

CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, SEPTEMBER 6, 2011
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 AUGUST 15, 2011:

APPROVAL OF THE MINUTES OF REGULAR MEETING OF AUGUST 29, 2011:

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 two (2) minutes duration during each public hearing. Comments made during public hearings shall be relevant to the subject for which the public hearings are held.
5. In addition to the opportunities described above, a citizen may respond to questions posed to him or her by the Mayor or members of the Council, provided members have been granted the floor to pose such questions.

PROCLAMATIONS / SPECIAL PRESENTATIONS

1. Mayoral Recognition. Mayoral recognition of local canine hero.
2. Youth Baseball Donation. Presentation of a \$15,000 donation from the Owosso Youth Baseball League for construction of a concession stand at Kiwanis Field.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

CITY MANAGER REPORT

Project Status Report

CONSENT AGENDA

1. Set Public Hearing – Personal Property Tax Exemption. Set public hearing for September 19, 2011 to receive public comment on a New Personal Property Exemption for Machine Tool & Gear, Incorporated, Division of Newcor Machined Products Group, for property at 401 South Chestnut Street.

2. Set Public Hearing – Personal Property Exemption. Set public hearing for September 19, 2011 to receive public comments on the transfer of Personal Property Exemption 2005-353 for Machine Tool & Gear, Incorporated, Division of Newcor Machined Products Group, from the City of Corunna to their property at 401 South Chestnut Street, Owosso.
3. Set Public Hearing – Personal Property Exemption. Set public hearing for September 19, 2011 to receive public comments on the transfer of Personal Property Exemption 2008-274 for Machine Tool & Gear, Incorporated, Division of Newcor Machined Products Group, from the City of Corunna to their property at 401 South Chestnut Street, Owosso.
4. Set Public Hearing – Personal Property Exemption. Set public hearing for September 19, 2011 to receive public comments on the transfer of Personal Property Exemption 2009-271 for Machine Tool & Gear, Incorporated, Division of Newcor Machined Products Group, from the City of Corunna to their property at 401 South Chestnut Street, Owosso.
5. Set Public Hearing – Personal Property Exemption. Set public hearing for September 19, 2011 to receive public comments on the transfer of Personal Property Exemption 2010-379 for Machine Tool & Gear, Incorporated, Division of Newcor Machined Products Group, from the City of Corunna to their property at 401 South Chestnut Street, Owosso.
6. Set Public Hearing – Ordinance Amendment. Set a public hearing for September 19, 2011 to receive public comment on the proposed amendment to Chapter 14, Flood Protection, of the Code of Ordinances of the City of Owosso, Michigan.
7. Traffic Control Order No. 1172 Amendment. Approve amendment to Traffic Control Order No. 1172 for Parking lot #6 (northwest corner of Park & Exchange Streets) changing the signs to read “No Parking from 10:00 p.m. to 3:00 a.m.” to allow downtown employees who arrive to work before 6:00 a.m. a place to park.
8. Traffic Control Order No. 1258. Approve Traffic Control Order No. 1258 authorizing the installation of “No Parking, Stopping, or Standing” signs on both sides of Monroe Street from Division Street to Woodlawn Avenue and denoting the change from a local street to a major street.
9. Boards and Commissions Appointments. Consider the following Mayoral boards and commissions appointments:

Name	Board/Commission	Term Expires
Terri Brown	Planning Commission	06-30-2013
James Eaton	Downtown Historic District Commission	06-30-2013

10. Youth Baseball Donation. Accept a \$15,000 gift for the construction of a concession stand at Kiwanis Field from the Owosso Youth Baseball League.
11. Purchase Affirmation. Affirm purchase of vacant property located on Gould Street southeast of the bridge in the amount of \$2,900 to be used as a buffer area adjacent to the water treatment plant.
12. Bid Award. Waive competitive bidding requirements and approve the purchase of 7 speed measurement radar units from MPH Industries, Inc. in the amount of \$6,335.00.
13. Bid Award. Approve the bid of Dax Roofing Co. for restoration of the roof on the library in the amount of \$116,500.
14. Change Order. Approve Change Order No. 2 to the purchase order with Sumbera Excavating for additional barricading costs associated with the 2010 Curb and Gutter Program in the amount of \$873.00 and authorize payment of this amount.

15. Change Order. Approve Change Order to the purchase order with Seifert Concrete & Masonry for additional sidewalk replacement associated with the 2011 Sidewalk Replacement Program in the amount of \$3,324.92.
16. Payment Authorization. Authorize payment to Seifert Concrete & Masonry for work completed on the 2011 Sidewalk Replacement Program in the amount of \$25,584.92.
17. Warrant No. 428. Accept Warrant No. 428 as presented.

ITEMS OF BUSINESS

1. MML Delegate. Designate City Representative and Alternate to cast vote of municipality at the Michigan Municipal League annual business meeting on October 5, 2011.
2. Resolution Amendment. Consider amendment to Resolution No. 130-2011, originally approved August 15, 2011, approving a 6 year Obsolete Property Rehabilitation Exemption Certificate for Wesener, LLC for the property located at 104-108 North Washington Street, to note there is no opportunity to extend the exemption beyond 6 years.
3. Executive Session. Authorize Executive Session at the conclusion of regular business to discuss the City Manager's evaluation.

COMMUNICATIONS

1. Terri Brown, Parks & Recreation Commission. Letter of Resignation.
2. Owosso Historical Commission. Minutes of the Meeting of August 16, 2011.
3. Owosso Parks & Recreation Commission. Minutes of the Meeting of August 22, 2011.
4. Owosso Planning Commission. Minutes of the Meeting of August 22, 2011.

CITIZEN COMMENTS AND QUESTIONS

NEXT MEETING

Monday, September 19, 2011

BOARDS AND COMMISSIONS OPENINGS

Downtown Development Authority/Owosso Main Street, term expires 06-30-2013
Historical Commission, term expires 12-31-2011
Parks & Recreation Commission, term expires 06-30-2012

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

AUGUST 15, 2011

7:30 P.M.

PRESIDING OFFICER: MAYOR BENJAMIN R. FREDERICK
OPENING PRAYER: SHELVA CEBULSKI
PLEDGE OF ALLEGIANCE: PHILIP HATHAWAY
PRESENT: Mayor Benjamin R. Frederick, Mayor Pro-Tem Cindy S. Popovitch, Councilpersons Thomas B. Cook, Michael J. Erfourth, Christopher T. Eveleth, Joni M. Forster, and Gary W. Martenis.
ABSENT: None.

APPROVE AGENDA

Motion by Councilperson Eveleth to approve the agenda as presented.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF AUGUST 1, 2011

Motion by Mayor Pro-Tem Popovitch to approve the Minutes of the Regular Meeting of August 1, 2011 as presented.

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

SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

ALLEY CLOSURE – SOUTH OF GRACE BETWEEN PEARCE AND CEDAR STREETS

A public hearing was conducted to receive citizen comment regarding request to close Public alley south of the south line of Grace Street, east of Lots 1-8 and west of Lots 83-90, Grand View Addition, City of Owosso, Shiawassee County, Michigan.

Sally Bishop, 1028 Pearce Street, indicated she had initiated the petition and supported the closing of the alley. She had questions regarding how the property would be split, notification of the closure, the placement of burning barrels, and whether or the not the City would be surveying the property. It was noted the City would not be surveying the property and such services would have to be undertaken by individual property owners. Council also asked that all the adjoining property owners be notified of the closure.

Motion by Councilperson Cook to approve the closure of the remaining portion of the alley as follows:

RESOLUTION NO. 129-2011

**ALLEY ABANDONMENT
SOUTH OF GRACE STREET
BETWEEN CEDAR STREET AND PEARCE STREET**

WHEREAS, the City of Owosso received a petition, Alley Closing – 2011-02, to abandon an alley located south of Grace Street, between South Cedar Street and Pearce Street; and

WHEREAS, city staff has found no issues with the petition and has recommended approval of the alley abandonment; and

WHEREAS, the planning commission held a public hearing on July 25, 2011 and subsequently recommended abandonment of the alley; and

WHEREAS, the City Council of the City of Owosso, Michigan, in accordance with city ordinance Section 29-154, has met at the time and place named in a resolution passed by said City Council at a meeting thereof held on August 1, 2011 and in accordance to notice thereof published by the City Clerk in The Owosso Argus Press, for the purpose of hearing and considering objections to the proposed vacation and discontinuance of the following portions of public alley in said City, and all objections of such proposed action having been heard and duly considered in a public meeting held on August 15, 2011;

NOW THEREFORE BE IT RESOLVED that for the benefit of the public health and welfare and safety of persons and property within the City of Owosso, County of Shiawassee, State of Michigan, be and the same is hereby vacated, discontinued and abolished, said portions of said alley being more particularly described as follows, to wit:

ALL THAT PART OF ALLEY IN GRAND VIEW ADDITION TO THE CITY OF OWOSSO, SHIAWASSEE COUNTY, MICHIGAN, RECORDED JUNE 8, 1910 IN LIBER OF PLATS ON PAGE 59 DESCRIBED AS LYING SOUTH OF THE SOUTH LINE OF GRACE STREET, AND EAST OF LOTS 01-08 AND WEST OF LOTS 83-90.

BE IT FURTHER RESOLVED THAT it is hereby determined that it is necessary for the health, welfare, comfort and safety of the people of the City of Owosso to discontinue the above portions of existing alley as platted.

BE IT FURTHER RESOLVED THAT the City Clerk is hereby directed to provide the Shiawassee County Register of Deeds, the Treasurer of the State of Michigan, and the Owosso City Engineer and City Assessor with a certified copy of this resolution within thirty (30) days of its adoption.

Motion supported by Mayor Pro-Tem Popovitch.

Roll Call Vote.

AYES: Councilperson Forster, Mayor Pro-Tem Popovitch, Councilpersons Eveleth, Martenis, Erfourth, Cook, and Mayor Frederick.

NAYS: None.

OBSELETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE – WESENER, LLC

A Public Hearing was conducted to receive citizen comments regarding application from Wesener, LLC for an Obsolete Property Rehabilitation Exemption Certificate for their property at 104-108 North Washington Street.

Philip Hathaway, Town Plans, LLC, spoke on behalf of the applicant indicating the importance of this exemption to the overall project and the reason behind asking for a lesser abatement than they are eligible for.

Motion by Councilperson Erfourth to approve the following resolution authorizing an Obsolete Property Rehabilitation Exemption for the property owned by Wesener, LLC at 104-108 North Washington Street for a period of 6 years:

RESOLUTION NO. 130-2011

**A RESOLUTION TO APPROVE
THE APPLICATION FOR AN
OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE
FROM DAVE ACTON OF WESENER, LLC
FOR PROPERTY LOCATED AT
104-108 N. WASHINGTON STREET**

WHEREAS, the City of Owosso is a Qualified Local Government Unit within the State of Michigan and is empowered to provide tax exemptions for increased value of rehabilitated facilities within the City; and

WHEREAS, after public notice and a public hearing on March 1, 2004, the City Council of the City of Owosso approved an Obsolete Property Rehabilitation District at 104-108 N. Washington Street in Owosso, Michigan at said meeting, as provided by section 4(2) of Public Act 146 of 2000. Said property more particularly described as:

S 2/3 OF LOT 5 & N 1/3 OF LOT 6 (EX E 22' OF LOT 6) BLK 21 ORIGINAL PLAT

WHEREAS, the City Clerk received a complete application and required documentation on July 27, 2011 from Dave Acton, authorized agent for Wesener, LLC, owner of the property, for an Obsolete Property Rehabilitation Exemption Certificate requesting a 6 year abatement; and

WHEREAS, notice of a public hearing concerning the application for an exemption certificate was provided to the Assessor of the City and the legislative body of each taxing unit that levies ad valorem property taxes in the City; and

WHEREAS, the City finds that the property meets the definition of an obsolete property as defined in section 2(h) of Public Act 146 of 2000 and the application for the exemption certificate is complete; and

WHEREAS, the City finds that the property relates to a rehabilitation program that when completed constitutes a "rehabilitated facility" within the meaning of P.A. 146 of 2000, and said property is located within an Obsolete Property Rehabilitation District established in a Qualified Local Governmental Unit eligible under Public Act 146 of 2000 to establish such a district; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of PA 146 of 2000; and

WHEREAS, it has been found that the rehabilitation of the obsolete property is calculated to, and will at the time of the issuance of the certificate, have the reasonable likelihood to increase commercial activity, retain and create employment, and revitalize the downtown; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of the property already exempt under PA 146 of 2000 and under PA 198 of 1974 does not exceed 5% of the total taxable value of the unit; and

WHEREAS, the applicant is not delinquent in any taxes related to the facility; and

WHEREAS, the rehabilitation work described in the application had not commenced prior to the establishment of the District.

NOW, THEREFORE, BE IT RESOLVED that, based on the findings above made at public hearing, the City Council of the City of Owosso authorizes the application for an Obsolete Property Rehabilitation Exemption Certificate at 104-108 N. Washington Street for a period of 6 years as requested by the applicant; and

ALSO, BE IT RESOLVED that the rehabilitation shall be completed within eighteen (18) months from the date of approval of said application, and

FURTHERMORE, BE IT RESOLVED that the application and resolution are authorized for submittal to the State Tax Commission for final review and authorization.

Motion supported by Councilperson Forster.

Roll Call Vote.

AYES: Councilpersons Cook, Erfourth, Forster, Martenis, Mayor Pro-Tem Popovitch, Councilperson Eveleth, and Mayor Frederick.

NAYS: None.

CITIZEN COMMENTS AND QUESTIONS

Gary Ballenger, 806 South Saginaw Street, indicated he feels the City should purchase a second street sweeper as one cannot keep all of the streets clean. He also asked that the storm drains in his area be checked as the street floods when it rains hard.

Shelva Cebulski, 1243 Marion Street, indicated she doesn't feel the City needs another street sweeper but rather needs better enforcement of the ordinance that prohibits citizens from sweeping grass clippings into the street. She also announced the Battle of the Badges blood drive to be held August 24th from noon to 5:45 p.m. at the Knights of Columbus hall.

Councilperson Erfourth thanked everyone that participated in the painting event last weekend. Despite the rain they were able to accomplish a lot.

Councilperson Martenis indicated he had received calls about debris in the street in the past and the problem had been noted. He also encouraged citizens to help with the problem of dirty streets by ensuring their lawn clippings are kept out of the street.

Councilperson Cook inquired what was being done around the City in regard to erosion control, noting some specific areas that have seen significant erosion recently. It was noted there are requirements in place for erosion control though many of the projects are not subject to the requirements because they are too small.

Mayor Pro-Tem Popovitch announced a fund raiser at the hospital on August 26th to raise money for free cancer screenings.

CITY MANAGER REPORT

Assistant City Manager Adam H. Zettel handed the floor over to Finance Director Richard C. Williams to provide detail on the 2011 Citizen's Guide to City of Owosso Financial Health Report as well as the Dashboard Report, both required by the State as part of the new revenue sharing program. Mr. Williams noted that the City is in good shape financially but services have been reduced to keep in line with declining revenues. He also noted that his chief point of concern was the aging infrastructure of the City, while it is in decent shape currently significant investment will be needed in the future to ensure the City is able to continue to provide a quality infrastructure.

There was discussion regarding using the reports during the budget planning process, obtaining actual figures in place of the graph representations, and following the State's requirements in the assembly of the reports.

Mayor Frederick indicated he was proud of the fiscal prudence the City has shown over the years.

Copies of both reports are on file in the Clerk's Office.

CONSENT AGENDA

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

Gilbert Street Block Party Permission. Approve the application of the Gilbert Street block party group for closure of Gilbert Street from Oliver Street to Queen Street from 1:00 p.m. to 6:00 p.m. on August 28, 2011 for a block party, waive the insurance requirement and authorize Traffic Control Order No. 1257 formalizing the action.

Boards and Commissions Appointments. Approve the following Mayoral boards and commissions appointments:

Name	Board/Commission	Term Expires
Burton Fox	Zoning Board of Appeals To fill the unexpired term of C. Brummel	06-30-2012
Guy Salander	Downtown Loan Committee To fill the unexpired term of N. Reeser	06-30-2013

Bid Award. Waive bid irregularities and authorize bid from West Shore Fire, inc. for 15 sets of fire fighter turnout gear for paid on-call fire fighters in the amount of \$30,870.00 as follows:

RESOLUTION NO. 131-2011

**RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR
FIREFIGHTER TURN OUT GEAR
WITH
WEST SHORE FIRE, INC.**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has a public safety department requiring firefighter turn out gear; and

WHEREAS, West Shore Fire, Inc. submitted the lowest bid meeting the specifics of the bid in the amount of \$30,870.00;

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 enter into a contract with West Shore Fire, Inc. for the purchase of firefighter turnout gear.
- 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 West Shore Fire, Inc. in the amount of \$30,870.00.
- THIRD: The above expenses shall be paid from the Fire Division line item 101-335-978.000.

Change Order. Approve change to the purchase order with One-Way Asphalt Paving & Excavating for additional street patches in the amount of \$35,000 and authorize payment up to this additional amount as follows:

RESOLUTION NO. 132-2011

**AUTHORIZING A CHANGE ORDER
TO THE CONTRACT WITH
ONE-WAY ASPHALT
FOR THE 2011 STREET PATCH PROGRAM**

WHEREAS, the City Council approved a contract with One-Way Asphalt on April 18, 2011 for the 2011 Street Patch Program; and

WHEREAS, additional street patching is necessary to patch water service trenches in streets being reconstructed this year.

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

- FIRST: The City of Owosso amends the contract with One Way Asphalt to add additional street patch work to their contract.
- SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit A, Amendment to the Contract for Services Between the City of Owosso and One Way Asphalt increasing the total amount by \$35,000.
- THIRD: The above expenses shall be paid from the Water Fund budget.

Payment Authorization. Authorize Progress Payment No. 1 to The Glaeser-Dawes Corporation for work completed on the water main replacement project through August 5, 2011 in the amount of \$110,226.37 as follows:

RESOLUTION NO. 133-2011

**AUTHORIZING PAYMENT TO
GLAESER DAWES CORPORATION
FOR WORK COMPLETED ON THE
2011 WATER MAIN REPLACEMENT PROJECT**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, entered into a unit price contract with Glaeser Dawes Corporation for the 2011 Water Main Replacement Project, and

WHEREAS, a portion of this work has been completed and is now eligible for payment; and

WHEREAS, the City project manager recommends Pay Estimate 2011-1 in the amount of \$110,226.37 for work completed through August 5, 2011, and said unit quantities and amount agreed to by Glaeser Dawes Corporation.

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 pay Glaeser Dawes Corporation for work completed on the 2011 Water Main Replacement Project.
- SECOND: The accounts payable department is authorized to submit payment to the Glaeser Dawes Corporation the amount of \$110,226.37 as detailed on the attached Payment Estimate 2011-1 as authorized by Council on August 15, 2011.

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

Payment Authorization. Authorize Progress Payment No. 2 to the Michigan Department of Transportation for the City's share of work completed on the reconstruction of Oliver Street and Stewart Street in the amount of \$43,845.60 as follows:

RESOLUTION NO. 134-2011
AUTHORIZING PAYMENT TO
THE MICHIGAN DEPARTMENT OF TRANSPORTATION
FOR WORK COMPLETED ON
THE OLIVER ST. AND STEWART STREET RECONSTRUCTION PROJECT

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has received a Michigan Department of Transportation Small Cities Grant; and

WHEREAS, using these funds in concert with monies from Street Special Assessment and the Street Bond Fund, the City has undertaken a project to reconstruct Oliver St. from M-52 to Washington St. and Stewart St. from Chipman St. to Cedar St, replacing deteriorated curbs and pavement to improve the street infrastructure on these two streets and

WHEREAS, a portion of the work on this project has been completed and is now eligible for payment; and

WHEREAS, the Michigan Department of Transportation has requested reimbursement for the City's share of the work completed to date.

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 reimburse the Michigan Department of Transportation for eligible funds spent in the course of reconstructing portions of Oliver St. and Stewart Street.

SECOND: The accounts payable department is authorized to submit payment to the Michigan Department of Transportation in the amount of \$43,845.69 as detailed on the attached Payment Request #2 as authorized by Council on August 15, 2011.

THIRD: The above expenses shall be paid from the Street Bond Fund and Special Assessments

Warrant No. 427. Accept Warrant No. 427 as follows:

Vendor	Description	Fund	Amount
Bodman PLC	Professional Services-July 2011	General	\$ 8,104.50
Zoll Medical Corporation	Defibrillators	General	\$58,446.20
Brown & Stewart, PC	Professional Services-July 7, 2011 – August 2, 2011	General	\$ 9,986.18
B S & A Software	Annual Service/Support Fees	General Water Sewer	\$10,790.00
Michigan Municipal League Workers' Compensation Fund	Workers' Compensation Insurance	General	\$21,986.00
Johnson Controls	Planned Service Agreement- August 1, 2011 – January 31, 2012	General Historical	\$11,302.00

Check Register. Receive and approve the Check Register for July 2011.

Revenue & Expenditure Report. Accept the July 2011 Revenue & Expenditure Report.

Motion supported by Councilperson Cook.

Roll Call Vote.

AYES: Councilpersons Cook, Martenis, Forster, Erfourth, Eveleth, Mayor Pro-Tem Popovitch, and Mayor Frederick.

NAYS: None.

ITEMS OF BUSINESS

LAND SALE POLICY

There was discussion whether or not to institute a policy at all as there was no way to anticipate every situation and a policy may prove to be cumbersome and ineffective for some land transactions. Specifically, Council was concerned that the policy was capable of addressing only the greater financial good of the City and had no way of quantifying intangibles like community development goals and neighborhood desires.

It was agreed a list of City-owned properties would be developed with like properties grouped together. The Planning Commission would then develop a framework for disposing of certain types of properties as a part of the Master Planning process.

COMMUNICATIONS

Jamie Brummel, Historical Commission Member. Letter of resignation.

Christopher Brummel, Planning Commission & ZBA Member. Letter of resignation.

Gary Palmer, Building Official. July 2011 Building Department Report.

Gary Palmer, Building Official. July 2011 Code Violations Report.

Michael T. Compeau, Public Safety Director. July 2011 Police Department Report.

Michael T. Compeau, Public Safety Director. June 2011 Fire Department Report.

Owosso Historical Commission. Minutes of the Meeting of July 19, 2011.

Parks & Recreation Commission. Minutes of the Meeting of July 25, 2011.

Owosso Main Street/Downtown Development Authority. Minutes of Meeting of August 3, 2011.

Owosso Planning Commission. Minutes of the Meeting of August 8, 2011.

CITIZEN COMMENTS AND QUESTIONS

Shelva Cebulski, 1243 Marion Street, asked if the newspapers would consider putting an article in the paper reminding citizens of the rules for mowing and plowing, specifically the prohibition on placing lawn debris or snow in the street.

Burton Fox, 216 East Oliver Street, asked if City Council candidates could receive the same information that is available to City Council members so they can keep up with relevant topics and reduce the learning curve if elected. It was noted that the entire Council packet can be found on the City's website. And any items that are presented at the meeting can be obtained as well.

Mayor Frederick suggested the 5th Monday meeting be held at the Baker College Welcome Center in order to comfortably accommodate everyone for the website presentation that is planned.

Councilperson Erfourth thanked the DPW for their hard work on the painting event last weekend.

Assistant City Manager Zettel pointed out that while the financial reports presented earlier paint a positive picture of the City's financial status it is essential to remember the City has lost significant revenue over the past few years and cuts to services were needed to keep the City within its means.

Councilperson Cook noted that these reports were an opportunity to provide concrete factual information to the public about the financial condition of the City.

NEXT MEETING

Monday, August 29, 2011 – 5th Monday Meeting
Tuesday, September 6, 2011 – Regular Meeting

BOARDS AND COMMISSIONS OPENINGS

Downtown Development Authority/Owosso Main Street, term expires 06-30-2013
Planning Commission, term expires 06-30-2013
Historical Commission, term expires 12-31-2011

ADJOURNMENT

Motion by Councilperson Eveleth for adjournment at 8:59 p.m.

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

Benjamin R. Frederick, Mayor

Amy K. Kirkland, City Clerk

**OWOSSO CITY COUNCIL
1309 SOUTH M-52**

AUGUST 29, 2011

7:30 P.M.

PRESIDING OFFICER: MAYOR BENJAMIN R. FREDERICK

OPENING PRAYER; BURTON FOX

PLEDGE OF ALLEGIANCE: MAYOR BENJAMIN R. FREDERICK

PRESENT: Mayor Benjamin R. Frederick, Mayor Pro-Tem Cindy S. Popovitch, Councilpersons Thomas B. Cook, Michael J. Erfourth, Christopher T. Eveleth, Joni M. Forster, and Gary W. Martenis.

ABSENT: None.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 118 South Washington Street, indicated he was pleased the City was having a discussion about the website because improvements need to be made. He also encouraged the City to utilize social media outlets and put a person in place to manage the sites.

Ronald Elder, County Commissioner District 2, noted the County now has a new website that is working well. He also noted that August starts budget planning time at the County and a budget is to be in place by November.

Mayor Pro-Tem Popovitch inquired about the Main Street manager situation. It was noted the City no longer had a Main Street manager and is in the process of looking for one.

DISCUSSION – CITY WEBSITE

City Manager Crawford started the conversation with a history of the City's website, noting that spending on the website has been low in comparison with other communities. The City is now at a point where money will need to be spent to improve the site.

He listed the following items as potential improvements for the website:

- Expand screen size
- Include more links to outside websites
- Include more basic City related information
- Provide the opportunity for live broadcast and video on demand services
- Develop new menus and drop downs

Mr. Crawford introduced Curt Anderson and Laura Hoffman of Municipal Web Services, joining the meeting via the internet. Municipal Web is the City's current web designer/host.

Mr. Anderson indicated numerous features of websites have changed in the past few years. He noted that any wholesale changes to the site would necessitate redoing the entire site as the software originally used to develop the site was no longer supported. He went on to say that should the Council decide to revamp the website decisions would have to be made as to the format of the home page, whether the site would be edited via website management software or content management software and whether the City desired custom programs for the site. In addition decisions would have to be made regarding color scheme and general theme. It was estimated a reworking of the site would cost between \$7,000 and \$11,000.

There was discussion regarding the level of autonomy the City would have in editing the new site. It was indicated the City could choose its level of autonomy based on cost, training and time factors. Municipal Web will provide maintenance services for an hourly fee of \$45.

There was discussion regarding creating a social media site for the City, setting up RSS feeds, creating a static website and reserving frequently changing materials for a social media site, and whether the City has personnel to dedicate to the task. Council was particularly interested in obtaining information on the number of hits on the site, hits on certain pages and recent searches on the site. They hope to use the details to determine what information should be accessible on the site and what information is extraneous.

ADJOURNMENT

Motion by Councilperson Eveleth for adjournment at 9:03 p.m.

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

Benjamin R. Frederick, Mayor

Amy K. Kirkland, City Clerk



MEMORANDUM

DATE: August 18, 2011

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

FROM: Larry Cook, Assessor

RE: Tax Abatement Application – Machine Tool & Gear – 401 S. Chestnut St.

On August 15, 2011, the city clerk received an application for tax abatement along with an application for a Personal Property IFT. Initial Review indicated the applicant met the requirements for tax abatement.

To review, in December 2010, city staff met with representatives from Machine Tool and Gear, SEDP and City of Corunna, to discuss the expansion of their operations from City of Corunna to Owosso. The meeting revealed the need for this expansion due to growth in their business and also required the acquisition of a facility in the City of Owosso. Earlier this year, council granted a Personal Property IFT for \$540,000. New business has required additional growth in employment, (9 new employees), and acquisition of an additional \$1,326,975 in personal property. With this new expansion, there are now 73 employees in the Owosso plant with a pay scale exceeding \$12.00 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 personal property only. This exemption can be granted for up to 12 years.

An Industrial Development District for that area was established April 18, 1977 and amended October 9, 1978 to include all the property at that site and match the description on the assessment roll.

The next step in the process is to set the public hearing for an Industrial Facilities Tax Exemption Certificate. Attached is the resolution setting September 19, 2011 as the date for this hearing. The city clerk has notified the taxing jurisdictions of this application as required under the city's abatement policy and will forward any responses to you. The taxing jurisdictions will also be given notice of the date of the hearings as required under the act.

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

**RESOLUTION SETTING PUBLIC HEARING TO CONSIDER APPLICATION FOR AN
INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE
MACHINE TOOL & GEAR, INC., DIVISION OF NEWCOR MACHINED PRODUCTS GROUP
401 S. CHESTNUT STREET**

WHEREAS, applications for Industrial Facilities Tax Exemption for Personal Property and Tax Abatement per the City of Owosso Tax Abatement Policy of June 7, 2010, were received August 15, 2011 from Machine Tool & Gear Incorporated, Division of Newcor Machined Products Group, for property at 401 S. Shiawassee Street described as:

COMMENCING AT INTERSECTION OF EAST LINE CHESTNUT ST & SOUTHERLY RIGHT OF WAY LINE OF GRAND TRUNK RAILROAD; TH S 80°38'50" E 1317.01' TH S 02° 2'25" W 858.19' TH N 80°38'50" W 598.20' TH N 07°18'07" E 424.29' TH N 80°38'50" W 751.92' TH N 01°14'05" E 431.51' TO POB PART OF NE 1/4 SEC 23 T7N R2E 18.83 A M/L; and

WHEREAS, the applicant's property is part of an Industrial Development District established April 18, 1977 and amended October 9, 1978 and described as:

COMMENCING AT INTERSECTION OF EAST LINE CHESTNUT ST & SOUTHERLY RIGHT OF WAY LINE OF GRAND TRUNK RAILROAD; TH S 80°38'50" E 1317.01' TH S 02° 2'25" W 858.19' TH N 80°38'50" W 598.20' TH N 07°18'07" E 424.29' TH N 80°38'50" W 751.92' TH N 01°14'05" E 431.51' TO POB. PART OF NE 1/4 SEC 23 T7N R2E 18.83 A M/L; 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 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 was 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 September 19, 2011 on or about 7:30 p.m. in the council chambers for the purpose of 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.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF OWOSSO, SHIAWASSEE COUNTY, MICHIGAN THIS 6TH DAY OF SEPTEMBER, 2011.

AYES: ___ NAYS: ___ ABSTAIN: ___ ABSENT: ___

CITY OF OWOSSO: _____ ATTESTED: _____



MEMORANDUM

DATE: August 26, 2011

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

FROM: Larry Cook, Assessor

RE: Tax Abatement Application – Machine Tool & Gear – 401 S. Chestnut St.

On August 15, 2011, the city clerk received an application for tax abatement from Machine Tool and Gear and on August 26, 2011 received an application to transfer four (4) Personal Property Industrial Facilities Tax Exemption Certificates from their plant in the City of Corunna. As part of an ongoing process, beginning with a kickoff meeting last December, these transfers will culminate one of the most positive impacts of job growth in both communities and the county in many years. With the Personal Property IFT of \$540,000 granted by council earlier this year, the additional \$1,326,975 in new Personal Property IFT up for approval later this month, and these transfers valued at \$3,874,207, the total value in machinery and equipment will exceed \$5.7 million. And the total employee count has grown to 73 in the Owosso plant with a pay scale exceeding \$12.00 per hour

An Industrial Facilities Tax Exemption Certificate, Act 198 of 1974, can be granted for up to 12 years, but in the case of a transfer, it is the balance of the years remaining on each certificate.

An Industrial Development District was established on April 18, 1977 and amended OCTOBER 9, 1978 to be all inclusive of their property on the assessment roll.

The next step in the process is to set a public hearing for each of the four (4) Industrial Facilities Tax Exemption Certificates to be transferred from the City of Corunna. Attached are the resolutions setting September 19, 2011 as the date for these hearings. The city clerk has notified the taxing jurisdictions of this application as required under the city's abatement policy and will forward any responses to you. The taxing jurisdictions will also be given notice of the date of the hearings as required under the act.

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

**RESOLUTION SETTING PUBLIC HEARING TO CONSIDER APPLICATION FOR
TRANSFER OF INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE
NUMBER 2008-274 FROM CITY OF CORUNNA TO CITY OF OWOSSO
MACHINE TOOL & GEAR, INC., DIVISION OF NEWCOR MACHINED PRODUCTS GROUP
401 S. CHESTNUT STREET**

WHEREAS, application for Tax Abatement per the City of Owosso Tax Abatement Policy of June 7, 2010, was received August 15, 2011 and an application for Transfer of Industrial Facilities Tax Exemption Certificate Number 2008-274, City of Corunna, was received August 26, 2011 from Machine Tool & Gear Incorporated, Division of Newcor Machined Products Group, for property at 401 S. Shiawassee Street described as:

COMMENCING AT INTERSECTION OF EAST LINE CHESTNUT ST & SOUTHERLY RIGHT OF WAY LINE OF GRAND TRUNK RAILROAD; TH S 80°38'50" E 1317.01' TH S 02° 2'25" W 858.19' TH N 80°38'50" W 598.20' TH N 07°18'07" E 424.29' TH N 80°38'50" W 751.92' TH N 01°14'05" E 431.51' TO POB PART OF NE 1/4 SEC 23 T7N R2E 18.83 A M/L; and

WHEREAS, the applicant's property is part of an Industrial Development District established April 18, 1977 and amended October 9, 1978 and described as:

COMMENCING AT INTERSECTION OF EAST LINE CHESTNUT ST & SOUTHERLY RIGHT OF WAY LINE OF GRAND TRUNK RAILROAD; TH S 80°38'50" E 1317.01' TH S 02° 2'25" W 858.19' TH N 80°38'50" W 598.20' TH N 07°18'07" E 424.29' TH N 80°38'50" W 751.92' TH N 01°14'05" E 431.51' TO POB. PART OF NE 1/4 SEC 23 T7N R2E 18.83 A M/L; 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 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 was 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 public hearing for September 19, 2011 on or about 7:30 p.m. in the council chambers for the purpose of 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.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF OWOSSO, SHIAWASSEE COUNTY, MICHIGAN THIS 6TH DAY OF SEPTEMBER, 2011.

AYES: ___ NAYS: ___ ABSTAIN:___ ABSENT: ___

CITY OF OWOSSO

ATTESTED:

**RESOLUTION SETTING PUBLIC HEARING TO CONSIDER APPLICATION FOR
TRANSFER OF INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE
NUMBER 2009-271 FROM CITY OF CORUNNA TO CITY OF OWOSSO
MACHINE TOOL & GEAR, INC., DIVISION OF NEWCOR MACHINED PRODUCTS GROUP
401 S. CHESTNUT STREET**

WHEREAS, application for Tax Abatement per the City of Owosso Tax Abatement Policy of June 7, 2010, was received August 15, 2011 and an application for Transfer of Industrial Facilities Tax Exemption Certificate Number 2009-271, City of Corunna, was received August 26, 2011 from Machine Tool & Gear Incorporated, Division of Newcor Machined Products Group, for property at 401 S. Shiawassee Street described as:

COMMENCING AT INTERSECTION OF EAST LINE CHESTNUT ST & SOUTHERLY RIGHT OF WAY LINE OF GRAND TRUNK RAILROAD; TH S 80°38'50" E 1317.01' TH S 02° 2'25" W 858.19' TH N 80°38'50" W 598.20' TH N 07°18'07" E 424.29' TH N 80°38'50" W 751.92' TH N 01°14'05" E 431.51' TO POB PART OF NE 1/4 SEC 23 T7N R2E 18.83 A M/L; and

WHEREAS, the applicant's property is part of an Industrial Development District established April 18, 1977 and amended October 9, 1978 and described as:

COMMENCING AT INTERSECTION OF EAST LINE CHESTNUT ST & SOUTHERLY RIGHT OF WAY LINE OF GRAND TRUNK RAILROAD; TH S 80°38'50" E 1317.01' TH S 02° 2'25" W 858.19' TH N 80°38'50" W 598.20' TH N 07°18'07" E 424.29' TH N 80°38'50" W 751.92' TH N 01°14'05" E 431.51' TO POB. PART OF NE 1/4 SEC 23 T7N R2E 18.83 A M/L; 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 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 was 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 public hearing for September 19, 2011 on or about 7:30 p.m. in the council chambers for the purpose of 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.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF OWOSSO, SHIAWASSEE COUNTY, MICHIGAN THIS 6TH DAY OF SEPTEMBER, 2011.

AYES: ___ NAYS: ___ ABSTAIN:___ ABSENT: ___

CITY OF OWOSSO

ATTESTED:



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

MEMORANDUM

DATE: September 1, 2011

TO: City Council

FROM: Ronald Baker, City Engineer

RE: Flood Protection Ordinance Amendment

As a part of the redrawing of the floodplain maps FEMA requires each affected municipality to adopt rules governing construction within flood prone areas.

In the interest of keeping things simple staff is recommending the current ordinance be repealed in its entirety and replaced by the attached language.

AN ORDINANCE ADOPTING A NEW CHAPTER 14, FLOOD PROTECTION, AND AGREEING TO COMPLY WITH THE REQUIREMENTS OF THE NATIONAL FLOOD INSURANCE ACT OF 1968, AS AMENDED AND REPEALING IN ITS ENTIRETY THE CURRENT CHAPTER 14, FLOOD PROTECTION

WHEREAS, the City of Owosso currently participates in the Federal Emergency Management Agency's (FEMAs) National Flood Insurance Program (NFIP) by complying with the program's applicable statutory and regulatory requirements for the purposes of significantly reducing flood hazards to persons, reducing property damage, and reducing public expenditures, and providing for the availability of flood insurance and federal funds or loans within its community, and

WHEREAS, the NFIP requires that floodplain management regulations must be present and enforced in participating communities, and utilize the following definitions, which also apply for the purposes of this ordinance, and

WHEREAS, the *Stille-Derossett-Hale Single State Construction Code Act, Act No. 230 of the Public Acts of 1972, as amended*, along with its authorization of the state construction code composed of the *Michigan Residential Code* and the *Michigan Building Code* and its appendices, specifically Appendix G, contains floodplain development and management regulations that comply with the FEMA NFIP minimum floodplain management criteria for flood prone areas, as detailed in Title 44 of the Code of Federal Regulations (44 CFR), Section 60.3; and

WHEREAS, the city of Owosso has accepted the responsibility to administer, apply, and enforce the provisions of the construction code act and the state construction code, specifically the *Michigan Residential Code* and the *Michigan Building Code*, to all construction within its community boundaries appearing as Chapter 8, Buildings and Building Regulations of the *Code of Ordinances of the City of Owosso, Michigan*;

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Owosso, Michigan to maintain eligibility and continued participation in the NFIP adopts the following to be designated Chapter 14, Flood Protection:

THE CITY OF OWOSSO ORDAINS: that Chapter 14, Flood Protection, be amended as follows:

Section1: Secs. 14-1 through 14-4 will read as follows:

Sec. 14-1. Definitions.

Flood or Flooding means:

- a. A general and temporary condition of partial or complete inundation of normally dry land areas from: 1) the overflow of inland or tidal waters, 2) the unusual and rapid accumulation or runoff of surface waters from any source, 3) mudflows, and
- b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and

unforeseeable event which results in flooding, as defined in paragraph a.1) of this definition.

Flood insurance rate map (FIRM) means the official map, which the Federal Emergency Management Agency (FEMA) has delineated both the risk premium zones applicable to the community and the Special Flood Hazards Areas designated as Zone A, AE, AH, AO, AR, A99, V or VE.

Floodplain means any land area susceptible to being inundated by water from any source.

Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

Floodplain management regulations mean zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, such as a floodplain ordinance, and other applications of police power that provide standards for the purpose of flood damage prevention and reduction.

Structure means a walled and roofed building that are principally above ground, gas or liquid storage facility, as well as a mobile home or manufactured unit.

Sec. 14-2. Enforcement.

The City of Owosso directs its designated enforcing agent for the construction code act, the Code Enforcement Official, to administer, apply, and enforce the floodplain management regulations as contained in the *Michigan Building Code*, including Appendix G, and to be consistent with those regulations by:

- a. Obtaining, reviewing, and reasonably utilizing flood elevation data available from federal, state, or other sources pending receipt of data from the FEMA to identify the flood hazard area and areas with potential flooding.
- b. Ensuring that all permits necessary for development in floodplain areas have been issued, including a floodplain permit, approval, or letter of no authority from the Michigan Department of Natural Resources and Environment under the floodplain regulatory provisions of Part 31, "Water Resources Protection," of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.
- c. Reviewing all permit applications to determine whether the proposed building sites will be reasonably safe from flooding. Where it is determined that a proposed building will be located in a flood hazard area or special flood hazard area, the construction code act enforcing agent shall implement the following applicable codes according to their terms:
 - (1) Floodplain management regulation portions and referenced codes and standards of the current *Michigan Residential Code*.
 - (2) Floodplain management regulation portions and referenced codes and standards of the current *Michigan Building Code*.
 - (3) Appendix G of the current *Michigan Building Code*.

- d. Reviewing all proposed subdivisions to determine whether such proposals are reasonably safe from flooding and to ensure compliance with all applicable floodplain management regulations.
- e. Assisting in the delineation of flood hazard areas, providing information concerning uses and occupancy of the floodplain or flood-related erosion areas, maintaining floodproofing and lowest floor construction records, and cooperating with other officials, agencies, and persons for floodplain management.
- f. Advising FEMA of any changes in community boundaries, including appropriate maps.
- g. Maintaining records of new structures and substantially improved structures concerning any certificates of floodproofing, lowest floor elevation, basements, floodproofing, and elevations, to which structures have been flood proofed.

Sec. 14-3. Flood Insurance Rate Maps.

The city of Owosso assures the Federal Insurance Administrator that it intends to review, on an ongoing basis, all amended and revised Flood Insurance Rate Maps (FIRMs) and related supporting data and revisions thereof and revisions of 44 CFR, Part 60, Criteria for Land Management and Use, and to make such revisions in its floodplain management regulations as may be necessary to continue to participate in the program.

Sec. 14-4. Flood Insurance Studies.

The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) entitled "Flood Insurance Study - City of Owosso, Michigan, Shiawassee County," dated January 16, 2003 with accompanying "Flood Insurance Rate Map" dated January 16, 2003 and "Hydrologic & Hydraulic Analysis of Owosso Drain" dated March, 2011, are hereby adopted by reference and declared to be a part of this Ordinance for the purposes of administration of the *Michigan Construction Code*, and declared to be a part of Section 1612.3 of the *Michigan Building Code*, and to provide the content of the "Flood Hazards" section of Table R301.2(1) of the *Michigan Residential Code*, and also adopts the Base Flood Elevation that the Federal Emergency Management Agency has declared for the Shiawassee River, which is indicated on said Flood Insurance Rate Maps.

Section 2. Repeal Clause.

Chapter 14, Flood Protection, of the *Code of Ordinances of the City of Owosso* is hereby repealed and replaced by this ordinance and all other ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict.

Section 3. Severability.

If any section, subsection, sentence, clause, phrase or portion of this amendment for any reason is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4. Effective Date.

This ordinance shall take effect twenty days after its passage.

Section 5. Inspection.

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.



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

MEMORANDUM

DATE: August 29, 2011

TO: City Council

FROM: Michael Compeau
Director of Public Safety

RE: Amend Traffic Control Order # 1172

Recommend amending Traffic Control Order #1172 approved by city council on November 20, 2006 to read "No Parking from 10:00pm. to 3:00am." The TCO currently reads "No Parking 10:00pm. to 6:00 am."

This will allow for an area in the downtown for employees who arrive to work before 6:00am a place to park.

CITY OF OWOSSO

TRAFFIC CONTROL ORDER

(SECTION 2.53 UNIFORM TRAFFIC CODE)

ORDER NO.	DATE	TIME
1172 Amended	8/29/11	11:30 AM

REQUESTED BY
Ron Baker - City Engineer
Michael Compeau – Director of Public Safety

TYPE OF CONTROL
Parking - See Below

LOCATION OF CONTROL
Lot 6 – Parking lot on the northwest corner of Park and Exchange Streets.

APPROVED BY COUNCIL _____ 20 _____

REMARKS

- Lot 6 has 47 parking spaces.
- a. There shall be no parking 10pm to 3am.
 - b. Two (2) parking spaces are designated “Handicap Parking”.
 - c. Twenty (20) parking spaces are designated “Leased Permit Parking Monday-Friday 8am-5pm.
 - d. Three (3) parking spaces are designated “Two Hour Parking Monday-Friday 8am-5pm”.
 - 1. “Two Hour Parking Monday-Friday 8am-5pm” are clearly marked by signage.



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

MEMORANDUM

DATE: August 19, 2011

TO: City Council

FROM: Michael Compeau
Director of Public Safety

RE: Traffic Control Order # 1258

City Engineer Ron Baker has advised that Monroe Street between Division and Woodlawn has recently been changed from a local street to a major street. MDOT requires this section of Monroe Street be posted “No Parking Stopping or Standing” for both sides of the street.

Recommend approval of TCO#1258 for No Parking on Monroe Street between Division and Woodlawn.

CITY OF OWOSSO

TRAFFIC CONTROL ORDER

(SECTION 2.53 UNIFORM TRAFFIC CODE)

ORDER NO.	DATE	TIME
1258	8/19/11	4:15 PM

REQUESTED BY
Ron Baker - City Engineer
Michael Compeau – Director of Public Safety

TYPE OF CONTROL
No parking on Monroe Street between Division and Woodlawn either side.

LOCATION OF CONTROL
Monroe Street between Division and Woodlawn

APPROVED BY COUNCIL _____ 20 _____

REMARKS

RESOLUTION ACCEPTING A GIFT OF \$15,000 FROM THE OWOSSO YOUTH BASEBALL LEAGUE TO BE USED FOR CONSTRUCTION OF A CONCESSION STAND AT KIWANIS FIELD AND EXPRESSING PUBLIC GRATITUDE FOR THE GENEROUS GIFT

WHEREAS, a plan has been prepared for renovations and additions to facilities located within the Kiwanis Field Ballpark; and

WHEREAS, a part of the plan is to construct concession stands for the enjoyment of fans and players; and

WHEREAS, the Owosso Youth Baseball League has decided to assist in the project by making a \$15,000 contribution toward the cost of the concession stand proposed for park;

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

FIRST: the city accepts the \$15,000 gift from the Owosso Youth Baseball League to be used for the benefit of the construction of a concession stand at Kiwanis Field.

SECOND: the gift is to be deposited in an account for Kiwanis Field improvements.

THIRD: the mayor and city council, on behalf of the residents of Owosso, hereby express their gratitude to the Owosso Youth Baseball League for the generous gift and concern for the residents, especially children and youth.

PASSED AND APPROVED BY THE CITY COUNCIL, CITY OF OWOSSO, SHIAWASSEE COUNTY, MICHIGAN THIS __ DAY OF SEPTEMBER 2011.



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

MEMORANDUM

DATE: 31 August, 2011

TO: Owosso City Council

FROM: Rick Williams, Finance Director

RE: Property Purchase – Gould Street

A vacant riverfront parcel abutting Gould Street southeast of the bridge was successfully acquired in a state of Michigan tax auction on August 24, 2011. Our winning bid of \$2,900.00 was also the minimum bid equating to the amount of back taxes owing. This parcel adjoins the water filtration plant and is intended to be held for public purposes.

Council authorized a not to exceed price at auction in a session held on June 20, 2011. The city will be responsible for current year taxes due and will have due care responsibilities going forward under applicable environmental protection statutes.

RESOLUTION _____

**RESOLUTION AFFIRMING THE PURCHASE OF PROPERTY
AT THE STATE OF MICHIGAN TAX AUCTION**

WHEREAS, the City of Owosso has amassed a series of properties surrounding the water treatment plant to serve as a buffer; and

WHEREAS, the City of Owosso had been made aware that a vacant parcel, described as

RANGE 07N SECTION 19 ALL THAT PT SEC 19 T7N R3E BOUNDED ON W BY E R/W GOULD ST ON N BY SHIA RIVER ONE BY LN 32' E & PAR TO W LN BLK 36 GEO T ABREY'S WOODLAWN PARK ADD FROM S LN LOT21 TO N LN LOT 7 SD BLK & A LN 50' W & PAR TO W LN SD BLK FROM N LN LOT 7 TO N LN LOT 1 BOUNDED ON S BY N LN LOT 7 EXT FR A PT 32¹ E OF W LN SD BLK TO PT 50' WOF W LN SD BLK & ALSO N LN LOT 1 SD BLK EXT FR A PT 50' W OF W LN SD BLK TO E R/W LN GOULD ST

adjoining the plant had become available via tax sale; and

WHEREAS, the Owosso City Council expressed an interest in obtaining the property and authorized funds for the purchase of the property during a closed session held June 20, 2011; and

WHEREAS, City staff was able to obtain the property at auction for a sum within the threshold set by Council.

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

- FIRST: The city of Owosso has heretofore determined that it is advisable, necessary and in the public interest to purchase vacant property adjoining the water treatment plant.
- SECOND: The city of Owosso affirms the purchase of the property in the amount of \$2,900 from the State of Michigan as part of a tax auction.
- THIRD: The above expenses shall be paid from the Water Fund.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF OWOSSO, SHIAWASSEE COUNTY, MICHIGAN THIS 6th DAY OF SEPTEMBER, 2011.

AYES:
NAYS:
ABSTENTIONS:
ABSENT:

ATTEST:

Amy K. Kirkland, City Clerk



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

MEMORANDUM

DATE: August 29, 2011

TO: City Council

FROM: Michael Compeau
Director of Public Safety

RE: Speed Measurement Radar Units-Police Department

Recommend purchasing seven (7) speed measurement radar units from MPH Industries Inc. Owensboro, KY.

In the best interest of the city it is recommended the council waive the sealed competitive bid requirement and purchase seven (7) radar units from MPH Industries Inc. in the amount of \$6335.00

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

MPH Industries Inc. has the state contract bid for Radar Units (Contract No# 071B7200249) which is a joint purchase with another government unit as allowed by the aforementioned exception to competitive bidding.

Funds were budgeted in the Capital Out-lay line item 101-300-978.000 for the 2011-12 fiscal year.

RESOLUTION _____

**RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR
SPEED MEASUREMENT RADAR UNITS WITH MPH INDUSTRIES INC.
316 EAST 9th STREET OWENSBORO, KY 42303**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has police department requiring the use of speed measurement radar units; and

WHEREAS, the State of Michigan has contracted with MPH Industries, Inc. for the purchase of such units and it is in the best interest of the city of Owosso to waive the competitive bid process in this case and avail itself of the State secured contract.

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

- FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to purchase seven speed measurement radar units for \$6,335.00.
- 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 MPH Industries Inc. up to the amount of \$6,335.00.
- THIRD: 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 6th DAY OF SEPTEMBER, 2011.

AYES:
NAYS:
ABSTENTIONS:
ABSENT:

CITY OF OWOSSO

ATTEST:

Benjamin R. Frederick, Mayor

Amy K. Kirkland, City Clerk

STATE OF MICHIGAN
 DEPARTMENT OF MANAGEMENT AND BUDGET
 PURCHASING OPERATIONS
 P.O. BOX 30026, LANSING, MI 48909
 OR
 530 W. ALLEGAN, LANSING, MI 48933

March 22, 2011

CHANGE NOTICE NO. 4
 TO
 CONTRACT NO. 071B7200249
 between
 THE STATE OF MICHIGAN
 and

NAME & ADDRESS OF VENDOR MPH Industries Inc. 316 East 9th Street Owensboro, KY 42303 Email: ELRuud@mphindustries.com	TELEPHONE: Eric Ruud (888) 689-9222
	VENDOR NUMBER/MAIL CODE
	BUYER/CA (517) 373-0301 Sue Cieciva
Contract Compliance Inspector: Sgt. Darryl Allen (517) 336-6685 Speed Measurement Devices, Radar and Lidar – Michigan State Police	
CONTRACT PERIOD: From: May 1, 2007 To: April 30, 2012	
TERMS 2% - 10 Days	SHIPMENT 30 Calendar Days ARO
F.O.B. Delivered	SHIPPED FROM Owensboro, KY
MINIMUM DELIVERY REQUIREMENTS One (1) Unit	

THIS CONTRACT IS EXTENDED TO LOCAL UNITS OF GOVERNMENT.

NATURE OF CHANGE (S):

Effective March 22, 2011, the State of Michigan exercises the final option year on this Contract. The new Contract end date is April 30, 2012.

In addition, the Warranty on the following Radar items is increased to three years, instead of the standard two-year warranty: Items 1.01, 1.02, 2.01, 2.02, 3.01, 3.02, 4.01, 4.02, 5.01, 5.02, 6.01, 6.02.

This increased warranty does not apply to items 7.01 or 7.02.

All other terms and conditions, specifications, and pricing remain unchanged.

AUTHORITY/REASON:

Per agency request and vendor agreement letter dated March 3, 2011.

TOTAL ESTIMATED CONTRACT VALUE REMAINS: \$19,500.00

MPH Industries

316 East 9th. St. - - Owensboro, KY 42303
Brandy M. Atherton, Inside Sales Representative
866-674-7378 x4
bmatherton@mphindustries.com

QUOTE

Date	Quote Number
08/23/11	AAAQ7014-01

Sold To: Owosso Police Dept
Michael Rau
202 S. Water Street
Owosso, MI 48867

Email: michael.rau@ci.owosso.mi.us
Phone: (517)725-0580
Fax: (517)725-0528

Ship To: Owosso Police Dept
Michael Rau
202 S. Water Street
Owosso, MI 48867

Phone: (517)725-0580
Fax: (517)725-0528

Terms	Rep	P.O. Number
	Brandy	

Qty	Description	Unit Price	Ext. Price
7	Python III FS K-Band Single Antenna Radar Package includes: radar, antenna, mounting brackets, cables, operators manual, two certified tuning forks, and a 3 yr limited factory warranty	\$905.00	\$6,335.00

MPH to offer \$75.00 trade-n credit per radar unit returned

SubTotal	\$6,335.00
Sales Tax	\$0.00
Shipping	\$0.00
Total	\$6,335.00

**Sales Tax not included if applicable.



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

MEMORANDUM

DATE: 31 August, 2011
TO: Owosso City Council
FROM: Donald Crawford
RE: Library Roof

The Library roof has deteriorated over the years and serious repairs are now necessitated. Estimates have been obtained and a decision made to use Dax Roofing Co. out of Clinton Township, Michigan.

The extensive work planned is described on the attached estimate. The plan is to utilize as much of the current tile as possible to save cost, while ensuring the work performed will last many years into the future.

RESOLUTION _____

**RESOLUTION AUTHORIZING A CONTRACT WITH
DAX ROOFING CO.
FOR THE RESTORATION OF THE LIBRARY ROOF**

WHEREAS, the City of Owosso has an historic Carneige Library built in the 1920's housing the Shiawassee District Library and serving Owosso citizens; and

WHEREAS, over time the tile roof on the structure has deteriorated causing water to leak inside the building endangering the resources housed inside; and

WHEREAS, the City of Owosso desires to have the roof restored to resolve the leaking issue while maintaining the historic appearance of the building; and

WHEREAS, estimates for the work were solicited and a responsive bid has been received.

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 restore the roof on the Shiawassee District Library building.

SECOND: The city of Owosso authorizes a contract between the City of Owosso and Dax Roofing Co. of Clinton Township, Michigan for the restoration of the Shiawassee District Library building roof in the amount of \$116,500.

THIRD: The above expenses shall be paid from a fund to be determined.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF OWOSSO,
SHIAWASSEE COUNTY, MICHIGAN THIS 6th DAY OF SEPTEMBER, 2011.

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:

Amy K. Kirkland, City Clerk

Dax Roofing Co.- Dax M. Billcheck, LLC

Estimate

Bus.Lic #2102199717
 19036 Gaynon
 Clinton Twp., MI 48035
 (586) 873-7127

Date Estimate #
 4/26/2011 712

Name / Address

~~Shiawassee District Library~~
 502 W. Main St.
 Owosso, MI 48867
 Director: Steven H. Flayer
 (989) 725-5134

Description	Qty	Rate	Total
Complete Clay Tile Roof Restoration work to be done: Remove existing clay tiles (Ludowici-French), replace any rotted wood decking as needed; Install new 2"x2" wood cant at eaves & new 2"x 5" stringers at hips; Install new copper drip edge to entire length of eave; Cover entire wood deck and drip edge with Titanium PSU-30 modified rubber underlayment; Reinstall field tiles with 1-3/4" copper slating nails with correct exposure and overhang at eave; Reinstall hip roll tiles with 2" copper slating nails over new copper hip stringer flashing; All work in this estimate includes necessary permits, materials, scaffolding, insurance, additional clay tiles, and clean up. For wood decking replacement, to use solid wood and screws at \$4 per lineal ft., structural repairs are extra. Tile installed around chimneys, valleys, etc. to be copper wire tied, no nails to penetrate copper flashing.	1	65,000.00	65,000.00
New Copper Gutter System, work to be done: Remove existing aluminum gutters; Install new fascia mounted, copper gutter brackets into each rafter tail with stainless steel screws and install internal copper support bar at & between gutter brackets every 18" attached to gutter with brass bolts; Install new K-style, 6 inch wide copper gutters. All seams and corners to be riveled & sweated with solder; Gutter to have three expansion joints; Gutters to have new 4" copper downspouts, secured to masonry with new bronze hangers. For new copper fascia trim add \$3500.	1	18,000.00	18,000.00
Front Parapet Saddle with Limestone Sills, work to be done: Remove existing roofing material; Replace any rotted wood decking as needed, cover wood decking with Titanium PSU-30 modified rubber underlayment; Install copper standing seam (double-lock seam method) on saddle; Install Thru-wall flashing under parapet limestone sills (sills to be removed temporarily and reinstalled over new copper with mortar); Limestone sill masonry joints to be primed and filled with GE silpruf silicone caulking; All new copper flashing and new copper valleys, soldered where necessary; Valley tiles to be cut to angle of the valley and wire tied as to not pierce valley metal.	1	9,800.00	9,800.00

Total

Dax Roofing Co.- Dax M. Billcheck, LLC

Bus.Lic #2102199717
19036 Gaynon
Clinton Twp., MI 48035
(586) 873-7127

Estimate

Date Estimate #
4/26/2011 712

Name / Address

Shiawassee District Library
502 W. Main St.
Owosso, MI 48867
Director: Steven H. Flayer
(989) 725-5134

Description	Qty	Rate	Total
New complete pipe flashing- Pipe flashing to be fabricated from copper, hemmed edges, soldered base and cap.	2	350.00	700.00
New Copper Chimney Flashing- Work to be done: Remove existing alum. flashing around chimney, replace rotted wood as needed and wrap base with PSU-30 underlayment; Install new copper apron, base and cap flashing around chimney, soldered corners.; Grind out mortar joints and tuck copper apron & cap flashings 1 inch into mortar joints, prime and caulk with GE silpruf silicone caulking.	1	2,500.00	2,500.00
Upper Flat Roof Replaced, work to be done: New copper apron to be fabricated and installed, soldered at seams and outside corners, with expansion points; Install new copper drip edge over copper apron to perimeter of flat roof secured with stainless steel screws ; Leave existing original metal flat roof and coat with asphalt primer; Install Liberty™ SBS Self-Adhering low slope Roofing System base and Cap sheet ; Leave existing (2) vents and flash at base accordingly. Manufacturer warranty of 15 yrs., average life of maintained bitumen roofing is 30 years, new roof can be recovered when it is due for replacement. (other flat roof options available)	1	12,000.00	12,000.00
Attic ventilation (other options available) - Install two 1275cfm aluminum solar power vents on upper flat roof (25 yr. manufacturers warranty).	2	1,000.00	2,000.00

Total \$110,000.00

DAX BILLCHECK <daxroofcontracting@att.net>
To: Steven Flayer <steven.flayer@sdl.lib.mi.us>

Thu, Aug 4, 2011 at 6:57 PM

Durolast installed on the upper flat roof would run an additional \$5500.00. It is one of the best flat roofing materials beside metal. I would recommend it. I think in the long run it would be great. Although, the original bitumen roof I proposed will last about twenty years and longer with maintenance. Durolast is more of a green product and will last longer than bitumen.

From: Steven Flayer <steven.flayer@sdl.lib.mi.us>
To: DAX BILLCHECK <daxroofcontracting@att.net>
Sent: Thu, August 4, 2011 9:32:19 AM
Subject: Re: Roofing Restoration Bid
[Quoted text hidden]

Steven Flayer <steven.flayer@sdl.lib.mi.us>
To: DAX BILLCHECK <daxroofcontracting@att.net>

Mon, Aug 8, 2011 at 10:34 AM

Thanks Dax, I'll get this to the city manager.
[Quoted text hidden]

DAX Roofing co.
Dax M. Billcheck, LLC

SLATE-Tile ROOF Restoration &
Metal work

Clinton Twp., MI
Fully Insured
Lic #2102199717

(586) 873-7127



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

MEMORANDUM

DATE: September 6, 2011

TO: OWOSSO CITY COUNCIL

FROM: Ronald Baker

RE: Change Order 2 for 2010 Curb and Gutter Program

We allowed Sumbera Excavating to begin the 2010 Curb and Gutter Program 6 weeks early because it was funded by the bond issue so it was not necessary to begin after July 1st as originally planned.

The Water Department began replacing the water main under Jerome Street between Gould and Oakwood on May 18th and finished on July 9th. When Sumbera was ready to put new curbs on Jerome Street the new water main was not completed yet and Sumbera was delayed two weeks in finishing the curb work on Jerome Street. This delay resulted in two extra weeks of barricading costs that Sumbera had not planned on when bidding the job. They are requesting the City reimburse them \$873.00 for the extra barricading costs due to the delay.

We are recommending the Council approve Change Order 2 in the amount of \$873.00 and approve payment up to that amount.

RESOLUTION NO. _____

**AUTHORIZING CHANGE ORDER NO. 2 TO
SUMBERA EXCAVATING
FOR WORK RELATED TO
THE 2010 CURB AND GUTTER PROJECT**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, entered into an agreement with Sumbera Excavating for the 2010 Curb and Gutter Program; and

WHEREAS, the work on this project has been completed and Change Order No.2 involving additional barricading costs has been remitted; and

WHEREAS, Sumbera Excavating incurred additional barricading expenses and requests the City reimburse them for the additional barricading costs in the amount of \$873.00.

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 pay Sumbera Excavating for the additional barricading costs as shown in Change Order No. 2.

SECOND: The accounts payable department is authorized to submit payment to Sumbera Excavating in the amount of \$873.00 for change order no. 2.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF OWOSSO,
SHIAWASSEE COUNTY, MICHIGAN THIS 6th DAY OF September, 2011.

Amy K. Kirkland, City Clerk

**CITY OF OWOSSO
CONTRACT CHANGE ORDER NO. 2 - FINAL**

TO: Sumbera Excavating

Date: 8/31/2011

CONTRACT: 2010 Curb and Gutter Program

PROJECT NO.: _____

You are hereby requested to comply with the following changes from the contract plans and specifications:

1 Item No.	2 Description of Changes - Quantities, Units, Unit Prices, Change in Completion Schedule, Etc.	3 Decrease Contract Price	4 Increase Contract Price
14	CONSTRUCTION SIGNING (2 EXTRA WEEKS OF BARRICADING)		\$ 873.00
	Change in contract price due to this Change Order		
	Total Decrease	\$ -	XXXXXXXXXXXXXX
	Total Increase	XXXXXXXXXXXXXX	\$ 873.00
	Difference between Co. 3 & 4		\$ 873.00
	Net INCREASE contract price		\$ 873.00

Original Contract Price:	\$ 53,658.00
Total Net Addition or Deduction by previous C.O. No.:	\$ 2,686.87
Total Amount of Contract Prior to this Change Order:	\$ 56,344.87
Net Addition or Deduction this Change Order No.:	\$ 873.00
Net Amount of Contract to date:	\$ 57,217.87

This time provided for completion in contract was increased by 2 weeks. This document shall become an amendment to the contract and all provisions of the contract will apply hereto.

Recommended by: _____

Approved by: _____

Accepted by: _____



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

MEMORANDUM

DATE: September 6, 2011

TO: OWOSSO CITY COUNCIL

FROM: Ronald Baker, Director of Public Services

RE: Change Order 1 for 2011 Sidewalk Program

We have completed the replacement of raised and substandard sidewalks in the South West Quadrant of the City and other raised sidewalks outside of that area that were brought to our attention by homeowners. These additional sidewalks increased the project scope by \$3,324.92 more than the original contract amount of \$22,260.00. We are still below the \$26,000.00 budgeted for these sidewalk repairs. Next year we plan to eliminate the raised and substandard sidewalks in the North West Quadrant.

We recommend Council approve change order 1 in the amount of \$3324.92 and approve payment up to \$25,584.92.

RESOLUTION NO. _____

**AUTHORIZING PAYMENT TO
SEIFERT CONCRETE & MASONRY
FOR WORK RELATED TO
THE 2011 SIDEWALK REPLACEMENT PROJECT**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, entered into an agreement with Seifert Concrete & Masonry for replacing raised and substandard sidewalks,

WHEREAS, the work on this project has been completed and is now eligible for payment; and

WHEREAS, SEIFERT CONCRETE and the City have agreed on the final quantities for this work and have submitted a final pay estimate and Change Order No. 1.

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 pay Seifert Concrete & Masonry for the work completed as part of the 2011 Sidewalk Replacement Project.

SECOND: The accounts payable department is authorized to submit payment to Seifert Concrete & Masonry in the amount of \$25,584.92 which includes change order no. 1 in the amount of \$3,324.92 as detailed on the attached Final Periodic Cost Estimate and Change Order No. 1.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF OWOSSO,
SHIAWASSEE COUNTY, MICHIGAN THIS 6th DAY OF September, 2011.

Amy K. Kirkland, City Clerk

**CITY OF OWOSSO
CONTRACT CHANGE ORDER NO. 1-FINAL**

TO: Seifert Construction

Date: 8/30/2011

CONTRACT: 2011 SIDEWALK PROJECT

PROJECT NO.: _____

You are hereby requested to comply with the following changes from the contract plans and specifications:

1 Item No.	2 Description of Changes - Quantities, Units, Unit Prices, Change in Completion Schedule, Etc.	3 Decrease Contract Price	4 Increase Contract Price
1	(+1141.65 SFT. of 4" Sidewalk removal & Replacement @ \$2.90/SFT.)		\$3,310.79
2	(- 100.5 SFT. of 6" concrete Replacment @ \$3.25/SFT.)	(\$326.63)	
3	(+357.77 SFT. of Lawn Restoration @ \$0.60/SFT.)		\$214.66
4	(+126.1 LFT of Sawcut @ \$1.00/LFT.)		\$126.10
Change in contract price due to this Change Order			
	Total Decrease	(\$326.63)	
	Total Increase	XXXXXXXXXXXXX	\$3,651.55
	Difference between Co. 3 & 4		
	Net INCREASED contract price		\$3,324.92

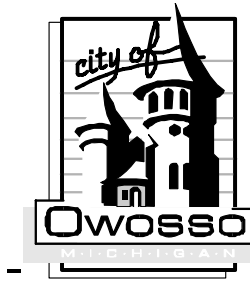
Original Contract Price:	\$ 22,260.00
Total Net Addition or Deduction by previous C.O. No.	\$ -
Total Amount of Contract Prior to this Change Order: 1	\$ 22,260.00
Net Addition or Deduction this Change Order No.:	\$ 3,324.92
Net Amount of Contract to date:	\$ 25,584.92

This time provided for completion in contract is (unchanged) (increased) (decreased) by 0 calendar days. This document shall become an amendment to the contract and all provisions of the contract will apply hereto.

Recommended by: _____

Approved by: _____

Accepted by: _____



WARRANT 428
August 30, 2011

Vendor	Description	Fund	Amount
Bodman PLC	Professional Services-August 2011	General	\$16,197.10
Michigan Municipal League Workers' Compensation Fund	Workers' Compensation Insurance 2 nd installment-revised amount	General	\$26,986.00
		TOTAL	\$43,183.10



michigan municipal league

Better Communities. Better Michigan.

August 10, 2011

Michigan Municipal League Annual Meeting Notice

(Please present at the next Council, Commission or Board Meeting)

Dear Official:

The Annual Convention of the Michigan Municipal League will be held in Grand Rapids, October 4-7, 2011. The annual meeting is scheduled for 1:00 pm on Wednesday, October 5, at the Amway Grand. The meeting will be held for the following purposes:

1. Election of Trustees. To elect six members of the Board of Trustees for terms of three years each (see page 2).
2. Policy. To vote on Core Legislative Principles document and resolutions properly brought before the annual meeting. All member municipalities planning on submitting resolutions for consideration at the annual meeting are reminded that under the Bylaws, the deadline for League Trustees to receive resolutions for their review is September 2, 2011 (please see page 2).
3. Other Business. To transact such other business as may properly come before the meeting.

Designation of Voting Delegates

Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the annual meeting, and, if possible, to designate one other official to serve as alternate. Please submit this information through the League website by visiting <http://www.mml.org/delegate> no later than September 21, 2011.

Regarding the designation of an official representative of the member to the annual meeting, please note the following section of the League Bylaws:

“Section 4.4 - Votes of Members. Each member shall be equally privileged with all other members in its voice and vote in the election of officers and upon any proposition presented for discussion or decision at any meeting of the members. Honorary members shall be entitled to participate in the discussion of any question, but such members shall not be entitled to vote. The vote of each member shall be cast by its official representative attending the meeting at which an election of officers or a decision on any proposition shall take place. Each member shall, by action of its governing body prior to the annual meeting or any special meeting, appoint one official of such member as its principal official representative to cast the vote of the member at such meeting, and may appoint one official as its alternate official representative to serve in the absence or inability to act of the principal representative.”

1. Election of Trustees

Regarding election of officers, under Section 5.3 of the League Bylaws, six members of the Board of Trustees will be elected at the annual meeting for a term of three years. The regulations of the Board of Trustees require the Nominations Committee to complete its recommendations and post the names of the nominees for the Board of Trustees on a board at the registration desk at least four hours before the hour of the business meeting.

2. Statements of Policy and Resolutions *

Regarding consideration of resolutions and statements of policy, under Section 4.5 of the League Bylaws, the Board of Trustees acts as the Resolutions Committee, and "no resolution or motion, except procedural and incidental matters having to do with business properly before the annual meeting or pertaining to the conduct of the meeting, shall be considered at the annual meeting unless it is either (1) submitted to the meeting by the Board of Trustees, or (2) submitted in writing to the Board of Trustees by resolution of the governing body of a member at least thirty (30) days preceding the date of the annual meeting." Thus the deadline this year for the League to receive resolutions is September 2, 2011.

"Every proposed resolution submitted by a member shall be stated in clear and concise language and shall be accompanied by a statement setting forth the reasons for recommending the proposed resolution. The Board shall consider the proposal at a Board meeting prior to the next annual meeting and, after consideration, shall make a recommendation as to the advisability of adopting each such resolution or modification thereof."

The proposed Michigan Municipal League Core Legislative Principles and any new proposed Resolutions recommended by the Board of Trustees for adoption by the membership are available on the League website*, to permit governing bodies of member communities to have an opportunity to review such proposals and delegate to their voting representative the responsibility for expressing the official point of view of the member at the annual meeting.

The Board of Trustees will meet on Wednesday, October 5 at the Amway Grand for the purpose of considering such other matters as may be requested by the membership, in addition to other agenda items.

* The proposed League Core Legislative Principles document is available on the League website at <http://www.mml.org/delegate>. If you would like to receive a copy of the proposed principles by fax, please call Susan at the League at 800-653-2483.

Sincerely,



Carol Shafto
President
Mayor of Alpena



Daniel P. Gilmartin
Executive Director & CEO

Enc.



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

MEMORANDUM

DATE: August 30, 2011
TO: City Council
FROM: Amy K. Kirkland, City Clerk
RE: OPRA Resolution Amendment

On August 15, 2011 Council approved Resolution No. 130-2011 approving a 6 year Obsolete Property Rehabilitation Exemption Certificate for Wesener, LLC for the property located at 104-108 North Washington Street. The completed exemption application and resolution were subsequently sent to the State Tax Commission for final approval. A review of the resolution by the State found some clarification is necessary. Because the exemption was granted for a period less than the maximum 12 years they are requesting Council amend the resolution to include a statement indicating either there is no opportunity for an extension of the original application, or if opportunity will be afforded what criteria would be used in determining an extension. As the applicant requested only a 6 year abatement and any additional years would offer them no advantage due to the brownfield plan in place it is our recommendation Council amend the resolution to indicate there is no opportunity for an extension of the abatement. Attached you will find an amended version of Resolution No. 130-2011 with the added text in bold type.

Staff recommends approval of Resolution No. 1302-11, as amended.

**RESOLUTION NO. 130-2011,
AS AMENDED SEPTEMBER 6, 2011**

**A RESOLUTION TO APPROVE
THE APPLICATION FOR AN
OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE
FROM DAVE ACTON OF WESENER, LLC
FOR PROPERTY LOCATED AT
104-108 N. WASHINGTON STREET**

WHEREAS, the City of Owosso is a Qualified Local Government Unit within the State of Michigan and is empowered to provide tax exemptions for increased value of rehabilitated facilities within the City; and

WHEREAS, after public notice and a public hearing on March 1, 2004, the City Council of the City of Owosso approved an Obsolete Property Rehabilitation District at 104-108 N. Washington Street in Owosso, Michigan at said meeting, as provided by section 4(2) of Public Act 146 of 2000. Said property more particularly described as:

S 2/3 OF LOT 5 & N 1/3 OF LOT 6 (EX E 22' OF LOT 6) BLK 21 ORIGINAL PLAT

WHEREAS, the City Clerk received a complete application and required documentation on July 27, 2011 from Dave Acton, authorized agent for Wesener, LLC, owner of the property, for an Obsolete Property Rehabilitation Exemption Certificate requesting a 6 year abatement; and

WHEREAS, notice of a public hearing concerning the application for an exemption certificate was provided to the Assessor of the City and the legislative body of each taxing unit that levies ad valorem property taxes in the City; and

WHEREAS, the City finds that the property meets the definition of an obsolete property as defined in section 2(h) of Public Act 146 of 2000 and the application for the exemption certificate is complete; and

WHEREAS, the City finds that the property relates to a rehabilitation program that when completed constitutes a "rehabilitated facility" within the meaning of P.A. 146 of 2000, and said property is located within an Obsolete Property Rehabilitation District established in a Qualified Local Governmental Unit eligible under Public Act 146 of 2000 to establish such a district; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of PA 146 of 2000; and

WHEREAS, it has been found that the rehabilitation of the obsolete property is calculated to, and will at the time of the issuance of the certificate, have the reasonable likelihood to increase commercial activity, retain and create employment, and revitalize the downtown; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of the property already exempt under PA 146 of 2000 and under PA 198 of 1974 does not exceed 5% of the total taxable value of the unit; and

WHEREAS, the applicant is not delinquent in any taxes related to the facility; and

WHEREAS, the rehabilitation work described in the application had not commenced prior to the establishment of the District.

NOW, THEREFORE, BE IT RESOLVED that, based on the findings above made at public hearing, the City Council of the City of Owosso authorizes the application for an Obsolete Property Rehabilitation Exemption Certificate at 104-108 N. Washington Street for a period of 6 years as requested by the applicant, **and no further extensions of this certificate will be allowed**; and

ALSO, BE IT RESOLVED that the rehabilitation shall be completed within eighteen (18) months from the date of approval of said application, and

FURTHERMORE, BE IT RESOLVED that the application and resolution are authorized for submittal to the State Tax Commission for final review and authorization.

Afternoon Adam,

Please accept this as my formal notice of resignation from the Owosso Parks & Rec. Commission. I have decided that my interests and skills are better suited with the Planning Commission.

My resignation from the Parks & Rec. Board will be affective on August 23rd. I would be interested in assisting with the Parks & Rec. Board on organized community wide fund raising projects for the Owosso Playscape.

If you have any questions please feel free to contact me.

Kind regards,
Terri Burner-Brown

Minutes of the **August 16, 2011**, regular meeting
of the **Owosso Historical Commission** held
at the Gould House, 7:00 p.m.

Members Present: City Treasurer Ronald Tobey, Chairperson Piper Brewer, and members Michael Erfourth, Shaffer Fox, JoEllen Hartley, Crystal Smith, Charles Wascher and Gary Wilson.

Members Absent: Lorraine Weckwert and vacancy

Guests Present: Michael Smith

The meeting was called to order at 7:02 p.m. by Chairperson Brewer.

Motion by Wilson to accept and place on file minutes of July 19, 2011. Supported by Smith and approved.

Motion by Wascher to accept the July 2011 Treasurer's Report. Supported by Erfourth and approved.

Citizen Comments: Michael Smith presented a proposal and estimate to travel to Massachusetts to obtain the Curwood book donation. Travel would take place on September 23-25 and the Historical Commission would be asked only to reimburse for travel expenses estimated to be about \$1230, including the rental of a trailer. Motion by Fox to accept offer from Michael and Crystal Smith. Support by Erfourth. Approved.

Books will need to be unloaded the morning of September 26 and will be stored in the Castle.

Members were reminded that Weckwert is working on updating the Walking Tour Brochure for a reprint.

Brewer reported estimates from two sources:

Speedy Print: 1000 @ \$212, 2500 @ \$354 and 5000 @ \$530

Independent: 2500 @ \$650, 5000 @ \$990 and 10000 @ \$1,580

Motion by Wilson to print 5000 at Speedy Print for \$530. Seconded by Hartley and carried.

Members were updated that Jesse Farr has scheduled to paint the carriage house in early September. It will take approximately two weeks. Tobey was asked to contact the property owner at the rear of the carriage house to obtain permission to place ladders to paint that side of the building.

Estimates to reprint the 1908 book were presented by Brewer.

Speedy Print uses a high quality copy machine; 500 @ \$1,933, 1000 @ \$2,950 and 2500 @ \$4,425.

Independent would use a scanner; 500 @ \$2,250, 1000 @ \$3,210, and 2500 @ \$4,270.

Members reviewed the samples and noticed that the copied images were sharper than the scanned ones.

Motion by Fox for the proposed purchase of 2500. No support.

Motion by Wascher to obtain 1000 copies of the 1908 book for \$2,950 from Speedy Print to price up to \$8.00 per book. Wilson supported and motion carried.

It was noted that the three porches on the Gould House needed painting. Erfourth volunteered to take care of painting them. Farr will make needed carpentry repairs at the end of the painting season.

Members were informed that Jamie Brummel had submitted resignation to the Commission.

Chairman Brewer adjourned the meeting at 8:10 p.m.

Respectfully submitted,
Ronald J. Tobey, Secretary/Treasurer

Minutes
Regular Meeting of the Parks & Recreation Commission
Council Chambers, City Hall
August 22, 2011 – 6 p.m.

The meeting was called to order at 6:00 p.m. by Chairperson Ladd.

Roll call was taken by Recording Secretary Marty Stinson.

Members Present: Commissioners Terri Brown, Sherri Chavora, Jerry Hebekeuser, Jeff Selbig, and Chairperson Marsha Ladd.

Members Absent: None

Others Present: Adam Zettel, Assistant City Manager and Director of Community Development, and audience members.

Approve Agenda for August 22, 2011:

A motion to approve the agenda as presented by Commissioner Chavora and supported by Commissioner Brown.

Ayes: all, motion carried

Approve Minutes from July 25, 2011 meeting:

A motion to approve the minutes from the July 25, 2011 meeting was made by Commissioner Brown and supported by Commissioner Hebekeuser.

Ayes: all, motion carried

Public Comments:

Terry McLeod, 1749 S. Durand Rd, Lennon, is the Shiawassee County representative to the Mid-West Michigan Trail Authority and an ex-officio member of the Friends of the Fred Meyer CIS (Clinton-Ionia-Shiawassee) Trail. She shared that this trail is 125 miles long and is the fifth longest trail in the United States. In 2012 the plan is to pave three to four miles in small villages; and the second phase will be to limestone the connections. She is a runner and hopes the Parks and Recreation Plan will include a trailhead in Owosso. People run and then at a trailhead they are ready to eat and walk around and relax their muscles. They need amenities in town to encourage runners to visit this area.

Elwin Smith, 916 Division Street requested boating docks / boat launches at Hopkins Lake. There were some on the east side where Palmer Street is, maybe thirty years ago.

David Green, 604 Ryan Street, would like another fishing float/dock at Hopkins Lake.

Communications:

1. Staff memorandum
2. July 25, 2011 minutes
3. Updated pages from the Owosso Park Plan
4. Financial update
5. Disc golf information

Business:

1. Park Plan Update – Public Hearing

Mr. Adam Zettel, Assistant City Manager and Director of Community Development, opened the public

hearing by stating this was a two-part process. First the board is looking for input from the public. Then a time to deliberate and prepare a draft and amendments.

Gary Burk, President of the Friends of Shiawassee River, stated the river is like a park and should be included in the park planning. It connects the city and the county parks. They are also looking to bring in the Rails to Trails; and the river should be incorporated in the parks plan. The plan could include:

- ✓ Kayak launch sites in and out of town
- ✓ A walleye fishery
- ✓ The city property at the water treatment plant could open more area to public access.
- ✓ Low head dams could be upgraded such as the one by the M-21 bridge in town, and make it more natural looking.
- ✓ Upgrade the riverwalk to Corunna and provide better access areas.
- ✓ Improve river esthetics by ridding it of invasive plant species and planting more natural species.
- ✓ Relocate the bus garage and open the area for a park use.
- ✓ Maybe look to Cass Street for a trailhead.

His group hopes to be a partner with the Parks and Recreation Commission.

Frederick Dibeau suggested paving the parking lot at the Bennett Field. It has heavy erosion and several deep drops.

City Councilmember Joni Forster spoke about the Parks and Recreation Commission needing a comprehensive plan and that each park needs an individual evaluation. She recommends more community involvement and better notification of public meetings. She advised to take the time and do it well.

The meeting was opened to the board members.

Commissioner Hebekeuser was pleased to see the attendees and hear the great suggestions. We need to make it work.

Commissioner Chavora commented that the board talked about going through the plan several pages at a time. We have several great suggestions and need to keep it going.

Mr. Zettel stated he would add Chapter 13 – Trails, and Chapter 14 – Non Park Lands. Those would be recreational such as the area near the water treatment plant. This would be added to the Master Plan also.

Chairperson Ladd stated that a new splash pad may not be in a park or even in the city. Ms. Ladd went to a regional meeting to discuss assets and needs in the community. The Shiawassee River was a very high priority along with Baker College.

Mr. Hebekeuser agrees with Mr. Dibeau's comments regarding Bennett Field.

Mr. Zettel stated that we need to build more flexibility in the Parks and Recreation Plan so if someone comes up with a special fund something may move ahead. When special groups bring in plans and resources, that project may move ahead.

The board decided to hold a special meeting on Tuesday, September 13 at 6 p.m. to work on the Parks and Recreation Plan.

2. Disc Golf

Jonathon Beebe, 1309 N. Hickory Street, discussed the benefits of disc golf – mostly it being great exercise and a lot of fun. McCurdy Park installed theirs in 2009 and he was part of that process.

Darcey Crank, 317 S. Elm, talked about the principles of the game and showed the board a disc. It costs about \$5-6,000 for the course. He had checked out some of the parks and favored Rosevear Park. It could be installed without cutting any trees. It has water and there would be no clearing of brush. This game is becoming more and more popular and several surrounding communities have them too. He continued that fundraising could involve the Cook Foundation, or local businesses could sponsor a hole with advertising – possibly restaurants for after game refreshments.

Commissioner Selbig commented Rosevear Park should be a priority. There is so much that needs to be done there – it's very overgrown.

Mr. Hebekeuser asked the men to keep coming to the Parks and Rec meetings, and to please come back on September 13.

Mr. Crank answered a question and said that the Par was three on each hole.

3. Fundraising Update/Bentley Park

Commissioner Chavora stated that the last event raised \$700. The next event will be a Concert in the Park at Bentley Park on the first Friday after Labor Day.

Staff Comments:

Mr. Zettel stated the Kiwanis wanted to combine the first two phases / renderings. The board was in general consensus that the renderings were firm in their design for the playscape at Bentley Park.

Adjournment:

A motion to adjourn the meeting was made by Commissioner Hebekeuser and was supported by Commissioner Brown. The meeting adjourned at 7:00 p.m.

Ayes: all, motion carried

Marty Stinson
Recording Secretary

REGULAR MEETING OF THE OWOSSO PLANNING COMMISSION
Council Chambers, City Hall
August 22, 2011 – 7 pm

Meeting was called to order at 7:07 p.m. by Chairman William Wascher.

The Pledge of Allegiance was recited by all in attendance.

Roll Call was taken by Recording Secretary Marty Stinson.

MEMBERS PRESENT: Chairman William Wascher, Secretary Melvin Renfrow, Commissioners Burton Fox, Brent Smith, and Thomas Taylor.

MEMBERS ABSENT: Vice-Chairman Francis Livingston, David Bandkau, Cindy Popovitch and vacancy.

OTHERS PRESENT: Adam Zettel, Assistant City Manager and Director of Community Development.

AGENDA APPROVAL:

MOTION BY COMMISSIONER FOX, SUPPORTED BY COMMISSIONER TAYLOR TO APPROVE THE AGENDA FOR AUGUST 22, 2011 AS PRESENTED.

YEAS ALL. MOTION CARRIED.

MINUTES APPROVAL:

MOTION BY COMMISSIONER FOX, SUPPORTED BY COMMISSIONER TAYLOR TO APPROVE THE MINUTES OF THE MEETING OF AUGUST 8, 2011.

YEAS ALL. MOTION CARRIED.



COMMUNICATIONS:

1. Staff memorandum
2. PC minutes from August 8, 2011
3. Master plan material

COMMISSIONER/PUBLIC COMMENTS: None

PUBLIC HEARING: None

SITE PLAN REVIEW: None

BUSINESS ITEMS: None

ITEMS OF DISCUSSION: **MASTER PLAN PUBLIC OUTREACH**

Adam Zettel, Assistant City Manager and Director of Community Development, reviewed some points from his memo to the commissioners dated August 15, 2011. Discussion began regarding the disbursement of the survey. Suggestions were online at the city's website, at the Farmers and Artisan Markets, presentation to various groups, though the water bill, possible direct mail, and notices in the newspaper. There may also be possible follow-up questions to specific groups. Also suggested was a newsletter to occupants, checking voters' registration for addresses, and distributing the survey to the middle and high schools.

Discussion about the content of the survey involved changing (and shortening) the survey for the middle and high school students; asking about age and income levels for the city-wide survey; noting responses from the four quadrants for further planning; and planned disbursement date and closing date.

Mr. Zettel continued the discussion with the board about the focus groups. We need volunteers from the Planning Commission, professionals from Baker College and Memorial Healthcare, other community professionals and citizens. It was decided to have four focus groups. One for the State Highways, M-21, 52 and 71; another for Baker College and Memorial Healthcare, a third for Westtown, and a final focus group for the downtown area. Various names were taken by Mr. Zettel for contact and inclusion to these groups. He will speak to the individuals and set up the times for the focus groups to meet.

COMMISSIONER/STAFF COMMENTS:

Mr. Zettel noted that he talked to Gary Palmer about the newest Premier Waste building at 1901 W. South Street. The building will be 40 x 60 feet at this time with the possibility to expand to the full 100 feet when the economy improves. A letter was delivered explaining the change to the site plan. Discussion continued with Commissioner Fox about the berm still not being done. Mr. Zettel said the berm was done and it would too difficult to change it now. Chairman Wascher commented about the dead trees. Mr. Zettel stated those could be replaced.

ADJOURNMENT:

MOTION BY COMMISSIONER FOX, SUPPORTED BY COMMISSIONER TAYLOR TO ADJOURN AT 8:44 P.M.

YEAS ALL. MOTION CARRIED.

m.m.s.

Melvin Renfrow, Secretary