

**CITY OF OWOSSO  
REGULAR MEETING OF THE CITY COUNCIL  
TUESDAY, SEPTEMBER 04, 2018  
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 20, 2018:**

**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**

None.

**CITIZEN COMMENTS AND QUESTIONS**

**CITY MANAGER REPORT**

1. Project Status Report

**CONSENT AGENDA**

1. First Reading & Set Public Hearing – Downtown Parking Fines. Conduct first reading and set a public hearing for Monday, September 17, 2018 to receive citizen comment on the proposal to amend Chapter 33, Traffic and Motor Vehicles, Article III, *Parking, Stopping and Standing*, Division 2, Parking Violations Bureau, Section 33-53, *Schedule of fines*, to clarify that parking fines are established by resolution.

2. Special Assessment District No. 2019-12. Authorize Resolution No. 2 setting a public hearing for Monday, September 17, 2018 for proposed Special Assessment District No. 2019-12 for Williams Street from Shiawassee Street to Washington Avenue for street rehabilitation (this district was formerly known as District No. 2018-08 when it was originally introduced in March 2018).
3. 2018 Baker Challenge 5K Run/Walk Permission. Approve application of Brian Steel on behalf of Baker College of Owosso for the partial closure of the following streets on Saturday, September 8, 2018 from 9:00am – 12:00noon for the 2018 Baker Challenge 5K Run/Walk, waive the insurance requirement, and authorize Traffic Control Order No. 1403 formalizing permission: Hopkins Lake Drive, from origin to Palmer Street; Palmer Street, from Hopkins Lake Drive to Gute Street; Gute Street, from Palmer Street to Washington Street; and Washington Street, from Gute Street to College Lane.
4. Bid Award - Sale of Used Fire Truck. Approve bid award to Brian Reed for the purchase of one 1986 Pierce Pumper, VIN # S29RT6FD4GC423862, in the amount of \$5,000.00.

### **ITEMS OF BUSINESS**

1. Osburn Lakes - Waiver of Reversionary Clause. Consider waiving the “reversionary clause” for Lot 60 of the Osburn Lakes Residential Site Condominium development.

### **COMMUNICATIONS**

1. A. Ludington, Historical Commission. Letter of Resignation.
2. Zoning Board of Appeals. Minutes of June 19, 2018.
3. Historical Commission. Minutes of July 9, 2018.
4. Historical Commission. Minutes of August 13, 2018.
5. Zoning Board of Appeals. Minutes of August 21, 2018.

### **CITIZEN COMMENTS AND QUESTIONS**

### **NEXT MEETING**

Monday, September 17, 2018

### **BOARDS AND COMMISSIONS OPENINGS**

Building Board of Appeals – Alternate - term expires June 30, 2019  
Building Board of Appeals – Alternate - term expires June 30, 2021  
Historical Commission – 2 terms, expiring December 31, 2020  
Zoning Board of Appeals – term expires June 30, 2021

### **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](mailto:city.clerk@ci.owosso.mi.us). The City of Owosso Website address is [www.ci.owosso.mi.us](http://www.ci.owosso.mi.us).

**CITY OF OWOSSO  
REGULAR MEETING OF THE CITY COUNCIL  
MINUTES OF AUGUST 20, 2018  
7:30 P.M.**

**PRESIDING OFFICER:** MAYOR CHRISTOPHER T. EVELETH

**OPENING PRAYER:** PASTOR DEBORAH GRAZIER  
FIRST CONGREGATIONAL CHURCH

**PLEDGE OF ALLEGIANCE:** JENNIFER HABER  
EMERSON ELEMENTARY SCHOOL TEACHER

**PRESENT:** Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika,  
Councilmembers Loreen F. Bailey (7:36 p.m.), Elaine M. Greenway,  
Daniel A. Law, and Robert J. Teich, Jr.

**ABSENT:** None.

Mayor Eveleth led a moment of silence in memory of former Mayor James Capitan on the occasion of his passing.

**APPROVE AGENDA**

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

- Correction to Consent 1. Boards & Commissions Appointments. Changing the term expiration date to September 1, 2019.
- Acknowledging the revised resolution for Consent 4. Bid Award – Downtown Façade Rehabilitations.

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

**APPROVAL OF THE MINUTES OF 5<sup>TH</sup> MONDAY MEETING OF JULY 30, 2018**

Motion by Councilmember Greenway to approve the Minutes of the 5<sup>th</sup> Monday Meeting of July 30, 2018 as presented.

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

**APPROVAL OF THE MINUTES OF REGULAR MEETING OF AUGUST 6, 2018**

Motion by Councilmember Teich to approve the Minutes of the Regular Meeting of August 6, 2018 as presented.

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

**PROCLAMATIONS / SPECIAL PRESENTATIONS**

None.

## **PUBLIC HEARINGS**

None.

## **CITIZEN COMMENTS AND QUESTIONS**

Jared Kemppainen, 515 W. Stewart Street, remarked that he lives on the section of Stewart Street that is being redone and he found his driveway inaccessible when he arrived home this evening, needing to shovel stone to be able to get in. He asked if this was typical for construction projects.

Councilmember Bailey arrived at 7:36 p.m.

Eddie Urban, 601 Glenwood Avenue, remarked on potential drug interactions and interesting articles in The Argus Press.

Mike Cline, 204 Stratford Drive, corrected the Mayor, saying the rules for addressing the Council allowed comments to be made to any City official in attendance.

Mike Espich, Parks & Recreation Commission Chairman, thanked the Council for putting the parks and historical properties millage on the November ballot.

City Manager Nathan R. Henne addressed Mr. Kemppainen saying it was unacceptable for his driveway to be entirely inaccessible and that he would look into the matter the next day.

## **CONSENT AGENDA**

Motion by Councilmember Bailey to approve the Consent Agenda as follows:

**Boards and Commissions Appointments.** Approve the following Mayoral Boards and Commissions appointments:

<b>Name</b>	<b>Board/Commission</b>	<b>Term Expires</b>
Patrick Bradley	Firemen's Memorial Committee	September 1, 2019
Burton Fox	Firemen's Memorial Committee	September 1, 2019
Daniel Law	Firemen's Memorial Committee	September 1, 2019
Thomas Manke	Firemen's Memorial Committee	September 1, 2019
Mary Reid Long	Firemen's Memorial Committee	September 1, 2019

**Mortgage Discharge – 122 N. Washington Street.** Authorize discharge of mortgage as it relates to 122 North Washington Street (James and Cynthia Civile) and further authorize the Mayor and City Clerk to execute appropriate documents as follows:

### **RESOLUTION NO. 134-2018**

#### **AUTHORIZING DISCHARGE OF THE MORTGAGE FOR THE PROPERTY AT 122 N. WASHINGTON STREET**

WHEREAS, on November 26, 2012 the City of Owosso, Shiawassee County, Michigan filed a lien on the property located at 122 N. Washington Street as a component of a Rental Rehabilitation Grant; and

WHEREAS, the Rental Rehabilitation Grant program requires the owner to subsidize rent on said property for a five (5) year period; and

WHEREAS, the five-year subsidized rent requirement expired on November 26, 2017.

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

FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to discharge the mortgage lien for the Rental Rehabilitation grant for the property at 122 N. Washington Street.

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

**Contract Extension – Preferred Ambulance Service Provider.** Approve a 3-year extension of the contract with The Memorial Hospital naming the City of Owosso as its preferred ambulance provider effective August 20, 2018 as detailed below:

#### **RESOLUTION NO. 135-2018**

##### **RESOLUTION AUTHORIZING A PREFERRED AMBULANCE PROVIDER CONTRACT WITH THE MEMORIAL HOSPITAL**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has a Public Safety Department that maintains an ambulance service with Advanced Life Support (ALS) and Basic Life Support (BLS) capabilities; and

WHEREAS, the City of Owosso and The Memorial Hospital have negotiated an agreement in which the City of Owosso will become the preferred ambulance provider for The Memorial Hospital.

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

FIRST: The City of Owosso will be the preferred ambulance provider for the patients of The Memorial Hospital.

SECOND: The Mayor and the City Clerk are instructed and authorized to sign the document substantially in the form attached, ambulance service agreement between the City of Owosso, Michigan and The Memorial Hospital.

THIRD: The contract shall become effective August 20, 2018.

**Bid Award – Downtown Façade Rehabilitations.** Authorize bid award to First Contracting, Inc. for renovation of the facades located at 114 N. Washington Street, 115 N. Washington Street, and 216-218 W. Main Street in the amount of \$388,310.00, further authorize a contingency amount of \$76,998.00 for field adjustments, and further authorize payment to the contractor upon satisfactory completion of the work or portion thereof as follows:

#### **RESOLUTION NO. 136-2018**

##### **AUTHORIZING THE MEDC/CDBG FACADE GRANT CONSTRUCTION CONTRACT WITH FIRST CONTRACTING, INC. FOR FAÇADE RENOVATION AT 114 N. WASHINGTON STREET, 115 N. WASHINGTON STREET, AND 216-218 W. MAIN STREET**

WHEREAS, the city of Owosso, Shiawassee County, Michigan requires general contract and construction services for the implementation of the MEDC Façade Grant; and

WHEREAS, the city sought bids from general contractors to conduct the work on 114 N. Washington Street, 115 N. Washington Street, and 216-218 W. Main Street proposed by H2A Architects of Davison, Michigan for the purpose of facade renovation; and

WHEREAS, it is hereby determined that First Contracting, Inc. of Ovid, Michigan is qualified to provide such services and have submitted the lowest responsible and responsive bid; and

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 award the facade renovation of 114 N. Washington Street to First Contracting, Inc. in the amount of \$90,460, with a provision for an additional \$12,400 for 100% re-pointing of the brick should it be necessary, plus a contingency amount of 20% of the contract.
- SECOND The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to award the facade renovation of 115 N. Washington Street to First Contracting, Inc. in the amount of \$112,500.00, with a contingency amount of 20% of the contract.
- THIRD: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to award the facade renovation of 216-218 W. Main Street to First Contracting, Inc. in the amount of \$172,950.00, with a contingency amount of 20% of the contract.
- FOURTH: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached as Exhibit A, contract for services between the City of Owosso, Michigan and First Contracting, Inc. in the amount of \$375,910.00, with a provision for an additional \$12,400 for further re-pointing of brick should it be necessary.
- FIFTH: The accounts payable department is authorized to pay First Contracting, Inc. up to the total bid amount of \$388,310.00, plus a contingency amount not to exceed \$77,662.00 for field adjustments/change orders upon written authorization of the City.
- SIXTH: 50% of the above expenses shall be paid from State of Michigan MEDC/CDBG Funds. The other 50% will be paid by the property/building owners. Private dollars will be placed in an escrow account before construction begins.

**Warrant No. 561.** Authorize Warrant No. 561 as follows:

Vendor	Description	Fund	Amount
Michigan Municipal League Worker's Compensation Fund	Worker's compensation insurance- 2 <sup>nd</sup> of 3 installments for FY 18/19	Various	\$20,230.00
Gould Law, P.C.	Professional services- July 10, 2018 – August 13, 2018	General	\$11,169.08

Motion supported by Councilmember Law.

Roll Call Vote.

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

NAYS: None.

### **ITEMS OF BUSINESS**

#### **Purchase Agreement – 1415 & 1419 W. South Street**

City Manager Henne explained that the lots in question were purchased by the City in the early 2000's. He remarked that while the potential sale would not earn the City much of an investment return on the land it would put the parcels back on the tax roll.

Councilmember Bailey inquired whether the parcels were included in the 2016 land auction. It was noted they were, but no bids were received.

Motion by Councilmember Teich to approve setting the terms of a purchase agreement with Chad White for vacant property along South Street, commonly known as 1415 & 1419 W. South Street, and authorize the start of the required 21-day posting period for the sale of City-owned land as detailed below:

#### **RESOLUTION NO. 137-2018**

#### **AUTHORIZING 21-DAY POSTING OF PURCHASE AGREEMENT FOR THE SALE OF CITY-OWNED PROPERTY AT 1415 & 1419 W. SOUTH STREET**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, owns parcels 050-350-000-006-00 and 050-350-000-007-00, constituting lots 6 and 7 of the Kingswood Plat; and

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has received an offer to purchase said parcels for two thousand five hundred dollars (\$2,500) each; and

WHEREAS, the City of Owosso has no immediate or long-term utility for said parcels; and

WHEREAS, these parcels have not been actively or passively marketed, thereby triggering the 21-day public inspection period set forth in Section 14.3(2) of the Owosso City Charter.

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

FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to sell the aforementioned parcels to Mr. Chad White in the amount of \$5,000.

SECOND: The mayor and city clerk are instructed and authorized to sign the document substantially in the form attached, Real Property Purchase Agreement between the City of Owosso, Michigan and Mr. Chad White in the amount of \$5,000.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

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

NAYS: None.

### **Council Candidate Interviews & Appointment to Fill Council Vacancy**

The following candidates addressed the Council and answered questions from Councilmembers for the vacant Council seat. The order of presentation was determined by drawing.

Nicholas Pidek, 308 E. Oliver Street  
Michael Cline, 204 Stratford Drive  
Albert Martenis, III, 718 W. Oliver Street  
Linda Robertson, 537 Randolph Street  
Janae Fear, 1212 Riverside Drive

After the interviews were concluded the Mayor opened the floor for nominations.

Councilmember Law nominated Linda Robertson for the open City Council position.

Councilmember Bailey nominated Janae Fear for the open City Council position.

With no more nominations to be heard, the floor was closed for nominations.

A Roll Call Vote was taken, with each sitting Councilmember naming which of the two candidates they wished to appoint.

Councilmember Greenway:	Robertson
Councilmember Law:	Robertson
Councilmember Teich:	Robertson
Councilmember Bailey:	Fear
Mayor Pro-Tem Osika:	Robertson
Mayor Eveleth:	Robertson

The oath of office was administered to the City's newest Councilmember Linda Robertson, for a term expiring November 12, 2018.

Mayor Eveleth thanked all that stepped forward to serve. He also noted that Owosso has a seated Council that is majority female for the first time.

### **COMMUNICATIONS**

N. Bradley Hissong, Building Official. July 2018 Building Department Report.  
N. Bradley Hissong Building Official. July 2018 Code Violations Report.  
Kevin D. Lenkart, Public Safety Director. July 2018 Police Report.  
Kevin D. Lenkart, Public Safety Director. July 2018 Fire Report.

### **CITIZEN COMMENTS AND QUESTIONS**

Mike Cline, 204 Stratford Drive, revealed that he had predicted the Council would choose Ms. Robertson to fill the empty Council seat. He went on to say he feels that every citizen question presented at a Council meeting should be answered, asked about the status of the fire hydrant on the corner of Washington and King, objected to the parks and historical properties millage because the City let the properties go, and that there were other options the Council could have taken instead of increasing water rates.

Eddie Urban, 601 Glenwood Avenue, said he would be absent from the next meeting because he would be gone metal detecting. He also said his street needs sweeping.



Tom Manke, Owosso Township resident, inquired about the status of the drain at the cemetery and when the problem would be addressed.

Several Council members spoke about their rationale in voting for Linda Robertson, saying that Linda was the only candidate that is not running for a Council seat in November and they felt that choosing her would keep the playing field level for the other four.

Staff indicated they would look into Mr. Cline's question regarding the fire hydrant and it was noted that the drainage issue at the cemetery had been directed to the County Drain Commissioner so a comprehensive solution could be developed.

City Manager Henne announced that 10 more lots were sold in the Osburn Lakes subdivision last week, bringing the total to 14 lots in 6 weeks.

Mayor Pro-Tem Osika encouraged everyone to attend the Vintage Motorcycle Days event on Saturday which will be taking place at the same time as the Farmers' Market.

### **NEXT MEETING**

Tuesday, September 04, 2018

### **BOARDS AND COMMISSIONS OPENINGS**

Building Board of Appeals – Alternate - term expires June 30, 2019

Building Board of Appeals – Alternate - term expires June 30, 2021

City Council – term expires November 13, 2018

Historical Commission – term expires December 31, 2020

Zoning Board of Appeals – term expires June 30, 2021

### **ADJOURNMENT**

Motion by Councilmember Bailey for adjournment at 8:26 p.m.

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

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Christopher T. Eveleth, Mayor

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Amy K. Kirkland, City Clerk



# OWOSSO PUBLIC SAFETY

202 S. WATER ST. • OWOSSO, MICHIGAN 48867-2958 • (989) 725-0580 • FAX (989)725-0528

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## *MEMORANDUM*

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DATE: August 27, 2018  
TO: City Council  
FROM: Kevin Lenkart, Public Safety Chief  
RE: Amend Section 33-53 to reflect the 2018 Fee Schedule

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### **Recommendation:**

Approve the amendment of section 33-53 to clarify that parking fines are established by resolution.

### **Background:**

In June of this year Council approved an update to the Fee Schedule, including restructuring the fines for parking violations. Current Owosso City Code Section 33-53 also establishes fines for various parking violations and lists which fines can be paid at the parking violations bureau, leading to the potential for confusion. In this instance the Fee Schedule supersedes the ordinance and the ordinance needs to be amended to make it clear that the fines for parking violations are established by resolution (i.e. the Fee Schedule).

### **Fiscal Impact:**

Minimal, if people park as directed.

## RESOLUTION NO.

### FIRST READING & SET A PUBLIC HEARING FOR AN ORDINANCE AMENDING SECTION 33-53, SCHEDULE OF FINES, OF THE CODE OF ORDINANCES TO CLARIFY PARKING FINES ARE SET BY RESOLUTION

WHEREAS, the City of Owosso adopted the 2018 Fee Schedule on June 6, 2018, which, in part, establishes fines for various parking violations; and

WHEREAS, the City of Owosso also has an ordinance on its books establishing fines for parking violations, leading to confusion; and

WHEREAS, City of Owosso staff recommends the ordinance be changed to clarify the fines are set by resolution.

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

SECTION 1. AMENDMENT. That Section 33-53, *Schedule of fines*, of Chapter 33, *Traffic and Motor Vehicles*, Article III, *Parking, Stopping and Standing*, Division 2, Parking Violations Bureau, of the Code of Ordinances is hereby amended to read:

#### Sec. 33-53. - Schedule of fines.

~~The following fines shall be paid to the parking violations bureau.~~ **Fines for the following violations shall be established by resolution and paid to the parking violations bureau.** An additional penalty may be assigned if it is necessary to issue a warrant for the alleged violator's arrest.

Violation No.	<del>If Paid Within 72 Hrs.</del>	<del>If Paid After 72 Hrs.</del>
<del>(1) Expired parking meter</del>	<del>\$ 1.00</del>	<del>\$ 3.00</del>
(2) Parking over legal limit in areas other than business districts defined in section 33-37	3.00	3.00
(3) Parking over legal limit in business districts defined in section 33-37, <del>third and subsequent violations in each calendar year</del>	5.00	10.00
(4) Moving to evade time limitations	5.00	10.00
(5) Parking in prohibited zone	10.00	15.00
(6) Parking in loading zone	3.00	5.00
(7) Parking on sidewalk or crosswalk	10.00	15.00
(8) Parking at yellow curb	3.00	5.00
(9) Overtime parking in 3:00 a.m. to 6:00 a.m. zone	3.00	5.00
(10) Parking within fifteen (15) feet of fire hydrant	10.00	15.00
(11) Parking in handicapped zone	50.00	100.00
(12) Double parking	10.00	15.00
(13) Parked facing wrong way	10.00	15.00

(14) Blocking driveway	<del>10.00</del>	<del>15.00</del>
(15) Across parking line	<del>3.00</del>	<del>5.00</del>
(16) Blocking alley	<del>10.00</del>	<del>15.00</del>
(17) Blocking traffic	<del>10.00</del>	<del>15.00</del>
(18) Parking over twelve (12) inches from curb	<del>10.00</del>	<del>15.00</del>
(19) Abandoned car	<del>10.00</del>	<del>15.00</del>
(20) Parking of a truck or commercial vehicle with a gross weight in excess of five (5) tons or in excess of twenty-two (22) feet in length in violation of the provisions of section 5.61 of the Uniform Traffic Code	<del>25.00</del>	<del>50.00</del>
(21) Other parking violation	<del>10.00</del>	<del>20.00</del>
(22) Fifth violation of any above violation within a thirty-day period	<del>100.00</del>	<del>100.00</del>

SECTION 2. EFFECTIVE DATE. This amendment shall become effective twenty days after passage.

SECTION 3. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

SECTION 4. PUBLIC HEARING. A public hearing is set for Monday, September 17, 2018 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed ordinance amendment.



## MEMORANDUM

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

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DATE: August 29, 2018

TO: Owosso City Council

FROM: Glenn Chinavare, Director of Public Services & Utilities

SUBJECT: Williams Street Resurfacing – 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. **Williams Street, from Shiawassee Street to Washington Street**, is proposed by the city for street resurfacing. 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 **April 19, 2018** 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. City Council is asked to act upon Resolution No. 2 on **September 4, 2018** for the proposed improvement, setting a public hearing for Monday, September 17, 2018.

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.

Tonight the 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, setting the hearing of necessity for Monday, September 17, 2018:

**Williams Street, a Public Street, from Shiawassee Street eastward to Washington Street**

**Special Assessment Resolution No. 2 for Williams Street**

Special Assessment District No. 2019-12

**Williams Street, a Public Street, from Shiawassee Street to Washington Street**

**RESOLUTION NO.**

**WILLIAMS STREET  
FROM SHIAWASSEE STREET TO WASHINGTON STREET  
SPECIAL ASSESSMENT RESOLUTION NO. 2**

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

WILLIAMS STREET, A PUBLIC STREET, FROM SHIAWASSEE STREET TO WASHINGTON STREET;  
STREET REHABILITATION

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 \$684,826.26 and determines that \$104,923.90 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 \$579,902.36 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 17, 2018 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:

**Williams Street, a Public Street, from Shiawassee Street to Washington Street**

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

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 17, 2018 for the purpose of hearing any person to be affected by the proposed public improvement.



29-Aug-18

**WILLIAMS STREET ENGINEER'S ESTIMATE**

WORK ITEM	UNIT	WILLIAMS QUANTITIES	UNIT PRICE	AMOUNT	ELLIGIBLE AMOUNT	CITY COST 60 PERCENT	ASSESSMENT	ASSESSMENT
							AT 40% RESIDENTIAL	AT 40% COMMERCIAL
MOBILIZATION, MAX	LSUM	1.00	\$ 27,000.00	\$ 27,000.00	\$ 27,000.00	\$ 16,200.00	\$ 10,800.00	\$ 10,800.00
DR STRUCTURE, REM	EA	25.00	\$ 350.00	\$ 8,750.00				
SEWER, REM, LESS THAN 24 INCH	LFT	850.00	\$ 10.00	\$ 8,500.00				
CURB AND GUTTER, REM	LFT	895.00	\$ 7.00	\$ 6,265.00	\$ 6,265.00	\$ 3,759.00	\$ 2,506.00	\$ 2,506.00
PAVT, REM	SYD	125.00	\$ 8.00	\$ 1,000.00	\$ 1,000.00	\$ 600.00	\$ 400.00	\$ 400.00
SIDEWALK, REM	SYD	308.35	\$ 8.00	\$ 2,466.80				
SUBGRADE UNDERCUTTING, TYPE II	CYD	50.00	\$ 25.00	\$ 1,250.00				
MACHINE GRADING, MOD	STA	31.00	\$ 700.00	\$ 21,700.00	\$ -	\$ -	\$ -	\$ -
EROSION CONTROL, INLET PROTECTION, FABRIC DROP	EA	15.00	\$ 100.00	\$ 1,500.00	\$ 1,500.00	\$ 900.00	\$ 600.00	\$ 600.00
EROSION CONTROL, SILT FENCE	FT	50.00	\$ 2.00	\$ 100.00	\$ 100.00	\$ 60.00	\$ 40.00	\$ 40.00
MAINTENANCE GRAVEL	TON	100.00	\$ 25.00	\$ 2,500.00	\$ 2,500.00	\$ 1,500.00	\$ 1,000.00	\$ 1,000.00
APPROACH, CL II, LM	CYD	2.50	\$ 40.00	\$ 100.00	\$ 100.00	\$ 60.00	\$ 40.00	\$ 40.00
SEWER BULKHEAD, 12 INCH OR LESS	EA	2.00	\$ 300.00	\$ 600.00				
SEWER BULKHEAD, 15 INCH OR LESS	EA	2.00	\$ 350.00	\$ 700.00				
SEWER BULKHEAD, 18 INCH OR LESS	EA	3.00	\$ 400.00	\$ 1,200.00				
SANITARY SERV CONFLICT	EA	1.00	\$ 1,500.00	\$ 1,500.00				
DR STRUCTURE COVER, TEMP LOWERING	EA	4.00	\$ 250.00	\$ 1,000.00	\$ 750.00	\$ 450.00	\$ 300.00	\$ 300.00
HMA SURFACE, REM	SYD	4860.00	\$ 3.00	\$ 14,580.00	\$ 14,580.00	\$ 8,748.00	\$ 5,832.00	\$ 5,832.00
COLD MILLING HMA SURFACE	SYD	0.00	\$ 3.00	\$ -				
SAWCUTTING	LFT	0.00	\$ 3.00	\$ -				
AGGREGATE BASE, 6 INCH, MOD	SYD	1510.00	\$ 9.50	\$ 14,345.00				
AGGREGATE BASE, 8 INCH, MOD	SYD	0.00	\$ 11.25	\$ -				
AGGREGATE BASE, 9 INCH, MOD	SYD	3350.00	\$ 12.00	\$ 40,200.00				
GEOTEXTILE SEPARATOR	SYD	4860.00	\$ 1.50	\$ 7,290.00				
SEWER, SDR-26, 6 INCH, TRENCH DET B-MOD	LFT	0.00	\$ 35.00	\$ -				
SEWER, SDR-26, 8 INCH, TRENCH DET B-MOD	LFT	0.00	\$ 37.50	\$ -				
SEWER, SDR-26, 10 INCH, TRENCH DET B-MOD	LFT	301.00	\$ 40.00	\$ 12,040.00				
SEWER, SDR-26, 12 INCH, TRENCH DET B-MOD	LFT	81.00	\$ 45.00	\$ 3,645.00				
SEWER, SDR-26, 15 INCH, TRENCH DET B-MOD	LFT	21.00	\$ 52.00	\$ 1,092.00				
SEWER, SDR-26, 18 INCH, TRENCH DET B-MOD	LFT	0.00	\$ 60.00	\$ -				
SEWER, SDR-26, 24 INCH, TRENCH DET B-MOD	LFT	470.00	\$ 75.00	\$ 35,250.00				
SEWER, SDR-26, 30 INCH, TRENCH DET B-MOD	LFT	701.00	\$ 100.00	\$ 70,100.00				
DR STRUCTURE COVER, ADJ, CASE 1	EA	4.00	\$ 475.00	\$ 1,900.00	\$ 1,900.00	\$ 1,140.00	\$ 760.00	\$ 760.00
DR STRUCTURE. ADJ, ADD DEPTH	FT	0.00	\$ 325.00	\$ -				
DR STRUCTURE COVER, EJ 1030	EA	0.00	\$ 450.00	\$ -				
DR STRUCTURE COVER, EJ 1060	EA	11.00	\$ 600.00	\$ 6,600.00	\$ 6,600.00	\$ 3,960.00	\$ 2,640.00	\$ 2,640.00
DR STRUCTURE COVER, EJ 1060 W/ TYPE N OVAL GRATE	EA	0.00	\$ 600.00	\$ -	\$ -	\$ -	\$ -	\$ -
DR STRUCTURE COVER, EJ 1120 W/ GASKET SEAL	EA	4.00	\$ 650.00	\$ 2,600.00	\$ 2,600.00	\$ 1,560.00	\$ 1,040.00	\$ 1,040.00
DR STRUCTURE COVER, EJ 7000	EA	14.00	\$ 700.00	\$ 9,800.00	\$ 9,800.00	\$ 5,880.00	\$ 3,920.00	\$ 3,920.00
DR STRUCTURE, 24 INCH DIA, MOD	EA	0.00	\$ 1,200.00	\$ -				
DR STRUCTURE, 36 INCH DIA. MOD	EA	10.00	\$ 1,400.00	\$ 14,000.00				
DR STRUCTURE, 48 INCH DIA. MOD	EA	10.00	\$ 1,800.00	\$ 18,000.00				
DR STRUCTURE, 60 INCH DIA. MOD	EA	5.00	\$ 2,600.00	\$ 13,000.00				
DR STRUCTURE, 72 INCH DIA. MOD	EA	1.00	\$ 5,000.00	\$ 5,000.00				
DR STRUCTURE, ADD DEPTH, 60 INCH, 8'-15' DEPTH	FT	10.00	\$ 100.00	\$ 1,000.00				
DR STRUCTURE, ADD DEPTH, 72 INCH, 8'-15' DEPTH	FT	10.00	\$ 150.00	\$ 1,500.00				
HAND PATCHING	TON	0.00	\$ 125.00	\$ -				
HMA, 2C@ 4.5"	TON	1288.00	\$ 75.00	\$ 96,600.00	\$ 96,600.00	\$ 57,960.00	\$ 21,638.40	\$ 38,640.00
HMA, 3C	TON	0.00	\$ 70.00	\$ -				

29-Aug-18

**WILLIAMS STREET ENGINEER'S ESTIMATE**  
WORK ITEM

	UNIT	WILLIAMS QUANTITIES	UNIT PRICE	AMOUNT	ELLIGIBLE AMOUNT	CITY COST 60 PERCENT	ASSESSMENT AT 40% RESIDENTIAL	ASSESSMENT AT 40% COMMERCIAL
HMA, 4E3	TON	0.00	\$ 75.00	\$ -	\$ -	\$ -	\$ -	\$ -
HMA, 5E3@ 1.5"	TON	430.00	\$ 85.00	\$ 36,550.00	\$ 36,550.00	\$ 21,930.00	\$ 14,620.00	\$ 14,620.00
HMA APPROACH	TON	3.75	\$ 125.00	\$ 468.75	\$ 468.75	\$ 281.25	\$ 187.50	\$ 187.50
CEMENT	TON	1.25	\$ 250.00	\$ 312.50	\$ 312.50	\$ 187.50	\$ 125.00	\$ 125.00
CONCRETE PAVT, NONREINF, 9 INCH	SYD	0.00	\$ 60.00	\$ -				
DRIVEWAY, NONREINF CONC, 6 INCH	SYD	92.50	\$ 45.00	\$ 4,162.50	\$ -	\$ -	\$ -	\$ -
CURB AND GUTTER, CONC, DET F4, MOD	LFT	895.00	\$ 20.00	\$ 17,900.00	\$ 17,900.00	\$ 10,740.00	\$ 7,160.00	\$ 7,160.00
DETECTABLE WARNING SURFACE	LFT	125.00	\$ 35.00	\$ 4,375.00				
SIDEWALK RAMP, CONC, 4 INCH	SFT	2150.00	\$ 5.00	\$ 10,750.00				
SIDEWALK, CONC, 4 INCH	SFT	900.00	\$ 4.50	\$ 4,050.00				
SIDEWALK, CONC, 6 INCH	SFT	75.00	\$ 5.00	\$ 375.00				
MINOR TRAF DEVICES	LSUM	0.25	\$ 30,000.00	\$ 7,500.00	\$ 3,750.00	\$ 2,250.00	\$ 1,500.00	\$ 1,500.00
BARRICADE, TYPE III, HIGH INTENSITY, FURN & OPER	EA	2.50	\$ 100.00	\$ 250.00				
PEDESTRIAN TYPE II BARRICADE, TEMP	EA	1.00	\$ 150.00	\$ 150.00				
LIGHTED ARROW, TYPE C, FURN AND OPER	EA	1.00	\$ 300.00	\$ 300.00				
PLASTIC DRUM, HIGH INTENSITY, FURN & OPER	EA	31.25	\$ 20.00	\$ 625.00				
SIGN, TYPE B, TEMP, PRISMATIC, FURN & OPER	SFT	175.00	\$ 5.00	\$ 875.00				
TRAF REGULATOR CONTROL	LSUM	0.00	\$ 5,000.00	\$ -				
TURF ESTABLISHMENT, PERFORMANCE	SYD	1075.00	\$ 5.00	\$ 5,375.00				
SIGN, TYPE III, REM	EA	1.00	\$ 10.00	\$ 10.00				
SIGN, TYPE III, ERECT, SALV	EA	1.00	\$ 40.00	\$ 40.00				
POST, STEEL, 3 POUND	FT	16.00	\$ 6.00	\$ 96.00				
POST, MAILBOX	EA	5.00	\$ 80.00	\$ 400.00				
VALVE BOX, ADJ	EA	1.00	\$ 200.00	\$ 200.00				
ABANDONED GAS MAIN CONFLICT	EA	2.50	\$ 500.00	\$ 1,250.00				
MISCELLANEOUS WORK ITEMS	LSUM	1.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 12,000.00	\$ 8,000.00	\$ 8,000.00
SUB TOTALS				\$ 570,688.55	\$ 250,276.25	\$ 150,165.75	\$ 83,108.90	\$ 100,110.50
ENGINEERING AT 15% ASSESSABLE COST				\$ 85,603.28	\$ 37,541.44	\$ 22,524.86	\$ 12,466.34	\$ 15,016.58
ADMINISTRATIVE AT 5% ASSESSABLE COST				\$ 28,534.43	\$ 12,513.81	\$ 7,508.29	\$ 4,155.45	\$ 5,005.53
GRAND TOTALS				\$ 684,826.26	\$ 300,331.50	\$ 180,198.90	\$ 99,730.68	\$ 120,132.60

**WILLIAMS STREET****SPECIAL ASSESSMENT ROLL**

ENGINEER'S ESTIMATE ASSESSABLE AMOUNT	\$300,331.50
TOTAL ASSESSABLE FRONT FEET	2312.64

## CALCULATING ASSESSABLE FRONT FOOT RATE AND AMOUNTS:

PROPERTY TYPE	RESIDENTIAL PROPERTY	COMMERCIAL PROPERTY	TOTAL
CITY SHARE $\geq 60\%$	\$180,198.90	\$180,198.90	
PROPERTY SHARE @ $\leq 40\%$	\$99,730.68	\$120,132.60	
TOTAL	\$279,929.58	\$300,331.50	
ASSESSABLE FRONT FOOT RATE	\$43.12	\$51.95	
TOTAL FRONT FEET PER TYPE	1723.39	589.25	
TOTAL AMOUNT OF ASSESSMENT PER TYPE:	\$74,312.58	\$30,611.54	\$104,924.11

## TOTAL ASSESSMENT AMOUNTS PER SIDE OF STREET:

NORTH SIDE	\$46,156.78
SOUTH SIDE	<u>\$58,767.12</u>
TOTAL BOTH SIDES	\$104,923.90

**WILLIAMS, SHIAWASSE TO WASHINGTON**  
NORTH SIDE

**SPECIAL ASSESSMENT ROLL**

ADDRESS NO.	STREET	ROLL NUMBER	FRONT FOOTAGE	CORNER LOT DISCOUNT	ASSESSABLE FRONT FEET	FRONT FOOT RATE	AMOUNT OF ASSESSMENT	
508	WILLIAMS	470-001-006	130.62	1	130.62	\$43.12	\$5,632.33	RM-1
502	WILLIAMS	470-001-005	130.62	0.75	97.965	\$43.12	\$4,224.25	RM-1
422-424	WILLIAMS	470-002-010	61	0.75	45.75	\$43.12	\$1,972.74	RM-1
416	WILLIAMS	470-002-009	61	1	61	\$43.12	\$2,630.32	RM-1
408	WILLIAMS	470-002-008	56	1	56	\$43.12	\$2,414.72	RM-1
402-404	WILLIAMS	470-002-007	66	0.75	49.5	\$43.12	\$2,134.44	RM-1
318	WILLIAMS	470-003-007	122	0.75	91.5	\$43.12	\$3,945.48	RM-1
310	WILLIAMS	470-003-008	61	1	61	\$43.12	\$2,630.32	RM-1
401-403	N WATER	470-003-009	61	0.75	45.75	\$43.12	\$1,972.74	RM-1
402	N WATER	470-004-011	122	0.75	91.5	\$43.12	\$3,945.48	RM-1
210	WILLIAMS	470-004-008	32	1	32	\$43.12	\$1,379.84	RM-1
403	N BALL	470-004-012	94	0.75	70.5	\$43.12	\$3,039.96	RM-1
404-410	N BALL	470-005-001	122	0.75	91.5	\$51.95	\$4,753.43	OS-1
110	WILLIAMS	470-005-007	56	1	56	\$51.95	\$2,909.20	OS-1
401	N WASHINGTON	470-005-008	66	0.75	49.5	\$51.95	\$2,571.53	OS-1
			1241.24		1030.085		\$46,156.78	

**SOUTH SIDE**

ADDRESS NO.	STREET	ROLL NUMBER	FRONT FOOTAGE	CORNER LOT DISCOUNT	ASSESSABLE FRONT FEET	FRONT FOOT RATE	AMOUNT OF ASSESSMENT	
521	WILLIAMS	470-037-001	66	1	66	\$43.12	\$2,845.92	RM-2
509	WILLIAMS	470-037-002	66	1	66	\$43.12	\$2,845.92	RM-2
505	WILLIAMS	470-037-003	78	1	78	\$43.12	\$3,363.36	RM-2
501	WILLIAMS	470-037-004	65	1	65	\$43.12	\$2,802.80	RM-2
415	WILLIAMS	470-037-005	55	1	55	\$43.12	\$2,371.60	RM-2
409	WILLIAMS	470-038-003	115.5	1	115.5	\$43.12	\$4,980.36	RM-2
405	WILLIAMS	470-038-004	57.75	1	57.75	\$43.12	\$2,490.18	RM-2
401	WILLIAMS	470-038-005	57.75	1	57.75	\$43.12	\$2,490.18	RM-2
327	WILLIAMS	470-038-006	99	1	99	\$43.12	\$4,268.88	RM-2
321	WILLIAMS	470-038-007	82.5	1	82.5	\$43.12	\$3,557.40	RM-2
317	WILLIAMS	470-038-008	43.7	1	43.7	\$43.12	\$1,884.34	RM-2
303-311	WILLIAMS	470-038-009	138.8	0.75	104.1	\$43.12	\$4,488.79	RM-2
332-334	N WATER	470-013-003	93	0.75	69.75	\$51.95	\$3,623.51	B-3
215	WILLIAMS	470-013-004	33	1	33	\$51.95	\$1,714.35	B-3
331	N BALL	470-013-001	122	0.75	91.5	\$51.95	\$4,753.43	B-3
327-329	N WASHINGTON	470-012-001	264	0.75	198	\$51.95	\$10,286.10	OS-1
			1437		1282.55		\$58,767.12	

SEE SHEET TWO FOR EXPLANATION OF ASSESSMENT ROLL

# OWOSSO





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

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# *MEMORANDUM*

---

DATE: August 27, 2018  
TO: City Council  
FROM: Kevin Lenkart  
Director of Public Safety  
RE: Traffic Control Order # 1403

---

Brian Steel, Baker College Director of Science/Math, has requested the following street closures for the 2018 Baker Challenge:

**LOCATION:**

5k route (closure to one lane)  
Hopkins Lake Drive to Palmer St.; north to Gute Street.  
Gute Street west to Washington Street.  
Washington Street south to College Lane

**DATE/TIME:**

September 8, 2018  
9 am – noon

The Public Safety Department has issued Traffic Control Order No. 1403 in accordance with the Rules for the Issuance of Certain Traffic Control Orders. Staff recommends approval of the application, 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

1403

8/27/18

3:00 pm

REQUESTED BY

Kevin Lenkart – Director of Public Safety

TYPE OF CONTROL

Street Closure

LOCATION OF CONTROL

5k route (closure to one lane)

Hopkins Lake Drive, from origin to Palmer St.;

Palmer Street, from Hopkins Lake Dr. to Gute St.;

Gute Street, from Palmer St. to Washington St.

Washington Street, from Gute St. to College Ln.

EVENT:

2018 Baker Challenge 5K Run

September 8, 2018

9:00 am – 12:00 pm

APPROVED BY COUNCIL

\_\_\_\_\_, 20\_\_\_\_

REMARKS

city of  
OWOSSO  
MICHIGAN

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

301 W.

OWOSSO

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: Baker College of Owosso Date: 8-8-18

Primary Contact Person

Name:

Brian Steel

Title:

Science & Math Director

Address:

1020 S. Washington St

Owosso MI 48867

Phone:

989-729-3383 989-494-8035 (cell)

Requested Date(s): Sept. 8, 2018 Requested Hours: 9:00 am - 12:00 noon

Area Requested (Parking Lot - Parade Route): 5K route - closure to one lane, Hopkins

Lake Dr, Palmer St north to Gule St, Gule St. west to Washington  
St., Washington St. south to College Lane (see route map)

Detailed description of the use for which the request is made: \_\_\_\_\_

- ☒ 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 ☐

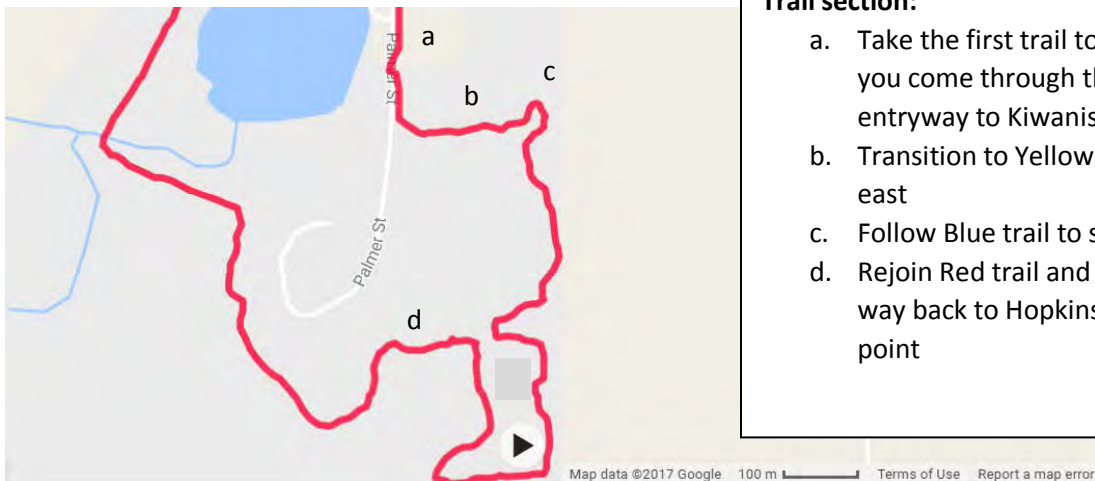
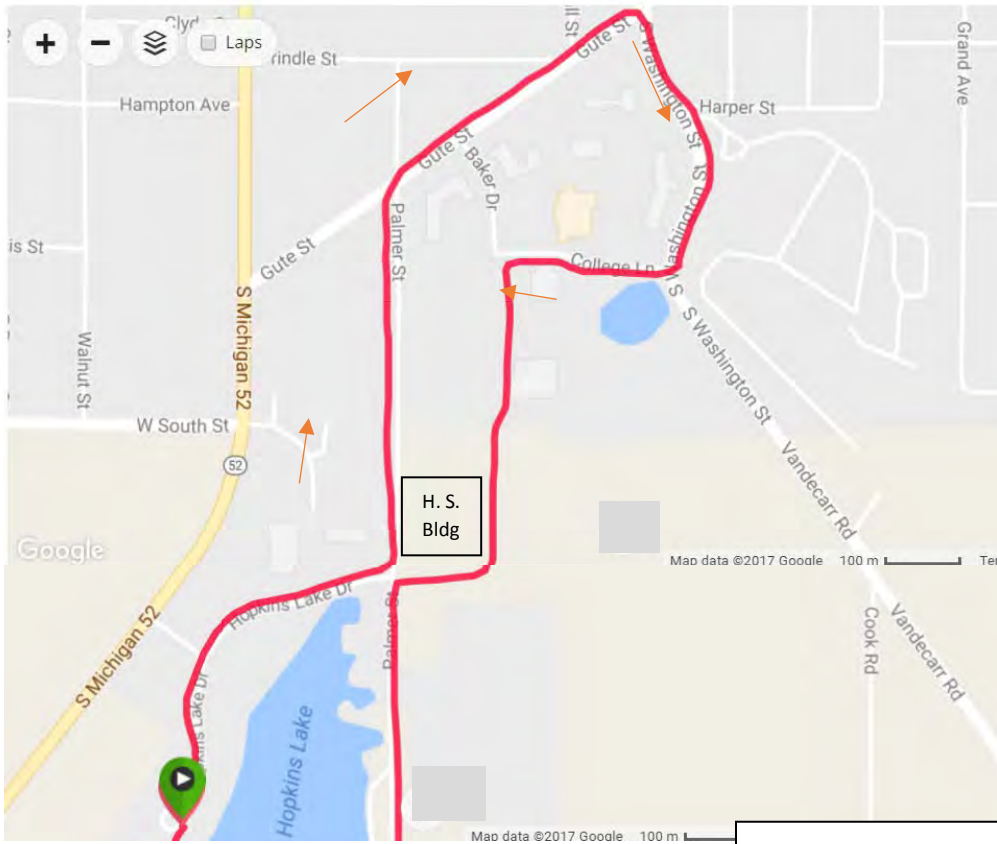
Date: \_\_\_\_\_

Traffic Control Order Number \_\_\_\_\_

Cc: DDA - Director  
WCIA - Chairperson



## ***Baker Challenge Route Map***



**Trail section:**

- a. Take the first trail to the east after you come through the fence entryway to Kiwanis Trail (Red trail)
- b. Transition to Yellow Trail to continue east
- c. Follow Blue trail to south
- d. Rejoin Red trail and follow it all the way back to Hopkins lake starting point





# OWOSSO PUBLIC SAFETY

202 S. WATER ST. • OWOSSO, MICHIGAN 48867-2958 • (989) 725-0580 • FAX (989)725-0528

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## *MEMORANDUM*

---

DATE: August 27, 2018  
TO: City Council  
FROM: Kevin Lenkart  
RE: Sale of 1986 Pierce Fire Truck

---

Sealed bids were solicited and received for one (1) retired fire truck, a 1986 Pierce Pumper, VIN # S29RT6FD4GC423862. This vehicle has been replaced by a 2018 HME Mini-Pumper that was purchased in mid-2018.

Seven (7) bids were received for the vehicle. Brian Reed was the high bid of \$5,000.00 for the fire truck.

I recommend council approve the bid from Brian Reed in the amount of \$5,000.00.

**RESOLUTION NO.**

**AUTHORIZING THE EXECUTION OF SALE  
OF 1986 PIERCE PUMPER FIRE TRUCK  
TO BRIAN REED**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, established a purchasing cycle to maintain a healthy fire vehicle fleet; and

WHEREAS, as part of this purchasing cycle older vehicles are retired and sold to the highest bidder; and

WHEREAS, bid solicitations were advertised for one 1986 Pierce Pumper Fire Truck and the most responsive bid was received from Brian Reed.

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

FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to sell one 1986 Pierce Pumper Fire Truck, VIN# reading: S29RT6FD4GC423862, in the amount of \$5,000.00.

SECOND: The city clerk is instructed and authorized to complete the necessary paperwork to transfer ownership to Brian Reed upon the remittance of \$5,000.00.

**Selected Bidders Information**

Reported On 8/17/2018

You may click on any of the underlined table headings to re-sort this report by that column. The total number of bidders within your search is listed on the last row of the table. If an agency name is listed in the column blocked by you may click on it to see the reason the bidder was banned from bidding.

<u>ID</u>	<u>Blocked By</u>	<u>User Name</u>	<u>First Name</u>	<u>Last Name</u>	<u>Email</u>	<u>Address</u>	<u>Address2</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>Phone</u>
15357		rdfrm	Brian	Reed	Rdfrm4@aol.com	10258 carpenter rd		Flushing	Mi	48433	810-964-0778
Total Number of Bidders = 1											

[Return to Bid History](#)

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## Bid History for

## 1986 Pierce Fire Truck

Item #: 20746

Final Bid: **\$5,000.00** (reserve met)

First Bid: \$500.00

Number of Bids: 7

Time Left: Auction Over

Started: 8/9/2018 11:03:10 AM

End Date: 8/16/2018 11:03:10 AM

Seller: [dhebert](#) (0)

\* Bid Amounts and Dates listed in red are proxy bids entered by the system.

[maximum bid/proxy bidding facts](#)

Info	Bidder	Feedback Rating	Bid Amount	Bid Date
<a href="#">Info</a>	<a href="#">rdfrm</a>	(0)	\$5,000.00	8/16/2018 9:10:15 AM
<a href="#">Info</a>	<a href="#">firetruckmafia</a>	(0)	\$2,600.00	8/16/2018 8:25:20 AM
<a href="#">Info</a>	<a href="#">max1019</a>	(14)	\$2,500.00	8/14/2018 8:28:29 AM
<a href="#">Info</a>	<a href="#">firetruckmafia</a>	(0)	\$2,400.00	8/12/2018 6:25:15 AM
<a href="#">Info</a>	<a href="#">crash_burn</a>	(2)	\$2,222.00	8/11/2018 9:20:47 PM
<a href="#">Info</a>	<a href="#">crash_burn</a>	(2)	\$1,600.00	8/11/2018 9:17:42 PM
<a href="#">Info</a>	<a href="#">firetruckmafia</a>	(0)	\$1,500.00	8/10/2018 1:14:18 PM

[Return to Item](#)



## MEMORANDUM

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

---

**DATE:** August 29, 2018

**TO:** Mayor Eveleth and the Owosso City Council

**FROM:** Nathan Henne, City Manager

**SUBJECT:** Waiver of Reversionary Clause

### RECOMMENDATION:

Staff recommends waiving the "reversionary clause" for Lot 60 of the Osburn Lakes Residential Site Condominium development.

### BACKGROUND:

Keith and Karen Stites wish to purchase lots 60 and 61 in the Osburn Lakes development. They wish to build on lot 61 and leave lot 60 vacant to enlarge their yard. Article VII, paragraph F, of the Master Deed grants the Developer (the City) the right to repurchase a lot if construction of a residence has not commenced within 18 months of purchase. As the Stites have no intention of building a home on the second lot they are seeking formal assurance from the City and the home owner's association that no action will be taken to repurchase the property after 18-months time.

Per the terms of the Master Deed the City is considered the developer and has the authority to act without the HOA.

### FISCAL IMPACTS:

The City will lose its investment in the infrastructure provided for lot 60 but the City will no longer have to maintain it. An eventual build on lot 60 has not been ruled out but it will be up to the Stites to sell the lot or build another home.

**WAIVER OF REVERSIONARY CLAUSE: LOT 60  
OSBURN LAKES RESIDENTIAL SITE CONDOMINIUM DEVELOPMENT**

This Waiver of Reversionary Clause is entered into on the date stated below by the City of Owosso, a Michigan municipal corporation of 301 West Main Street, Owosso, Michigan 48867.

WHEREAS, the City of Owosso became the Developer of the Osburn Lakes Residential Site Condominium ("Osburn Lakes") as established in a Master Deed recorded October 22, 2004 in Liber 1069, Page 159 of the Shiawassee County Records;

WHEREAS Article VII, paragraph F. of the Master Deed grants the Developer the right to repurchase a Unit if construction of the residence has not commenced within eighteen (18) months of an owner acquiring title to a Unit;

WHEREAS Article VII paragraph B.(v)(c) of the Master Deed reserves to the Developer the power to make exceptions to the restrictions contained in the Master Deed;

WHEREAS the economy of the State of Michigan and the housing market have changed since 2004;

WHEREAS Keith and Karen Stites wish to purchase Lots 60 and 61 of the Osburn Lakes development upon which a residence will be built on Lot 61, and said Lot 60 of Osburn Lakes is contiguous to Lot 61;

WHEREAS Keith and Karen Stites have offered to purchase Lots 60 and 61 but do not intend to construct any buildings on Lot 60;

WHEREAS the City of Owosso finds that it is in its best interest and that of current property owners in Osburn Lakes to waive the right to repurchase Lot 60.

NOW, THEREFORE, THE CITY OF OWOSSO hereby waives its right pursuant to Article VII, paragraph F. of the Master Deed to repurchase Lot 60 of the Osburn Lakes subdivision for failure to commence construction of a residence.

Provided further, that nothing herein bars any owner of Lot 60 from constructing a residence thereon in compliance with the Master Deed and the Ordinances of the City of Owosso.

Provided further, that no owner of Lot 60 may construct or cause to be constructed any accessory building or other non-residential structure thereon unless a residence is constructed on Lot 60.

CITY OF OWOSSO

ATTEST:

BY: \_\_\_\_\_  
Christopher T. Eveleth  
ITS: Mayor

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



STATE O F MICHIGAN)  
 ) ss.  
COUNTY OF SHIAWASSEE)

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2018,  
by Christopher T. Eveleth, Mayor of the City of Owosso, a Michigan municipal corporation, on behalf of  
the corporation.

\_\_\_\_\_, Notary Public  
Shiawassee County, Michigan  
My commission expires:  
Acting in Shiawassee County, Michigan

STATE O F MICHIGAN)  
 ) ss.  
COUNTY OF SHIAWASSEE)

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2018,  
by Amy K. Kirkland, Clerk of the City of Owosso, a Michigan municipal corporation, on behalf of the  
corporation.

\_\_\_\_\_, Notary Public  
Shiawassee County, Michigan  
My commission expires:  
Acting in Shiawassee County, Michigan

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PREPARED BY:  
Amy K. Kirkland  
Owosso City Clerk  
301 West Main Street  
Owosso, Michigan 48867  
(989)725-0500

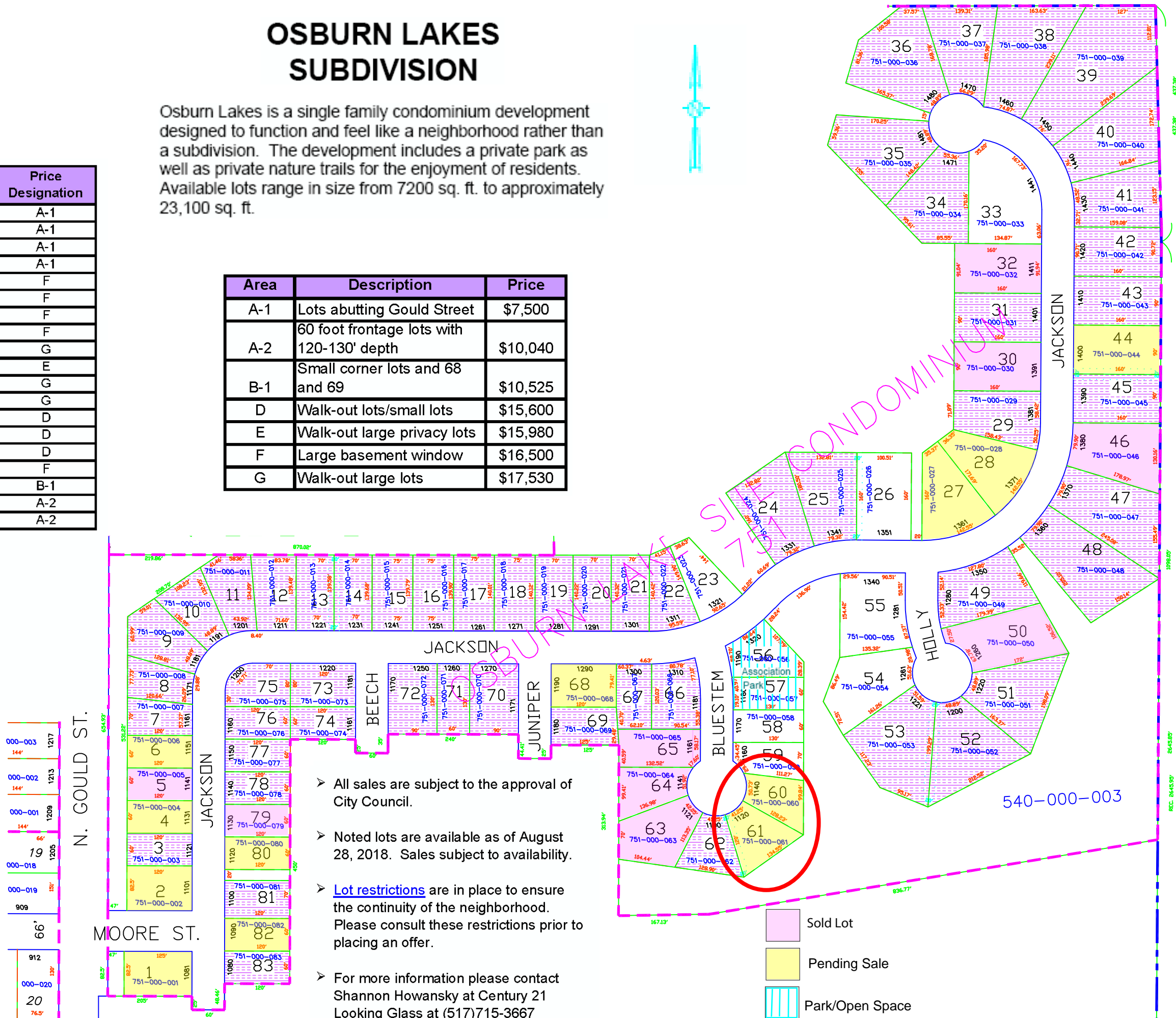
RETURN TO:  
Amy K. Kirkland  
Owosso City Clerk  
301 West Main Street  
Owosso, Michigan 48867  
(989)725-0500

# OSBURN LAKES SUBDIVISION

Osburn Lakes is a single family condominium development designed to function and feel like a neighborhood rather than a subdivision. The development includes a private park as well as private nature trails for the enjoyment of residents. Available lots range in size from 7200 sq. ft. to approximately 23,100 sq. ft.

Available Lots	Price Designation
1	A-1
2	A-1
4	A-1
6	A-1
23	F
26	F
27	F
28	F
33	G
44	E
54	G
55	G
58	D
59	D
60	D
61	F
68	B-1
80	A-2
82	A-2

Area	Description	Price
A-1	Lots abutting Gould Street	\$7,500
A-2	60 foot frontage lots with 120-130' depth	\$10,040
B-1	Small corner lots and 68 and 69	\$10,525
D	Walk-out lots/small lots	\$15,600
E	Walk-out large privacy lots	\$15,980
F	Large basement window	\$16,500
G	Walk-out large lots	\$17,530



- All sales are subject to the approval of City Council.
- Noted lots are available as of August 28, 2018. Sales subject to availability.
- Lot restrictions are in place to ensure the continuity of the neighborhood. Please consult these restrictions prior to placing an offer.
- For more information please contact Shannon Howansky at Century 21 Looking Glass at (517)715-3667

**From:** [Robert V. Doran-Brockway](#)  
**To:** [Amy K. Kirkland](#)  
**Subject:** FW: Owosso Historical Commission  
**Date:** Tuesday, August 28, 2018 10:13:45 AM

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FYI. RD

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**From:** Annie Ludington [annieludington@gmail.com]  
**Sent:** Tuesday, August 28, 2018 7:08 AM  
**To:** Robert V. Doran-Brockway; Carol Vaughn  
**Subject:** Owosso Historical Commission

Dear Robert and Carol,

Please accept this letter as a formal notification that I am resigning from the Owosso Historical Commission. I would like to thank Robert for the opportunity to be apart of the board for the past couple of years. I have learned so much and truly value all of the experience. I would also like to thank Carol for teaching me valuable lessons and techniques while being apart of a board.

I am still happy to support OHC as much as I can as a community member.

Thank you again for the opportunity.

Best,

**Annie Ludington**

**MINUTES  
REGULAR MEETING OF THE OWOSSO ZONING BOARD OF APPEALS  
CITY OF OWOSSO  
JUNE 19, 2018 AT 9:30 A.M.  
CITY COUNCIL CHAMBERS**

**CALL TO ORDER:** The meeting was called to order by Chairman Randy Horton at 9:30 a.m.

**ROLL CALL:** Was taken by Tanya Buckelew.

**MEMBERS PRESENT:** Chairman Randy Horton, Board Member Tom Taylor and Alternate John Horvath

**MEMBERS ABSENT:** Vice-Chairman Christopher Eveleth, Board Member Kent Telesz and Alternate Matt Grubb

**OTHERS PRESENT:** Owner of IHM Enterprises – Hit & Pitch and lawyer representation from English Law Firm

**AGENDA: IT WAS MOVED BY BOARD MEMBER TAYLOR AND SUPPORTED BY ALTERNATE HORVATH TO APPROVE THE AGENDA FOR THE JUNE 19, 2018 REGULAR MEETING AS PRESENTED.**

**YEAS: ALL. MOTION CARRIED.**

**MINUTES: IT WAS MOVED BY ALTERNATE HORVATH AND SUPPORTED BY BOARD MEMBER TAYLOR TO APPROVE THE MINUTES OF FEBRUARY 20, 2018 AS PRESENTED.**

**YEAS: ALL. MOTION CARRIED.**

**COMMUNICATIONS:**

1. Staff memorandum
2. ZBA minutes from February 20, 2018
3. Variance application – 114 W Main St
4. Public notice – 114 W Main St

**COMMISSIONER/PUBLIC COMMENTS:** None.

**PUBLIC HEARINGS:**

**1. 114 W Main St – VARIANCE – (RESOLUTION)**

Ms. Buckelew stated 2 comments were received that were not in favor of allowing the LED lighting in the downtown historic district. One was a phone call/blocked number no name given. The other complaint was received from a downtown business owner. There was not any Public present during the Public Hearing.

**1. VARIANCE REQUEST – 114 W MAIN ST**

Attorney from English Law Office, representing the applicant, commented on the LED rope lights inside the building, around the windows. The business was cited by the city for having the lights and exceeding the amount of signage allowed for a business. Further comments included the lights add character to the area, brings people in, professional looking and matched the other signs at the business.

At this time, the ZBA Members discussed this Variance Request and the Sign Ordinance. Various discussions were held regarding the definition of a sign. Board Member Taylor, also represents the Planning Commission, stated the intentions of the Planning Commission when this ordinance was amended in 2017. The LED lights in this instance were not considered to be signage per the definition of signage in the ordinance.

UPON MOTION OF BOARD MEMBER TAYLOR SECONDED BY ALTERNATE HORVATH, THE BOARD HAS FOUND THERE IS NO VARIANCE TO BE HAD AS THE APPLICANT IS NOT IN VIOLATION OF THE CITY OF OWOSSO'S SIGN ORDINANCE. LED LIGHTING IN THE WINDOWS, IN THIS INSTANCE, DOES NOT MEET THE DEFINITION OF A SIGN AS PER CITY OF OWOSSO SIGN ORDINANCE CHAPTER 26 ARTICLE III – DEFINITIONS SEC. 26-9 – SIGN DEFINITIONS:

*SIGN: ANY DEVICE, STRUCTURE, FIXTURE, FIGURE, SYMBOL, BANNER, PENNANT, FLAG, BALLOON, LOGO OR PLACARD CONSISTING OF WRITTEN COPY, SYMBOLS, LOGOS AND/OR GRAPHICS.*

ROLL CALL VOTE WAS TAKEN:

AYES: CHAIRMAN HORTON, BOARD MEMBER TAYLOR AND ALTERNATE HORVATH.

NAYS: NONE.

ABSENT: VICE-CHAIRMAN EVELETH, BOARD MEMBER TELESZ AND ALTERNATE GRUBB.

BUSINESS ITEMS: None

COMMISSIONER/PUBLIC COMMENTS: None.

ADJOURNMENT:

MOTION BY ALTERNATE HORVATH AND SUPPORTED BY BOARD MEMBER TAYLOR TO ADJOURN AT 10:10 A.M. UNTIL THE NEXT REGULARLY SCHEDULED MEETING ON TUESDAY, JULY 17, 2018, IF ANY REQUESTS ARE RECEIVED.

YEAS: ALL. MOTION CARRIED.

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Secretary

## **OWOSSO HISTORICAL COMMISSION**

Regular Meeting Minutes

July 9, 2018, 7:00 PM Curwood Castle



- CALL TO ORDER:** MEETING WAS CALLED TO ORDER AT 7:00 PM BY CHAIR CAROL VAUGHN
- PRESENT:** COMMISSIONER CAROL VAUGHN, CHAIR; COMMISSIONER KAREN MARUMOTO, VICE CHAIR; COMMISSIONER SARA ADAMS; COMMISSIONER DAVE ACTON; COMMISSIONER ELAINE GREENWAY, CITY COUNCIL REPRESENTATIVE; COMMISSIONER CAROLYN EBERT; COMMISSIONER ANNE LUDINGTON, COMMISSIONER HEATHER JACOBS-(7:14); ROBERT DORAN, DIRECTOR
- ABSENT:** COMMISSIONER ROBERT BROCKWAY, COMMISSIONER DEB GILBERT;
- APPROVAL OF AGENDA:** COMMISSIONER ELAINE GREENWAY MOTIONED TO APPROVE THE AGENDA, SUPPORTED BY COMMISSIONER DAVE ACTON. AYES ALL, MOTION CARRIED.
- APPROVAL OF JUNE, 2018 REVENUE AND EXPENDITURE REPORT**  
COMMISSIONER SARA ADAMS MOTIONED TO APPROVE THE YEAR END JUNE 2018 REVENUE AND EXPENDITURE REPORT, SUPPORTED BY COMMISSIONER KAREN MARAMUTO. AYES ALL, MOTION CARRIED.
- CONSENT AGENDA:**  
Curwood Castle Dashboard Report, OHC Dashboard Report- Curwood Castle Admissions and Financials, Curwood Castle Gift Shop Sales, OHC Balance Sheet, OHC Check Register; OHC June 11 Meeting Minutes  
OHC Dashboard Report- Correction: Item #8 Total Income - \$6,712.77  
COMMISSIONER KAREN MARUMOTO MOTIONED TO APPROVE THE CONSENT AGENDA, SUPPORTED BY COMMISSIONER ANNIE LUDINGINTON. AYES ALL, MOTION CARRIED.
- CITIZEN COMMENTS:** NONE
- COMMUNICATIONS:** Michigan History Alliance has requested to have meeting 10/2/2018 with workshop to be held throughout the buildings.
- OLD BUSINESS:**
- **Review Board Agenda 12 Month Planning Guide:** Future reviews will allow comparisons for various time periods.
  - **501(c)3 status** – Overview of Consultant Patrice Martin's update noting application 75% completed, offered suggestions, with list a steps to be completed. Grant being sought to assist with finessing the details to become a 501(c)3 corporation.
  - **Castle Movie Exhibition update:** Commissioner Greenway motioned to purchase a TV, including hardware and installation to not exceed \$1,000 from Gilbert's Hardware. Supported by Commissioner Ebert, All Ayes, Motion Carried.
  - **Mission and Vision Driven Fundraising Seminar** confirmed for July 26<sup>th</sup> at 6:30 p.m. to be held at home of Dave Acton.
  - **Executive Director Review** – Congratulations extended to Director Doran for scores shared on review. Assistance will be provided in areas to succeed. Review to be conducted twice a year.

## NEW BUSINESS:

- Committee Reports – Strategic Planning Activities for 2018
  - Summary reports and regularly scheduled meetings
  - **Finance:** Commissioner Ludington reported work was done on Strategic Plans and FY 18/19 Budget. The need to obtain someone to assist with the transition to QuickBooks, and has experience with nonprofit corporations was shared. Recommendations were noted.
  - **Governance:** Chair Carol Vaughn reported committee is developing work plans, Board Policy manual integrated Nonprofit Network language, and work must begin on the City of Owosso and Castle City 5-year letter of agreement. Bylaws are being refined and streamlined by consultant.
  - **Philanthropy, Giving & Membership:** Suggestion was made for each member to be responsible for \$1,000 donation. A membership database was discussed. Discussion surrounding donations allowing automatic membership.
  - **Exhibitions & Education:** Director Doran noted date changed to October 19, 2018 weaved in with membership and giving. Goal will be 100 memberships; name for new entity determined, paintings will be rolled out, strategic plan presented to donors. Membership donor packet will be developed.
  - **Facilities:** Commissioner Adams reported Strategic Plans & Work Plans with action steps including Curwood Castle's maintenance needs: washing, windows, and exterior lighting estimates. Comstock Cabin requires a chimney roof cap due to a leak. Gould House apartment renovation proposal presented. Recommendations made to obtain second quote. Other repairs noted. **COMMISSIONER ADAMS MOTIONED TO APPROVE UP TO \$720 FOR ROOF CAP, SUPPORTED BY COMMISSIONER GREENWAY. AYES ALL, MOTION CARRIED.**
  - **Marketing, Advertising & Social Media:** Director Doran-see Exhibitions and Education.
  - **Archiving & Acquisitions:** Commissioner Jacobs with Director Doran will be attending July 20, 2018 Historical Society of MI a 3-hour Archival Course. Targeted 2 shelves in Great Room of Gould House. Various materials are needed making it difficult to process an accurate order within budget. New computer has arrived.
  - **Volunteers:** Denise Grace and Director Doran have a list of 80 volunteers that are contacted weekly. A work plan is needed for ongoing volunteer list. Volunteer database is being developed and shared by membership database.
- **Museums and Park Millage**-Fact finding meeting to be held July 12, 2018 to discuss the feasibility to be placed on November ballot. A 5-year plan will be required for use of \$125,000 monies. **Motion made by Commissioner Ebert and supported by Commissioner Jacobs. Ayes All, Motion Carried to move forward in exploration and determination of planning phase to seek proposed millage on November ballot.**

- **YMCA Day Camp**-4<sup>TH</sup> week of July will host 1 or 2 days provided free to the kids. May be a pilot program to extended camps provided for a fee in future.
- **Power thought of the day**

**CITIZEN COMMENTS:**

**NONE**

**ADJOURN:**

**COMMISSIONER LUDINGTON MOTIONED TO ADJOURN AT 8:27, SUPPORTED BY COMMISSIONER ADAMS. AYES ALL, MOTION CARRIED.**



## OWOSSO HISTORICAL COMMISSION

Regular Meeting Minutes

August 13, 2018, 7:00 PM Shiawassee Art Center



- CALL TO ORDER:** MEETING WAS CALLED TO ORDER AT 7:00 PM BY CHAIR CAROL VAUGHN
- PRESENT:** COMMISSIONER CAROL VAUGHN, CHAIR; COMMISSIONER KAREN MARUMOTO, VICE CHAIR; COMMISSIONER DAVE ACTON; CITY COUNCIL REPRESENTATIVE ELAINE GREENWAY; COMMISSIONER CAROLYN EBERT; COMMISSIONER HEATHER JACOBS; ROBERT DORAN, DIRECTOR
- ABSENT:** COMMISSIONER SARA ADAMS; COMMISSIONER DEB GILBERT; COMMISSIONER ANNE LUDINGTON
- APPROVAL OF AGENDA:** Additions to Agenda were requested: Apartment renovation update – Old Business; Smithsonian Waterways Exhibit – New Business.  
**Commissioner Elaine Greenway motioned to approve Agenda with additions, supported by Commissioner Karen Marumoto.**  
**AYES ALL, MOTION CARRIED.**
- APPROVAL OF JULY, 2018 REVENUE AND EXPENDITURE REPORT**  
Discussion occurred around the end of year adjustments to be audited September, 2018.  
**Commissioner Dave Action motioned to approve the July 2018 Revenue and Expenditure Report, Supported by Commissioner Carolyn Ebert.**  
**AYES ALL, MOTION CARRIED.**
- CONSENT AGENDA:**  
Curwood Castle Dashboard Report, OHC Dashboard Report, Curwood Castle Admissions and Financials, Curwood Castle Gift Shop Sales, OHC Balance Sheet, OHC Check Register; OHC July 9, 2018 Meeting Minutes.  
**Commissioner Karen Marumoto motioned to approve the Consent Agenda, supported by Commissioner Heather Jacobs.**  
**AYES ALL, MOTION CARRIED.**
- CITIZEN COMMENTS:** NONE
- COMMUNICATIONS:** NONE
- OLD BUSINESS:**
- **Review Board Agenda 12 Month Planning Guide:** Planning is on schedule with no stand out items.
  - **501(c)3 status** – Articles of Incorporation and Policies to be approved during **Inaugural Board Meeting** of the **Castle City Museums** after adjournment of this Owosso Historical Commission meeting. Financial reports to be completed. 30-Hour Consulting Grant from Cook Family Foundation denied.
  - **Follow-up on Fund Raising Seminar – Next Steps**  
Meet as a group to share work plans to compile individual ideas to clarify how to raise \$1,000 funds per person and launch of

Membership package. Summary packet of training yet to be received; Fund generating activities to be included in strategic planning. Ideas exchanged to generate donations.

- **Museums and Parks Millage – Next Steps: PR Campaign**  
Language provided of proposal to be on November ballot presented. Capital improvement projects to be shown for 2-year period. A press release will be produced to announce plans for levying of millage. A committee will be formed to work on PR Campaign.

- **OHC Schedule Review – Important Dates**

- 1) September 8                      Owosso Art Walk
  - 2) October 19                      Painting Exhibition
  - 3) October 27                      Curwood Highlander
  - 4) November 1                      Decorate Castle for Holidays
  - 5) November 15                      Docent and Donor Recognition Awards
  - 6) December 6                      Holiday Party and Silent Auction
  - 7) December 21 & 22              Christmas Extravaganza
- A review of activities was provided by Director Doran.

- **Apartment renovation update** – Contractor will be contacted to accomplish the renovations needed to begin renting again.

## **NEW BUSINESS:**

- **Committee Reports**

- **Finance:** No meeting held – IRS application will be reviewed with Jim Demis.
- **Governance:** Worked on IRS Application, Discussed 5-Year Agreement with the City of Owosso regarding the relationship between the Owosso Historic Commission and Castle City Museums. Questions were outlined to address with City.
- **Philanthropy, Giving & Membership:** No meeting held
- **Exhibitions & Education:** Painting Exhibition, Offerings for next year including a review of products and services. Spoke with an individual that owns a large collection of Owosso Memorabilia Exhibit - possible fund raising event. **Smithsonian Waterways Exhibition** – February 2019 SAC will receive exhibit. Owosso chosen as one of 6 cities chosen out of 25 applied. Ancillary exhibits, educational components will include Owosso Middle School poster contest and displayed at The Castle with a focus on “What does the Shiawassee River mean to me.”

**Motion was made by Commissioner Dave Acton to participate with SAC in the Smithsonian Waterway Exhibition with Castle Involvement, supported by Commissioner Heather Jacobs.**

**All Ayes. Motion Carried.**

- **Facilities:** Contractors were contacted to begin work at the Comstock Cabin as previously reported.
- **Marketing, Advertising & Social Media:** Work plans were developed on Exhibitions with focus on increasing visitors at the Castle, both new and returning visitors.
- **Archiving & Acquisitions:** Archiving has begun - Software will be on the computer by August 31<sup>st</sup>. Materials have been ordered to begin archiving the materials designated

in the Great Room totaling \$330 to be done by December 2018. Past Perfect Software support cost discussed.

- **Volunteers:** Term volunteer changed to Docents. Strategies developed to increase docents.

- **Paintings & October 19 exhibition** – Discussed.
- **Sponsorships** – Discussed.
- **Memberships** – Discussed.
- **Power thought of the day – Involvement encourages commitment.**

**CITIZEN COMMENTS:** NA

**ADJOURN:** Commissioner Dave Acton motioned to adjourn at 8:20, motion supported by Commissioner Heather Jacobs.  
**AYES ALL, MOTION CARRIED.**

**NOTE: Inaugural Board Meeting of Castle City Museums** held immediately after adjournment of this Owosso Historical Commission meeting.

**MINUTES**  
**REGULAR MEETING OF THE OWOSSO ZONING BOARD OF APPEALS**  
**CITY OF OWOSSO**  
**AUGUST 21, 2018 AT 9:30 A.M.**  
**CITY COUNCIL CHAMBERS**

**CALL TO ORDER:** The meeting was called to order by Chairman Randy Horton at 9:35 a.m.

**ROLL CALL:** Was taken by Tanya Buckelew.

**MEMBERS PRESENT:** Chairman Randy Horton, Board Members Matthew Grubb and Kent Telesz

**MEMBERS ABSENT:** Vice-Chairman Christopher Eveleth, Board Member Tom Taylor and Alternate John Horvath

**OTHERS PRESENT:** Ms. Amy Cyphert, Assistant City Manager and Director of Community Development; Mark Agnew, Agnew Graphics, David Wakeland, Wakeland Oil and Sam McLaren.

**AGENDA:**

**IT WAS MOVED BY BOARD MEMBER GRUBB AND SUPPORTED BY BOARD MEMBER TELESZ TO APPROVE THE AGENDA FOR THE AUGUST 21, 2018 REGULAR MEETING AS PRESENTED.**

**YEAS: ALL. MOTION CARRIED.**

**MINUTES:**

**IT WAS MOVED BY BOARD MEMBER TELESZ AND SUPPORTED BY BOARD MEMBER GRUBB TO APPROVE THE MINUTES OF JUNE 19, 2018 WITH A CHANGE TO THE MINUTES APPROVED MOTION AS IT WAS SUPPORTED BY BOARD MEMBER TAYLOR NOT CHAIRMAN HORTON.**

**YEAS: ALL. MOTION CARRIED.**

**OLD BUSINESS:** - None

**NEW BUSINESS/PUBLIC HEARINGS:**

- |                            |                                      |
|----------------------------|--------------------------------------|
| (1) <b>APPLICANT:</b>      | Wakeland Oil Co.                     |
| <b>CASE # 2018-03:</b>     | Parcel 050-700-001-001-00            |
| <b>PROPERTY ZONING:</b>    | B-4 General Business Districts       |
| <b>LOCATION OF APPEAL:</b> | 427 W. Main Street, Owosso, MI 48867 |

**APPEAL:** The petitioner is seeking a variance from Article XII. B-4 General Business Districts, Section 38-268, (4) b. which states *Business in the character of a drive-in or open front store, subject to the following conditions: Access points shall be located at least sixty (60) feet from the intersection of any two (2) streets.*

The petitioner is seeking a variance to allow a drive-in pharmacy on the site where two existing access points are within 60 feet of the intersection of two (2) streets.

Dave Wakeland, Owner, spoke about his intent with this property and adding a drive through pharmacy to the existing building. Site Plan was presented to the board members indicating the flow of traffic and parking. Mr. Wakeland closed the gas station in 2012. The DNR has approved that the tanks be left in the ground and the tops will be cut off and backfilled with pea stone.

Sam McLaren has been working with Mr. Wakeland on this project. He spoke about setbacks and curb cuts with other drive throughs and expressed he did not see a need to close them off. The Site Plan shows the stacking and bail out lane. In addition, the downspouts will be directed to the storm drain.

Ms. Cyphert spoke about the staff review of the plan and that Mr. Wakeland had revised the Site Plan per the suggestions of City Staff for a better and safer traffic flow.

**FINDINGS OF FACT AND CONCLUSIONS**

**Record of Proceedings.** The documents were reviewed and considered by the Zoning Boards of Appeals in reaching its decision, in addition to the comments made by Applicant, and members of the Board.

**UPON MOTION OF BOARD MEMBER GRUBB, SECONDED BY BOARD MEMBER TELESZ, THE FOLLOWING FINDINGS, CONCLUSIONS, DECISIONS, AND CONDITIONS WERE ADOPTED BY THE BOARD AS ITS DECISION ON THE ABOVE VARIANCE. THE APPLICANT DOES MEET ALL NINE (9) FACTS OF FINDINGS:**

**Factor 1: (Section 38-504(3) a.1.)** "Will not be contrary to the public interest or to the intent and purpose of this chapter."

**Factor 2: (Section 38-504(3) a.2.)** "Shall not permit the establishment within a district of any use which is not permitted by right within that zone district, or any use or dimensional variance for which a conditional use permit or a temporary use permit is required."

**Factor 3: (Section 38-504(3) a.3.)** "Is one that is unique and not shared with other property owners."

**Factor 4: (Section 38-504(3) a.4.)** "Will relate only to property that is under control of the applicant."

**Factor 5: (Section 38-504(3) a.5.)** "Is applicable whether compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome."

**Factor 6: Section 38-504(3) a.6.)** "Was not created by action of the applicant (i.e., that it was not self-created.)"

**Factor 7: Section 38-504(3) a.7.)** "Will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion of public streets or increase the danger of fire or endanger the public safety."

**Factor 8: Section 38-504(3) a.8.)** "Will not cause a substantial adverse effect upon property values in the immediate vicinity or in the district in which the property of the applicant is located."

**Factor 9: Section 38-504(3) a.9.)** "Is applicable whether a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the area, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners."

***Special Conditions.***

1. "Where there are practical difficulties or unnecessary hardships which prevent carrying out the strict letter of this chapter. These hardships or difficulties shall not be deemed economic, but shall be evaluated in terms of the use of a particular parcel of land."

**The Board finds that Section 38-504(3) b.1. has been met due to an unnecessary hardship would occur in closing the 2 curb cuts as the process and paperwork would take 6 to 8 months.**

2. "Where there are exceptional or extraordinary circumstances or physical conditions such as narrowness, shallowness, shape, or topography of the property involved, or to the intended use of the property, that do not generally apply to other property or uses in the same zoning district."

**The Board finds that Section 38-504(3) b.2. has been met as the nature of the pharmacy business would have less traffic flow and less drive through traffic compared to a drive thru restaurant.**

3. "Where such variation is necessary for the preservation of a substantial property right possessed by other properties in the same zoning district."

**The Board finds that Section 38-504(3) b.3. has been met as it would be less intrusive to traffic flow.**

***The request for a variance is approved for the above reasons.***

**The above findings, conclusions and decision were adopted by roll call vote as follows:**

**AYES: BOARD MEMBERS GRUBB, TELESZ AND CHAIRMAN HORTON**

**NAYS: NONE**

(2) **APPLICANT:** Agnew Signs  
**CASE # 2018-04:** Parcel 050-651-000-033-00  
**PROPERTY ZONING:** I-1, Light Industrial Districts  
**LOCATION OF APPEAL:** 503 S. Shiawassee St, Owosso, MI 48867

**APPEAL:** The petitioner is seeking a variance from Chapter 26 – Signs, Article IV. General Provisions, Sec. 26-18. - Prohibited signs which states *the following signs are prohibited in all districts: (9) Pylon or pole signs not provided for in this chapter*

The petitioner is seeking a variance to allow a pole sign totaling 14 feet tall and 48 square feet per side of sign area and an additional square footage on the pole for the company logo.

Mark Agnew, Agnew Graphics and also the applicant spoke about the request and the need for the poor sign ordinance to be revised. This pole sign is for Curwood Storage and the building sits to the rear of the lot, making it difficult to be noticed. A pole sign would be more effective than utilizing the existing ground sign on a road with multiple lanes of traffic.

#### **Resolution 180821-04 FINDINGS OF FACT AND CONCLUSIONS**

**Record of Proceedings.** The documents were reviewed and considered by the Zoning Boards of Appeals in reaching its decision, in addition to the comments made by Applicant, and members of the Board.

**UPON MOTION OF BOARD MEMBER TELESZ, SECONDED BY BOARD MEMBER GRUBB, THE FOLLOWING FINDINGS, CONCLUSIONS, DECISIONS, AND CONDITIONS WERE ADOPTED BY THE BOARD AS ITS DECISION ON THE ABOVE VARIANCE. THE APPLICANT DOES MEET ALL NINE (9) FACTS OF FINDINGS:**

**Factor 1: (Section 38-504(3) a.1.)** “Will not be contrary to the public interest or to the intent and purpose of this chapter.”

**The Board finds that Section 38-504(3) a.1. has been met for the following reasons: the purpose for a pole sign is safety and the old sign must be removed**

**Factor 2: (Section 38-504(3) a.2.)** “Shall not permit the establishment within a district of any use which is not permitted by right within that zone district, or any use or dimensional variance for which a conditional use permit or a temporary use permit is required.”

**The Board finds that Section 38-504(3) a.2 is N/A\*\***

**Factor 3: (Section 38-504(3) a.3.)** “Is one that is unique and not shared with other property owners.”

**The Board finds that Section 38-504(3) a.3. has been met for the following reasons: building placement at the rear of the property and the storage units being blocked by the historical building.**

**Factor 4: (Section 38-504(3) a.4.)** “Will relate only to property that is under control of the applicant.”

**The Board finds that Section 38-504(3) a.4. has been met for the following reasons: building placement.**

**Factor 5: (Section 38-504(3) a.5.)** "Is applicable whether compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome."

**The Board finds that Section 38-504(3) a.5 is N/A\*\***

**Factor 6: Section 38-504(3) a.6.)** "Was not created by action of the applicant (i.e., that it was not self-created.)"

**The Board finds that Section 38-504(3) a.6. has been met**

**Factor 7: Section 38-504(3) a.7.)** "Will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion of public streets or increase the danger of fire or endanger the public safety."

**The Board finds that Section 38-504(3) a.7. has been met**

**Factor 8: Section 38-504(3) a.8.)** "Will not cause a substantial adverse effect upon property values in the immediate vicinity or in the district in which the property of the applicant is located."

**The Board finds that Section 38-504(3) a.8. has been met**

**Factor 9: Section 38-504(3) a.9.)** "Is applicable whether a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the area, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners."

**The Board finds that Section 38-504(3) a.9. has been met for the following reasons: history applied to pole signs**

***\*\*N/A means due to the 9 conditions are zoning based variance factors, not sign variance related.***

***Special Conditions.***

1. "Where there are practical difficulties or unnecessary hardships which prevent carrying out the strict letter of this chapter. These hardships or difficulties shall not be deemed economic, but shall be evaluated in terms of the use of a particular parcel of land."

**The Board finds that Section 38-504(3) b.1. is met due to the multiple lane of traffic on M-52 and seeing a ground sign would be difficult.**

2. "Where there are exceptional or extraordinary circumstances or physical conditions such as narrowness, shallowness, shape, or topography of the property involved, or to the intended use of the property, that do not generally apply to other property or uses in the same zoning district."

**The Board finds that Section 38-504(3) b.2. has been met due to the building placement at the rear of the property and the storage units being blocked by the historical building**

3. "Where such variation is necessary for the preservation of a substantial property right possessed by other properties in the same zoning district."

**The Board finds that Section 38-504(3) b.3. is met due to other properties having pole signs.**

***The request for a variance is approved for the above reasons.***

**The above findings, conclusions and decision were adopted by roll call vote as follows:**

**AYES: BOARD MEMBERS TELESZ, GRUBB AND CHAIRMAN HORTON**

**NAYS: NONE**

**POLE SIGNS RECOMMENDATION TO THE PLANNING COMMISSION AND COUNCIL:**

**BY BOARD MEMBER GRUBB AND SUPPORTED BY BOARD MEMBER TELESZ TO RECOMMEND TO THE PLANNING COMMISSION AND CITY COUNCIL TO REVIEW THE SIGN ORDINANCE AS IT RELATES TO POLE SIGNS AND WHETHER THE INTENT WAS TO ALLOW POLE SIGNS OR NOT. IN ADDITION, THE ZBA BOARD MEMBERS REQUEST THE CRITERIA FOR GRANTING SIGN VARIANCES BE ESTABLISHED.**

**ROLL CALL VOTE:**

**AYES: BOARD MEMBERS GRUBB, TELESZ AND CHAIRMAN HORTON**

**NAYS: NONE**

(3) **APPLICANT:** City Staff  
**CASE # 2018-04:** NA  
**PROPERTY ZONING:** NA  
**LOCATION OF APPEAL:** NA

**Interpretation** requested of Sec. 26-21. - Specific sign standards. *Footnotes to the Sign Dimensional Standards and Regulations Table (b).*

Staff is looking for an interpretation of applying the above to campuses that include multiple parcels, services/businesses/buildings, multiple road frontage and interior roads.

**CAMPUS SIGNS RECOMMENDATION TO THE PLANNING COMMISSION AND COUNCIL:**

**MOTION BY BOARD MEMBER TELESZ AND SUPPORTED BY BOARD MEMBER GRUBB TO RECOMMEND TO THE PLANNING COMMISSION AND CITY COUNCIL TO REVIEW THE SIGN ORDINANCE AS IT RELATES TO CAMPUSES AND THE SIGNS LOCATED IN VARIOUS AREAS ON THE PROPERTY NOT JUST IN THE RIGHT-OF-WAY**

**ROLL CALL VOTE:**

**AYES: BOARD MEMBERS TELESZ, GRUBB AND CHAIRMAN HORTON**

**NAYS: NONE**

**OTHER BOARD BUSINESS**

**APPOINTMENT OF BOARD SECRETARY:**

**MOTION BY BOARD MEMBER TELESZ AND SUPPORTED BY BOARD MEMBER GRUBB TO APPOINT BOARD MEMBER GRUBB AS SECRETARY OF THE ZONING BOARD OF APPEALS BOARD, DUE TO THE RECENT VACANCY OF THE FORMER SECRETARY.**

**ROLL CALL VOTE:**

**AYES: BOARD MEMBERS GRUBB, TELESZ AND CHAIRMAN HORTON**

**NAYS: NONE**

Annual Board Elections will be held at the September 2018 meeting

**PUBLIC COMMENTS AND COMMUNICATIONS**

**NONE**

**ADJOURNMENT:**

**MOTION BY BOARD MEMBER TELESZ AND SUPPORTED BY BOARD MEMBER GRUBB TO ADJOURN AT 11:40 A.M. UNTIL THE NEXT REGULARLY SCHEDULED MEETING ON TUESDAY, SEPTEMBER 18, 2018, IF ANY REQUESTS ARE RECEIVED.  
YEAS: ALL. MOTION CARRIED.**



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Matthew Grubb, Secretary