbers **and letters** shall ~~be not less than two (2) inches wide and three (3) inches high, shall be facing the street and adjacent to the principal entrance, and in such position as to be plainly visible from the street.~~ **comply with the specifications of the International Property Maintenance Code as to size and placement.**

**Secs. 8-192—8-199. - Reserved.**

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, August 17, 2015 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendment.

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. EFFECTIVE DATE. This amendment shall become effective 20 days after approval.

**First Reading & Set Public Hearing – Rezoning Corunna Avenue.** Conduct first reading and set a public hearing for Monday, August 17, 2015 to receive citizen comment regarding the proposal to rezone several properties on Corunna Avenue to reduce spot zoning and bring the land use in line with the 2012 Master Plan as follows:

**RESOLUTION NO. 71-2015**

**AN ORDINANCE AMENDING CHAPTER 38 ZONING OF THE CODE OF ORDINANCES  
TO REZONE VARIOUS PARCELS OF REAL PROPERTY ALONG THE M-71 CORRIDOR  
AND AMEND THE ZONING MAP**

WHEREAS, the City of Owosso adopted a Master Plan in 2012 which includes a future land use plan; and

WHEREAS, the Planning Commission desires to carefully implement prudent changes suggested by the Master Plan; and

WHEREAS, the Planning Commission recommends the rezoning of select parcels in the area of Corunna Avenue to reduce spot zoning and create an area with effective zoning for potential

development and economic growth while allowing land owners to maintain the current use of their property if they so desire; and

WHEREAS, the Planning Commission published and mailed notices for the proposed rezoning, held a public hearing on the proposal, and deliberated on the proposal; and

WHEREAS, the Planning Commission finds that the proposed rezonings meet the intent and criteria for a zoning amendment as it relates to the Master Plan and the Zoning Ordinance; and

WHEREAS, the City staff and Planning Commission recommend, without reservations or conditions, the rezoning of the following parcels:

Parcel Address	Parcel Number	Current Zoning	Proposed Zoning
424Maple	050-710-000-001-00	R-2	R-1
416 Maple	050-710-000-003-00	R-2	R-1
637 Corunna Ave	050-710-000-002-00	R-2	R-1
633 Corunna Ave	050-542-000-019-00	R-2	R-1
706 Corunna Ave	050-542-000-032-00	RM-1	B-4
625 Huron	050-542-000-022-00	I-2	I-1
460 E. Howard	050-680-003-004-00	R-2	I-1
452 E. Howard	050-680-003-003-00	R-2	I-1
446 E. Howard	050-680-003-002-00	R-2	I-1
440 E. Howard	050-680-003-001-00	R-2	I-1
Division Street	050-680-001-002-00	R-1	I-2
330 Howard	050-651-018-001-00	I-2	I-1
514 Division	050-651-018-003-00	I-2	I-1
515 S. Saginaw	050-651-018-004-00	I-2	I-1
509 S. Saginaw	050-651-018-002-00	I-2	I-1
S. Washington	050-651-000-005-00	I-2	I-1

and

WHEREAS, the item must now be considered by the City Council and a public hearing by the Council is required before any such ordinance amendment can be acted upon.

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

SECTION 1. OFFICIAL ZONING MAP AMENDMENT. That Chapter 38, Zoning, Sec. 38-27, Zoning Districts and Map, reflect the following changes, to be noted on the official map and filed with the city clerk:

Parcel Address	Parcel Number	Current Zoning	Proposed Zoning
424Maple	050-710-000-001-00	R-2	R-1
416 Maple	050-710-000-003-00	R-2	R-1
637 Corunna Ave	050-710-000-002-00	R-2	R-1
633 Corunna Ave	050-542-000-019-00	R-2	R-1
706 Corunna Ave	050-542-000-032-00	RM-1	B-4
625 Huron	050-542-000-022-00	I-2	I-1
460 E. Howard	050-680-003-004-00	R-2	I-1
452 E. Howard	050-680-003-003-00	R-2	I-1
446 E. Howard	050-680-003-002-00	R-2	I-1
440 E. Howard	050-680-003-001-00	R-2	I-1
Division Street	050-680-001-002-00	R-1	I-2
330 Howard	050-651-018-001-00	I-2	I-1
514 Division	050-651-018-003-00	I-2	I-1
515 S. Saginaw	050-651-018-004-00	I-2	I-1
509 S. Saginaw	050-651-018-002-00	I-2	I-1
S. Washington	050-651-000-005-00	I-2	I-1

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, August 17, 2015 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendment.

SECTION 3. NOTICE. Council hereby directs staff to supply a public notice concerning the rezoning to a newspaper of general circulation within the city.

SECTION 4. 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 5. EFFECTIVE DATE. This amendment shall become effective twenty days after passage.

Minutes Correction – Refuse Collection Ordinance Amendment. Approve correction to the May 4, 2015 minutes to reflect the fact that no citizen comments were received prior to or during the meeting in regard to the public hearing for amendment of the Refuse Collection ordinance.

Boards & Commissions Appointment. Approve the Mayoral appointment of Jonathan Tamayo as a City of Owosso representative to the SATA Board of Directors, filling the unexpired term of Sean Grey ending October 1, 2016, effective September 1, 2015.

ADA-Compliant Voting Booth Grant Agreement. Authorize grant agreement with the Michigan Department of State for VOTE Program funds to reimburse the purchase cost of six ADA-compliant voting booths, further authorize payment to vendor Election Source upon satisfactory receipt of the booths, and approve payment of shipping charges from the Elections line item as follows:

**RESOLUTION NO. 72-2015**

**AUTHORIZING A GRANT AGREEMENT WITH  
THE MICHIGAN DEPARTMENT OF STATE  
FOR VOTE PROGRAM FUNDS  
TO PURCHASE ADA-COMPLIANT VOTING BOOTHS**

WHEREAS, the City of Owosso is responsible for conducting elections in the City; and

WHEREAS, all eligible voters are encouraged to vote, no matter their physical ability or form of locomotion; and

WHEREAS, the City of Owosso has six election precincts voters use each election day and these precincts must be able to accommodate handicapped voters; and

WHEREAS, grant funds are available through the VOTE Program for the purchase of ADA-compliant voting booths and the City wishes to avail itself of this assistance.

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

- FIRST: it has heretofore determined that it is advisable, necessary and in the public interest to purchase six ADA-compliant voting booths from Election Source for use in the City's precincts.
- SECOND: the Mayor and City Clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit A\*, Grant Agreement for Help America Vote Act Section 261 Financial Assistance Voting Access for Individuals with Disabilities Program for reimbursement of the purchase price of said booths.
- THIRD: the Accounts Payable Department is authorized to pay Election Source \$1381.63 upon satisfactory receipt of the booths, with \$1,290.00 to be reimbursed by grant funding.
- FOURTH: any remaining expense shall be paid from the Elections line item, 101-215-706000.

Motion supported by Councilperson Fox.

Roll Call Vote.

AYES: Councilpersons Greenway, O'Leary, Fox, Bailey, Mayor Pro-Tem Eveleth, and Mayor Frederick.

NAYS: None.

ABSENT: Councilperson Teich.

**ITEMS OF BUSINESS**

**MML Delegate**

No one expressed an interest in attending the MML conference. No action was taken to appoint a delegate.

**MEDC Redevelopment Ready Communities Program**

City Manager Crawford explained that the intent of the program was to proactively establish processes to make it easy to open a business or invest in the city.

Motion by Mayor Pro-Tem Eveleth to commit to participating in the Michigan Economic Development Corporation's Redevelopment Ready Communities Program (RRC) as follows:

**RESOLUTION NO. 73-2015**

**A RESOLUTION AUTHORIZING THE CITY OF OWOSSO TO PARTICIPATE IN THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION (MEDC) REDEVELOPMENT READY COMMUNITIES PROGRAM**

WHEREAS, the Michigan Economic Development Corporation (MEDC) has established the statewide Redevelopment Ready Communities (RRC) program to empower communities to shape their future and maximize economic potential; and

WHEREAS, RRC is a program that provides technical assistance to and certifies Michigan communities who actively engage stakeholders and plan deliberate, fair and consistent processes; and

WHEREAS, the city of Owosso recognizes the value of the RRC program and the importance of aligning our community's readiness for new development and redevelopment of existing properties; and

WHEREAS, the RRC program includes evaluating and strengthening the development-related partnerships between the city council and stakeholder organizations such as: the MEDC, Owosso Main Street (OMS), and Owosso planning commission (PC); and

WHEREAS, the Owosso city council is willing to commit to improving its redevelopment readiness by agreeing to undergo a rigorous assessment of its regulations and processes for addressing economic development opportunities; and

WHEREAS, the Owosso city council is willing to participate in the MEDC Redevelopment Ready Communities Program, including increased interaction and partnership with the MEDC, OMS, and PC.

WHEREAS, the RRC Certification Program will make Michigan more competitive, which will help local communities to attract more businesses and talent and create local jobs.

NOW, THEREFORE, IT IS RESOLVED, the city of Owosso hereby commits to RRC's Best Practices\* with hopes of being awarded RRC Certification.

Motion supported by Councilperson Greenway.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Teich.

**Bid Award – Westown Parking Lot Construction**

City Manager Crawford noted the City had received numerous responses for this bid. He further noted that the option to surface the parking lot with concrete proved to be cost effective and staff was recommending Council approve the "concrete option" from Sumbera Excavating, Inc. Lastly he noted that the project will involve some storm sewer work in order to properly drain the new lot.

Motion by Councilperson Fox to approve bid award and authorize contract with Sumbera Excavating, Inc. for the installation of curb, gutter, and concrete parking surface for the new parking lot on South Lansing Street in the amount of \$40,429.68 and further authorize payment up to the contract amount upon satisfactory completion of the work or portion thereof as follows:

**RESOLUTION NO. 74-2015**

**AUTHORIZING THE EXECUTION OF A CONTRACT WITH SUMBERA EXCAVATING, INC. FOR THE CONSTRUCTION OF WESTOWN PARKING LOT**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that it is in the best interest of the public to erect a parking facility servicing the businesses along the south side of west Main Street; and

WHEREAS, the city recommends that a parking facility be constructed on the property previously known as 111 South Lansing Street, and hereon to be referred to as the Westown Parking Lot.

WHEREAS, the city of Owosso sought bids to construct the Westown Parking Lot, and a bid was received from Sumbera Excavating, Inc. and it is hereby determined that Sumbera Excavating, Inc. 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 Sumbera Excavating, Inc. for construction of the Westown Parking Lot.
- 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 Sumbera Excavating, Inc. in the amount of \$40,429.68.
- THIRD: The accounts payable department is authorized to pay Sumbera Excavating, Inc. for work satisfactorily completed on the project up to the bid amount.
- FOURTH: The above expenses shall be paid from the General Fund Account No. 101-585-974.000 WESTOWNLOT.

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Teich.

**Property Sale – South 20' of 415 Bradley Street – Twenty-One Day Posting**

Due to the fact that she has a direct financial interest in the agenda items regarding the sale and lease of city property on Bradley Street Councilperson Greenway temporarily left the meeting.

City Manager Crawford introduced the items saying Councilperson Greenway had inquired about purchasing the city-owned lot adjacent to her home on Curwood Castle drive. He indicated that the City was holding on to the property for the construction of a future parking lot but current plans for the lot do not require use of the entire parcel. The agreements before Council for posting would authorize the sale of the south 20' to Ms. Greenway in the amount of \$4,710.00 and the lease of the remainder of the property, on a month-to-month basis, in exchange for regular maintenance.

Motion by Mayor Pro-Tem Eveleth to authorize a twenty-one (21) day posting period for sale of the south 20' of the city owned parcel located at 415 Bradley Street to Elaine Greenway for \$4,710.00 as follows:

**RESOLUTION NO. 75-2015**

**AUTHORIZING 21-DAY POSTING OF  
PURCHASE AGREEMENT FOR THE SALE OF  
A PORTION OF THE CITY-OWNED PARCEL AT 415 BRADLEY STREET**

WHEREAS, the City owns the vacant parcel commonly known as 415 Bradley Street and described as follows;

LOT 3, BLOCK 9 OF LUCY L. COMSTOCK'S ADDITION; and

WHEREAS, the parcel is vacant and serves no named purpose at this time; and

WHEREAS, the land is strategically placed and could be developed as a parking resource in the future; and

WHEREAS, Elaine M. Greenway has approached the City offering to purchase a portion of the parcel, described as follows, for a reasonable price;

THE SOUTH 20' OF LOT 3, BLOCK 9 OF LUCY L. COMSTOCK'S ADDITION; and

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

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

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

FIRST: the purchase agreement\* for the property described above be posted for a 21-day period to allow for citizen comment and other offers.

SECOND: the proposed agreement be returned to council at the meeting of Tuesday, September 8, 2015 for potential final disposition.

Motion supported by Councilperson Bailey.

Roll Call Vote.

AYES: Councilpersons O'Leary, Bailey, Fox, Mayor Pro-Tem Eveleth, and Mayor Frederick.

NAYS: None.

ABSTAIN: Councilperson Greenway.

ABSENT: Councilperson Teich.

**Property Lease – North 46' of 415 Bradley Street – Twenty-One Day Posting**

Motion by Mayor Pro-Tem Eveleth to authorize twenty-one (21) day posting period for lease of the north 46' of the city owned parcel located at 415 Bradley Street to Elaine Greenway on a month to month basis in exchange for routine property maintenance as follows:

**RESOLUTION NO. 76-2015**

**AUTHORIZING 21-DAY POSTING FOR  
LEASE AGREEMENT FOR USE OF CITY PROPERTY  
WITH ELAINE M. GREENWAY**

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

WHEREAS, the City owns the vacant parcel commonly known as 415 Bradley Street and described as follows;

LOT 3, BLOCK 9 OF LUCY L. COMSTOCK'S ADDITION; and

WHEREAS, the parcel is vacant and serves no named purpose at this time; and

WHEREAS, the land is strategically placed and could be developed as a parking resource in the future; and

WHEREAS, Elaine M. Greenway has approached the City offering to purchase a portion of the parcel, described as follows, for a reasonable price; and

WHEREAS, Elaine M. Greenway has expressed an interest in leasing the remaining portion of the parcel on a month to month basis in exchange for routine property maintenance; and

WHEREAS, the remaining portion of the parcel is described as follows:

THE NORTH 46' OF LOT 3, BLOCK 9 OF LUCY L. COMSTOCK'S ADDITION; and

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

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

FIRST: the lease agreement\* for the property described above be posted for a 21-day period to allow for citizen comment and other offers.

SECOND: the proposed agreement be returned to Council at the meeting of Tuesday, September 8, 2015 for potential final disposition.

Motion supported by Councilperson Bailey.

Roll Call Vote.

AYES: Mayor Pro-Tem Eveleth, Councilpersons O'Leary, Fox, Bailey, and Mayor Frederick.

NAYS: None.

ABSTAIN: Councilperson Greenway.

ABSENT: Councilperson Teich.

**Osburn Lakes Master Documents Modifications**

At the request of Councilperson Fox the Council discussed making modifications to the Osburn Lakes Master Deed and Condominium Bylaws to facilitate the sale of the remaining vacant lots, receiving input from the Osburn Lakes HOA as well as the City's realtor for the development.

The Council took no action to amend the master documents, instead indicating a desire to continue with the previously charted course of marketing the lots as they stand for an 18-month period.

**COMMUNICATIONS**

Michigan Liquor Control Commission. Notice of transfer of liquor license – Korner Pub.

Downtown Development Authority/Main Street. Minutes of July 1, 2015.

Downtown Historic District Commission. Minutes of July 15, 2015.

Zoning Board of Appeals. Minutes of July 21, 2015.

**CITIZEN COMMENTS AND QUESTIONS**

Tom Manke, 2910 West M21, sought clarification as to whether buyers in the Osburn Lakes development were required to build within 18 months. It was noted that the master documents require a home to be completed within 18 months of breaking ground. It was also noted that the repurchase clause that was referred to is an option that can be taken by the City, not a requirement.

Kori Shook, realtor for the Osburn Lakes development, asked that those who would like clarification on any matters related to the development contact her directly to avoid confusion.

Councilperson Bailey noted that Community Cats of Owosso had sent another 67 cats for spaying/neutering in July!

Councilperson Greenway noted her appreciation for the Moonlight Market saying the luminary parade was a treat. She also indicated that preparations for the 2015 Home Tour are moving along and the tour would be another great event.

**NEXT MEETING**

Monday, August 17, 2015

**BOARDS AND COMMISSIONS OPENINGS**

Historical Commission, term expires December 31, 2017

Planning Commission (2), both terms expire June 30, 2016

**ADJOURNMENT**

Motion by Mayor Pro-Tem Eveleth for adjournment at 8:42 p.m.

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

\_\_\_\_\_  
Benjamin R. Frederick, Mayor

\_\_\_\_\_  
Amy K. Kirkland, City Clerk

\*Due to their length marked items are not included in the minutes. Complete copies of these items are on file in the Clerk's Office.