

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, SEPTEMBER 05, 2017
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 21, 2017:

APPROVAL OF THE MINUTES OF SPECIAL MEETING OF AUGUST 26, 2017:

ADDRESSING THE CITY COUNCIL

1. Your comments shall be made during times set aside for that purpose.
2. Stand or raise a hand to indicate that you wish to speak.
3. When recognized, give your name and address and direct your comments and/or questions to any City official in attendance.
4. Each person wishing to address the City Council and/or attending officials shall be afforded one opportunity of up to four (4) minutes duration during the first occasion for citizen comments and questions. Each person shall also be afforded one opportunity of up to three (3) minutes duration during the last occasion provided for citizen comments and questions and one opportunity of up to three (3) minutes duration during each public hearing. Comments made during public hearings shall be relevant to the subject for which the public hearings are held.
5. In addition to the opportunities described above, a citizen may respond to questions posed to him or her by the Mayor or members of the Council, provided members have been granted the floor to pose such questions.

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

1. Ordinance Amendment – Downtown/Westtown Parking. Conduct a public hearing to receive citizen comment regarding the proposal to amend Chapter 38, Zoning, Article XVII, General Provisions, Section 38-380, Off-street parking requirements, Subsections (2) & (11) to allow downtown and Westtown residents to park in any public parking lot with a parking tag.

CITIZEN COMMENTS AND QUESTIONS

CITY MANAGER REPORT

1. Project Status Report

CONSENT AGENDA

1. Special Assessment District No. 2017-02. Authorize Resolution No. 2 setting a public hearing for Monday, September 18, 2017 for proposed Special Assessment District No. 2017-02 for Oliver Street from Oak Street to Gould Street(Phase 2)for street reconstruction, and further authorize amending the district's number designation to District No. 2018-01.
2. First Reading and Set Public Hearing – Rezoning 621 W. Oliver Street. Conduct first reading and set a public hearing for Monday, October 2, 2017 to receive citizen comment regarding the request to rezone the property at 621 West Oliver Street from R-1, Single Family Residential, to OS-1, Office Service District.
3. Art Walk Permission. Approve the application of Owosso Main Street/DDA for use of Main Street Plaza September 9, 2017 from 8:00am to 5:00pm for the Art Walk event, waive the insurance requirement, and authorize Traffic Control Order No. 1379 formalizing the requested closure.
4. Open Streets Owosso Bicycle Route Permission. Approve request from Owosso Main Street for the closure of several streets in the downtown for the Open Street Owosso Bicycle Route event on Sunday, September 10, 2017 from 11:00 a.m. to 5:00 p.m., waive the insurance requirement, and authorize Traffic Control Order No. 1380 formalizing the action.
5. Change Order Nos. 1 & 2 – WWTP Screen Containment Room & Equipment Installation Contract. Approve Change Order Nos. 1 & 2 to the WWTP Screen Containment Room & Equipment Installation Contract with RCL Construction Co., Inc. finalizing all quantities and adding \$8,381.00, bringing the total contract to \$239,276.00.
6. Warrant No. 549. Authorize Warrant No. 549 as follows:

| Vendor | Description | Fund | Amount |
|--|--|---------|-------------|
| Michigan Municipal League Workers' Compensation Fund Inc | Worker's Compensation Insurance- 2 of 4 for FY 17/18 | Various | \$19,162.00 |

ITEMS OF BUSINESS

1. SEDP Pledge. Consider formally authorizing a five-year pledge to the Shiawassee Economic Development Partnership in the amount of \$40,000.00 annually.
2. Professional Services Agreement. Consider professional services agreement with Robert V. Doran-Brockway for Historic Facilities Project Director position.

COMMUNICATIONS

None.

CITIZEN COMMENTS AND QUESTIONS

NEXT MEETING

Monday, September 18, 2017

BOARDS AND COMMISSIONS OPENINGS

Board of Review – term expires December 31, 2019
Brownfield Redevelopment Authority/LDFA – term expires June 30, 2018
Brownfield Redevelopment Authority/LDFA – term expires June 30, 2020
Building Board of Appeals - term expires June 30, 2019
Building Board of Appeals – Alternate - term expires June 30, 2018
Historical Commission – term expires December 31, 2019

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, calling, or emailing the following: Owosso City Clerk's Office, 301 West Main Street, Owosso, MI 48867; Phone: (989) 725-0500; Email: city.clerk@ci.owosso.mi.us. The City of Owosso Website address is www.ci.owosso.mi.us.

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF AUGUST 21, 2017
7:30 P.M.**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: PAULA TEMPLE

PLEDGE OF ALLEGIANCE: ATTORNEY SCOTT GOULD

PRESENT: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika, Councilmembers Burton D. Fox, Elaine M. Greenway, Daniel A. Law, and Robert J. Teich, Jr.

ABSENT: Councilmember Loreen F. Bailey.

APPROVE AGENDA

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

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF AUGUST 7, 2017

Motion by Councilmember Fox to approve the Minutes of the Regular Meeting of August 7, 2017 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

Special Assessment District No. 2017-03 **Stewart Street from Chestnut to Chipman**

A public hearing was conducted to receive citizen comment regarding authorization of Resolution No. 5 for Special Assessment District No. 2017-03 for Stewart Street, from Chestnut Street to Chipman Street for resurfacing.

There were no citizen comments received prior to, or during the meeting.

Motion by Councilmember Fox that the following resolution be adopted:

RESOLUTION NO. 121-2017

**DISTRICT NO. 2017-03
W. STEWART STREET FROM CHESTNUT STREET TO CHIPMAN STREET
SPECIAL ASSESSMENT RESOLUTION NO. 5**

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement: West Stewart Street, from S. Chestnut Street to S. Chipman Street, and

WHEREAS, having provided opportunity for all interested parties to be heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$154,550.12 is hereby confirmed and shall be known as Special Assessment Roll No. 2017-03.
2. Said special assessment roll shall be divided into five installments, the first of which shall be due and payable on December 1, 2017, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by December 1, 2017.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2017 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

Motion supported by Councilmember Teich.

Roll Call Vote.

AYES: Councilmembers Law, Greenway, Fox, Mayor Pro-Tem Osika, Councilmember Teich, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Bailey.

Special Assessment District No. 2017-04 Chipman Street from South to Stewart

A public hearing was conducted to receive citizen comment regarding authorization of Resolution No. 5 for Special Assessment District No. 2017-04 for Chipman Street, from South Street to Stewart Street for resurfacing.

The following person commented regarding the proposed special assessment roll:

Anonymous woman telephoned to voice her objections to the special assessment saying she was on a fixed income.

Motion by Mayor Pro-Tem Osika that the following resolution be adopted:

RESOLUTION NO. 122-2017

DISTRICT NO. 2017-04

**CHIPMAN STREET FROM SOUTH STREET TO STEWART STREET
SPECIAL ASSESSMENT RESOLUTION NO. 5**

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement: South Chipman Street, from South Street to Stewart Street, and

WHEREAS, all interested parties were heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$153,207.52 is hereby confirmed and shall be known as Special Assessment Roll No. 2017-04.
2. Said special assessment roll shall be divided into five installments, the first of which shall be due and payable on December 1, 2018, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by December 1, 2018.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2018 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

Motion supported by Councilmember Fox.

Roll Call Vote.

AYES: Councilmember Greenway, Mayor Pro-Tem Osika, Councilmembers Fox, Teich, Law, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Bailey.

Special Assessment District No. 2017-06 Chipman Street from Oliver to King

A public hearing was conducted to receive citizen comment regarding authorization of Resolution No. 5 for Special Assessment District No. 2017-06 for Chipman Street, from Oliver Street to King Street for resurfacing.

There were no citizen comments received prior to, or during the meeting.

Motion by Councilmember Greenway that the following resolution be adopted:

RESOLUTION NO. 123-2017

DISTRICT NO. 2017-06

**N. CHIPMAN STREET FROM OLIVER STREET TO KING STREET
SPECIAL ASSESSMENT RESOLUTION NO. 5**

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement: North Chipman Street, from Oliver Street to King Street, and

WHEREAS, having provided opportunity for all interested parties to be heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$25,790.16 is hereby confirmed and shall be known as Special Assessment Roll No. 2017-06.
2. Said special assessment roll shall be divided into five installments, the first of which shall be due and payable on December 1, 2017, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by December 1, 2017.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2017 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

AYES: Councilmembers Teich, Law, Mayor Pro-Tem Osika, Councilmembers Greenway, Fox, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Bailey.

Special Assessment District No. 2017-07 Chipman Street from Willow Springs to Harding

A public hearing was conducted to receive citizen comment regarding authorization of Resolution No. 5 for Special Assessment District No. 2017-07 for Chipman Street, from Willow Springs Drive to Harding Avenue for resurfacing.

There were no citizen comments received prior to, or during the meeting.

Motion by Councilmember Fox that the following resolution be adopted:

RESOLUTION NO. 124-2017

**DISTRICT NO. 2017-07
N. CHIPMAN STREET FROM WILLOW SPRINGS DRIVE TO HARDING AVENUE
SPECIAL ASSESSMENT RESOLUTION NO. 5**

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement: North Chipman Street, from Willow Springs Drive to Harding Avenue, and

WHEREAS, having provided opportunity for all interested parties to be heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$25,435.67 is hereby confirmed and shall be known as Special Assessment Roll No. 2017-07.
2. Said special assessment roll shall be divided into five installments, the first of which shall be due and payable on December 1, 2017, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by December 1, 2017.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2017 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

Motion supported by Councilmember Teich.

Roll Call Vote.

AYES: Councilmember Fox, Mayor Pro-Tem Osika, Councilmembers Greenway, Law, Teich, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Bailey.

Special Assessment District No. 2017-09 Chestnut Street from South to Stewart

A public hearing was conducted to receive citizen comment regarding authorization of Resolution No. 5 for Special Assessment District No. 2017-09 for Chestnut Street, from South Street to Stewart Street for resurfacing.

There were no citizen comments received prior to, or during the meeting.

Motion by Councilmember Fox that the following resolution be adopted:

RESOLUTION NO. 125-2017

DISTRICT NO. 2017-09
S. CHESTNUT STREET FROM SOUTH STREET TO STEWART STREET
SPECIAL ASSESSMENT RESOLUTION NO. 5

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement: S. Chestnut Street, public street, from South Street to Stewart Street, and

WHEREAS, having provided opportunity for all interested parties to be heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$25,117.76 is hereby confirmed and shall be known as Special Assessment Roll No. 2017-09.
2. Said special assessment roll shall be divided into five installments, the first of which shall be due and payable on December 1, 2017, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by December 1, 2017.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on September 1, 2017 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach her warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

Motion supported by Councilmember Law.

Roll Call Vote.

AYES: Mayor Pro-Tem Osika, Councilmembers Law, Fox, Greenway, Teich, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Bailey.

CITIZEN COMMENTS AND QUESTIONS

Paula Temple, 533 Ament Street, introduced herself and asked Clerk Kirkland to explain the referendum petition process. Ms. Kirkland explained that she was in receipt of Ms. Temple's petition to repeal Section 3-2(c)(3) of the Code of Ordinances and that it had been forwarded to the City Attorney for review of form and legality. If the City Attorney finds the petition meets these requirements Ms. Temple can begin to circulate the petition. Upon submission of the petition the Council would be required to adopt the ordinance or submit it to the voters.

Mayor Eveleth noted that he had the pleasure to speak to Owosso Public School teachers on their first day back, saying it was a great gathering. He also congratulated Councilmember Fox on his accomplishments in tackling the drainage issue at the Oak Hill Cemetery.

Councilmember Fox indicated the work is not yet finished. He said he hopes to pull out brush and take down trees using community service workers. He went on to thank everyone that has helped in the effort so far.

Councilmember Greenway thanked Utilities Director Chinavare and the DPW for working with the Friends of the Shiawassee River to redo the flower bed at the end of the Heritage Footbridge.

Mayor Eveleth reminded all in attendance of the Labor Day Bridge Walk at 7:30am Labor Day morning. Councilmember Fox inquired how many signatures Ms. Temple would need on her petition. It was indicated she would need 1601 signatures.

CITY MANAGER REPORT

City Manager Donald D. Crawford reminded everyone of the planning session to be held this Saturday starting at 8:00am at D'Mar Banquet Center.

CONSENT AGENDA

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

First Reading & Set Public Hearing – Ordinance Amendment – Downtown/Westtown Parking.

Conducted first reading and set a public hearing for Tuesday, September 5, 2017 to receive citizen comment regarding the proposal to amend Chapter 38, Zoning, Article XVII, General Provisions, Section 38-380, Off-street parking requirements, Subsections (2) & (11) to allow downtown and Westtown residents to park in any public parking lot with a parking tag as shown below:

RESOLUTION NO. 126-2017

FIRST READING & SET PUBLIC HEARING FOR AN ORDINANCE AMENDING SECTIONS 38-380 (2) & (11) – OFF-STREET PARKING, OF THE OWOSSO CITY ZONING CODE

WHEREAS, the City of Owosso Zoning Code Section 38-380, Off-street parking, outlines off-street parking requirements; and

WHEREAS, the city of Owosso, Shiawassee County, Michigan, Planning Commission believe Section 38-380 of the Zoning Code, also known as off-street parking, does not address current parking needs for downtown residents in the city of Owosso; and

WHEREAS, the city of Owosso seeks to provide parking areas in the downtown in any of the city owned parking lots for downtown residents as stated in the new language in section 38-380(2); and

WHEREAS, a map that delineates the areas where downtown residential parking shall be allowed is shown in section 38-380(11).

NOW THEREFORE BE IT RESOLVED:

SECTION 1. AMENDMENT #1. That existing Section 38-380 (2), Off-street parking requirements, of Chapter 38, Zoning, Article XVII, *General Provisions*, of the Owosso City Code be amended to read:

Sec. 38-380. - Off-street parking requirements.

- (2) Off-street parking for other than residential use shall be either on the same lot or within three hundred (300) feet of the building it is intended to serve, measured from the nearest point of the

building to the nearest point of the off-street parking lot. Ownership shall be shown of all lots or parcels intended for use as parking by the applicant. **However, in the DDA and Westtown Districts, as shown in the map in Figure 1, residential parking for downtown residents shall be allowed in any public parking lot with a residential parking permit, according to the terms of the lease agreement.**

SECTION 2. MAP. That existing Section 38-380 (11), Off-street parking requirements, of Chapter 38, Zoning, Article XVII, *General Provisions*, of the Owosso City Code be amended to show a map of the affected areas:

Sec. 38-380. - Off-street parking requirements.

- (11) The requirements of subsection (12) shall not apply to the erection, alteration or extension of any building or structure, with the exception of those to be used for residential purposes, including transients, within the developed portion of the central business district (except as required by the subsection (5) within the following boundary):

~~Beginning at the center of the intersection of Main Street and the Shiawassee River, thence northerly along the Shiawassee River to the imaginary north right of way line of Exchange Street extended to the River, thence east along said imaginary line to the center of Water Street, thence north along Water Street to Mason Street, thence east along Mason Street to Park Street, thence south along Park Street to Exchange Street, thence east along Exchange Street to Saginaw Street, thence south along Saginaw Street and continuing south along the imaginary west right of way line of Saginaw Street extended to Comstock Street, thence west along Comstock Street to Park Street, thence south along Park Street approximately one hundred twenty (120) feet to the alley right of way, thence west along the alley right of way to the alley running north and southwest of Park Street, thence south along said alley to Jerome Street and the Shiawassee River, thence northwesterly along said Shiawassee River to the Point of Beginning. Also to include Block fourteen (14), Lots three (3) through fourteen (14) including South six (6) feet of the alley on the north; Block 15, Lots three (3) through ten (10) and Lot fourteen (14) including South six (6) feet of the alley on the North, of the A. L. & B. O. Williams Addition to City of Owosso. Also Lots one (1) through eleven (11) of the Eratus Barnes Addition to the City of Owosso.~~



Figure 1

SECTION 3. SEVERABILITY. The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of this Ordinance as a whole or any section or provision of this Ordinance other than the section or provision so declared to be unconstitutional or invalid.

SECTION 4. INCONSISTENT ORDINANCES. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are repealed.

SECTION 5. EFFECTIVE DATE. This amendment shall become effective 20 days after approval.

SECTION 6. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

SECTION 7. PUBLIC HEARING. A public hearing is set for Tuesday, September 5, 2017 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendment.

Cantu 5K Walk/Run Permission. Approved application of Shelly Ochodnicki for the partial closure of various streets on Sunday, August 27, 2016 from 7:00am - 12:00pm for the Cantu 5K Walk & Run, waived the insurance requirement, and authorized Traffic Control Order No. 1377 formalizing permission.

Vintage Motorcycle Days Permission. Approved the request from Owosso Main Street for the closure of Washington Street from Exchange to Williams, Exchange Street from Washington to Park, and Washington Street from Mason to Williams (in case of overflow only) for the Vintage Motorcycle Days event on Saturday, August 26, 2017 from 5:00 am to 5:00 pm, waived the insurance requirement, and authorized Traffic Control Order No. 1378 formalizing the action.

Contract Amendment No. 5 – Clarifier Engineering. Approved Amendment No. 5 to the Professional Services Agreement with c2ae adding \$1,500.00 for additional engineering services related to the replacement of the trough, baffle, and weirs at the wastewater treatment plant, and further approved payment up to the amount of Amendment No. 5 as follows:

RESOLUTION NO. 127-2017

**AUTHORIZING AMENDMENT NO.5 TO THE AGREEMENT BETWEEN THE CITY OF
OWOSSO AND C2AE ENGINEERS AND PLANNERS FOR ADDITIONAL DESIGN
AND CONSTRUCTION SERVICES TO REPAIR THE NORTH PRIMARY CLARIFIER
AT THE WASTEWATER PLANT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has budgeted from the Wastewater Plant Replacement Fund for the replacement of Primary Clarifier components, and

WHEREAS, the existing Primary Clarifier circular trough was damaged during normal operations, and C2ae of Lansing, Michigan has provided a proposal for the necessary additional engineering services to guide the repair and installation of the new circular trough, weir and baffle plates, and

WHEREAS, the Director of Public Services & Utilities has reviewed the proposal and verified the additional engineering services to repair and restore the north clarifier to operational capability, and recommends authorizing C2ae to provide the design layout and construction services in the amount of \$1,500.00.

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 contract with C2ae Engineers and Planners for design services to repair and restore the circular trough, weir and baffle plates at the Wastewater Treatment Plant.

SECOND: The accounts payable department is authorized to submit payment to C2ae in the amount of \$47,300.00 plus \$1,500.00 for a total amount of \$48,800.00.

THIRD: The above expenses shall be paid from the Wastewater Plant Fund 599-901-977.000.

Change Order No. 2 – Sanitary Sewer Cleaning Services Contract. Authorized Addendum No. 2 to the Contract for Service with Safeway Transport, Inc. for sanitary sewer cleaning services requesting additional cleaning, televising, and PACP coding services in the amount of \$30,000.00, and further authorized payment to the contractor upon satisfactory completion of the additional work or portion thereof as detailed:

RESOLUTION NO. 128-2017

**AUTHORIZING SERVICE AGREEMENT CHANGE ORDER NO. 2 AND PAYMENT TO
SAFEWAY TRANSPORT, INC. OF ROMULUS, MICHIGAN
FOR CLEANING OF SANITARY SEWERS**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has received Grant funds from the Michigan Department of Environmental Quality to accomplish 10 Tasks in the development of an Asset Management Plan, of which Task No. 5 is for the cleaning, televising, and PACP structural condition coding of sanitary sewer mains, and

WHEREAS, numerous sections of sewer main require cleaning to allow passage of closed circuit televising (CCTV) equipment in order to complete required video inspections, as identified in detailed documentation provided by the CCTV contractor RedZone Robotics, and

WHEREAS, the City Director of Public Services & Utilities has reviewed the incomplete CCTV pipe segment documentation of RedZone Robotics, and verified the necessity to clean said pipes, and recommends authorizing Safeway Transport, Inc. to perform additional services for the cleaning, televising & PACP structural condition coding in the amount of \$30,000.00.

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 contract with Safeway Transport, Inc. for the cleaning, televising and PACP structural condition coding of an estimated additional 21,882 linear feet of sanitary sewer main.

SECOND: The accounts payable department is authorized to submit payment to Safeway Transport, Inc. in accordance with their bid amount of \$61,539.28, plus Change Order No.1 in the amount of \$30,000.00, and Change Order No.2 in the amount of \$30,000.00, Addendum No. 1 in the amount of \$24,835.46, and Change Order No. 1 to Addendum No. 1 in the amount of \$28,600.00, for a total of \$174,974.74, upon satisfactory completion of work.

THIRD: The above expenses shall be paid from account no. 590-549-818.000 SAWGrantSwr.

Purchase Authorization — Road Salt. Waived competitive bidding requirements, authorized purchase order with The Detroit Salt Company, LLC, via State of Michigan Contract No. 071B1300339, for early delivery of 200 tons of road salt, plus an additional quantity of 1,400 tons at \$34.42/ton and a contingency of 200 tons at \$34.42/ton, and further authorized payment up to \$61,956.00 upon satisfactory receipt of the product as detailed below:

RESOLUTION NO. 129-2017

AUTHORIZING THE EXECUTION OF A PURCHASE ORDER WITH THE DETROIT SALT COMPANY, LLC FOR THE WINTER SUPPLY OF ROAD SALT

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has a responsibility to keep its streets safe during the winter months, and that this winter ice control maintenance is advisable, necessary and in the public interest; and

WHEREAS, the most efficient way to remove ice from the streets is the application of road salt onto the icy pavements; and

WHEREAS, in order to obtain the best price for road salt material, it is in the best interest of the city of Owosso to waive competitive bidding requirements and utilize the state wide contract number 071B300339 held by The Detroit Salt Company, LLC for the purchase of road salt at \$34.42 per ton.

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 1,600 tons of road salt from The Detroit Salt Company, LLC in the amount of \$55,072.00.

SECOND: The contract between the City and The Detroit Salt Company, LLC shall be in the form of a Purchase Order, with reference to State of Michigan Contract No. 071B1300339.

THIRD: The accounts payable department is authorized to pay The Detroit Salt Company, LLC

for road salt satisfactorily received, up to \$55,072.00, plus 200 ton contingency in the amount of \$6,884.00, for a total of \$61,956.00.

FOURTH: The above expenses shall be paid from Local and Major Street Fund and State Trunk-line accounts 202/203.478.728.000 and 202.497.728.000.

Bid Award – Curwood Castle Park Renovations. Approved bid award to Sumbera Excavating, Inc. for the Curwood Castle Park Renovations bid in the amount of \$76,305.00 and authorized payment to the contractor upon satisfactory completion of the work or a portion thereof as follows:

RESOLUTION NO. 130-2017

**AUTHORIZING BID AWARD TO
SUMBERA EXCAVATING, INC.
FOR CURWOOD CASTLE PARK RENOVATION**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, owns parcel # 050-120-002-008-00, commonly known as Curwood Castle Park; and

WHEREAS, the city deems it necessary to upgrade existing pathways within the park and installation of bus parking on Curwood Castle Drive; and

WHEREAS, the city was awarded a recreation passport grant from the Michigan Department of Natural Resources (MDNR) in the amount of \$45,000 toward the costs of said renovations; and

WHEREAS, bids for the renovation project of said improvements were advertised on the city website and through Michigan Inter-Governmental Trade Network through August 15, 2017; and

WHEREAS, one bid was received from Sumbera Excavating, Inc. for said project; and

WHEREAS, staff recommends awarding of the contract to Sumbera Excavating, Inc..

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

FIRST: The city of Owosso has determined that it is advisable, necessary and in the public interest to contract with Sumbera Excavating, Inc. for the above renovation project as outlined in the grant.

SECOND: The accounts payable department is authorized to submit payment to Sumbera Excavating, Inc. in an amount not to exceed \$76,305.00, based upon unit pricing, upon satisfactory completion of the project.

Warrant No. 548. Authorized Warrant No. 548 as follows:

| Vendor | Description | Fund | Amount |
|------------------|---|---------|-------------|
| Safebuilt Inc | Building department services- June 2017 | General | \$10,506.67 |
| Safebuilt Inc | Building department services- July 2017 | General | \$10,546.67 |
| B S & A Software | Annual service and support for ten modules-8/1/17-8/1/18 | Various | \$11,814.00 |

Motion supported by Councilmember Fox.

Roll Call Vote.

AYES: Councilmembers Fox, Greenway, Mayor Pro-Tem Osika, Councilmembers Teich, Law, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Bailey.

ITEMS OF BUSINESS

SEDP Contribution

This item was postponed until the September 5, 2017 meeting.

Set Medical Marijuana Workshops

After some discussion the Council decided it would like staff to prepare a proposal to establish a place to start the discussion, the proposal would then be forwarded to the Planning Commission for vetting.

Closed Session

Motion by Councilmember Teich to approve holding closed session after the last session of Citizen Comments and Questions for the purpose of consulting with an attorney regarding trial or settlement strategy in connection with specific pending litigation.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

AYES: Councilmembers Fox, Greenway, Teich, Law, Mayor Pro-Tem Osika, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Bailey.

COMMUNICATIONS

N. Bradley Hissong, Building Official. July 2017 Building Department Report.

N. Bradley Hissong Building Official. July 2017 Code Violations Report.

Kevin D. Lenkart, Public Safety Director. July 2017 Police Report.

Kevin D. Lenkart, Public Safety Director. July 2017 Fire Report.

Downtown Development Authority/Main Street. Minutes of August 2, 2017.

Planning Commission. Minutes of July 24, 2017.

Parks & Recreation Commission. Minutes of July 25, 2017.

CITIZEN COMMENTS AND QUESTIONS

There were no citizen comments.

Mayor Pro-Tem Osika announced that the Chamber of Commerce would be closed for one week while they move to the Exchange Building where they will be for approximately six to seven months while the Armory is being renovated for their use.

CLOSED SESSION

ADJOURNED TO CLOSED SESSION AT 8:00 P.M.

RETURNED TO OPEN SESSION AT 8:14 P.M.

APPROVAL OF THE MINUTES OF CLOSED SESSION OF JANUARY 3, 2017

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Closed Session of January 3, 2017 as presented.

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

APPROVAL OF THE MINUTES OF CLOSED SESSION OF AUGUST 7, 2017

Motion by Councilmember Fox to approve the Minutes of the Closed Session of August 7, 2017 as presented.

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

ACTION AS A RESULT OF CLOSED SESSION

Motion by Councilmember Greenway to accept the recommendation of legal counsel as it relates to Levitski vs. the City of Owosso.

Motion supported by Councilmember Fox.

Roll Call Vote.

AYES: Councilmembers Law, Greenway, Fox, Teich, Mayor Pro-Tem Osika, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Bailey.

NEXT MEETING

Saturday, August 26, 2017, 8:00am - Special Meeting
Tuesday, September 5, 2017, 7:30pm – Regular Meeting

BOARDS AND COMMISSIONS OPENINGS

Board of Review – term expires December 31, 2019
Brownfield Redevelopment Authority/LDFA – term expires June 30, 2018
Brownfield Redevelopment Authority/LDFA – term expires June 30, 2020
Building Board of Appeals - term expires June 30, 2019
Building Board of Appeals – Alternate - term expires June 30, 2018

Historical Commission – term expires December 31, 2019

ADJOURNMENT

Motion by Councilmember Teich for adjournment at 8:17 p.m.

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

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk

**CITY OF OWOSSO
SPECIAL MEETING OF THE CITY COUNCIL
MINUTES OF AUGUST 26, 2017
8:00 A.M.**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

PRESENT: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika, Councilpersons Loreen F. Bailey, Burton D. Fox, Elaine M. Greenway, Daniel A. Law (8:15 a.m.), and Robert J. Teich, Jr.

ABSENT: None.

Introductions were given by all those present, noting names and positions.

STRATEGIC PLANNING

City Manager Donald D. Crawford started out the discussion by noting all of the resources available to aid in today's discussion, including the Master Plan, the Parks Plan, a recent audit, the current budget, and the Blue Ribbon Committee Report. Using the Blue Ribbon Committee Report as an example Mr. Crawford indicated that today's discussion would be smaller in scope, saying he hoped to refine a 6-year plan by the end of the meeting. He went on to ask each person present to list one thing that should be a goal for the City in the next twelve months.

The attendees broke into small groups to discuss and develop the following two lists:

Why do people move/stay in Owosso?

Job opportunities
Low crime
Good school system (academically)
Recreation opportunities
Low cost of living
Tourist attractions
Business friendly atmosphere

Family members in area
Rail line to Chicago
Three state highways
Sense of community
Hospital
Baker College
Support for the arts

Why do people leave Owosso?

Schools (poor facilities)
Overabundance of rental properties
Limited higher level career opportunities
Availability of quality housing

Area's susceptibility to economic downturns
Low wages
Negative culture/cynicism
Brain drain

City Manager Crawford challenged the group to think of things the City could do to realistically promote the positives and mitigate the negatives. Ideas mentioned included: doubling down on code enforcement efforts, conducting an educational effort on common code enforcement issues, putting together a package of services to help people fix problems, and doing more to promote the community's assets to both residents and visitors.

Mr. Crawford then switched gears and had the group considering the mission statement. He presented the group with 2 statements to choose from.

Councilmember Bailey asked if there was anything anyone would disagree with either one as a mission statement.

Councilmember Fox felt they were both statements are the same thing, nothing anyone would disagree with.

During the discussion City Manager Crawford pointed out that there are usually 5 concerns for residents:

1. When a resident turns on the faucet water comes out.
2. When a resident flushes the toilet it goes down never to be seen again.
3. When a resident drives down the street it does not ruin my car.
4. After major rainfall the house doesn't flood
5. After calling public safety responses within 5 minutes

Councilmember Bailey would like a diverse and welcoming in mission statement.

Each table took a few minutes to come up with their idea for a mission statement.

There was a discussion on each mission statement with changes and after voting the following was the statement the group decided that best represented the City of Owosso's mission.

"The mission of the City of Owosso is to promote a safe, enjoyable and welcoming environment to live and do business."

City Manager Crawford then detailed some of the issues with development of the City. Possible issues include housing, education, business development (retail).

Community Development Director/ Assistant City Manager Susan Montenegro, spoke regarding the redevelopment of sites, connecting with developers, possible rezoning, parking issues (getting employee to park in the outer laying parking areas).

Public Safety Director Kevin Lenkart explained public safety's goals are to provide efficient, effective services for both Police and Fire Departments.

There was discussion with Public Safety Director on how to be proactive instead of reactive and education or enforcement.

Glenn Chinavare, Public Services Director, reported on infrastructure.

City Manager Crawford asked if we were in a crisis. Mr. Chinavare reported the city was behind on the replacement of water meters.

Councilmembers questioned what would be the next crisis. Mr. Chinavare reported on several infrastructure issues that could be potential crises and the way to avert them. He reported he felt he had a handle on it.

Mr. Chinavare also reported on the need for more technology at the plants and more technology needed with regard to records.

City Manager Crawford reported on Finance – saying the City has stable or declining revenues. He reported it will continue as is. He stated be prepared for an increase in sewer rates.

Katherine Fagan, City Treasurer/ Accountant, reported that Karen Ruddy, Finance Director, has streamlined things and made the information more transparent.

Human Resources Director/ IT Director, Jessica Unangst reported on recruiting and maintaining employees. She also reported that the city needs to do a better job of succession training. She stated employees are more transient because people do not mind driving further away.

Ms. Unangst also reported she would like IT to have a plan to maintain and upgrade equipment so it doesn't find itself in a crisis situation.

Community Development Director Montenegro presented to the group the following:

REDEVELOPMENT READY CITY FROM THE MEDC

1. Create a 6 year capital improvement plan.
2. Update zoning ordinance.
3. Update the Master Plan.
4. How well does the city work with the community? Goes thru planning commission and then recommend to council.
5. Ways to implement to training staff.
6. Orientation when you're new on a board?
7. Track attendance of board and staff at meetings.
8. Engage the public at the meetings.
9. Steps to identify places to redevelop.
10. How does the City market itself?

There was a discussion regarding the detail of the projects.

Ms. Montenegro also explained that they have 2,200 rentals and cannot keep up with the rental inspections within the 5 years. She also went in detail on some of the issues seen.

Councilmember Fox asked what the problem is in getting to all the rentals. Ms. Montenegro explained sometimes the tenants or the landlords don't want the inspection done. The firefighters do the inspections as time permits. Ms. Montenegro explained they have to do 9 inspections per week to stay on top of it.

Public Safety Director Lenkart, presented a handout and detailed the fire department side of public safety, including ambulance.

Police Lieutenant Eric Cherry detailed the information in the handout related to the police department.

Director Lenkart also presented a rendering of a New Public Safety Building.

Public Services Director Chinavare stepped forward and gave a brief presentation highlighting the on-going activities and future plans of the DPW, utilities, and engineering departments. Mr. Chinavare's presentation was followed by presentations for the Finance and Human Resources departments, and the Historical and Parks & Recreation Commissions.

City Manager Crawford closed the session by reviewing the goals set in 2010 and creating a list of priorities for the coming year as dictated by those present.

- Address downtown parking issues
- Review the Master Plan
- Encouraging every employee to report any issues they encounter
- Bring the bike trail into town
- Build the GIS system
- Create a riverfront development plan
- Address blight issues
- New schools

Review the Zoning ordinance
Bring downtown buildings up to code/educate building owners
Search for a new City Manager
Improve rental stock
Improve city entrances
Automate business processes
Attend to abandoned houses
Workflow process evaluation at city hall
Develop a process for handling constituent complaints
Database system management
Improvements to customer service
Full time IT staff
Lower the level of rentals
Pay attention to Westown

Mr. Crawford indicated he would compile all the data discussed today and establish a means of tracking the data over the course of the next 5-6 years.

Councilmember Bailey indicated she would like a quarterly report on the goals established today.

Mayor Eveleth thanked everyone for sacrificing their free time to come to the meeting. He said it was nice to put faces with names and was very helpful to hear from everyone.

NEXT MEETING

Tuesday, September 05, 2017

ADJOURNMENT

The meeting was adjourned at 4:00 p.m.

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk

Recording secretaries: Roxane Cramer and Amy Kirkland.



MEMORANDUM

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

DATE: August 29, 2017

TO: Mayor Eveleth and the Owosso City Council

FROM: Susan Montenegro, Assistant City Manager/Director of Community Development

SUBJECT: Amend Section 38-380 Off-Street Parking for residents in the DDA and Westtown Districts.

RECOMMENDATION:

Approve the amendment of sections 38-380 (2) and (11) for off-street parking in the DDA and Westtown Districts; regarding residential parking requirements in item (2) of the section and a map to replace written language in item (3) of the section.

BACKGROUND

Historically, residential parking in the downtown has been handled through a lease program administered by the city. The current lease structure has become problematic due to the language on the signage in these lots. Current language restricts parking from 8:00 am to 5:00 pm except for those with lease tags hanging in their windows, tying up viable parking spaces throughout the day primarily when lessees are at work and do not need those spaces. Additionally, those spots are not reserved after 5:00 pm and appear open to others looking for a parking space during special events held in the downtown, forcing lessees to park elsewhere and run the risk of receiving a ticket. A way to overcome this is to allow residential parking in any of the public lots in the downtown for residents with a parking tag. The new language in the ordinance reflects those requested changes and would allow them to park anywhere during that time.

FISCAL IMPACTS:

n/a

ORDINANCE NO.

AN ORDINANCE AMENDING SECTIONS 38-380 (2) & (11) – OFF-STREET PARKING, OF THE OWOSSO CITY ZONING CODE

WHEREAS, the City of Owosso Zoning Code Section 38-380, Off-street parking, outlines off-street parking requirements; and

WHEREAS, the city of Owosso, Shiawassee County, Michigan, Planning Commission believe Section 38-380 of the Zoning Code, also known as off-street parking, does not address current parking needs for downtown residents in the city of Owosso; and

WHEREAS, the city of Owosso seeks to provide parking areas in the downtown in any of the city owned parking lots for downtown residents as stated in the new language in section 38-380(2); and

WHEREAS, a map that delineates the areas where downtown residential parking shall be allowed is shown in section 38-380(11).

NOW THEREFORE BE IT RESOLVED:

SECTION 1. AMENDMENT #1. That existing Section 38-380 (2), Off-street parking requirements, of Chapter 38, Zoning, Article XVII, *General Provisions*, of the Owosso City Code be amended to read:

Sec. 38-380. - Off-street parking requirements.

- (2) Off-street parking for other than residential use shall be either on the same lot or within three hundred (300) feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking lot. Ownership shall be shown of all lots or parcels intended for use as parking by the applicant. **However, in the DDA and Westown Districts, as shown in the map in Figure 1, residential parking for downtown residents shall be allowed in any public parking lot with a residential parking permit, according to the terms of the lease agreement.**

SECTION 2. MAP. That existing Section 38-380 (11), Off-street parking requirements, of Chapter 38, Zoning, Article XVII, *General Provisions*, of the Owosso City Code be amended to show a map of the affected areas:

Sec. 38-380. - Off-street parking requirements.

- (11) The requirements of subsection (12) shall not apply to the erection, alteration or extension of any building or structure, with the exception of those to be used for residential purposes, including transients, within the developed portion of the central business district (except as required by the subsection (5) within the following boundary):

~~Beginning at the center of the intersection of Main Street and the Shiawassee River, thence northerly along the Shiawassee River to the imaginary north right-of-way line of Exchange Street extended to the River, thence east along said imaginary line to the center of Water Street, thence north along Water Street to Mason Street, thence east along Mason Street to Park Street, thence south along Park Street to Exchange Street, thence east along Exchange Street to Saginaw Street, thence south along Saginaw Street and continuing south along the imaginary west right-of-way line of Saginaw Street extended to Comstock Street, thence west along Comstock Street to Park Street, thence south along Park Street approximately one hundred twenty (120) feet to the alley right-of-way, thence west along the alley right-of-way to the alley running north and southwest of Park Street, thence south along said alley to Jerome Street and the Shiawassee River, thence northwesterly along said Shiawassee River to the~~

This is a detailed street map of the West End neighborhood in Boston, Massachusetts. The map shows a grid of streets, including North Street, South Street, and various numbered streets. Key landmarks like the West End School and the West End Church are marked. The map is oriented with North at the top.

Streets shown include:

- North Street
- South Street
- West End School
- West End Church
- West End Park
- West End Plaza
- West End Avenue
- West End Boulevard
- West End Circle
- West End Drive
- West End Lane
- West End Way
- West End Court
- West End Place
- West End Terrace
- West End Walk
- West End Trail
- West End Path
- West End Loop
- West End Turnpike
- West End Expressway
- West End Freeway
- West End Turnpike
- West End Expressway
- West End Freeway

SECTION 3. SEVERABILITY. The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of this Ordinance as a whole or any section or provision of this Ordinance other than the section or provision so declared to be unconstitutional or invalid.

SECTION 5. EFFECTIVE DATE. This amendment shall become effective September 26, 2017.

Page 2

PROJECT STATUS REPORT--SEPTEMBER 5, 2017

| 0 | PROJECT TITLE | | PROJECT DESCRIPTION | | PROJECT STATUS --1 new project, 2 updated project, 3 no change in project |
|---|---|---|--|--|--|
| 2 | Election and voting equipment upgrades | | Upgrade voting equipment in all Shiawassee County jurisdictions. | | The six tabulators, four handicapped terminals and a high-speed scanning unit have been delivered, and setup and operational training are underway. |
| 1 | Election for November 7 | | Prepare for November 7, 2017 special election on school millage. | | Preparations are underway for a special election on a school millage. |
| 2 | Zoning ordinance revisions | | The planning commission is revising various portions of the zoning ordinance. | | The city council has approved the rewright of the sign ordinance. The plan commission has submitted modifications to the off-street parking ordinance in the downtown and westown areas. |
| 2 | Shiawassee Sanitary Landfill | | Enter into a consent order with DEQ to define and limit responsibility for the former Shiawassee Sanitary Landfill. Proceed with installation of water services to the residential area near the site. | | Construction is underway, with the project to be completed by mid-October. A complicating issue that will likely cost the city additional money is the demand by the Shiawassee County Road Commission that, when the project is completed, the streets be paved with a two-inch overlay. |
| 2 | I-69 International Trade Corridor Next Michigan Development Corporation | | Participate in a proposal to have Owosso execute an interlocal agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation. | | The next meeting will be at 9:00 a.m. on Tuesday, October 10 at Bishop Airport. Meetings are held on the second Tuesday of February, April, June, August, October and December. |
| 2 | Bond sales | | Sell special assessment bonds for the special assessed portion of street projects. | | It is anticipated that the special assessment bonds will be sold early in 2018. |
| 1 | 2016-17 audit | | Have independent auditor audit all city funds. | | Rheman has been employed to audit all city funds and deliver and submit the audit o state of Michigan before December 31, 2017. The auditors are scheduled to start in October. |
| 2 | Facade grants | | The city has qualified for state facade grants in the downtown area. | | Eight applications were submitted to MEDC for review and likely approval. MEDC has requested updated costs and an increase in the contingency. |
| 2 | Osburn Lakes Phase 1 lot sales | | Marketing of lots by Century 21--Looking Glass. | | A marketing program has been implemented which includes advertising, marketing brochures and signage. Lot 79 Osburn Lakes - 1130 Jackson Drive has been sold, and a dwelling is nearly complete. |
| 2 | Curwood Castle Park renovation | ? | Improve Curwood Castle Park by making improvements to the historic park in which Curwood Castle and other buildings are located. | | Application was made for a Michigan Department of Natural Resources Passport Grant for \$45,000 to make improvements to the park, including parking, sidewalks, lighting and landscaping. Bids were received Tuesday, August 15 and a contract has been awarded. Constructed is scheduled to begin in September with completion by October 31. |

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|---|---|--|---|--|
| 2 | Disc golf course | | Install a disc golf course near Hopkins Lake. | A layout at Hopkins Lake property has been developed with little conflict. Volunteers have nearly completed the necessary clearing. City workers have installed the baskets, and the project should be completed during September. |
| 3 | Agenda preparation software evaluation | | Looking at alternative agenda preparation and tracking software prior to seeking proposals. | A request for proposals is being developed. |
| 2 | Data transmission equipment on city rights-of-way and poles | | The city has received two proposals, which are being evaluated. | Two proposals are being evaluated, with agreements being prepared to permit use of city rights-of-way and poles which are currently not covered. Negotiations are underway concerning the finalization of one agreement. |
| 3 | Huron & Eastern Railroad | | Contact the Huron & Eastern Railroad concerning abandoned right of-way running south from the mainline near Chestnut Street. | Contact has been made with the railroad, which is considering the city's request. Approval seems likely once all approvals are received from parent company. |
| 3 | Skate park | | The parks and recreation commission, working with interested youth and some adults, is proposing to relocate the skate park to Grove Holman Park with a new layout. | Parks and recreation commission members have prepared a plan for the state of Michigan recreation grant. The city council approved the grant application March 20, and it was submitted to DNR March 30. A fundraising effort is being planned by the sponsors. |
| 2 | Marijuana inquiries | | Battle is on for control of Michigan's marijuana market | Prior to developing an ordinance, the planning commission has scheduled sessions to obtain community input on Thursday, September 28, 2017 from 7:00 to -9:00 p.m. at city hall and on Saturday, October 21, 2017 from 10:00 a.m. to noon at a location to be determined . |
| 2 | Michigan Redevelopment Ready Community program | | The Michigan Economic Development Corporation has established a program that measures and then certifies communities that integrate transparency, predictability and efficiency into their daily development practices. State financial assistance will be withheld from communities that fail to become certified. Using the information from best practices training, a community must complete a self-evaluation. This is a tool used to assess how a community's current planning, zoning and development documents, policies and procedures measure up to RRC Best Practices. This must be done prior to receiving a formal evaluation by an RRC planner. Communities are not required or expected to have all of the best practices criteria met at the time of initial engagement. | The city has completed the self-evaluation process, which has been reviewed by MEDC. MEDC has responded positively and moved Owosso up in the process and will make a presentation to the city at a future date. Dates being considered are Tuesday, October 3, 2017 at 7:00 p.m. and Wednesday, October 4, 2017 at 7:00 pm. |
| 3 | Parks and recreation master plan | | Prepare a revised master plan for submission to the Michigan Department of Natural Resources. | The city will be revising the current plan during the next few months, with submission to DNR before December 31, 2017. |

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| 3 | Cargill property development | The city sold approximately 20 acres of reclaimed brownfield property to Cargill for the construction of a dairy food processing facility. | Construction continues, with structural erection underway. |
| 4 | Roadway and water mains to serve SONOCO, Cargill and nearby areas | Design and construct a roadway to serve the properties and construct a water main from Oliver to Bennett Field Drive and from Chipman to King. | The project has been completed. |
| 4 | Qdoba site cleanup | The site at the southwest corner of Main and Gould Streets was contaminated with waste from a dry cleaner and a former gasoline station. | The cleanup and construction have been completed, and the Qdoba restaurant has opened. Prep work continues on the other business sites. Construction of the required retention basin on Jerome Street is proceeding through the DEQ permitting process. |
| 3 | Castle electrical upgrades | Upgrade the electrical system to meet current day needs. | Most of the interior work has been completed. The exterior lighting remains to be upgraded. |
| 3 | Art work restoration | The city has 14 paintings in need of restoration to preserve their value. | The city entered into a contract with Lis Art Conservation & Restoration Services, L.L.C. to restore the paintings for an estimated \$34,500. The first five paintings have been restored and returned. Three more paintings were delivered for restoration during May. |
| 2 | LED lighting for city buildings | Make a feasibility study for replacing fluorescent lighting with LED lighting. Consumer's Energy has a program to financially assist in a conversion. | Feasibility study is nearly complete to determine whether the city should make a conversion. |
| 2 | Public safety building architectural and engineering evaluation | The scope of the study's work is to evaluate the physical condition of the public safety building, including operational and security, efficiency and energy usage of the existing building, and provide building improvement recommendations and associated construction cost estimates for the recommended improvements. | The firm of Partners in Architecture, PLC has been collecting data and evaluating the building. An analysis of the mechanical equipment has been completed. A space needs analysis has been completed. A preliminary report will be received during September. |
| 2 | Police vehicle purchase | Purchase of a 2017 police utility vehicle. | The city council approved the purchase July 3 with delivery scheduled for October. |
| 1 | Fire truck, mini pumper | Purchase a Ford 2017 F-550 chasis with a 4 x 4 crew cab and a 1,500 gallon per minute pump. | Bids were obtained and a contract awarded for the purchase of thie mini pumper. Delivery is anticipated in July 2018. |
| 3 | Street cut repairs | Annually bids are received to make permanent repairs to streets, including curbs, which have been excavated because of repair of water mains and sewer lines by the city and providers of other underground utilities. | The project has been completed. Additional patch work will be scheduled later in the summer to repair street cuts that will be taking place. |

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| 3 | 2018 street program | ? | Design and construction engineering is required for the 2018 street program which will include: (1) reconstruction of East Oliver from Oak to Gould; (2) resurfacing of Stewart from Shiawassee to Cedar, Williams from Water to Shiawassee, Summit from Abbot to Ruberman, Olmstead from Chipman to West Street, Harding from Hanover to Chipman, and Howard from Washington east 200 feet to the alleyway; (3) maintenance on Ridge from Ball to Division, Auburndale from Division to Alger, Harper from Washington to Division, Woodlawn from Corunna Avenue to Keyte, and Vandecar Road from Harper to the south city limits. | An engineering contract with Fleis & Vandenbrink Engineering, Inc. has been approved, and design work is underway. |
| 2 | Oliver Street (Washington Street to Oak Street) | | Reconstruct the street and replace utilities. | The project is nearly complete except for landscaping and cleanup. |
| 2 | Chipman Street (South Street to Stewart Street) | | Rehabilitate and resurface the street following installation of a new water main. | Bids were received July 25. Construction is scheduled for spring 2018. |
| 2 | Stewart Street (Chestnut Street to Chipman) | | Rehabilitate and resurface the street following installation of a new water main. | Bids were received July 25 and work is underway, with water and sewer work nearly completed. |
| 2 | Chipman Street (Oliver Street to King Street) | | Rehabilitate and resurface the street. | Watermain work has been completed. Bids were received July 25. Replacement of gas mains is underway, and road construction will take place during September and October. |
| 2 | Chipman Street (Willow Spring Street to Harding Street) | | Rehabilitate and resurface the street. | Watermain work has been completed. Bids were received July 25. Replacement of gas mains is underway, and road construction will take place during September and October. |
| 2 | Cleveland Street (Stewart Street to South Street) | | Rehabilitate and resurface the street. | Watermain was previously completed. Road construction will take place during September and October. |
| 3 | Center Street (King Street to North Street) | | Rehabilitate and resurface the street following installation of a new watermain. | Because of complications with underground utilities, this project has been postponed until 2018. In the meantime, watermain replacement will be scheduled. |

| | | | |
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| 3 | South Washington Street modification | Because of the roadway alignment and traffic movements, there is a high accident count on South Washington Street between Corunna Avenue and Gute Street. | Two grant applications have been submitted to MDOT. The first application was under the Transportation Economic Development Fund and the second under the Transportation Federal Local Safety Program. MDOT recently responded that "It was a good application, but the competition was very high this year. Out of 31 applications received, only eight grants were awarded. If you plan to re-submit, we will be opening the FY 2018 call for Category F projects on March 1, with a deadline of Monday, May 2, 2017." The city has resubmitted its application for the Transportation Federal Local Safety Program. |
| 1 | Oliver Street Phase 2 (Oak Street to Gould Street) | Reconstruct East Oliver Street from Oak Street to Gould Street. | Plans are being completed, with MDOT receiving bids in December or January. Construction is tentatively scheduled for March1-August 31, 2018. |
| 1 | Gould/Monroe/McMillan rehabilitation and reconstruction | Rehabilitate and reconstruct these streets leading into and within the industrial park. | An application has been submitted to MDOT for funds to assist with this project. It is anticipated that the funding request will be approved or denied during October. |
| 1 | Gute Drain drainage | Eastablish a drainage district to address the drainage problems in the southeast quadrant of the city and those areas to the south. | Prepare an application for submission to the Shiwassee County drain commissioner for the study and creation of a drainage district. |
| 1 | Water treatment plant generator | Purchase an emergency generator for the water treatment plant to replace an old oversized generator. | Bids were obtained and a contract awarded for the purchase and installation of tha generator. The contract was approved, and the generator arrived August 30. Installation will occur during September. The old generator has been sold. |
| 3 | Flow meters | Install five flow meters to continuously monitor inflows into the sanitary sewer system. | The new meters have been installed and are operational. The meters will continually be monitored by OHM for a year as part of the SAW grant program. After the year, the meters will monitor inflows from outlying areas, which will trigger alerts when inflows increase. |
| 3 | Stormwater, Asset Management, and Wastewater (SAW) Program | The city was awarded \$1,373,938 in the form of two SAW grants, one for the treatment plant and one for the collection system. C2AE is responsible for the wastewater treatment plant and OHM is responsible for the collection system. | OHM has developed a database on the existing collection system including condition and flows. System televising and initial cleaning are complete. A draft capital improvement program will be completed in August for review and submission to the rate analyst and to the Michigan DEQ. C2AE continues to evaluate the treatment plant and prepare specifications for making improvements. The final condition assessments should be completed by October. |
| 3 | Wastewater collection and treatment system consent order | The city has been under a Michigan Department of Environmental Quality (DEQ) consent order because of discharges into the Shiawassee River. | The 2017 March status report was prepared and submitted to DEQ for review. |
| 3 | Wastewater treatment plant operating permit | The city annually must obtain from the Michigan Department of Environmental Quality (DEQ) a wastewater treatment plant operating permit. | The application for renewal has been filed with DEQ and is being reviewed. The issuance of a permit was anticipated in July or August 2016. To date there has been no response. |

| | | | |
|---|--|--|--|
| 2 | Wastewater treatment plant upgrades | Remove obsolete equipment, construct two containment buildings and install wash compactors for handling solids removed from the waste stream. | Construction of the containment rooms is complete and city workers have installed the wash compactor and conveyor system . |
| 4 | Screens for wastewater plant | Replace screens at the wastewater treatment plant which remove solids from the waste stream. | The screens have been installed and are operational. The replacement of the north trough will take place in September. At some point the trough on the south clarifier will need to be replaced. The plan would be to use city workers to do the work on that clarifier. |
| 2 | Automatic meter reading system and meter replacement | The city proposes to replace most of the obsolete and broken water meters with new meters that can be automatically read through a radio-controlled reading system without entering homes. | The communications equipment has been installed and tested. The installation of new meters is underway with approximately 400 installed. It is anticipated that customer conversions will be completed in December. |
| 3 | Middletown water project | Caledonia Charter Township is in the process of preparing an application for a United States Department of Agriculture grant to install new and upgraded watermain in the Middletown area. | At some point, the city of Owosso will be required to modify the agreement to provide water service to Caledonia Charter Township so that the township will comply with the grant requirements. |
| 3 | Water reliability study | Make an evaluation of the water system assets and develop a capital improvement program based upon that evaluation. | Most field work has been completed and the asset management program and capital improvement plans are scheduled for completion in January 2018. |
| 3 | Water treatment plant clarifier cleaning and maintenance | Remove caked lime from the two clarifiers, make necessary repairs and repaint. | The lime was removed from the first clarifier and maintenance work performed. The unit is back in operation. The second clarifier will be cleaned and repaired later this year. |
| 2 | Heintz well replacement | The Heintz well is beyond rehabilitation and must be replaced. | A bid request has been issued with bids due September 19. |
| 2 | Sidewalk repair and replacement | Replace damaged sidewalks and curbs throughout the city. | Bids were opened and a contract awarded June 19 for sidewalk replacement in the northeast part of the city. The work will include 12,000 square feet of four-inch sidewalk and 800 feet of six-inch sidewalk. Work is underway with approximately 70% completed. |
| 3 | Main Street Plaza | Repairs are required to flower beds where the block has moved because of freezing and thawing. Some soil and plantings will be replaced. | Sunburst Gardens has volunteered to donate the work. |



MEMORANDUM

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

DATE: August 29, 2017

TO: Owosso City Council

FROM: Glenn Chinavare, Director of Public Services

SUBJECT: Oliver Street Reconstruction, Phase 2 – Special Assessment Resolution No 2

When deemed necessary, the city conducts a street improvement program. Public streets are selected for inclusion in the program either by citizen initiated petition or by selection of the city. Oliver Street, from Washington Street to Oak Street, is proposed by the city for street reconstruction. Property owners are then specially assessed to cover the cost of the proposed improvement. Past practice has been to assess property owners along the street 40% of the proposed benefit and the remaining 60% to the community at large. Each property owner can pay an assessment in one lump sum or in installments over the multi-year period (the period being determined by the amount of the average assessment).

The special assessment process has five steps, each having its own purpose and accompanying resolution.

Step One/Resolution No. 1 identifies the special assessment district(s), directs the city manager to estimate project costs and the amounts to be specially assessed, and determines the life of the proposed improvements. Resolution No. 1 for the proposed improvement was approved by City Council at its September 6, 2016 meeting.

Step Two/Resolution No. 2 sets the date for the hearing of necessity on the projects. It directs notices to be sent to each affected property owner detailing the proposed project, notifying them of the public hearing date, and the estimated amount of their assessment. **On September 5, 2017**, City Council is asked to act upon Resolution No. 2 for the proposed improvement.

Step Three/Resolution No. 3 documents the hearing of necessity. This hearing provides affected residents with the opportunity to comment on whether they feel the project is necessary and of the proper scale. After hearing citizen comment on the project the city council has three options: if they agree that the project should proceed as proposed, the district is established and staff is directed to go on with the next steps of the proposed project, including obtaining bids; if they feel the project should go forward, but with some adjustments they may direct staff to make those adjustments and proceed; if they feel the project is not warranted and should not proceed at all they would simply fail to act on Resolution No. 3, effectively stopping the process.

Step Four/Resolution No. 4 takes place after the bids are received. Estimated assessment amounts are adjusted if necessary to reflect the actual cost as dictated by the bids received. A second public hearing is set to allow property owners to comment on their particular assessment. Each property owner is sent a second notice containing the date and time of the public hearing and the amount of the proposed assessment for their property.

Step Five/Resolution No. 5 documents the second public hearing, finalizes the special assessment roll and sets the terms of payment. This public hearing is designed to allow affected citizens the opportunity to argue whether or not the amount of their assessment is fair and equitable in relation to the benefit they receive from the project. If, after hearing citizen comment, the council decides adjustments need to be made to the assessment roll they may do so. Alternately, if they feel all the assessments are fair and equitable they may pass the resolution as written.

On September 5, 2017, City Council will be considering Resolution No. 2 for the proposed district as a part of the Consent Agenda.

Staff recommends authorization of Resolution No. 2 for the following district:

Oliver Street, a Public Street, from Oak Street to Gould Street

As a part of Resolution No. 3 Council will be considering the necessity of the project, the following is a list of the work that is proposed:

WATERMAIN RELOCATION; STREET RECONSTRUCTION INCLUDING NEW CURB & GUTTER, NEW CATCH BASINS AND MANHOLES, ADA SIDEWALK RAMPS AT INTERSECTIONS, AND NEW PAVEMENT

Special Assessment Resolution No. 2 for Oliver Street, Phase 2

Special Assessment District No. 2018-01

Oliver Street, Public Street, from Oak Street to Gould Street

RESOLUTION NO.

WHEREAS, the City Council has ordered the City Manager to prepare a report for public improvement, more particularly hereinafter described; and

Oliver Street, Public Street, from Oak Street to Gould Street, Street Reconstruction

WHEREAS, the City Manager prepared said report and the same has been filed with the City Council as required by the Special Assessment Ordinance of the City of Owosso and the Council has reviewed said report.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The plans and estimate of cost and the report of the City Manager for said public improvement shall be filed in the office of the City Clerk and shall be available for public examination.
2. The City Council hereby determines that the Public Improvement hereinafter set forth may be necessary.
3. The City Council hereby approves the estimate of cost of said public improvement to be **\$1,214,868.85** and determines that \$109,530.31 thereof shall be paid by special assessment imposed on the lots and parcels of land more particularly hereinafter set forth, which lots and parcels of land are hereby designated to be all of the lots and parcels of land to be benefited by said improvements and determines that \$219,152.09 of the cost thereof shall be paid by the City at large because of benefit to the City at large.
4. The City Council hereby determines that the portion of the cost of said public improvement to be specially assessed shall be assessed in accordance with the benefits to be received.
5. The City Council shall meet at the Owosso City Hall Council Chambers on **Monday, September 18, 2017** for the purpose of hearing all persons to be affected by the proposed public improvement.
6. The City Clerk is hereby directed to cause notice of the time and place of the hearing to be published once in The Argus Press, the official newspaper of the City of Owosso, not less than seven (7) days prior to the date of said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of property subject to assessment, as indicated by the records in the City Assessor's Office as shown on the general tax roll of the City, at least (10) full days before the time of said hearing, said notice to be mailed to the addresses shown on said general tax rolls of the City.
7. The notice of said hearing to be published and mailed shall be in substantially the following form:

NOTICE OF SPECIAL ASSESSMENT HEARING
CITY OF OWOSSO, MICHIGAN

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

Oliver Street, Public Street, from Oak Street to Gould Street

TAKE NOTICE that the City Council intends to acquire and construct the following described public improvement: **Street Reconstruction.**

The City Council intends to defray apart or all of the cost of the above-described public improvement by special assessment against the above described property.

TAKE FURTHER NOTICE that City Council has caused plans and an estimate of the cost and report for the above described public improvement to be prepared and made by the City Manager and the same is on file with the City Clerk and available for public examination.

TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall Council Chambers, Owosso, Michigan at 7:30 o'clock p.m. on **Monday, September 18, 2017** for the purpose of hearing any person to be affected by the proposed public improvement.

OLIVER ST. SPECIAL ASSESSMENT ROLL

Page 3

| | | |
|---------------------|-------|--------------|
| ENGINEER'S ESTIMATE | | \$328,682.40 |
| CITY SHARE | 60% | \$197,209.44 |
| LAND OWNER | 40% | \$131,472.96 |
| | TOTAL | \$328,682.40 |

| | TOTAL | COMMERCIAL | NON-COMMERCIAL | | | |
|---------------------------|--|---|--------------------|---|---|--|
| ASSESSABLE FRONT FOOT | 2487.22 | 49.59 | 2437.63 | | | |
| FRONT FOOT RATE | | COMMERCIAL NON-COMMERCIAL | | | | |
| | ASSESSMENT AT 40% 6" RULE | TOTAL ASSESSABLE FRONT FEET | FRONT FOOT RATE | ASSESSABLE FRONT FEET OF COMMERCIAL | TOTAL AMOUNT OF COMMERCIAL ASSESSMENT | |
| COMMERCIAL 6" | \$131,427.96 | 2487.22 | \$52.84 | 49.59 | \$2,620.40 | |
| | ASSESSMENT AT 40% 6" RULE LESS ASSESSMENT AT 40% 4" RULE LESS | TOTAL ASSESSABLE FRONT FEET OF NON-COMMERCIAL | FRONT FOOT RATE | ASSESSABLE FRONT FEET OF NON-COMMEI | TOTAL AMOUNT OF NON-COMMERCIAL ASSESSMENT | |
| NON-COMMERCIAL 4" | \$106,909.91 | 2437.63 | \$43.86 | 2,437.63 | \$106,909.91 | |
| | | | | | \$109,530.31 | |
| ASSESSMENT AT 40% 6" RULE | | \$131,472.40 | | | | |
| ASSESSMENT AT 40% 4" RULE | | \$109,530.31 | | | | |

OWOSSO





MEMORANDUM

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

DATE: August 31, 2017

TO: Mayor Eveleth and the Owosso City Council

FROM: Susan Montenegro
Asst. City Manager/Community Development Director

SUBJECT: Set Public Hearing - Rezoning of 621 W. Oliver Street

RECOMMENDATION:

The Planning Commission and city staff recommend amending the zoning ordinance to rezone parcel 050-660-004-006-00, 621 W. Oliver Street, from R-1 Single Family Residential District to OS-1 Office Service District.

BACKGROUND:

The City is in receipt of a rezoning request from Ed Kearney to rezone the parcel located at 621 W. Oliver Street from R-1, Single Family Residential District to OS-1, Office Service District. Mr. Kearney would like to use the office for professional office space and computer service/repair.

The Planning Commission, after mailing notices and holding a public hearing, voted at its regular meeting on August 28, 2017 to rezone parcel 050-660-004-006-00, also known as 621 W. Oliver Street. The rezoning request is similar to current use of the building.

Staff has no objection to the proposed rezoning.

City Code Section 38-555 lists the criteria when considering the rezoning of a property as follows:

Sec. 38-555. Criteria for amendment of the official zoning map.

In considering any petition for an amendment to the official zoning map, the planning commission and city council shall consider the following criteria in making its findings, recommendations and decision:

- (1) Consistency with the goals, policies, and future land use map of the City of Owosso Master Plan. If conditions upon which the master plan was developed (such as market factors, demographics, infrastructure, traffic and environmental issues) have changed significantly since the master plan was adopted, as determined by the city, the planning commission and council shall consider the consistency with recent development trends in the area.
- (2) Compatibility of the site's physical, geological, hydrological, and other environmental features with the host of uses permitted in the proposed zoning district.
- (3) Evidence the applicant cannot receive a reasonable return on investment through developing the property with at least one (1) use permitted under the current zoning.

- (4) The compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.
- (5) The capacity of the city's infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety, and welfare."
- (6) The apparent demand for the types of uses permitted in the requested zoning district in relation to the amount of land currently zoned and available to accommodate the demand.
- (7) The request has not previously been submitted within the past one (1) year, unless conditions have changed or new information has been provided.
- (8) Other factors deemed appropriate by the planning commission and city council.

FISCAL IMPACTS:

There are no direct fiscal impacts to the City presented by the rezoning.

Document originated by: Susan Montenegro

RESOLUTION NO.

**SETTING A PUBLIC HEARING TO
AMEND CHAPTER 38 ZONING OF THE CODE OF ORDINANCES
TO REZONE A PARCEL OF REAL PROPERTY
AT 621 W. OLIVER STREET
AND AMEND THE ZONING MAP**

Whereas, the city of Owosso received a petition from a land owner of real property identified as 621 W. Oliver Street, parcel 050-660-004-006-00, LOT 1 BLK 4 (EX N 266') ALSO E 171' 2 1/2" OF LOT 2 BLK 4 A L & B O WILLIAMS ADD to rezone the parcel from R-1 Single Family Residential District to OS-1 Office Service District; and

Whereas, the planning commission published the request, held a public hearing on the request, and deliberated on the request; and

Whereas, the city staff and planning commission recommend, without reservations or conditions, the rezoning of parcel 050-660-004-006-00, 621 W. Oliver Street from R-1 Single Family Residential District to OS-1 Office Service District; and

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

Now Therefore, Be It Resolved, that Chapter 38, Zoning, of the Code of the City of Owosso be amended as follows:

SECTION 1. That Chapter 38, Zoning Code of the City of Owosso Sec. 38-27, *Zoning Districts and Map*, reflect the following change to be noted on the official map and filed with the city clerk:

Indicate a zoning classification of OS-1 Office Service District for 621 W. Oliver Street, parcel 050-660-004-006-00.

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, October 2, 2017 at or about 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendment.

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

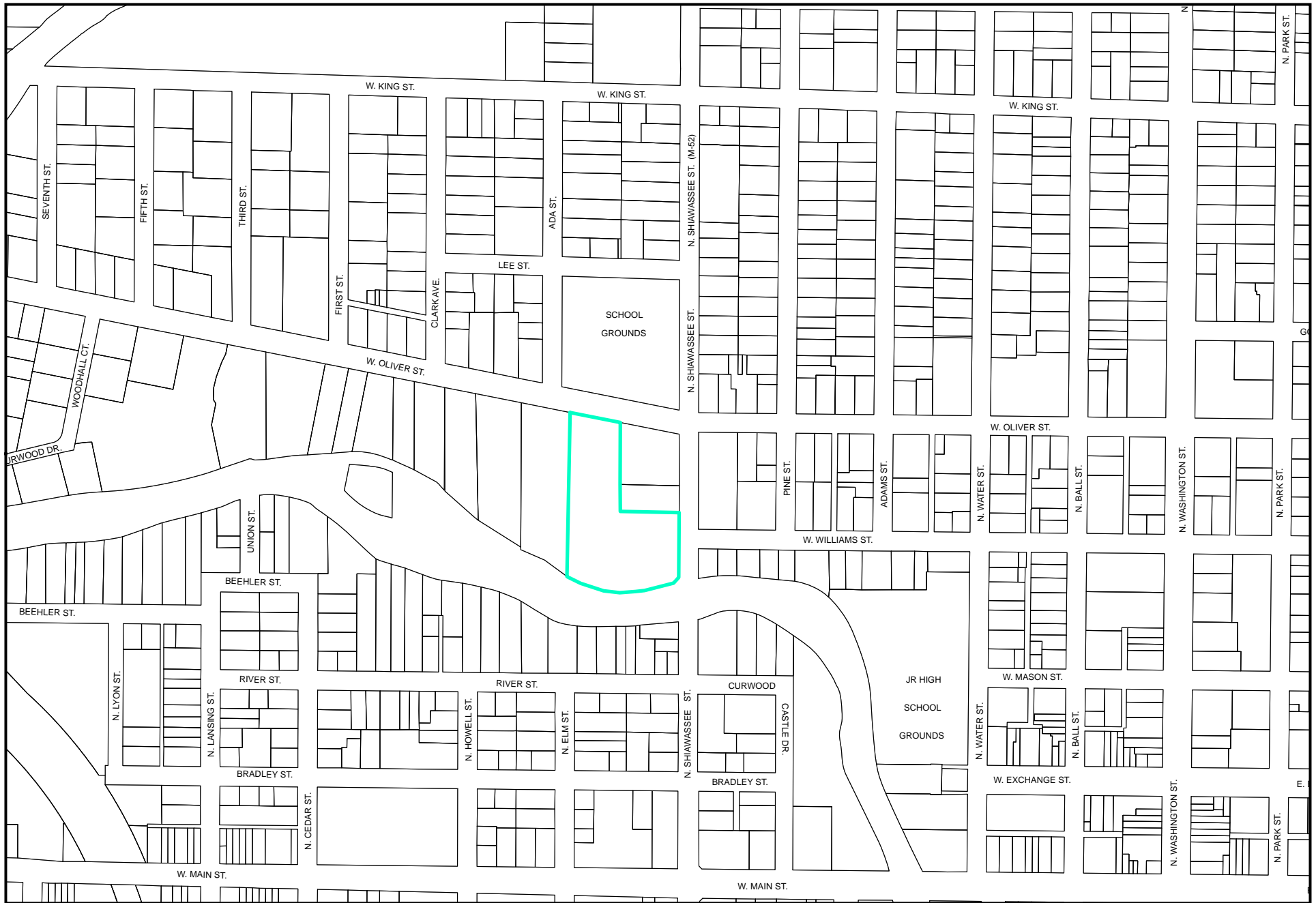
SECTION 4. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

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

City of Owosso

August 24, 2017

621 W. Oliver




0 175 350 700 1,050 1,400

Feet














621 W. Oliver



Zoning

 <all other values>

Z_PRIMARY

| | |
|---|------|
|  | B1 |
|  | B2 |
|  | B3 |
|  | B4 |
|  | C-OS |
|  | I1 |
|  | I2 |
|  | OS1 |
|  | P1 |
|  | PUD |
|  | R1 |
|  | R2 |
|  | RM1 |
|  | RM2 |



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

MEMORANDUM

DATE: August 25, 2017
TO: City Council
FROM: Kevin Lenkart
Director of Public Safety
RE: Traffic Control Order # 1379

Josh Adams, Executive Director of Owosso Main Street, has requested a parking lot closure for Art Walk-Owosso.

LOCATION:

Main St. Plaza

DATE:

September 9, 2017

TIME:

8:00 am – 5:00 pm

The Public Safety Department has issued Traffic Control Order No. 1379 in accordance with the Rules for the Issuance of Certain Traffic Control Orders. Staff recommends approval, waiver of the insurance requirement, and further authorization of a traffic control order formalizing the action.

CITY OF OWOSSO

TRAFFIC CONTROL ORDER

(SECTION 2.53 UNIFORM TRAFFIC CODE)

ORDER NO.

DATE

TIME

1379

8/25/17

2:00 pm

REQUESTED BY

Kevin Lenkart – Director of Public Safety

TYPE OF CONTROL

Parking Lot closure

LOCATION OF CONTROL

Main Street Plaza

EVENT/DATES:

Art Walk Owosso

DATE: September 9, 2017

TIME: 8 am – 5 pm

APPROVED BY COUNCIL

_____, 20____

REMARKS



APPLICATION FOR USE OF PARKING LOTS, PARADES, OR SIMILAR EVENTS

301 W. MAIN OWOSSO, MICHIGAN 48867-2958 • (989) 725-0550 • FAX 725-0526

The request for use of the parking lots, parade, or similar event shall be submitted to the Director of Public Safety not less than 14 days nor more than 120 days before the date for which the use is requested.

The submission of a request by an individual or organization for a traffic control order pursuant to these rules and regulations shall constitute an agreement to indemnify and hold the City and its officers and employees harmless from any and all liability arising from the event or activities for which the request is made.

Name of individual or group: Owosso Main Street/DDA Date: 8/14/17

Primary Contact Person

Name: Josh Adams
 Title: Executive Director - Owosso Main Street
 Address: 301 W. Main Street
Owosso, MI 48867
 Phone: 989.277.1553

Requested Date(s): 9/9/17 Requested Hours: 8am to 5pm

Area Requested (Parking Lot - Parade Route): Main Street Plaza

Detailed description of the use for which the request is made: ArtWalk Owosso

Attach copies of any rules or policies applicable to persons participating in the event.

Evidence to the City of insurance coverage applicable to the event or activity naming the City as an additional insured in an amount of not less than \$500,000 combined single limit.

or

The City Council may waive such insurance requirement if it determines that insurance coverage is unavailable or cannot be obtained at a reasonable cost and the event or activity is in the public interest or fulfills a legitimate and recognized public purpose.

.....
 Do Not Write Below This Line - For Officials Use Only

Approved _____ Not Approved _____ Date: _____ Traffic Control Order Number _____



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

MEMORANDUM

DATE: August 25, 2017
TO: City Council
FROM: Kevin Lenkart
Director of Public Safety
RE: Traffic Control Order # 1380

Josh Adams, Executive Director of Owosso Main Street, has requested street closures for Open Streets Owosso.

LOCATION:

Washington Street from Main Street to Mason Street; Exchange Street from Park to Water Street; Ball Street from Main Street to Mason Street; and Water Street from Exchange Street to Mason Street.

DATE:

September 10, 2017

TIME:

11:00 am – 5:00 pm

The Public Safety Department has issued Traffic Control Order No. 1380 in accordance with the Rules for the Issuance of Certain Traffic Control Orders. Staff recommends approval, waiver of the insurance requirement, and further authorization of a traffic control order formalizing the action.

CITY OF OWOSSO

TRAFFIC CONTROL ORDER

(SECTION 2.53 UNIFORM TRAFFIC CODE)

ORDER NO.

DATE

TIME

1380

8/25/17

2:00 pm

REQUESTED BY

Kevin Lenkart – Director of Public Safety

TYPE OF CONTROL

Street Closure

LOCATION OF CONTROL

Washington Street from Main Street to Mason Street; Exchange Street from Park to Water Street; Ball Street from Main Street to Mason Street; and Water Street from Exchange Street to Mason Street.

EVENT/DATES:

Open Streets Owosso

DATE: September 10, 2017

TIME: 11 am – 5 pm

APPROVED BY COUNCIL

_____, 20 ____

REMARKS



APPLICATION FOR USE OF PARKING LOTS, PARADES, OR SIMILAR EVENTS

301 W. MAIN OWOSSO, MICHIGAN 48867-2958 • (989) 725-0550 • FAX 725-0526

The request for use of the parking lots, parade, or similar event shall be submitted to the Director of Public Safety not less than 14 days nor more than 120 days before the date for which the use is requested.

The submission of a request by an individual or organization for a traffic control order pursuant to these rules and regulations shall constitute an agreement to indemnify and hold the City and its officers and employees harmless from any and all liability arising from the event or activities for which the request is made.

Name of individual or group: Owosso Main Street/DDA Date: 8/14/17

Primary Contact Person

Name: Josh Adams
 Title: Executive Director - Owosso Main Street
 Address: 301 W. Main Street
Owosso, MI 48867
 Phone: 989.277.1553

Requested Date(s): 9/10/17 Requested Hours: 11am to 5pm

Area Requested (Parking Lot - Parade Route): **Washington Street from Main Street to Mason Street; Exchange Street from Park to Water Street; Ball Street from Main Street to Mason Street; and Water Street from Exchange Street to Mason Street.**

Detailed description of the use for which the request is made: **Open Streets Owosso**

Attach copies of any rules or policies applicable to persons participating in the event.

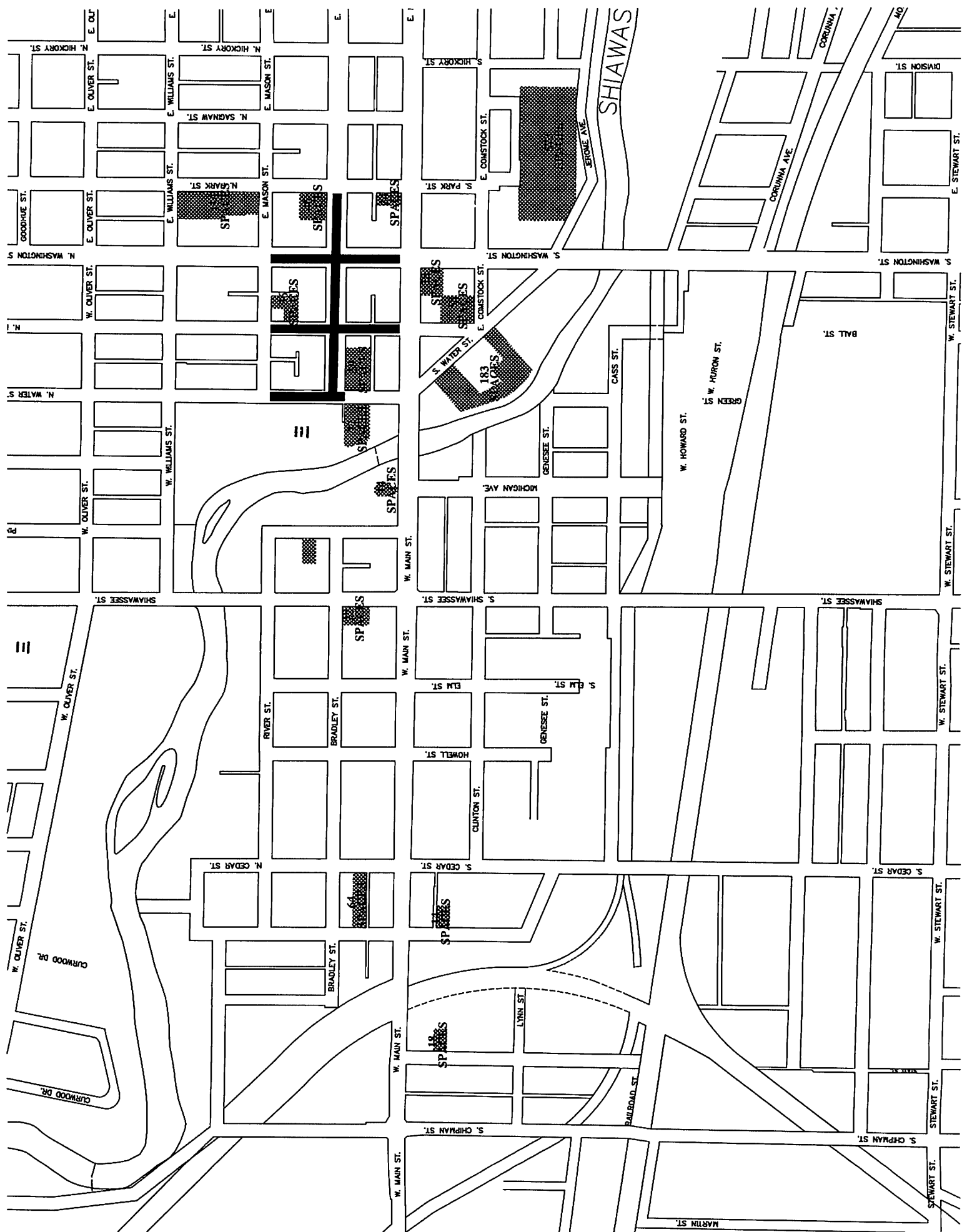
Evidence to the City of insurance coverage applicable to the event or activity naming the City as an additional insured in an amount of not less than \$500,000 combined single limit.

or

The City Council may waive such insurance requirement if it determines that insurance coverage is unavailable or cannot be obtained at a reasonable cost and the event or activity is in the public interest or fulfills a legitimate and recognized public purpose.

.....
 Do Not Write Below This Line - For Officials Use Only

Approved _____ Not Approved _____ Date: _____ Traffic Control Order Number _____





MEMORANDUM

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

DATE: August 30, 2017

TO: City Council

FROM: Glenn M. Chinavare, Director Public Services & Utilities

SUBJECT: Change Order No.1 and No.2 - Compactor Containment Rooms at the WWTP

RECOMMENDATION:

Authorizing change orders No.1 in the amount of \$830.00 as a decrease, and No. 2 in the amount of \$9,211.00 as an increase, and final adjustment to the contract agreement between the City of Owosso and RCL Construction Company of Sanford, Michigan.

BACKGROUND:

As part of the Primary Clarifier replacement project, Containment Rooms (one for clarifier) were constructed to capture inorganic solid material from the Primary Clarifier screening units. This material is then transferred to a Wash Compactor that compresses the accumulated material to meet or exceed minimum landfill moisture content requirements.

During the project, replacement handrails and concrete repairs were determined necessary to complete the project properly and safely. In addition, some electrical work previously bid in the scope of services was no longer required.

FISCAL IMPACTS:

Project was awarded in the amount of \$230,895.00 plus contingency funds of \$23,000.00 totaling \$253,895.00. These two change orders bring the final contract construction price to \$239,276.00.

Document originated by:

Glenn M. Chinavare, Director of Public Services & Utilities

Attachments: (1) Resolution

RESOLUTION NO.

**AUTHORIZING CHANGE ORDERS NO.1 AND NO.2 TO CONTRACT
AGREEMENT BETWEEN RCL CONSTRUCTION COMPANY OF SANFORD,
MICHIGAN AND THE CITY OF OWOSSO, MICHIGAN FOR DEMOLITION
SERVICES AND CONSTRUCTION OF TWO COMPACTOR CONTAINMENT
ROOMS AT THE WASTEWATER PLANT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has budgeted from the Wastewater Plant Replacement Fund for the demolition of three lime towers and the construction of two Washer-Compactor Containment Rooms, and

WHEREAS, During the project, replacement handrails and concrete repairs were determined necessary to complete the project properly and safely, and some electrical work previously bid in the scope of services was no longer required, and

WHEREAS, the Director of Public Services & Utilities has reviewed the Change Orders No.1 and No.2 and verified the necessity for the addition and elimination of work totaling \$8,381.00, and increasing the total construction contract price to \$239,276.00, and recommends approval of the Change Orders to complete the project and under budget.

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 the addition and elimination of work for the construction of Washer-Compactor Containment Rooms as submitted in the Change Orders No.1 and No.2 to the construction agreement between RCL Construction Company and the City of Owosso.
- SECOND: The accounts payable department is authorized to submit payment to RCL Construction Company in the amount of \$239,276.00, with completion of contracted services by August 31, 2017.
- THIRD: The above expenses shall be paid from the Wastewater Plant Fund 599-901-977.100.

**CITY OF OWOSSO
CONTRACT CHANGE ORDER NOS. 1 & 2**

TO: RCL Construction Co., Inc.

Date: 8/30/2017

CONTRACT: WWTP Screen Containment Room & Equipment
Installation

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 |
|------------------|--|---------------------------------|---------------------------------|
| | CHANGE ORDER NO. 1 | | |
| | Item B1.2 | \$ (3,330.00) | |
| | Item B1.3 | | \$ 2,500.00 |
| | CHANGE ORDER NO. 2 | | |
| | Item COB1.1 | | \$ 8,060.00 |
| | Item CO1.1 | | \$ 1,151.00 |
| | Change in contract price due to this Change Order | | |
| | Total Decrease | \$ (3,330.00) | XXXXXXXXXXXXXX |
| | Total Increase | XXXXXXXXXXXXXX | \$ 11,711.00 |
| | Difference between columns 3 & 4 | | \$ 8,381.00 |
| | Net INCREASE contract price | | \$ 8,381.00 |

| | |
|---|---------------|
| Original Contract Price: | \$ 230,895.00 |
| Total Net Addition or Deduction by previous C.O. No.: | \$ - |
| Total Amount of Contract Prior to this Change Order: | \$ 230,895.00 |
| Net Addition or Deduction this Change Order No.: | \$ 8,381.00 |
| Net Amount of Contract to date: | \$ 239,276.00 |

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

For the Contractor:

For the City:

By: _____
Its: _____

By: _____
Christopher T. Eveleth, Mayor

By: _____
Roxane Cramer, Deputy City Clerk



☐ Lansing, MI ☐ Grand Rapids, MI
☐ Gaylord, MI ☐ Escanaba, MI
☐ Kalamazoo, MI ☐ Canton, NY
P: 866.454.3923 www.c2ae.com

CHANGE ORDER #1

DATE OF ISSUANCE June 13, 2017

EFFECTIVE DATE June 13, 2017

OWNER City of Owosso

CONTRACTOR RCL Construction Co. Inc.

CONTRACT: Owosso Wastewater Treatment Plant Screen Containment Room and Equipment Installation

PROJECT: Owosso Wastewater Treatment Plant Screen Containment Room and Equipment Installation

OWNER'S CONTRACT NO. 16-0053.02

ARCHITECT/ENGINEER'S CONTRACT NO. 16-0053.02

ARCHITECT/ENGINEER C2AE

You are directed to make the following changes in the Contract Documents:

Description: CO1.1 Repair deteriorated concrete areas around channels between the headworks building and Sludge building, using the below method. CO1.2 Delete the following electrical materials and labor required for installation of Screen and Compactor Units for Project as indicated in the one line diagram on sheet E-501. CO1.3 Revisions to Items contained in Sheet E-111 of the Drawings. See attached Bulletin No 1.

Reason for Change Order: Owner directive.

| CHANGE IN CONTRACT PRICE: |
|--|
| Original Contract Price <u>\$230,895.00</u> |
| Net Increase (Decrease) from previous Change Orders No. ___ to ___: <u>N/A</u> |
| Contract Price prior to this Change Order: <u>\$230,895.00</u> |
| Net increase (decrease) of this Change Order (CO1.2 & CO1.3): <u>\$830.00</u> |
| Net increase (decrease) of this Change Order (CO1.1): <u>\$Time and Material to be determined by rates attached</u> |
| Contract Price with all approved Change Orders: <u>\$230,065 + Time and Material to be determined by rates attached</u> |

| CHANGE IN CONTRACT TIMES: |
|---|
| Original Contract Times: Substantial Completion: <u>June 30, 2017</u> Ready for final payment: <u>N/A</u> (days or dates) |
| Net change from previous Change Orders No. ___ to No. ___: Substantial Completion: <u>N/A</u> Ready for final payment: <u>N/A</u> (days) |
| Contract Times prior to this Change Order: Substantial Completion: <u>June 30, 2017</u> Ready for final payment: <u>N/A</u> (days or dates) |
| Net Increase (decrease) this Change Order: Substantial Completion: <u>N/A</u> Ready for final payment: <u>N/A</u> (days) |
| Contract Times with all approved Change Orders: Substantial Completion: <u>June 30, 2017</u> Ready for final payment: <u>N/A</u> (days or dates) |

RECOMMENDED:

By: Brian Van Zee
ARCH/ENGR (Authorized Signature)

Date: 6/16/17

APPROVED:

By: Clayton M. Chavira
OWNER (Authorized Signature)

Date: 6/19/17

ACCEPTED:

By: Roger M. Mayo
CONTRACTOR (Authorized Signature)

Date: 6/16/17

E/CDC 1910-8-B (1996 Edition)

Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General Contractors of America and the Construction Specifications Institute.

| | | | |
|----------------------|--|-------------------------|--|
| Project #: | 16-0053.02 | Date: | May 18, 2017 |
| Project: | Owosso Wastewater Treatment Plant Screen Containment Room and Equipment Installation | A/E Firm: | C2AE |
| Owner: | City of Owosso 301 West Main Street Owosso MI | Project Manager: | Brian VanZee |
| Distribution: | File | Contractor: | RCL Construction Co. Inc. 777 W. Maynard Rd. Sanford, MI 48657 |

In accordance with the Contract Documents, we are issuing this bulletin, requesting price quotations by item for the following proposed modifications. All work shall be completed in accordance with the Contract Documents. If these proposed modifications affect the project time schedule, please inform us in your reply. The quotation shall include an itemized cost breakdown together with supporting data. Please sign and return a copy to C2AE. Please reply within 10 days.

(THIS IS NOT A WORK ORDER)

B1.1 Refer

1.1 Repair deteriorated concrete areas around channels between the headworks building and Sludge building, using the below method.

- Remove all deteriorated concrete at cracked areas by means of hammer and chisel. Force all loose material away from reinforcing steel and adjacent concrete.
- Chip out behind all exposed reinforcing steel ½" minimum for proper adhesion of mortar to reinforcing steel.
- Air blast surface and wire brush exposed reinforcing steel to remove debris and rust.
- Saturate surface with clean water. Substrate shall be saturated surface dry with no standing water during application.
- Apply bonding agent, Sika Armatec 110 Epocem, to all concrete surfaces and exposed reinforcing steel as specified by manufacturer.
- Mix and apply repair mortar, Sikatop 123 Plus, as specified by manufacturer forcing mortar behind reinforcing steel. Strike exterior surfaces smooth and level. Repair mortar may have to be applied in lifts. Score the top surface of each lift to produce a roughened surface for the next lift to adhere to. Allow preceding lift to reach final set.

To be completed by T&M, See Attached Rates.

ADD \$ _____ DEDUCT \$ _____

B1.2 Refer to Sheets E-111 and E-501 of the Drawings.

Delete the following electrical materials and labor required for installation of Screen and Compactor Units for Project as indicated in the oneline diagram on sheet E-501.

BULLETIN# 1Project Description:

- Delete the installation of the Bar Screen/Compactor control panels and delete the 480V circuits feeding the control panels.
- Delete the connections shown to the bar screen motor and its local control station and motor temp sensor.
- Delete the connections shown to the compactor drive and its local control station
- Washwater solenoid valve to remain in project
- channel level sensors and their connections to the control panel to remain in project

ADD \$ _____ DEDUCT \$ 3,330.00**B1.3 Refer to Sheets E-111 of the Drawings.**

Each of the screens was furnished with a 120V heating blanket which is thermostatically controlled and each compactor was furnished with 120V heat tracing for the chute and water line which is thermostatically controlled. Install the heating blankets and tracing cables as required by the manufacturer. Install the thermostats (one for the screen and one for the compactor) furnished with the equipment as required by the manufacturer. Provide a separate 120V power circuit to each screen/compactor location from spare 20A/1P circuit breakers in existing LP-B using ¾"C, 2#12 & 1#12G. At each screen/compactor location, the blanket heater and heat tracing may be connected to the same circuit.

ADD \$ 2,500.00 DEDUCT \$ _____**Clarification: Refer to Sheets E-111 and E-501 of the Drawings.**

On sheet E-111 at the location of the gas sensors referenced in Keynotes 5 and 6, install the controller furnished with the gas detectors on the opposite side of the Bagger Room wall from the sensor location; coordinate exact location with the Owner. Connect the gas detectors to the controller, not the Screen CP. Provide 120V power to the controller from the same circuit as is used for the Bagger Room exhaust fan. Connect the controller alarm contacts to the ventilation control station as indicated in details 4 and 5 on sheet E-501.

6/6/17

Date

Sam Luedtke Project Manager

Contractor



☐ Lansing, MI ☐ Grand Rapids, MI
☐ Gaylord, MI ☐ Escanaba, MI
☐ Kalamazoo, MI ☐ Canton, NY
P: 866.454.3923 www.c2ae.com

CHANGE ORDER #2

DATE OF ISSUANCE July 28, 2017, Rev. August 2, 2017

EFFECTIVE DATE July 28, 2017; Rev. August 2, 2017

OWNER City of Owosso

CONTRACTOR RCL Construction Co. Inc.

CONTRACT: Owosso Wastewater Treatment Plant Screen Containment Room and Equipment Installation

PROJECT: Owosso Wastewater Treatment Plant Screen Containment Room and Equipment Installation

OWNER'S CONTRACT NO. 16-0053.02

ARCHITECT/ENGINEER'S CONTRACT NO. 16-0053.02

ARCHITECT/ENGINEER C2AE

You are directed to make the following changes in the Contract Documents:

Description: COB1.1 Concrete Patch Rev 7-27: Repair deteriorated concrete areas around channels between the headworks building and Sludge building, work completed on T&M.

CO1.2 Additional Handrail REV: Supply and install approx. 20 LF of additional Aluminum Handrail per the area measured during the 6/2/17 progress meeting. Revise 16' to single rail at inside run of existing stairs. (Approx. 80 LF Total Less 60 LF included in the base bid). See attached RCL Construction's Change Orders.

Reason for Change Order: Owner directive.

| CHANGE IN CONTRACT PRICE: |
|---|
| Original Contract Price <u>\$230,895.00</u> |
| Net increase (Decrease) from previous Change Orders No. <u>01</u> to <u>01</u> : <u>\$830.00</u> |
| Contract Price prior to this Change Order: <u>\$230,065.00</u> |
| Net increase (decrease) of this Change Order (COB1.1): <u>\$8,060.00</u> |
| Net increase (decrease) of this Change Order (CO1.1): <u>\$1,151.00</u> |
| Contract Price with all approved Change Orders: <u>\$239,276.00</u> |

| CHANGE IN CONTRACT TIMES: |
|---|
| Original Contract Times: Substantial Completion: <u>June 30, 2017</u> Ready for final payment: <u>N/A</u> (days or dates) |
| Net change from previous Change Orders No. ____ to No. ____: Substantial Completion: <u>N/A</u> Ready for final payment: <u>N/A</u> (days) |
| Contract Times prior to this Change Order: Substantial Completion: <u>June 30, 2017</u> Ready for final payment: <u>N/A</u> (days or dates) |
| Net increase (decrease) this Change Order: Substantial Completion: <u>August 16, 2017</u> Ready for final payment: <u>August 30, 2017</u> (days) |
| Contract Times with all approved Change Orders: Substantial Completion: <u>August 16, 2017</u> Ready for final payment: <u>August 30, 2017</u> (days or dates) |

RECOMMENDED:

By: Brian Van Zee
ARCH/ENGR (Authorized Signature)

Date: 8-16-2017

APPROVED:

By: [Signature]
OWNER (Authorized Signature)

Date: 8/25/2017

ACCEPTED:

By: [Signature]
CONTRACTOR (Authorized Signature)

Date: 8-2-17

EJCDC 1910-8-B (1996 Edition)

Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General Contractors of America and the Construction Specifications Institute.



Warrant 549
August 29, 2017

| Vendor | Description | Fund | Amount |
|--|--|---------|-------------|
| Michigan Municipal League Workers' Compensation fund Inc | Worker's Compensation Insurance-2 of 4 for FY 17/18 | Various | \$19,162.00 |
| Total | | | \$19,162.00 |



MEMORANDUM

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

DATE: August 30, 2017

TO: City Council

FROM: City Manager

SUBJECT: Shiawassee Economic Development Partnership (SEDP) pledge

The city of Owosso is in the last year of a five-year pledge agreement with the Shiawassee Economic Development Partnership (SEDP). The current year pledge is \$2.00 per resident or \$31,426. In July a request was made to renew the pledge for another five years at \$40,000, or \$2.55 per resident.

RESOLUTION NO.

**RESOLUTION PLEDGING AND AUTHORIZING THE ANNUAL SUPPORT PAYMENT TO THE
SHIAWASSEE ECONOMIC DEVELOPMENT PARTNERSHIP FOR THE FISCAL YEARS OF
2018, 2019, 2020, 2021 AND 2022**

WHEREAS, the Shiawassee County Economic Development Partnership (SEDP) has been established to provide economic development services for member governmental units throughout Shiawassee County; and

WHEREAS, the city of Owosso, Michigan, has determined that it is advisable, necessary and in the public interest for the Shiawassee Economic Development Partnership to be the full service economic development organization serving the city of Owosso; and

WHEREAS, the city of Owosso, Michigan has determined that it is desirable to continue this relationship as a member through 2022;

NOW THEREFORE BE IT RESOLVED by the city of Owosso, county of Shiawassee, state of Michigan:

- FIRST: that the city of Owosso has heretofore determined that it is advisable, necessary and in the public interest to contribute toward the funding of the Shiawassee County Economic Development Partnership by making an annual payment of \$40,000.00 each city fiscal year beginning July 1, 2018 and ending June 30, 2022 with payment to be made on or about December 1 of each year.
- SECOND: that the city manager of the city of Owosso is hereby instructed and authorized to sign the documents making this pledge and that the annual payment be included in each annual budget
- THIRD: that the payment for the services shall come from the General Fund, unless otherwise determined.

RESOLUTION NO.

**RESOLUTION AUTHORIZING EXECUTION OF A CONTRACT FOR SERVICES
BETWEEN THE CITY OF OWOSSO, MICHIGAN AND ROBERT DORAN-BROCKWAY
FOR ADMINISTERING THE CITY'S HISTORICAL PROGRAM**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that an individual is necessary for the proper functioning of the city's historical program;

WHEREAS, Robert Doran-Brockway provides services that are covered in the attached agreement;

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 Robert Doran-Brockway for administering the city's historical program.

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

**INDEPENDENT CONTRACTOR AGREEMENT BETWEEN
THE CITY OF OWOSSO AND ROBERT DORAN-BROCKWAY**

THIS INDEPENDENT CONTRACTOR AGREEMENT (“Agreement”) is between the City of Owosso, a Michigan municipal corporation, which has a principal place of business at 301 West Main Street, Owosso, Michigan 48867 (“City”) and Robert Doran-Brockway, an individual which as a principal place of business at 401 North Washington Street, Owosso, Michigan 48867 (“Doran-Brockway”).

WHEREAS, the City and Doran-Brockway wish to enter into an independent contractor relationship pursuant to the terms of this Agreement.

NOW, THEREFORE, in consideration of the mutual promises and obligations set forth in this Agreement, the adequacy of which is hereby acknowledged, the parties agree as follows:

1. Term of Agreement. This Agreement will become effective when signed by both parties; provided, however, that Doran-Brockway acknowledges and agrees that this Agreement is subject to and conditional upon approval by a majority vote of the City Council pursuant to Section 14-01 of the City’s Charter. This Agreement shall continue until terminated pursuant to Section 12 hereof.

2. Services to be Performed. Doran-Brockway agrees to provide the services of Robert Doran-Brockway to direct and administer the city historical program. Doran-Brockway will establish a schedule for the performance services as agreed with the city manager.

3. Independent Contractor Status. The parties agree that Doran-Brockway is an independent contractor shall not be deemed to be an employee of the City. In the capacity as an independent contractor, Doran-Brockway agrees to and represents the following:

- a. Doran-Brockway has the right and does fully intend to perform services for third parties during the term of this Agreement, so long as they do not conflict with the duties that Doran-Brockway is performing for the City hereunder.
- b. The services required hereunder must be performed to the satisfaction of the City Manager; provided, however, that the means, manner, and method by which the services will be performed will be determined by Doran-Brockway.
- c. The services required by this Agreement shall be performed by Doran-Brockway and the City shall not hire, supervise, or pay any assistants to help Doran-Brockway.
- d. Doran-Brockway shall not receive any training from City in the professional skills necessary to perform the services required by this Agreement.
- e. Doran-Brockway shall not be required by the City to devote full time to the performance of the services required by this Agreement.

The parties acknowledge and agree that the City is entering into this Agreement with reliance on the representations made by the Doran-Brockway relative Doran-Brockway’s independent status.

4. Payment. In consideration for all of the services to be performed by Doran-Brockway beginning September 1, 2017, the City agrees to pay Doran-Brockway the total sum of \$ 3,333.50 (per month). The City will not:

- a. withhold FICA (Social Security and Medicare taxes) from Doran-Brockway's payments or make FICA payments on Doran-Brockway's behalf, or
- b. make state or federal unemployment compensation contributions on Doran-Brockway's behalf, or withhold state or federal income tax from Doran-Brockway's payments.
- c. Doran-Brockway shall pay all taxes incurred while performing services under this Agreement, including all applicable income taxes and, if Doran-Brockway is not a corporation, self-employment (Social Security) taxes. On demand, Doran-Brockway shall provide the City with proof that such payments have been made.

5. Expenses, Materials, Services and Benefits. The City will provide Doran-Brockway with work space in the Gould House and Curwood, office supplies, use of city vehicles, and such other services that the City determines are necessary for Doran-Brockway to perform the services required hereunder. The City also will provide Doran-Brockway with coverage for Doran-Brockway under the City's workers' disability compensation and general liability insurance policies, as they may exist from time to time.

Other than the foregoing, Doran-Brockway shall be responsible for all other expenses relating to providing the services required under this Agreement and shall furnish all materials, equipment and supplies used to provide such services, including compensation paid and benefits provided to Doran-Brockway's employees, license fees, memberships and dues, uniforms and meals.

Doran-Brockway will not be entitled to reimbursement of out-of-pocket expenses relating to materials and services required under this Agreement unless reimbursement is approved in writing by the City in advance.

6. Permits and Licenses. Doran-Brockway represents that Doran-Brockway has complied with all federal, state, and local laws requiring business permits, certificates, and licenses required to carry out the services to be performed under this Agreement.

7. Fringe Benefits. Doran-Brockway understands that Doran-Brockway is ineligible to participate in any employee pension, health, vacation pay, sick pay, or other fringe benefit plan of the City.

8. Unemployment Compensation. The City shall make no state or federal unemployment compensation payments on behalf of Doran-Brockway. Doran-Brockway will not be entitled to these benefits in connection with work performed under this Agreement. If a Doran-Brockway files a petition for and receives unemployment compensation, the total amount of unemployment compensation awarded to and received by Doran-Brockway shall be deducted from and be an offset against the amount of compensation due and payable to Doran-Brockway by the City under this Agreement.

9. Entire Agreement. This is the entire Agreement between Doran-Brockway and the City. This Agreement may be modified only by a writing signed by both parties.

10. Applicable Law. This Agreement will be governed by the laws of the State of Michigan (but any provision of Michigan law shall not apply if the application of such provision would result in the application of the law of a state or jurisdiction other than Michigan).

11. Assignment and Delegation. Doran-Brockway may not assign or subcontract any rights or

obligations under this Agreement without the City's prior written approval. Doran-Brockway may not designate anyone other than Doran-Brockway to perform the services required hereunder without the City's prior written consent.

12. Disbursement of Payment. It is understood that the City of Owosso will contribute per fiscal year \$23,400 out of the City's general fund towards Doran-Brockway's salary, and \$16,602 will be paid from Owosso Historical Commission funds.

13. No Partnership. This Agreement does not create a partnership relationship. Doran-Brockway does not have authority to enter into contracts or make purchases on the City's behalf, except under the current spending authority Doran-Brockway currently maintains with the City and the Owosso Historical Commission.

14. Termination. This Agreement may be terminated by either party for any reason, with or without cause, upon thirty (30) days advance written notice. Upon termination, Doran-Brockway will return all materials and equipment provided by the City under this Agreement.

15. Compliance with Other Agreements. Doran-Brockway represents and warrants that the execution of this Agreement by it and its performance of its obligations hereunder will not conflict with, result in the breach of any provision of or the termination of or constitute a default under any agreement to which Doran-Brockway is a party or by which Doran-Brockway is or may be bound.

16. Nondiscrimination. The parties agree that this Agreement will not be interpreted or enforced in a manner which discriminates on the basis of race, color, creed, religion, sex, age, national origin or disability.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

CITY OF OWOSSO

ROBERT DORAN-BROCKWAY

Christopher Eveleth, Mayor

Date: _____

Robert Doran-Brockway

Dated: _____

ATTEST:

Amy K. Kirkland, City Clerk

Date: _____

Carol Vaughn, OHC Chair

Dated: _____