

**Meeting Agenda**  
*Owosso Downtown Historic District Commission*  
Wednesday, August 16, 2023, 6:00 p.m.

**Call to order and roll call:**

**Review and approval of agenda:** August 16, 2023

**Review and approval of minutes:** July 19, 2023

**Communications:**

**Public Comments:**

**Public Hearings:** None

**Items of Business:**

- 1) RESOLUTION – Demolition by Neglect – 117 W Exchange St – City Club Building
- 2) DISCUSSION – Matthews Building Redevelopment – 300 W Main St

**Public Comments:**

**Board Comments:**

- 1) Next Meeting: Sept 20, 2023

**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 72 hours notice to the City of Owosso. Individuals with disabilities requiring auxiliary aids on services should contact the City of Owosso by writing or calling Amy Kirkland, City Clerk, 301 W. Main St, Owosso, MI 48867 (989) 725-0500 or on the Internet. The City of Owosso Website address is [www.ci.owosso.mi.us](http://www.ci.owosso.mi.us).]

MINUTES FOR REGULAR MEETING  
**OWOSSO HISTORIC DISTRICT COMMISSION**  
Wednesday, July 19, 2023 at 6:00 p.m.  
Virginia Teich Council Chambers

**MEETING CALLED TO ORDER:** at 6:01 p.m. by Chairperson Steven Teich.

**ROLL CALL:** was taken by City Manager Nathan Henne.

**PRESENT:** Chairperson Steven Teich, Vice Chairperson Omer, Commissioners William Byrne, Lisa Gallinger, Philip Hathaway, Erin Powell.

**ABSENT:** Commissioner Matthew Van Epps.

**OTHERS IN ATTENDANCE:** City Manager Nathan Henne, Building Inspector Brad Hissong.

**AGENDA APPROVAL:** July 19, 2023.

**MOTION FOR APPROVAL OF THE AGENDA AS PRESENTED BY SECRETARY HATHAWAY.  
SECONDED BY COMMISSIONER BYRNE.**

**AYES ALL. MOTION CARRIED.**

**MINUTES APPROVAL:** May 17, 2023.

**MOTION FOR APPROVAL OF MINUTES AS PRESENTED BY SECRETARY HATHAWAY.  
SECONDED BY BYRNE.**

**AYES ALL. MOTION CARRIED.**

**COMMUNICATIONS:** The American Legion Post #57 had applied for a Certified Local Government (CLG) Grant through the State Historic Preservation Office (SHPO) and received a letter they had not been selected for this round of funding. They do have an opportunity to apply for the next round, if desired.

**PUBLIC/COMMISSIONER COMMENTS:** None.

**PUBLIC HEARINGS:** None.

**ITEMS OF BUSINESS:**

**1. Certificate of Appropriateness – 110 West Main Street – Aviator Jayne Façade Repair**

Building owner, Nick Pidek, was present with a recommended proposal of plaster repair. He detailed the work that is slated to be completed, weather permitting.

**MOTION BY COMMISSIONER POWELL TO APPROVE THE PLASTER REPAIR PLAN AS  
PRESENTED BY THE OWNER. SECONDED BY COMMISSIONER GALLINGER.**

**AYES ALL. MOTION CARRIED.**

## **HISTORIC DISTRICT COMMISSION RESOLUTION NO. 2023-5**

### **RESOLUTION APPROVING A FAÇADE REPAIR PLAN FOR 110 W MAIN ST**

WHEREAS, the Historic District Commission of Owosso, Michigan, has received a proposed plan from the property owner to repair the existing facade at 110 W Main; and

WHEREAS, the Commission was established to preserve the historic nature of district using the guidelines set forth by the United State Secretary of the Interior; and

WHEREAS, the building at 110 W Main St is a contributing structure according to the 2010 Historic District Report; and

WHEREAS, the proposed plan meets the requirements of the Commission for the repair of the façade at the aforementioned address.

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

FIRST: The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area will not be adversely affected by the proposed plan.

SECOND: The relationship of the proposed architectural features of the resource to the rest of the resource and to the surrounding area meets the requirements of the Secretary of the Interior's Standards for the Treatment of Historic Properties.

THIRD: The materials used are generally compatible with the design, arrangement, and texture required by the Standards.

FOURTH: The proposed plan meets the aesthetic values of the District.

### **2. City Club Building Discussion – 117 – 123 West Exchange Street**

A partial collapse occurred at the building; it has now been categorized as a dangerous structure, according to International Building Code. Contact was made with building owner, Dave Acton. The structural engineering report will be submitted and if structural integrity is suspect, that will necessitate a decision from HDC to consider Demolition by Neglect. The review of the structure was simply informational at this time; no decision can be made until the structural engineering report is received.

**PUBLIC COMMENTS:** None.

### **BOARD COMMENTS:**

1. Property Updates – Fifth Third Building. This property has been awarded a Community Revitalization Program Grant through the Michigan Economic Development Corporation (MEDC). MEDC has issued a letter of interest (LOI) to the developer, which means the financials are approved. This program offers fifty-percent of the cost to be awarded. They need their architect to complete a few punch list items; once these are complete, the project will proceed. The letter of interest expired in June and they were given an extension until August 29, 2023. Legal action will be pursued if the LOI expires again. HDC has the option to issue a Demolition by Neglect if no action is taken by the owners.

**NEXT MEETING:** August 16, 2023.

**MOTION BY COMMISSIONER GALLINGER TO ADJOUR. SECONDED BY COMMISSIONER POWELL.**

**AYES ALL. MOTION CARRIED.**

**ADJOURNMENT BY CHAIRMAN TEICH AT 6:36 P.M.**

---

Philip Hathaway, Secretary

caf



DATE: 8.11.23  
TO: Historic District Commission  
FROM: CITY MANAGER  
SUBJECT: 111 W Exchange St – Demolition by Neglect

### **BUILDING HISTORY AND STYLE:**

This two-story brick late-Victorian commercial building is distinguished among Owosso buildings by its width, with four bays on the second floor. The façade of the second floor remains unpainted and retains its original design elements. Strong vertical piers frame the building, culminating in applied metal ornamentation. Three raised brick piers run vertically between the four window bays, rising to meet a plain brick frieze on which is overlaid an ornate metal frieze and cornice.

The wide, double-hung windows are original, retaining their upper panels of stained glass. The rusticated stone sills under each window are matched on the side piers, but not on the three piers between the windows. Above the lintels of wide, smooth stone are inset panels of patterned brick. These panels feature a smooth surface and raised circles, identical to those on buildings around the corner, in the 100 block of N. Washington. Above these panels are stepped bricks in shallow, corbel-like formations, meeting the base of the metal frieze. The wide horizontal metal frieze features half circles, a strong horizontal line and an elaborate floral pattern. An ornate metal cornice crowns the width of the building. 117 W. Exchange retaining its metal ornamentation and original elements, stands as an important component of downtown Owosso's architectural heritage.

### **History & Significance:**

- 1907-1936 Lulu Ruess, milliner, was succeeded at this location by a family member, Dora Ruess.
- 1941-1948 Singer Sewing Machine Agency
- 1941-1955 Vogue Beauty Salon
- 1953-1980s Upham's gift shop was operated by a couple and their son who owned the building. The bar of the Owosso City Club, on the second floor, was accessed from Exchange Street via a long staircase.
- 2010 The building is currently owned by Leon and Marilyn Bonner of Northville, Michigan.
- As of 2023 the building is owned by the Acton Building Company, LLC

### **BACKGROUND:**

In June 2023, there was a partial interior collapse of 117 W Exchange that severed a gas line. The fire department and Consumers were able to cap the gas line and the building official red-tagged the building as a dangerous structure due to the collapse. The owner, Mr. Acton, and his structural engineer submitted a stamped engineer's letter outlining a plan to remove debris and stabilize the building. However, in August, 2023 the roof of the building partially collapsed.

## **DEMOLITION BY NEGLECT REVIEW – MICHIGAN PUBLIC ACT 169 OF 1970**

### MCL 399.205 Section 5(11)

Upon a finding by a commission that a historic resource within a historic district or a proposed historic district subject to its review and approval is threatened with demolition by neglect, the commission may do either of the following:

- a) Require the owner of the resource to repair all conditions contributing to demolition by neglect.
- b) If the owner does not make repairs within a reasonable time, the commission or its agents may enter the property and make such repairs as are necessary to prevent demolition by neglect.

The costs of the work shall be charged to the owner, and may be levied by the local unit as a special assessment against the property. The commission or its agents may enter the property for purposes of this section upon obtaining an order from the circuit court.

### **RECOMMENDATION:**

Authorize City to send a demolition by neglect notice to owner of 117 W Main St regarding the deteriorating condition of the building due to the series of collapses that have occurred since June 2023.

**HISTORIC DISTRICT COMMISSION RESOLUTION NO. 2023-\_\_\_\_\_**

**RESOLUTION AUTHORIZING ISSUANCE OF DEMOLITION BY NEGLECT NOTICE  
TO ACTON BUILDING COMPANY, LLC FOR 117 W EXCHANGE ST**

WHEREAS, the Historic District Commission of Owosso, Michigan, has been made aware of a series of building collapses at 117 W Exchange Street; and

WHEREAS, the Commission was established to preserve the historic nature of district using the guidelines set forth by the United State Secretary of the Interior; and

WHEREAS, the building at 117 W Exchange Stret is a contributing structure according to the 2010 Historic District Report; and

WHEREAS, the Owosso building Official has designated the building as a dangerous structure because of the recent partial collapses; and

WHEREAS, the Historic District Commission is empowered by Michigan Public Act 169 of 1970 and Section 8-208 of the Owosso City Ordinances concerning Demolition by Neglect; and

WHEREAS, Demolition by Neglect is defined as neglect in maintaining, repairing, or securing a resource that results in deterioration of an exterior feature of the resource or the loss of structural integrity of the resource.

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

FIRST:        Authorizes the City Manager to sign and issue a Demolition by Neglect letter to the Acton Building Company, LLC for the condition of the property located at 117 W Exchange St and direct the owner to submit a plan and timeline to repair the resource.

Moved: \_\_\_\_\_

Supported: \_\_\_\_\_



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

August 11, 2023

Dave Acton  
Acton Building Company, LLC  
106 N Washington St, STE 302  
Owosso, MI 48867

Dear Mr. Acton:

On August 16, 2023, the Owosso Historic District Commission (HDC) considered the appropriateness of issuing Demolition-by-Neglect notice - per section 8-208 of Owosso's ordinances - to you for the property located at 117 W Exchange St. This property is a contributing resource in the Owosso Historic District boundaries identified in the District's 2010 survey. You are receiving this letter as a result of neglect causing a series of partial building collapses dating from June 2023 to August 2023.

Therefore, per section 8-208(h), you are now required as owner of the resource to repair all conditions contributing to the demolition-by-neglect of 117 W Exchange and comply with all building and safety standards enforced by the Owosso building official:

1. Within 30 days from the date of this letter, you must provide the Owosso Building Department with a written statement of intent and timeline for the repairs to be made; and
2. Within 90 days from the date of the letter, complete all necessary repairs to bring the building into compliance.

Should to refuse to comply with this enforcement within the time specified, the HDC or its agents may enter the property per section 8-208(h) and make such repairs as are necessary. The costs of the work shall be charged to you as the owner, and may be levied by the city council as a special assessment against the property.

Sincerely,

Nathan Henne  
City Manager  
City of Owosso  
[Nathan.henne@ci.owosso.mi.us](mailto:Nathan.henne@ci.owosso.mi.us)

CC: Tanya Buckelew – Owosso Building Department  
Brad Hissong – Owosso Building Official

117 W Exchange St

Photos from June Interior Collapse

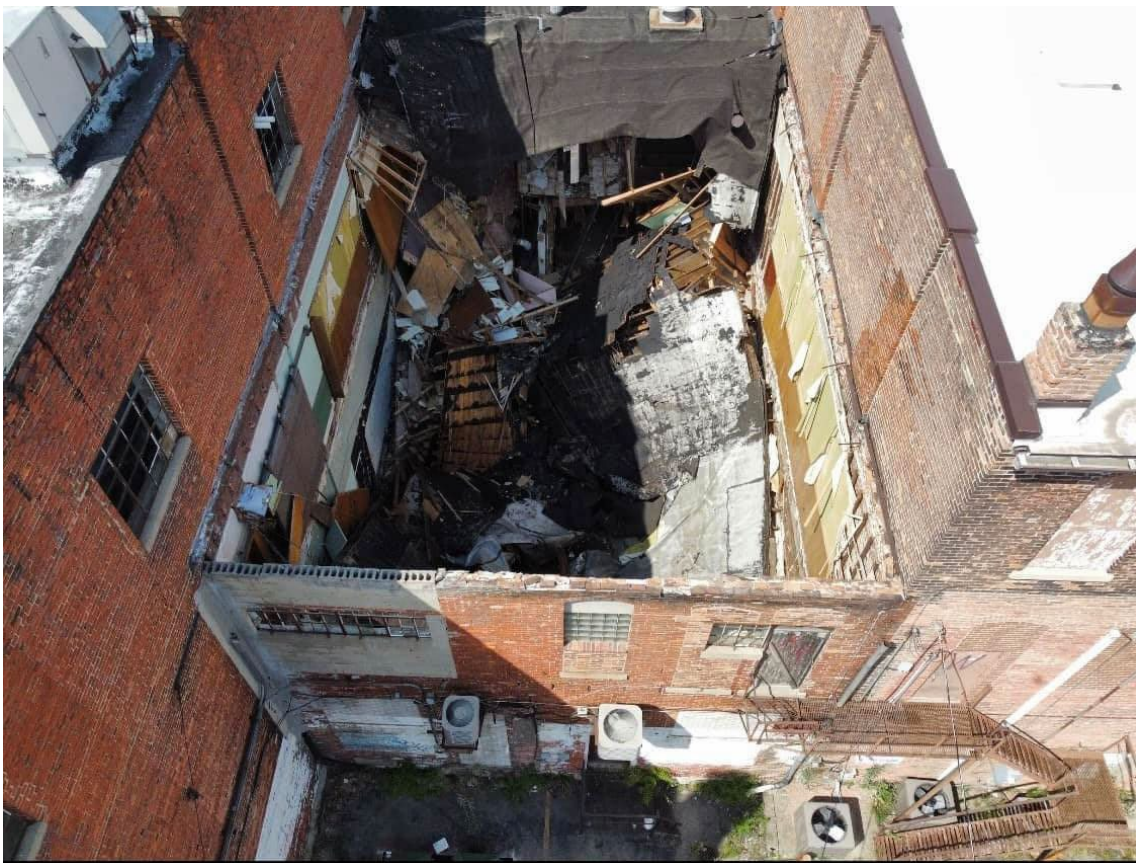






117 W Exchange St

August, 2023 Roof Collapse



# 117 W Exchange St

## Building Department Notes since 7.19.23

0719/2023 HISSONG WAS REQUESTED TO STAY THROUGH AND ATTEND A 6:00 PM MEETING WITH THE HISTORICAL GROUP AS TO DISCUSS THE DAVE ACTION BUILDING (PARTIAL COLLAPSE) AT 117 W EXCHANGE STREET. HISSONG EXPLAINED TO THIS BOARD THAT THE CITY BUILDING DEPARTMENT HAS REQUESTED A COPY OF A SIGNED/SEALED INSPECTION ON THE CONDITIONS TO DATE REGARDING THE BUILDING. THEY WERE ADDITIONALLY ADVISED BY THE CITY MANAGER THAT ONCE RECEIVED HE WOULD SEE THAT THEY RECEIVE A COPY.

07/25/2023 BUILDING DEPARTMENT RECEIVED COPY OF STRUCTURAL REVIEW (INSPECTION REPORT) WITH SUGGESTED (REQUIRED CONDITIONS) SPELLED OUT BY ENGINEER AS TO MAINTAIN THIS STRUCTURE IN GOOD SAFE CONDITION ETC. PLEASE NOTE STILL AS OF THIS DATE NO INFORMATION AS REQUESTED AS TO PROVIDE A TIME LINE FOR REPAIRS. - SEE ENGINEERS LETTER IN FILE BS & A UNDER 117 W EXCHANGE STREET.

PRIOR TO APPLYING FOR THE REQUIRED PERMIT FOR WORK THAT IS NEEDED. THE ENGINEER HAS REQUESTED THAT CERTAIN WORK BE PERFORMED AS TO REMOVE THE DANGER OF FURTHER COLLAPSE AND TO MAINTAIN THIS STRUCTURE SAFE UNTIL REPAIRS CAN BE PERFORMED.

07/31/2023 - HISSONG PHONED DAVE ACTION AND TALKED TO HIM IN REGARDS TO THE RECENT INSPECTION LETTER RECEIVED FROM HIS ENGINEER (STRUCTURAL REVIEW) HISSONG LET DAVE KNOW THAT HE WILL NEED TO SUBMIT A DEMOLITION PLAN SIGNED & SEALED BY A DESIGN PROFESSIONAL AS TO PERFORM DEMOLITION THAT HIS STRUCTURAL ENGINEER HAS REQUIRED AS TO MAINTAIN AND CORRECT DANGEROUS CONDITIONS THAT EXIST. THIS IS LISTED OUT WITHIN THE ENGINEERS LETTER. ENGINEER IS ROBERT WALZ ENGINEERING.

ON MONDAY 8/7/2023 CODE ENFORCEMENT RECHECKED PROPERTY AND TOOK ONE PICTURE TO UPDATE FILE

---

**CITY OF OWOSSO BUILDING & CODE ENFORCEMENT DEPARTMENT**

301 W MAIN STREET OWOSSO, MI 48867

989-725-0535

building@ci.owosso.mi.us

---

June 20, 2023

ACTON BUILDING COMPANY, LLC  
106 N WASHINGTON ST STE 302  
OWOSSO, MI 48867-2817

RE: Property Address: 117 W EXCHANGE ST  
Property ID #: 050-470-022-004-00  
Enforcement #: ENF 23-0612  
Date of Inspection: 06/19/2023

Dear Property Owner:

**It has been brought to our attention that the building at the above listed address is considered to be a dangerous structure.**

Please submit an inspection report from a licensed structural engineer that provides information that assures the existing building after partial collapse is safe as exist, or list out any action required as to make it safe. **See Section 108 I.PM.C.**

**According to the City of Owosso Property Maintenance Code and Building Ordinances, this Notice and Order requires:**

**108.1.5 Dangerous structure or premises.**

For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement

of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.

6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.
7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health.
11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

**The above listed violations must be completed within 30 days of the date of this letter.** A building permit may be required for the necessary repairs. Contact this office for an application. Failure to comply with this Notice and Order will result in a citation requiring your presence at the Shiawassee County 66th District Court for a show cause hearing.

Thank you for your cooperation.

Any owner or person aggrieved with the ruling of the enforcing officer may appeal the decision by filling out and submitting the appropriate appeal application and paying the filing fee within twenty (20) days of this notice.

International Property Maintenance Code (IPMC) as adopted, Section 107.6 Transfer of ownership - It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner or the owner's authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the

responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

Brad Hissong  
City of Owosso  
Building Inspector

.....

14899 Towering Oaks Drive  
Shelby Township, MI 48315  
(586) 770-6814

## Robert Walz Engineering

July 21, 2023

David Acton  
106 North Washington Street  
Suite 302  
Owosso, Michigan 48867

RE: 117 Exchange Street  
Partial Building Collapse

David,

On June 20, 2023, the roof and second floor of the building at 117 Exchange Street has partially collapsed into the basement of the structure. The resulting debris must be removed to prevent damage to adjoining buildings.

The building at 117 Exchange Street is an infill structure, having been constructed between two existing buildings. The adjoining structures are constructed with triple wythe brick walls and stone basement walls. The infill building was attached to the walls of the adjoining buildings.

The debris from the collapse has fallen into the basement of the 117 Exchange Street building. There is debris leaning against the buildings on either side. My visual inspection of the adjoining walls from inside the 117 Exchange Street building indicates that the collapse did not have an adverse effect on the triple wythe brick walls. My visual inspection of the wall in the 119 Exchange Street building did not show any damage from the collapse.

The water, natural gas and electricity have been shut off in the 117 Exchange Street building, preventing any damage from these utilities.

The debris inside the building must be removed carefully to prevent having the materials fall into the adjoining building walls. The removal process must be monitored to ensure the proper care is maintained throughout the removal process.

A sump system must be installed in the basement to prevent the accumulation of water from rain and snow. The water must be channeled toward one or more sump pumps to prevent damage to the footings in the adjacent buildings.

.....

Page 2

If the area is not enclosed by the time colder temperatures set in for the winter months, install approximately two feet of straw around the footings of the existing structures to prevent damage from frost.

Please contact me if you have any questions or require additional information.

Robert A. Walz, PE

