

**OWOSSO CITY COUNCIL**

**DECEMBER 5, 2011**

**7:30 P.M.**

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

**OPENING PRAYER:** PASTOR DAVID WOODBY  
REDEEMER LUTHERAN CHURCH

**PLEDGE OF ALLEGIANCE:** JUSTIN MCNAMARA  
LINCOLN HIGH SCHOOL SENIOR

**PRESENT:** Mayor Benjamin R. Frederick, Mayor Pro-Tem Cindy S. Popovitch, Councilpersons Loreen F. Bailey, Thomas B. Cook, Michael J. Erfourth, Christopher T. Eveleth and Burton D. Fox.

**ABSENT:** None.

**APPROVE AGENDA**

Motion by Mayor Pro-Tem Popovitch to approve the agenda as presented.

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

**APPROVAL OF THE MINUTES OF REGULAR MEETING OF NOVEMBER 21, 2011**

Motion by Councilperson Erfourth to approve the Minutes of the Regular Meeting of November 21, 2011 as presented.

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

**SPECIAL PRESENTATIONS**

**RECREATION PASSPORT GRANT CHECK PRESENTATION**

Murdock Jemerson, Michigan Department of Natural Resources Rose Lake District Supervisor, presented a check to the City for \$29,300 in grant funding to assist in the renovation of Bentley Park.

**PUBLIC HEARINGS**

**ORDINANCE AMENDMENT - CITY EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES**

The proposed amendment to Chapter 2, *Administration*, Article VII, *Municipal Employees' Pensions*, Section 2-403, *Board of Trustees* would remove the requirement that the mayor be a member and allow a councilmember to be the second Council representative.

A public hearing was conducted to receive citizen comment regarding the proposed amendment to Chapter 2, *Administration*, Section 2-403, *Board of Trustees*.

There were no citizen comments.

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

**ORDINANCE NO. 725**

**TO AMEND THE MAKE-UP OF  
THE CITY EMPLOYEES' RETIREMENT SYSTEM  
BOARD OF TRUSTEES**

AN ORDINANCE to amend Section 2-403, *Board of Trustees*, of Chapter 2, *Administration*, Article VII, *Municipal Employees' Pensions*, to allow the Mayor to appoint a Council designee to serve in his/her place on the City Employees' Retirement System Board of Trustees.

WHEREAS, the City of Owosso has a retirement system that is managed by a Board of Trustees; and

WHEREAS, Ordinance currently dictates the Mayor serve as a part of this Board; and

WHEREAS, it has been requested Council consider allowing the Mayor the option of appointing a Council designee to serve in his/her place on the Board; and

WHEREAS, it is felt such an amendment will provide flexibility while maintaining the composition of the Board.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Owosso, Michigan that, Chapter 2, Administration, Article VII, Municipal Employees' Pensions, Section 2-403, Board of Trustees, read as follows:

THE CITY OF OWOSSO ORDAINS:

SECTION 1. Sec. 2-403 shall read as follows:

**Sec. 2-403. Board of trustees.**

(a) There is hereby created a board of trustees (the "board") in whom is vested the general administration, management, and responsibility for the proper operation of the retirement system and for making effective the provisions of this article. The board shall consist of seven (7) trustees as follows:

- (1) The mayor or a councilman who is not eligible to participate in the retirement system as a member or retiree;
- (2) A second councilman who is not eligible to participate in the retirement system as a member or retiree;
- (3) A citizen who has the qualifications required by the charter for holding an elective city office and who is not eligible to participate in the retirement system as a member or retiree, to be appointed by the council;
- (4) A police officer member to be chosen by the police officer members;
- (5) A fire fighter member to be chosen by the fire fighter members; and
- (6) Two (2) general city members: one (1) general city member to be chosen by non-unionized general city members and one (1) general city member to be chosen by the unionized general city members.

(b) The choosing of the trustees provided for in paragraphs (4), (5), and (6), above, shall be held in the month of May in each year under such rules and regulations as the board shall, from time to time, adopt.

Section 2: Effective Date.

This ordinance shall take effect December 25, 2011.

Section 3: 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.

Motion supported by Councilperson Cook.

AYES: Councilpersons Cook, Bailey, Erfourth, Mayor Pro-Tem Popovitch, Councilpersons Fox, Eveleth and Mayor Frederick.

NAYS: None.

**CITIZEN COMMENTS AND QUESTIONS**

Martha Stinson, 208 South Cedar Street, indicated she thought South M52 had become more dangerous due to the lane changes and the impatience of drivers. She asked that no changes be considered when North M52 is reconstructed.

Michael Tillotson, 1299 South Shiawassee Street, said he lives on South M52 and likes the 3 lane configuration. He went on to say that stepping up traffic enforcement may alleviate some of the issues Ms. Stinson mentioned. He also said he was proud of our military.

Mayor Frederick noted what a great event the Glow Parade and tree lighting were, with many people coming out to enjoy the downtown.

Councilperson Cook indicated he had received comments from citizens that were pleased with the recent improvements to City Hall and also approved of the change in lane configurations on South M52.

Councilperson Fox asked for an update on the status of the fence at 415 Curwood Drive. It was noted the mortgage company had been located and they are making arrangements to repair the fence and board up the pool.

**CITY MANAGER REPORT**

City Manager Crawford noted that the first snow plowing went well after the change in the plowing policy. He went on to note that leaf pick up will continue now that the snow has melted.

Next he distributed details on the library roof bid telling Council that a decision will need to be made in the next few weeks whether to pursue repairs or a complete reroof of the building.

There was discussion regarding the project status report, further discussions on the rails to trails project, and the status of the hire of a new Main Street manager.

**STUDENT REPRESENTATIVE REPORT**

Lincoln High School student Justin McNamara was on hand to present recent events at Lincoln High School. He said two students graduated last semester and the volleyball team was doing well. He indicated that he himself hopes to graduate in the spring and plans on enlisting in the Army. He was congratulated on his achievements and thanked for his attendance at meetings over the last couple of years.

**CONSENT AGENDA**

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

Special Assessment District No. 2011-01–Hazards and Nuisances. Authorize Resolution No. 1 setting a public hearing for Tuesday, January 3, 2012 to receive citizen comment regarding Special Assessment District No. 2011-01, Hazards and Nuisances, as it relates to unpaid costs incurred in the altering, repairing, tearing down, abating or removing of hazards and nuisances as follows:

**RESOLUTION NO. 180-2011**

**SPECIAL ASSESSMENT DISTRICT NO. 2011-01  
HAZARDS AND NUISANCES**

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll is hereby accepted and shall be filed in the office of the City Clerk for public examination.
2. The Council shall meet at the Owosso City Hall, Owosso, Michigan at 7:30 o'clock p.m., on Tuesday, January 3, 2012 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same.
3. The City Clerk is directed to publish the notice of said hearings once in *The Argus Press*, the official newspaper of the City of Owosso, not less than ten (10) days prior to said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of the property subject to assessment, as indicated by the records in the City Assessor's office as shown on the general tax rolls of the City, at least ten (10) days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.

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

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

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

<b>PARCEL NUMBER</b>	<b>ADDRESS</b>	<b>BALANCE</b>
050-602-008-015-00	1024 S Chipman	103.52
050-580-000-140-00	930 Jerome	509.23

050-391-000-015-00	433 E Mason	103.52
050-470-009-002-00	316 E Williams	147.03
050-652-007-003-00	822 S Saginaw	208.60
050-194-000-011-00	1009 Wiltshire	124.18
050-602-007-005-00	1803 W Stewart	105.08
050-580-000-140-00	930 Jerome	577.81
050-602-014-008-00	1064 Tracy	551.86
050-622-002-009-00	835 Ament	614.91
050-690-006-002-00	912 N Chipman	621.89
050-120-001-010-00	502 River	219.67
050-390-004-012-00	1260 Adams	940.68
050-113-016-006-00	1407 Young	122.27
050-230-000-040-00	1201 Willow	306.62
050-113-016-008-00	1415 Young	252.27
050-652-007-003-00	822 S Saginaw	225.11
050-601-000-002-00	417 Grace	137.57
050-220-000-044-00	1420 Young	485.11
050-500-002-008-00	311 Prindle	140.96
050-720-000-008-00	1407 W King	140.96
050-668-000-022-00	518 E Williams	185.78
050-113-011-003-00	536 Martin	271.71
050-111-001-030-00	614 E King	185.78
050-668-000-021-00	522 E Williams	185.78
050-651-006-019-00	312 Green	131.34
050-060-001-004-00	502 Jennett	312.58
050-114-006-009-00	1021 S Lyon	544.18
050-420-007-009-00	719 Lingle	140.96
050-420-005-003-00	713 Division	140.96
050-111-005-008-00	531 N Gould	118.22
050-170-004-008-00	415 Curwood	325.78
050-130-000-023-00	Ash - VL	130.00
050-420-005-016-00	712 Grand	130.00
050-602-004-013-00	826 Hammont	130.00
050-602-029-014-00	1318 S Chipman	140.00
050-580-000-007-00	622 E Main	130.00
050-602-008-018-00	1024 S Chipman	420.00
050-470-009-005-00	324 NSaginaw	130.00
050-420-010-020-00	814 Broadway	260.00
050-580-000-007-00	622 E Main	130.00
050-060-008-002-00	820 N Water	130.00
050-450-000-021-00	804 Center	160.00
050-010-023-001-00	990 Corunna	140.00
050-010-023-002-00	516 Garfield	130.00
050-010-023-004-00	528 Garfield	130.00
050-220-000-040-00	1428 Young	130.00
050-010-023-001-00	990 Corunna	430.49
050-420-011-011-00	719 Broadway	598.46
050-090-002-016-00	1419 Cleveland	296.36
050-470-021-015-00	113 E Main	131.78
050-420-010-020-00	814 Broadway	622.95
050-113-016-006-00	1407 Young	355.78
050-113-010-004-00	1408 W Stewart	944.67
050-602-008-012-00	1224 Frederick	222.00
050-668-000-022-00	518 E Williams	145.08
050-060-009-008-00	713 Pine	168.94
050-390-001-006-00	1020 N Water	544.44
050-113-015-004-00	1315 W Main	239.35
050-668-000-021-00	522 E Williams	154.95
050-010-004-004-00	827 Glenwood	308.93
050-170-004-008-00	415 Curwood	368.93
050-010-016-018-00	608 Glenwood	296.11
050-170-004-008-00	415 Curwood	92.54

17,523.68

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

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

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

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

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall, Owosso, Michigan at 7:30 p.m. on Tuesday, January 3, 2012 for the purpose of reviewing said Special Assessment Roll-Hazards and Nuisances and for the purpose of considering all objections to said roll submitted in writing. If you have questions regarding this notice, please contact the City Treasurer's Office at 725-0599.

Set Public Hearing – Ordinance Amendment, Special Assessments for Hazards & Nuisances.  
Set a public hearing for Monday, December 19, 2011 to receive citizen comment regarding the proposed amendment to Chapter 28, Special Assessments, Section 28-10.5, Special assessment roll—Hazards and nuisances, to allow the city to set special assessment rolls for hazards and nuisances multiple times per year as follows:

**AN ORDINANCE TO AMEND THE SPECIAL ASSESSMENT PROCESS FOR HAZARDS AND NUISANCES**

AN ORDINANCE to amend Section 28-10.5, *Special assessment roll – Hazards and nuisances*, Chapter 28, Special Assessments, to allow hazards and nuisances to be specially assessed more than once per year.

WHEREAS, the City of Owosso has a Special Assessment process to lien properties for unpaid invoices resulting from the abatement of hazards and nuisances; and

WHEREAS, the process allows properties to be liened only once per year; and

WHEREAS, recent circumstances have brought to light the need for more action to prevent a loss in the ability to collect such costs; and

WHEREAS, it is felt an amendment to the ordinance governing special assessments is essential to resolving this problem.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Owosso, Michigan that, Chapter 28, Special Assessments, Section 28-10.5, *Special assessment roll – Hazards and nuisances*, read as follows:

THE CITY OF OWOSSO ORDAINS:

SECTION 1. Sec. 28-10.5 shall read as follows:

**Sec. 28-10.5 Special assessment roll--Hazards and nuisances.**

Pursuant to the provisions of section 10.7 of the Charter, the assessor shall make a special assessment roll of all lots and parcels of land within the city upon which hazards and nuisances were found to have existed and for which the city incurred costs associated with altering, repairing, tearing down, abating or removing the hazards and nuisances. The assessment roll shall be prepared **at least** annually and shall list for each lot and parcel the amount of such cost that has remained unpaid for at least thirty (30) days.

Section 2: Effective Date.

This ordinance shall take effect twenty days after passage.

Section 3: 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.

Section 4: Public Hearing.

A public hearing is set for Monday, December 19, 2011 at approximately 7:30 p.m. in the City Hall Council Chambers to hear citizen comment regarding the proposed amendment.

Rescind Resolution and Reapprove Separate Resolutions - Tax Exemptions for Midwest Bus.  
Rescind Resolution No. 168-2011 authorizing real and personal property tax exemptions for Midwest Bus, Inc. and approve two new separate resolutions authorizing the real and personal property tax exemptions independently as follows:

**RESOLUTION NO. 181-2011  
To replace Resolution No. 168-2011**

**APPROVING AN IFE APPLICATION  
REAL PROPERTY REHABILITATION  
MIDWEST BUS CORPORATION  
1070 AIKEN ROAD**

WHEREAS, pursuant to PA 198 of 1974, as amended, after a duly noticed public hearing held on June 20, 2011, this City Council, by resolution established a Plant Rehabilitation Development District; and

WHEREAS, Midwest Bus Corporation has filed an application for Industrial Facilities Exemption Certificates with respect to real property within the Plant Rehabilitation District; and

WHEREAS, before acting on said application, the City of Owosso held a hearing on November 7, 2011, in City Hall, at 301 W. Main Street, Owosso, MI, 48867, at 7:30 p.m. at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, construction of and/or acquisition of the real and personal property had not begun earlier than six (6) months before October 12, 2011, the date of original application received for the Industrial Facilities Exemption Certificate; and

WHEREAS, construction of the real property is calculated to and will, at the time of issuance of the certificates, have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Owosso; and

WHEREAS, the aggregate SEV of property exempt from ad valorem taxes within the City of Owosso, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of property thus exempted.

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

1. The City Council finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under PA 198 of 1974, as amended and PA 225 of 1978, as amended shall not have the effect of substantially impeding the operation of the City of Owosso, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Owosso.
2. The application from Midwest Bus Corporation for the Industrial Facilities Exemption Certificate, with respect to Real Property on the following described parcel of real property situated within the Plant Rehabilitation District, to wit:

LOT 8 OWOSSO SOUTHEAST INDUSTRIAL PARK

is hereby approved.

3. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in force for a period of 12 years.

**RESOLUTION NO. 182-2011  
To replace Resolution No. 168-2011**

**APPROVING AN IFE APPLICATION  
NEW PERSONAL PROPERTY  
MIDWEST BUS CORPORATION  
1070 AIKEN ROAD**

WHEREAS, pursuant to PA 198 of 1974, as amended, after a duly noticed public hearing held on April 18, 1977, this City Council, by resolution established an Industrial Development District and on June 20, 2011, this City Council, by resolution established a Plant Rehabilitation Development District; and

WHEREAS, Midwest Bus Corporation has filed an application for Industrial Facilities Exemption Certificate with respect to personal property within the Industrial Development District and a Plant Rehabilitation District; and

WHEREAS, before acting on said application, the City of Owosso held a hearing on November 7, 2011, in City Hall, at 301 W. Main Street, Owosso, MI, 48867, at 7:30 p.m. at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, construction of and/or acquisition of the personal property had not begun earlier than six (6) months before October 12, 2011, the date original application received for the Industrial Facilities Exemption Certificate; and

WHEREAS, construction of and/or the acquisition of the personal property is calculated to and will, at the time of issuance of the certificates, have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Owosso; and

WHEREAS, the aggregate SEV of property exempt from ad valorem taxes within the City of Owosso, after granting this certificates, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of property thus exempted.

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

1. The City Council finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under PA 198 of 1974, as amended and PA 225 of 1978, as amended shall not have the effect of substantially impeding the operation of the City of Owosso, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Owosso.
2. The application from Midwest Bus Corporation for the Industrial Facilities Exemption Certificates, with respect to Personal Property on the following described parcel of real property situated within the Industrial Development District and Plant Rehabilitation District, to wit:

LOT 8 OWOSSO SOUTHEAST INDUSTRIAL PARK

is hereby approved.

3. The Industrial Facilities Exemption Certificates, when issued, shall be and remain in force for a period of 12 years.

Resolution No. 162-2011 Amendment. Amend Resolution No. 162-2011 to indicate the Obsolete Property Rehabilitation Certificate Application for John Hankerd will not be extended as follows:

**AMENDED  
RESOLUTION NO. 162-2011**

**A RESOLUTION TO APPROVE  
THE APPLICATION FOR AN  
OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE  
FROM JOHN HANKERD OF HANKERD SPORTSWEAR  
FOR PROPERTY LOCATED AT  
116 WEST EXCHANGE 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 September 20, 2010, the City Council of the City of Owosso approved an Obsolete Property Rehabilitation District at 116 West Exchange Street in Owosso, Michigan. As provided by section 4(2) of Public Act 146 of 2000, said property more particularly described as:

W 1/3 OF LOT 7, BLOCK 15 (EX N 12') ORIGINAL PLAT OF CITY OF OWOSSO

WHEREAS, the City Clerk received an application on September 20, 2011 from John Hankerd, the owner of the property occupied by Hankerd Sportswear, for an Obsolete Property Rehabilitation Exemption Certificate; 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 116 West Exchange Street for a period of 8 years, a period determined per the Abatement Schedule of the City of Owosso Tax Abatement Policy of 2010 **that will not be extended**; 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.

2012 Schedule of Meetings. Adopt the 2012 Boards and Commissions Meeting Schedule as follows:

**CITY OF OWOSSO  
SCHEDULE OF REGULAR MEETINGS  
FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2012**

**NOTICE IS HEREBY GIVEN**, pursuant to the provisions of Act 267, Public Acts of 1976, of the schedule of Regular Meetings of the City of Owosso, County of Shiawassee, State of Michigan for the calendar year beginning January 1, 2012. The Board, dates, time and place of said regular meetings shall be as follows:

<b>CITY COUNCIL</b>					
The 1 <sup>st</sup> and 3 <sup>rd</sup> Monday of each month, except as noted – 7:30 p.m., local prevailing time					
Owosso City Hall, Council Chambers					
JAN 03*	MAR 05	MAY 07	JUL 16	SEP 17	DEC 03
JAN 17*	MAR 19	MAY 21	<b>JUL 30</b>	OCT 01	DEC 17
<b>JAN 30</b>	APR 02	JUN 04	AUG 06	OCT 15	
FEB 06	APR 16	JUN 18	AUG 20	NOV 05	
FEB 21*	<b>APR 30</b>	JUL 02	SEP 04*	NOV 19	
<b>PLANNING COMMISSION</b>					
The 2 <sup>ND</sup> & 4 <sup>th</sup> Mondays of each month, except as noted – 7:00 p.m., local prevailing time					
Owosso City Hall, Council Chambers					
JAN 09	FEB 27	APR 09	JUN 25	SEP 24	DEC 10*
JAN 23	MAR 12	APR 23	JUL 23	OCT 22	
FEB 13	MAR 26	MAY 29*	AUG 27	NOV 26	
<b>CABLE ACCESS ADVISORY COMMISSION</b>			<b>DOWNTOWN DEVELOPMENT AUTHORITY</b>		
The 2nd Monday of each quarter, except as noted – 5:00 p.m., local prevailing time			The 1 <sup>st</sup> Wednesday of each month, except as noted – 7:30 a.m., local prevailing time		
Owosso City Hall, Council Chambers			Owosso City Hall, Council Chambers		
	JAN 09		JAN 04	MAY 02	SEP 05
	APR 09		FEB 01	JUN 06	OCT 03
	JUL 09		MAR 07	JUL 05*	NOV 07
	OCT 09*		APR 04	AUG 01	DEC 05

<b>DOWNTOWN HISTORIC DISTRICT COMMISSION</b>			<b>EMPLOYEES RETIREMENT SYSTEM BOARD</b>		
The 3 <sup>rd</sup> Wednesday of each month - 6:00 p.m., local prevailing time			The 3 <sup>rd</sup> Thursday of each month, except as noted - 7:15 a.m., local prevailing time		
Owosso City Hall, Council Chambers			Owosso City Hall, Council Chambers		
JAN 18	MAY 16	SEP 19	FEB 16	JUN 21	OCT 18
FEB 15	JUN 20	OCT 17	APR 19	AUG 16	DEC 20
MAR 21	JUL 18	NOV 21			
APR 18	AUG 15	DEC 19			
<b>OWOSSO HISTORICAL COMMISSION</b>			<b>PARKS &amp; RECREATION COMMISSION</b>		
The 3 <sup>rd</sup> Tuesday of each month, except as noted - 7:00 p.m., local prevailing time			The 4 <sup>th</sup> Monday of each month, except as noted - 6:00 p.m., local prevailing time		
Gould House, 100 West Oliver Street			Owosso City Hall, Council Chambers		
JAN 17 6:30 pm	MAY 15	SEP 18	JAN 23	MAY 29*	SEP 24
FEB 21 6:30 pm	JUN 19	OCT 16	FEB 27	JUN 25	OCT 22
MAR 20	JUL 17	NOV 20	MAR 26	JUL 23	NOV 26
APR 17	AUG 21	DEC 18	APR 23	AUG 27	DEC 10*
<b>WESTOWN CORRIDOR IMPROVEMENT AUTHORITY</b>			<b>ZONING BOARD OF APPEALS</b>		
Quarterly, the 2 <sup>nd</sup> Wednesday of each quarter - 7:00 p.m., local prevailing time			The 3 <sup>rd</sup> Tuesday of each month, except as noted - 9:30 a.m., local prevailing time		
The Connection Christian Church, 812 West Main St			Owosso City Hall, Council Chambers		
	JAN 11		JAN 17	MAY 15	SEP 18
	APR 11		FEB 21	JUN 19	OCT 16
	JUL 11		MAR 20	JUL 17	NOV 20
	OCT 10		APR 17	AUG 21	DEC 18

\* Rescheduled due to legal holiday on regular meeting date

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

<b>Name</b>	<b>Board/Commission</b>	<b>Term Expires</b>
Michael Erfourth	Westown Corridor Improvement Authority	11-12-2013
Lori Bailey	LDFA/Brownfield Redevelopment Authority	11-09-2015
Lori Bailey	Downtown Loan Committee	11-09-2015
Gary Martenis	SATA Board of Directors	10-01-2014

Bid Award - New Police Vehicle. Approve resolution authorizing the purchase of one 2012 Chevrolet Impala police vehicle from Shaheen Chevrolet, Inc. in the amount of \$20,222.97 as follows:

**RESOLUTION NO. 183-2011**

**AUTHORIZING THE EXECUTION OF A CONTRACT FOR PURCHASE OF POLICE VEHICLE WITH SHAHEEN CHEVROLET, INC.**

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

WHEREAS, the City of Owosso received the State of Michigan bid from Shaheen Chevrolet, Inc.; and it is hereby determined that Shaheen Chevrolet, Inc. is qualified to provide such vehicle and that it has submitted the responsible and responsive bid;

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

- FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to purchase a 2012 Chevrolet Impala Police Vehicle from Shaheen Chevrolet, Inc. for a cost to the City of Owosso of \$20,222.97
- 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 Shaheen Chevrolet, Inc. up to the amount of \$20,222.97.
- THIRD: The above expenses shall be paid from the Police Division Capital Outlay fund 101-300-978.000.

Bid Award - Demolition of 117 South Shiawassee Street. Approve resolution authorizing the demolition of the structure at 117 South Shiawassee Street by TJ Smith Sand & Gravel, Inc. in the amount of \$6,245.00 and initiate the voluntary special assessment process as follows:

**RESOLUTION NO. 184-2011**

**AUTHORIZING EXECUTION OF A CONTRACT FOR SERVICES BETWEEN  
THE CITY OF OWOSSO, MICHIGAN AND TJ SMITH SAND & GRAVEL, INC.  
FOR DEMOLITION OF 117 SOUTH SHIAWASSEE STREET**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that a home located at 117 South Shiawassee Street has deteriorated to a condition that it is unusable and has a blighting effect upon the neighborhood and community at large and has been determined to be a public nuisance; and

WHEREAS, to eliminate this condition of blight the property and the public nuisance after reaching a consent agreement with the owner the property should be cleared of the deteriorated building through its demolition; and

WHEREAS, proposals for the demolition of the structure were sought and received; and

WHEREAS, TJ Smith Sand & Gravel, Inc. submitted a bid in the amount of \$6,245.0.

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

- FIRST: The city of Owosso has heretofore determined that it is advisable, necessary and in the public interest to employ TJ Smith Sand & Gravel, Inc., to demolish a structure at 117 South Shiawassee Street.
- SECOND: The mayor and city clerk of the city of Owosso are instructed and authorized to sign the document substantially in the form attached, Contract for Services between the city of Owosso, Michigan and TJ Smith Sand & Gravel, Inc., at a total cost of \$6,245.00.
- THIRD: The city manager is authorized to execute any required permits to proceed with the demolition.

Special Assessment District No. 2012-01-Voluntary

Demolition of 117 South Shiawassee Street

**RESOLUTION NO. 185-2011**

WHEREAS, the City Council of the City of Owosso deems it necessary to demolish the following property, per the tenants of the International Property Maintenance Code:

**117 South Shiawassee Street**

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The matter of permitting the demolition of the structure in question has been addressed by the Owosso City Council. Further the owner of the property has agreed to be specially assessed for the cost of the demolition, removal and clean up of the property, and other costs directly related to the demolition of the property.

**RESOLUTION NO. 186-2011**

**SPECIAL ASSESSMENT DISTRICT NO. 2012-01  
VOLUNTARY**

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll is hereby accepted and shall be filed in the office of the City Clerk for public examination.

2. The Council shall meet at the Owosso City Hall, Owosso, Michigan at 7:30 o'clock p.m., on January 3, 2012 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same.
3. The City Clerk is directed to publish the notice of said hearings once in *The Argus Press*, the official newspaper of the City of Owosso, not less than ten (10) days prior to said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of the property subject to assessment, as indicated by the records in the City Assessor's office as shown on the general tax rolls of the City, at least ten (10) days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.

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

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

TO THE OWNERS OF THE OF THE FOLLOWING DESCRIBED PROPERTY:

PARCEL NUMBER	ADDRESS	BALANCE
050-700-001-013	117 S. Shiawassee	\$7,759.60

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

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

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

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

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall, Owosso, Michigan at 7:30 p.m. on January 3, 2012 for the purpose of reviewing said Special Assessment Roll-Hazards and Nuisances and for the purpose of considering all objections to said roll submitted in writing. If you have questions regarding this notice, please contact the Public Safety Office at 725-0580.

Payment Authorization – Re: Construction of the Concession Stand at Rudy Demuth Field.  
Approve resolution authorizing payment to Snyder Poured Walls for work performed on the concession stand at Rudy Demuth Field in the amount of \$8,165.76 as follows:

**RESOLUTION NO. 187-2011**

**AUTHORIZING PAYMENT TO  
SNYDER Poured WALLS  
FOR WORK PERFORMED ON THE CONCESSION STAND  
AT RUDY DEMUTH FIELD**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has a ball park that is utilized each summer by the Owosso Little League; and

WHEREAS, patrons of the ball field have desired permanent bathrooms and a concession stand to make their experience at the ball field more enjoyable; and

WHEREAS, the City recognized the value in the construction of such amenities and agreed to match any funds raised by the group up to \$15,000 to fund the development and construction of permanent bathrooms and a concession stand; and

WHEREAS, the obligatory funds were raised and work commenced on the construction of the structure; and

WHEREAS, Snyder Poured Walls was contracted to perform cement work on the project and this work has been completed.

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 pay Snyder Poured Walls for their work on the Rudy Demuth Concession stand and bathrooms.
- SECOND: The accounts payable department is authorized to submit payment to Snyder Poured Walls in the amount of \$8,165.75 as detailed on the attached Payment Request as authorized by Council on December 5, 2011.
- THIRD: The above expenses shall be paid from the General Fund.

Motion supported by Councilperson Cook.

Roll Call Vote.

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

NAYS: None.

### **ITEMS OF BUSINESS**

#### **REGISTRATION FEES FOR ABANDONED AND FORECLOSED PROPERTIES**

City Manager Crawford indicated he had looked at this item closely and felt the proposed fee was very comparable to that of other communities. He further noted the fee for the occupancy permit was already established via the current building code.

Motion by Councilperson Eveleth to authorize the following resolution establishing fees for the recently adopted ordinance requiring the registration of abandoned and foreclosed properties.

#### **RESOLUTION NO. 188-2011**

#### **ESTABLISHING FEE FOR REGISTERING AN ABANDONED/ VACANT RESIDENTIAL PROPERTY**

WHEREAS, the *City of Owosso Code of Ordinances* Section 8-166 provides for the setting of a fees by resolution for registration of abandoned and/or vacant residential properties;

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

- FIRST: the fee schedule for registration of abandoned and/or vacant residential properties beginning January 1, 2012 shall be:
- Annual registration--\$100.00  
Occupancy permit inspection--subject to adopted fee schedule
- SECOND: any parts of resolutions and memoranda in conflict with this resolution are hereby repealed.

Motion supported by Councilperson Cook.

Roll Call Vote.

AYES: Councilpersons Erfourth, Cook, Fox, Eveleth, Bailey, Mayor Pro-Tem Popovitch and Mayor Frederick.

NAYS: None.

#### **I-69 INTERNATIONAL TRADE CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION ESTABLISHMENT**

There was significant discussion regarding whether the debts of the newly formed corporation could fall back on the municipalities that make up the membership of the corporation, whether the new organization would actually be any assistance to the City, if Oakland and Genesee Counties would overshadow the needs and desires of Shiawassee County, concern with the fact that some of the money that funds the SEDP comes from the utilities fund, and how to measure outcomes.

It was noted the goal of the organization is to promote the assets of the area allowing Shiawassee County to make itself known as a part of a larger region. Justin Horvath, president and CEO of the SEDP, was on hand and he spoke of the anticipated emergence of Port Huron as a major port of entry and how this program could help the City put itself on the map. He went on to say he felt that the larger counties in the group would not dominate the organization.

There was an overall level of concern by Council, which was tempered by the fact the City could pull out of the agreement at any time, and since the SEDP had agreed to pay the initial \$10,000 investment required for entry there would be little risk to the City in agreeing to join the organization.

Motion by Councilperson Bailey to approve becoming an initial member of the new entity being created by the counties and local governments in the counties of St. Clair, Lapeer, Genesee, Shiawassee and Oakland counties as follows:

**RESOLUTION NO. 189-2011**

**AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT  
CREATING THE I-69 INTERNATIONAL TRADE CORRIDOR  
NEXT MICHIGAN DEVELOPMENT CORPORATION**

Whereas, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

Whereas, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

Whereas, Act 275 provides that the Act 7 interlocal agreement be approved by the governor of the state of Michigan before being submitted to the MSF; and

Whereas, this city council has been presented with the attached interlocal agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 interlocal agreement) for economic development purposes and deems it to be in the best interest of the city of Owosso to approve the Act 7 interlocal agreement and become a voting participant in the NMDC.

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

- FIRST: that the city of Owosso has heretofore determined that it is advisable and in the public interest to enter into an interlocal agreement with nearby counties and local units of government that will create the I-69 International Trade Corridor Next Michigan Development Corporation,
- SECOND: that the mayor and other city officials be instructed and authorized to execute for and on behalf of the city of Owosso an agreement substantially in the form attached\*;
- THIRD: that the mayor and other city officials are further authorized to consent to nonmaterial adjustments and corrections to the form of the attached agreement as may be required by state of Michigan officers or agencies.

Motion supported by Councilperson Cook.

Roll Call Vote.

AYES: Councilpersons Bailey, Fox, Erfourth, Cook, Eveleth, Mayor Pro-Tem Popovitch and Mayor Frederick.

NAYS: None.

\* Full text of the agreement is available in the Clerk's Office.

Councilperson Cook asked that Mr. Horvath bring together the elected officials of other participants in the County to talk about the plan and provide an update on progress.

**THE COUNCIL RECESSED AT 9:20 P.M.**

**THE COUNCIL RETURNED AT 9:29 P.M.**

**PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT**

City Manager Crawford noted the decision tree which had been distributed with the meeting materials saying he hoped it would help the Council move toward a decision on this complicated issue. He went on to say that many communities in the state had reported they were opting out at this time to allow employees to adjust and further allow time for adjustments in coverage. He recommended opting out this year movement toward an 80/20 arrangement within 3 years.

There was Council discussion regarding which option would present the least hardship on employees, and concern with dragging the transition out over a number of year (as this could complicate union negotiations).

Motion by Councilperson Eveleth to opt out of the requirements of PA 152 of 2011 for the 2012 calendar year.

Motion supported by Councilperson Bailey.

Roll Call Vote.

AYES: Councilpersons Cook, Bailey, Eveleth, Fox, Erfourth and Mayor Pro-Tem Popovitch.

NAYS: Mayor Frederick.

Motion by Councilperson Erfourth to require a 5% employee contribution toward health care premiums and remove the deductible reimbursement benefit for the 2012 calendar year. And further move to the hard cap option as described in PA 152 of 2011 after 2012.

Motion supported by Councilperson Fox.

Roll Call Vote.

AYES: Councilpersons Cook, Bailey, Erfourth, Mayor Pro-Tem Popovitch and Councilperson Fox.

NAYS: Councilpersons Eveleth and Mayor Frederick.

### **COMMUNICATIONS**

Adam Zettel, Assistant City Manager. 2011 Parks & Recreation Report and 2012 Action Plan.  
Main Street/Downtown Development Authority. Minutes of the November 02, 2011 meeting.  
Downtown Historic District Commission. Minutes of the November 16, 2011 meeting.

### **CITIZEN COMMENTS AND QUESTIONS**

Michael Tillotson, 1299 S. Shiawassee Street, inquired who is responsible when someone slips on an icy sidewalk in a residential area.

Councilperson Fox inquired about the new snow plowing policy and the requirement that residents shovel their walks within 24 hours of a snow fall.

### **NEXT MEETING**

Monday, December 19, 2011

### **BOARDS AND COMMISSIONS OPENINGS**

Historical Commission, term expiring December 31, 2014  
Planning Commission, term expiring June 30, 2012  
Zoning Board of Appeals – Alternate, term expiring June 30, 2013

### **ADJOURNMENT**

Motion by Eveleth for adjournment at 10:04 p.m.

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

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Benjamin R. Frederick, Mayor

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Amy K. Kirkland, City Clerk