

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF AUGUST 15, 2016
7:30 P.M.**

PRESIDING OFFICER: MAYOR BENJAMIN R. FREDERICK

OPENING PRAYER: PASTORAL ASSOCIATE EDWARD HORSKI
ST. PAUL & ST. JOSEPH CATHOLIC CHURCHES

PLEDGE OF ALLEGIANCE: MICHAEL ESPICH
PARKS & RECREATION COMMISSION CHAIRMAN

PRESENT: Mayor Benjamin R. Frederick, Mayor Pro-Tem Christopher T. Eveleth, Councilpersons Loreen F. Bailey (7:45), Burton D. Fox, Elaine M. Greenway, and Michael J. O'Leary.

ABSENT: Councilperson Robert J. Teich, Jr.

APPROVE AGENDA

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

Remove Consent 10. Bid Award – No-Preference Towing Services.
Remove Item of Business 3. Michigan Local Government Management Association Rebranding.
Move Consent 5. Dog Days of Summer 5K Permission to Item of Business 6.
Move Consent 7. Change Order No. 1 – Real Estate Broker Services to Item of Business 7.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF AUGUST 1, 2016

Motion by Councilperson Fox to approve the Minutes of the Regular Meeting of August 1, 2016 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Lorraine Austin, Vice Chairwoman for the Friends of the Shiawassee River, was on hand to update folks on the Friends river clean-up events which have twice been cancelled due to rain. The group will be organizing several smaller efforts to address short sections of the river. She encouraged people to check the Friends website or Facebook page for details on future clean-up events, as well as gathering a small group together to take on a section of the river.

Becky Langtry, property owner at 202 State Street, asked for an update on her property at 202 State Street. City Manager Donald D. Crawford explained the situation was quite complex, saying they could combined the two properties in question if the alley was abandoned but issues would remain regarding the number of accessory structures as well as their size. There was discussion regarding whether the alley should be closed to allow the lot combination, other options that may allow them to keep their accessory structures, the fact that other parcels in the City have accessory structures without a home, and amending the zoning ordinance to allow a parcel containing only an accessory structure.

Motion by Councilperson Fox to refer to the Planning Commission a potential ordinance that would permit free-standing accessory structures to exist on a residential parcel without a dwelling.

Motion supported by Mayor Pro-Tem Eveleth.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Teich.

CITY MANAGER REPORT

City Manager Crawford indicated he had nothing to report at this time.

CONSENT AGENDA

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

Set Public Hearing -Plant Rehabilitation District – 300 W. Main Street. Set a public hearing for Tuesday, September 6, 2016 to receive citizen comment regarding the application from Owosso REI Group, LLC of Owosso requesting the establishment of a Plant Rehabilitation District for their property at 300 W. Main Street as follows:

RESOLUTION NO. 86-2016

**SETTING PUBLIC HEARING TO ESTABLISH
A PLANT REHABILITATION DISTRICT
300 W. MAIN STREET**

WHEREAS, request was received July 21, 2016 for an Industrial Facilities Tax Exemption Certificate from Owosso REI Group, LLC; and

WHEREAS, an Plant Rehabilitation District is required for an Industrial Facilities Tax Exemption Certificate; and

WHEREAS, the Plant Rehabilitation District for this application is described as:

PART OF ORIGINAL PLAT DESCRIBED AS: SOUTH 1/2 BLOCK 24 & SOUTH 10' OF NORTH 1/2 BLOCK 24, ALSO ADJACENT RESERVE 1, LYING BETWEEN EAST BANK OF SHIAWASSEE RIVER AND SAID DESCRIPTION

WHEREAS, it must be determined that this district would be beneficial to the city of Owosso, as well as local and regional economy.

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 6, 2016 at or about 7:30 p.m. in the council chambers for the purpose of hearing comments from those within the proposed district, and any other resident or taxpayer, of the city of Owosso.

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

Set Public Hearing -Obsolete Property Rehabilitation District – 344 W. Main Street. Set a public hearing for Tuesday, September 6, 2016 to receive citizen comment regarding the application from D.R. & H.P., LLC of Lansing requesting the establishment of an Obsolete Property Rehabilitation District for their property at 344 W. Main Street as detailed below:

RESOLUTION NO. 87-2016

**SETTING PUBLIC HEARING TO CONSIDER ESTABLISHING
AN OBSOLETE PROPERTY REHABILITATION DISTRICT
FOR THE PROPERTY COMMONLY KNOWN AS
344 WEST MAIN STREET**

WHEREAS, a request was received August 3, 2016 for an Obsolete Property Rehabilitation Act (OPRA) exemption along with an Application for Tax Abatement from D.R. & H.P., L.L.C., owners of 344 W. Main Street; and

WHEREAS, an Obsolete Property Rehabilitation District needs to be established and described as:

LOTS 10 THRU 15 AND WEST 132 FEET OF LOT 8 AND WEST 13 2FEET' OF THE SOUTH 18 FEET OF LOT 7, BLOCK 6, LUCY L COMSTOCKS ADDITION TO CITY OF OWOSSO, INCLUDING THE WEST 132 FEET OF CLOSED ALLEY; and

WHEREAS, the Obsolete Property Rehabilitation Act, Act 146 of 2000, is available to the city of Owosso; and

WHEREAS, the act permits the city of Owosso to establish an Obsolete Property Rehabilitation District; and

WHEREAS, an Obsolete Property Rehabilitation District may consist of one or more parcels of land; and

WHEREAS, it must be determined that the district must consist of obsolete commercial property or commercial housing property as defined in 125.2782, Section 2 (h) of Act 146 of 2000; and

WHEREAS, it must be determined that establishing the district would be beneficial to the city of Owosso, as well as local and regional economy.

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 6, 2016 at or about 7:30 p.m. in the council chambers for the purpose of hearing comments from those within the proposed district, and any other resident or taxpayer, of the city of Owosso.

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

THIRD: the city staff is directed to investigate and determine if the qualifications of the act are satisfied and report findings at the hearing.

Planning Commission Referral – Zoning Ordinance Amendment. Refer to the Planning Commission for recommendation a potential amendment to Chapter 38, Zoning, of the Code of Ordinances of the City of Owosso, Michigan pertaining to the parking/storage of recreational vehicles.

Boards and Commissions Appointment. Approve the following Mayoral Boards and Commissions appointment:

Name	Board/Commission	Term Expires
Michelle Collison*	Planning Commission	06-30-2019

* Indicates reappointment

Dog Days of Summer 5K Permission. (This item was moved to Items of Business.)

Owosso Vintage Motorcycle Days Permission. Approve application of Owosso Main Street for the closure of N. Washington Street from Exchange Street to 145' north of Mason Street (the north border of 311 N. Washington St.) beginning at 6:00 p.m. August 26, 2016 until 6:00 p.m. August 27, 2016 for the Owosso Vintage Motorcycle Days event, waive the insurance requirement, and authorize Traffic Control Order No. 1360 formalizing the requested closure.

Change Order No. 1 – Real Estate Broker Services. (This item was moved to Items of Business.)

Change Order No. 1 – Ambulance Purchase. Authorize Change Order No. 1 to the purchase agreement with Kodiak Emergency Equipment, Inc. d/b/a Kodiak Emergency Vehicles for the purchase of a 2017 Osage Type III Ford Ambulance, increasing the amount by \$4,760.00 for the purchase and installation of additional lighting and electrical system upgrades and further authorize payment up to the amount of the original contract plus Change Order No. 1 as detailed below:

RESOLUTION NO. 88-2016

**AUTHORIZING CHANGE ORDER #1-FINAL TO
THE PURCHASE AGREEMENT WITH
KODIAK EMERGENCY EQUIPMENT, INC. D/B/A KODIAK EMERGENCY VEHICLES
FOR ONE 2017 FORD AMBULANCE**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved the purchase of one 2017 Osage Type III ambulance from Kodiak Emergency Equipment, Inc. d/b/a Kodiak Emergency Vehicles of Grand Ledge Michigan on July 5, 2016 in the amount of \$162,324.00; and

WHEREAS, subsequent review and consultation determined that additional lighting and electrical system upgrades should be purchased and installed increasing the amount of the purchase order by \$4,760.00 as follows:

1. Four (4) Whelen 24 Diode Scene Lights on side of new ambulance = \$1,480.00
2. Upgrade to Stryker Performance Load with inductive charging. = \$2,625.00
3. LED Strip Lighting in # 5 Compartment = \$250.00
4. 110V Outlet in rear wall of cab (center) = \$100.
5. Momentary resetting switches at entry doors (for scene lights) = \$150.00
6. Antenna Pre-wire (addition of 2) = \$80.00
7. Change 110V outlet in module action area to 110V with USB = \$75.00

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 amend the purchase agreement with Kodiak Emergency Equipment, Inc. d/b/a Kodiak Emergency Vehicles by \$4,760.00, increasing the original purchase from \$162,324.00 to \$167,084.00 for additional labor and equipment necessary to complete the purchase.

SECOND: The mayor and city clerk are instructed and authorized to execute Change Order #1-Final between the City of Owosso, Michigan and Kodiak Emergency Equipment, Inc. d/b/a Kodiak Emergency Vehicles in the amount of \$4,760.00.

THIRD: The accounts payable department is authorized to submit payment to Kodiak Emergency Equipment, Inc. d/b/a Kodiak Emergency Vehicles in the amount of \$167,084.00 upon satisfactory receipt of the vehicle and installation of all pertinent equipment.

FOURTH: The above expenses shall be paid from the Fire Equipment account 101-335-978.000.

Emergency Repair Authorization – WWTP West Side Transformer. Approve emergency repair of the west side electric transformer located at the Waste Water Treatment Plant and authorize payment to Halligan Electric, Inc. in the amount of \$6,248.25 for said repairs.

RESOLUTION NO. 89-2016

**APPROVING PURCHASED SERVICES AND PAYMENT TO
HALLIGAN ELECTRIC, INC.
FOR EMERGENCY REPAIRS TO THE WEST SIDE TRANSFORMER
AT THE WASTEWATER TREATMENT PLANT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has budgeted funding in the Wastewater Treatment Plant Operating and Maintenance Fund for the maintenance and repair of site electrical infrastructure, and

WHEREAS, the existing west side transformer experienced deteriorated components well into its service life and required immediate troubleshooting and repair analysis. Halligan Electric, Inc. was called in to perform emergency service, ensuring the plant would maintain a second source of electricity by constructing a temporary bus bar in the amount \$6,248.25, and

WHEREAS, the City Utilities Director has reviewed the invoice for services provided and verified the labor for troubleshooting and repair components needed to provide a temporary bus bar, pending more permanent repair and/or replacement.

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 approve emergency repair to the west side transformer at the Wastewater Treatment Plant by Halligan Electric, Inc..

SECOND: The accounts payable department is authorized to submit payment to Halligan Electric, Inc. in the amount of \$6,248.25.

THIRD: The above expenses shall be paid from account no. 599-548-833.000.

Bid Award – No-Preference Towing Services. (This item was removed from the agenda.)

Purchase Authorization — Public Safety Vehicle Equipment Changeover. Waive competitive bidding requirements and authorize contract with Mid Michigan Emergency Equipment Sales and Service L.L.C. for the removal, supply, and installation of public safety equipment in the new police utility vehicle in the amount of \$7,173.50 as detailed:

RESOLUTION NO. 90-2016

**RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR
REMOVAL, SUPPLY, AND INSTALLATION OF PUBLIC SAFETY EQUIPMENT
IN A NEW POLICE VEHICLE
WITH MID MICHIGAN EMERGENCY EQUIPMENT SALES AND SERVICE LLC**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has purchased a new police vehicle that needs to have equipment and DVR cameras installed in it; and

WHEREAS, the City will retire one current police vehicle which necessitates the removal of the public safety equipment installed on the vehicle; and

WHEREAS, said equipment is proposed for re-use in the new vehicles pending installation; and

WHEREAS, the new vehicle will require additional new public safety equipment to be properly outfitted for service; and

WHEREAS, the City of Owosso received a quote from Mid Michigan Emergency Equipment Sales and Service LLC for the removal of the old equipment, supply of select pieces of new equipment, and the installation of all said equipment; and it is hereby determined that this company is qualified to perform the work requested; and

WHEREAS, a waiver of the bidding requirements is requested as professional services are exempt from competitive bidding.

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 contract with Mid Michigan Emergency Equipment Sales and Service LLC for the removal, purchase, and installation of public safety equipment in the new 2017 City Police Utility vehicle in the amount of \$7,173.50.
- 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 Mid Michigan Emergency Equipment Sales and Service LLC.
- THIRD: The Accounts Payable Department is hereby authorized to issue payment to Mid Michigan Emergency Equipment Sales and Service LLC in the amount of \$7,173.50 upon delivery of the equipment and satisfactory installation.
- FOURTH: The above expenses shall be paid from the Police equipment fund 101-300-978.000.

Warrant No. 526. Authorize Warrant No. 526 as follows:

Vendor	Description	Fund	Amount
B S & A Software	Various systems-annual support/service 8/1/16 - 8/1/17	Various	\$11,708.00
Orchard Hiltz & McCliment Inc.	Water reliability study payment	Water	\$12,652.25
Orchard Hiltz & McCliment Inc.	Engineering services payment for Cargill project	OBRA #8	\$12,716.00
Advanced Drainage Systems	To correct approval amount from \$5,472.00 to \$5,729.19	Streets	\$ 5,729.19
William C. Brown, P.C.	Professional services – 7/6/16 – 8/8/16	General	\$11,773.84
Safebuilt, Inc.	Building department services- July 2016	General	\$ 9,460.00

***Check Register – July 2016.** Affirm check disbursements totaling \$1,148,562.90 for July 2016.

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Teich.

ITEMS OF BUSINESS

Disc Golf Layout Approval

Tim Law presented the proposed layout for a disc golf course in Collamer Park, noting that there were no holes planned for the bird sanctuary in the park and special attention was paid to make sure that anywhere the course crosses existing trails there is a clear line of sight.

Councilperson Fox was still concerned that those that utilize the trails may get hit with a Frisbee and asked that signage warning both golfers and trail users to use caution in the areas where the course crosses the trails. Mr. Law indicated plans were already underway for said signage.

Motion by Mayor Pro-Tem Eveleth to approve the layout and authorize construction of a disc golf course in Collamer Park as follows:

RESOLUTION NO. 91-2016

RESOLUTION AUTHORIZING A 19-HOLE DISC GOLF COURSE AT COLLAMER PARK / HOPKINS LAKE

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Parks & Recreation Commission met July 26, 2016 and recommended approval of a 19-hole disc golf course, as designed by volunteers, at Collamer Park; and

WHEREAS, the disc golf course would aid the Parks & Recreation Commission in achieving its number one priority - to promote healthy lifestyles, attract tourists and offer recreational outlets; and

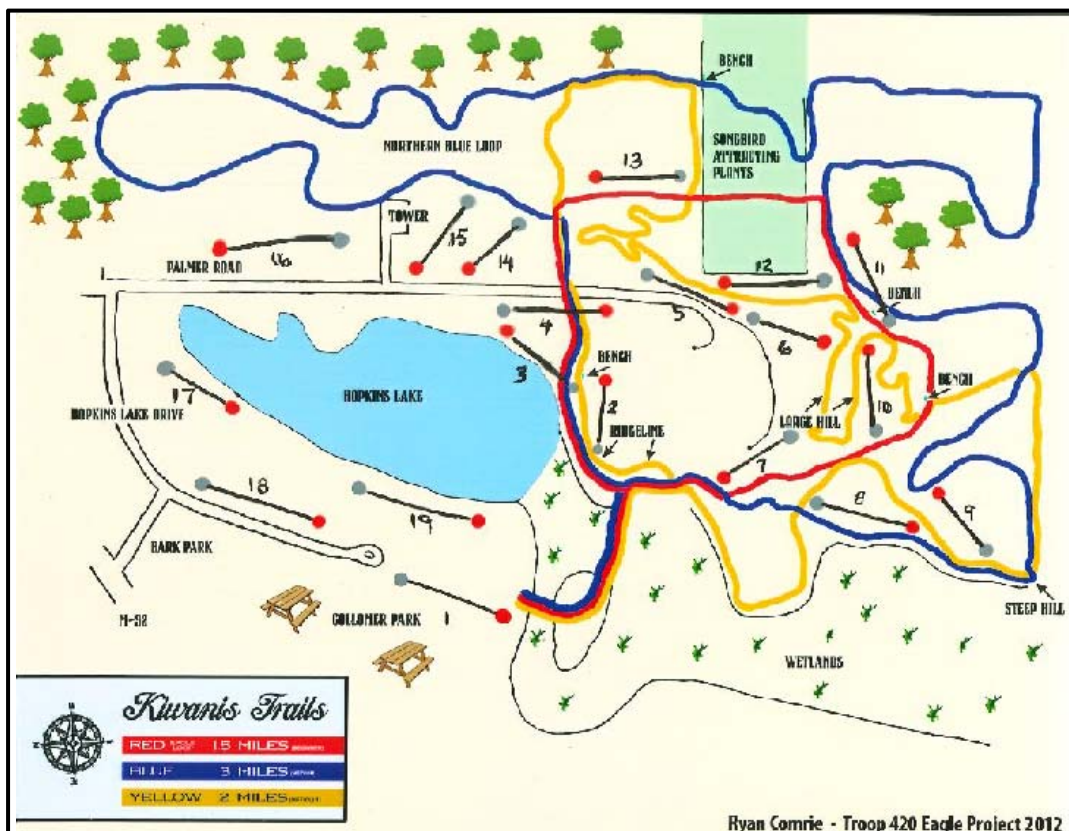
WHEREAS, the Parks & Recreation Master Plan includes a disc golf course at Collamer Park in Part V – Plan Development, Collamer Park, page 49, number 17; and

WHEREAS, volunteers have fundraised and paid for the disc golf equipment, spent many hours planning and developing the disc golf course, and the Department of Public Works will assist with the installation of the disc golf baskets at an estimated cost of \$1,722.

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 in the public interest to create a disc golf course at Collamer Park with a cost to the City of Owosso of \$1,722.00.
- SECOND: The proposed layout of the course is hereby approved as Exhibit A.
- THIRD: Signage will be installed at all locations where the course crosses an existing trail.
- FOURTH: The above expenses shall be paid from the Parks & Recreation Contractual Services fund, 101-756-818.000.

EXHIBIT A



Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Teich.

Real Estate Purchase Agreement Amendment

Motion by Mayor Pro-Tem Eveleth to amend the Agreement for the Purchase of Real Estate dated January 19, 2016 between the City of Owosso and Michael Cline to allow conveyance of the property in question via Quit Claim Deed.

RESOLUTION NO. 92-2016

**AMENDING THE ORIGINAL PURCHASE AGREEMENT
AUTHORIZING THE SALE OF
CITY-OWNED PROPERTY BETWEEN GOULD STREET AND WRIGHT AVENUE
VIA QUITCLAIM DEED**

WHEREAS, council approved the sale of real property at its January 19, 2016 meeting to Michael N. Cline, described as follows:

050-010-034-025-00
703 S. Gould Street
LOTS 42 & 43, BLOCK 34 & WEST 8' OF CLOSED ALLEY GEORGE T ABREY'S WOODLAWN PARK ADDITION EXCEPT BEGINNING AT SOUTHWEST CORNER LOT 43 THEN NORTH 33' TO NORTHWEST CORNER LOT 43 THEN SOUTHEASTERLY TO A POINT 9.83' EAST OF SOUTHWEST CORNER LOT 43 THEN WEST TO POINT OF BEGINNING BEING EAST RIGHT OF WAY LINE OF GOULD STREET IN THE CITY OF OWOSSO, COUNTY OF SHIAWASSEE, MICHIGAN, and

050-010-034-027-00
616 Wright Avenue
LOTS 22 & 23 & SOUTH 1/2 LOT 24 INCLUDING EAST 1/2 OF ADJACENT CLOSED ALLEY, ALSO, LOTS 37-41, BLOCK 34, INCLUDING WEST 1/2 OF ADJACENT CLOSED ALLEY, ALSO LAND LYING BETWEEN WEST LINE OF LOTS 37-41 AND EAST LINE OF GOULD STREET, FORMERLY VACATED STANLEY AVENUE.

WHEREAS, staff has determined the original purchase agreement should be amended to indicate the property will be conveyed with a Quitclaim Deed; and

WHEREAS, the purchase agreement should be further amended to indicate that no title insurance will be provided for this sale; and

WHEREAS, Mr. Cline agrees the city of Owosso shall have no duty to cure the interest of Lynn Duck, or her heirs, in the property; and

WHEREAS, Michael N. Cline is still offering to pay the City the original purchase price of One Thousand and NO/100 (\$1,000.00) Dollars; and

WHEREAS, these changes do not represent a material change in the terms of the agreement, negating the need for an additional posting period.

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

FIRST: the amended purchase agreement is hereby approved and the property shall be sold to Michael N. Cline for the price of \$1,000.00 in accordance with the terms of said amended purchase agreement.

SECOND: the Mayor and City Clerk are instructed and authorized to execute appropriate documents to execute the sale.

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Teich.

Michigan Local Government Management Association Rebranding

(This item was removed from the agenda.)

MML Delegate

Motion by Councilperson Bailey to designate Assistant City Manager Susan K. Montenegro as the City Representative to cast the vote of municipality at the Michigan Municipal League annual business meeting on September 14, 2016.

Motion supported by Mayor Pro-Tem Eveleth.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Teich.

Parks & Recreation Commission Bylaws Amendment

Motion by Mayor Pro-Tem Eveleth to approve the following amendment to the bylaws for the City's Parks & Recreation Commission:

RESOLUTION NO. 93-2016

**AMENDING THE CITY OF OWOSSO PARKS & RECREATION COMMISSION BYLAWS
ARTICLE THREE: MEETINGS (A)
CHANGING THE MEETING DAY AND TIME**

WHEREAS, Article Three: Meetings, of the Parks & Recreation Commission Bylaws requires meetings be held on the fourth Monday of each month beginning at 6:00 pm and conclude by 7:00 pm; and

WHEREAS, the current Parks & Recreation Commission members find that meeting day and time to be inconvenient leading to frequent absences; and

WHEREAS, the Commission recommends the Bylaws be changed to reflect a new meeting day and time.

NOW THEREFORE BE IT RESOLVED that Article Three, Meetings, of the Owosso Parks & Recreation Bylaws be amended as follows:

Article Three: Meetings.

- (a) The Parks & Recreation Commission shall hold monthly meetings in the City Council Chambers on the fourth ~~Monday~~ **Tuesday** of each month. Meetings shall ~~begin at 6:00 pm and conclude by 7:00 pm~~ **begin at 7:30 pm and conclude by 8:30 pm**, unless adjournment is postponed by action of the majority of the Commission.

Motion supported by Councilperson Greenway.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Teich.

Street Improvement Bond Proposal

Motion by Mayor Pro-Tem Eveleth to authorize the placement of a ballot question requesting a \$10,000,000 bond for street improvements on the November 8, 2016 as follows:

RESOLUTION NO. 94-2016

**SUBMITTING BOND PROPOSAL FOR STREET IMPROVEMENTS
TO THE VOTERS OF THE CITY OF OWOSSO**

WHEREAS, the City Council of the City of Owosso, County of Shiawassee, State of Michigan (the "City") has determined that it is in the best interest of the residents and property owners of the City that the City acquire and construct local and major street improvements in the City consisting of paving, repaving, reconstructing and improving streets, sidewalks, and parking areas including necessary rights-of-way, proper drainage facilities and all necessary appurtenances and attachments thereto (the "Project"); and

WHEREAS, the maximum estimated cost of the Project is \$10,000,000; and

WHEREAS, the City Council has determined that the City should borrow money in an amount not-to-exceed Ten Million Dollars (\$10,000,000) and issue general obligation bonds of the City in one or more series for the purpose of paying the cost of the Project; and

WHEREAS, the City Council wishes to place a proposal to issue bonds for the Project before the qualified electors of the City at the General election to be held in the City on Tuesday, November 8, 2016 (the "Election Date"); and

WHEREAS, in order for the bond proposal to be submitted to the City's electors on the Election Date, it is necessary for the City Council to certify the ballot wording of the proposal to the City Clerk and the County Clerk of the County of Shiawassee, Michigan, as required by Act 116, Public Acts of Michigan, 1954, as amended (the "Michigan Election Law").

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The bond proposal attached hereto as Exhibit A is hereby certified to the City Clerk and the County Clerk for submission to the City's electors on the Election Date. The City Clerk is hereby authorized and directed to file this Resolution and/or complete any such forms, certificates or documents as may be required by the County Clerk to evidence the foregoing certification and/or submission by no later than 4:00 p.m. August 16, 2016.
2. The City Clerk and the County Clerk are hereby directed to (a) post and publish notice of last day of registration and notice of election for the Election Date in the manner required by the Michigan Election Law; and (b) have prepared and printed, as provided by the Michigan Election Law, ballots for submitting the bond proposal on the Election Date, which ballots shall include the bond proposal shown in Exhibit A, or the bond proposal shall be stated as a proposal on the voting machines, which ballots may include other matters presented to the electorate on the same date.
3. The estimated first year millage and simple average annual millage rate set forth in the Bond Proposal are hereby found to be reasonable estimates of such millage rates.
4. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 for tax-exempt bonds pursuant to the Internal Revenue Code of 1986, as amended:
 - (a) The City reasonably expects to reimburse itself with proceeds of the bonds for certain costs of the Project described in the bond proposal which will be paid from the general funds of the City.
 - (b) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$10,000,000.
 - (c) A reimbursement allocation of the capital expenditures on the Project with the proceeds of the bonds will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the bonds to reimburse the City for a capital expenditure made pursuant to this resolution.
5. If the qualified electors of the City approve the bond proposal, then the City hereby appoints Miller, Canfield, Paddock and Stone, P.L.C. as bond counsel for the Bonds.
6. All resolutions and parts of resolutions, insofar as they conflict with the provisions of this resolution, are hereby repealed.

EXHIBIT A

**CITY OF OWOSSO
BOND PROPOSAL FOR STREET IMPROVEMENTS**

Shall the City of Owosso, Shiawassee County, Michigan, borrow the principal sum of not to exceed Ten Million Dollars (\$10,000,000) and issue its general obligation unlimited tax bonds therefor in one or more series, payable in not to exceed twenty-five (25) years from the date of issue of each series, for the purpose of paying the costs to the City of acquiring and constructing local and major street improvements in the City consisting of paving, repaving, reconstructing and improving streets, sidewalks, parking areas, and all necessary appurtenances and attachments thereto for the use of the City? The estimated millage to be levied in 2017 is 1.6697 mills (\$1.6697 per \$1,000 of taxable value) and the estimated simple average annual millage rate required to retire the bonds is 1.7479 mills (\$1.7479 per \$1,000 of taxable value).

**YES
NO**

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Teich.

Dog Days of Summer 5K Permission (This item was moved from the Consent Agenda.)

Councilperson Fox asked that the route listed on the TCO be corrected as Water Street does not intersect Washington Street.

Motion by Councilperson Fox to approve application of Donielle Jent (Elite Pet Styling) for the partial closure of various streets on Saturday, August 20, 2016 from 8:00am – 2:00pm for the Dog Days of Summer 5K Run/Walk, waive the insurance requirement, and authorize Traffic Control Order No. 1359 (with correction requested) formalizing the requested closure.

Motion supported by Councilperson Greenway.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Teich.

Change Order No. 1 – Real Estate Broker Services (This item was moved from the Consent Agenda.)

Councilperson Fox said he had asked that this item be removed from the Consent Agenda to provide the opportunity for an update on the sale of lots in the Osburn Lakes subdivision. Kori Shook of Century 21 Looking Glass was on hand for the meeting and updated the Council, indicating 3 lots had been sold at full price over the last 18 months. She also noted that numerous other offers had been received but were not considered because they were not within a reasonable range of the asking price.

Motion by Councilperson Fox to authorize Change Order No. 1 to the contract with Looking Grand, Inc. d/b/a/ Century 21 Looking Glass for the Provision of Real Estate Broker Services for City-owned Lots in Osburn Lakes, Phase1, extending the term of the agreement until December 31, 2017 as follows:

RESOLUTION NO. 95-2016

**AMENDMENT NO. 1 TO A CONTRACT
WITH LOOKING GRAND, INC. D/B/A CENTURY 21 LOOKING GLASS
FOR THE PROVISION OF REAL ESTATE BROKER SERVICES
FOR CITY-OWNED LOTS IN OSBURN LAKES PHASE 1 EXTENDING THE TERM**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, entered into a eighteen month contract with Looking Grand, Inc. d/b/a Century 21 Looking Glass on January 5, 2015 for the marketing and sale of approximately 30 vacant lots in a single-family residential condominium development known as Osburn Lakes Phase 1; and

WHEREAS, the contract provides for an extension upon reaching the stated term; and

WHEREAS, Looking Grand, Inc. d/b/a Century 21 Looking Glass has met the terms of the contract and satisfactorily provided the services requested, it is deemed advisable to extend the term of the agreement for an additional eighteen months.

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 extend the agreement with Looking Grand, Inc. d/b/a Century 21 Looking Glass for the period of July 1, 2016 through December 31, 2017.

SECOND: The mayor and city clerk are instructed and authorized to sign the attached document amending the Contract for Services between the City of Owosso, Michigan and Looking Grand, Inc. d/b/a Century 21 Looking Glass.

Motion supported by Councilperson Bailey.

Roll Call Vote.

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

NAYS: None.

ABSENT: Councilperson Teich.

COMMUNICATIONS

William C. Brown, City Attorney. Memo regarding lots separated by an alley.
Tyler J. Leppanen, Assistant Community Development Director. Land combination of 133 S. Chipman St & 202 S. State St.
N. Bradley Hissong, Building Official. July 2016 Building Department Report.
N. Bradley Hissong Building Official. July 2016 Code Violations Report.
Kevin D. Lenkart, Public Safety Director. July 2016 Police Report.
Kevin D. Lenkart, Public Safety Director. July 2016 Fire Report.
Downtown Development Authority/Main Street. Minutes of July 6, 2016.
Parks & Recreation Commission. Minutes of July 12, 2016.
Zoning Board of Appeals. Minutes of July 19, 2016.
Downtown Historic District Commission. Minutes of July 20, 2016.
Downtown Development Authority/Main Street. Minutes of August 3, 2016.

CITIZEN COMMENTS AND QUESTIONS

Parks & Recreation Chairman Mike Espich thanked the Council for their approval of the plans and their support throughout the process.

Mayor Frederick thanked Mr. Espich for his work on the project.

Becky Langtry, property owner at 202 State Street, indicated she has questions regarding why the City was holding \$12,000 of her money until the buildings at 202 State Street were demolished. She also wondered if there was a deadline for the demolition.

NEXT MEETING

Tuesday, September 06, 2016

BOARDS AND COMMISSIONS OPENINGS

Board of Review – term expires December 31, 2020
Building Board of Appeals – term expires June 30, 2019
Building Board of Appeals – Alternate - term expires June 30, 2018

ADJOURNMENT

Motion by Mayor Pro-Tem Eveleth for adjournment at 8:13 p.m.

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

Benjamin R. Frederick, Mayor

Amy K. Kirkland, City Clerk

*Due to their length, text of marked items is not included in the minutes. Full text of these documents is on file in the Clerk's Office.