

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MONDAY, OCTOBER 07, 2019
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 SEPTEMBER 16, 2019:

APPROVAL OF THE MINUTES OF 5TH MONDAY MEETING OF SEPTEMBER 30, 2019:

ADDRESSING THE CITY COUNCIL

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

1. Proposed Special Assessment Project – Cedar Street. Conduct a public hearing to receive citizen comment regarding Resolution No. 3 for proposed Special Assessment District No. 2020-01 for Cedar Street from South Street to Hampton Avenue for street rehabilitation.
2. Proposed Special Assessment Project – Clark Street. Conduct a public hearing to receive citizen comment regarding Resolution No. 3 for proposed Special Assessment District No. 2020-02 for Clark Street from Oliver Street to King Street for street rehabilitation.

CITIZEN COMMENTS AND QUESTIONS

CITY MANAGER REPORT

1. Project Status Report. (This item will be presented at the meeting.)

CONSENT AGENDA

1. Set Public Hearing – Industrial Facilities Exemption Certificate. Set a Public Hearing for Monday, October 21, 2019 to receive citizen comment regarding the application of Covenant Eyes, Inc. for an Industrial Facilities Exemption Certificate for real property improvements at 1525 West King Street.
2. Proposed Special Assessment Project – North Street. Authorize Resolution No. 2 setting a public hearing for Monday, October 21, 2019 for proposed Special Assessment District No. 2020-03 for North Street from Hickory Street to Gould Street for street reconstruction.
3. First Reading & Set Public Hearing – Zoning Ordinance Amendment. Conduct first reading and set a public hearing for Monday, October 21, 2019 to receive citizen comment on the proposed amendments to Section 38-390, Site Plan Review, of Article XVII, *General Provisions*, of Chapter 38, Zoning, of the Code of Ordinances, to allow staff approval of select site plans.
4. First Reading & Set Public Hearing – Sign Ordinance Amendment. Conduct first reading and set a public hearing for Monday, October 21, 2019 to receive citizen comment on the proposed repeal and replacement of Chapter 26, Signs, of the Code of Ordinances.
5. Boards and Commissions Appointments. Approve the following Mayoral Boards and Commissions appointments:

Name	Board/Commission	Term Expires
Steve Flayer	Historical Commission	12-31-2021
Mark Erickson	Historical Commission	12-31-2021
Justin Steckbauer	SATA Board	10-01-2022

6. Oktoberfest Permission. Approve request from the Shiawassee Regional Chamber of Commerce for use of the Ball/Exchange Parking Lot (Lot#5) and various downtown streets at assorted times from October 10, 2019 at 5:00am through October 13, 2019 at 5:00pm for Oktoberfest 2019 and approve Traffic Control Order No. 1428 formalizing the request.
7. Change Order No. 1 – 2019 Street Program Engineering Services Contract. Authorize Change Order No. 1 to the contract with Fleis & Vandenbrink, Inc. (Change Order No. 1 to Amendment No. 5 of Addendum No. 4) adding \$42,500.00 for the provision of additional construction monitoring and administration services for Street Program Contract Nos. 1 & 3 for the City's 2019 Street Resurfacing Program, and further authorize payment for the original amount of the contract plus Change Order No. 1..
8. Purchase Authorization - Road Salt. Waive competitive bidding requirements, authorize purchase order with The Detroit Salt Company, LLC, via State of Michigan Contract No. 171-180000000768, in the amount of \$21,094.40 for early delivery of 400 tons of road salt at \$65.92/ton, plus an additional quantity of 1,400 tons in the amount of \$57,905.60 at \$60.36/ton to be delivered as needed during the 2019-20 contract period, and further authorize payment up to \$88,700.00 upon satisfactory receipt of the product.
9. Bid Award – Fire Hydrant Painting. Approve bid award to David Hamilton d/b/a American Flo Blasting for hydrant restoration and painting services for hydrants located in Caledonia and Owosso Charter Townships in the amount of \$21,700.00 and authorize payment to the contractor upon satisfactory completion of the work or portion thereof.

10. Warrant No. 575. Authorize Warrant No. 575 as follows:

Vendor	Description	Fund	Amount
Caledonia Charter Township	Caledonia Utility Fund Payment 7/1/19 – 9/30/19	Water	\$36,415.14
Owosso Charter Township	Owosso Charter Township 2011 Water Agreement Payment	Water	\$14,973.59
Michigan Municipal Risk Authority	Building & Property Insurance 2 of 3 installments for FY 19/20	Various	\$62,482.50

ITEMS OF BUSINESS

1. Professional Engineering Services Contracts for Utilities. Consider authorizing agreements with Tetra Tech; Orchard; Hiltz & McClement Advisors; C2ae/Black & Veach and Jones & Henry to provide professional engineering services for future utilities projects in accordance with the City Purchasing Policy for a period, renewed annually, through October 30, 2025.
2. Closed Session. Consider holding Closed Session after the last session of Citizen Comments and Questions for the purpose of discussing collective bargaining negotiations.

COMMUNICATIONS

1. Jake Adams, Planning Commission. Letter of resignation.
2. Jed Dingens, Historical Commission. Letter of resignation.
3. Karen Marumoto, Historical Commission. Letter of resignation.
4. Randy Woodworth, Parks & Recreation Commission. Letter of resignation.
5. Cheryl A. Grice, Finance Director. August 2019 Revenue & Expenditure Report.
6. Downtown Development Authority/Main Street. Minutes of September 4, 2019.
7. Historical Commission. Minutes of September 9, 2019.
8. Planning Commission. Minutes of September 23, 2019.
9. WWTP Review Board. Minutes of September 24, 2019.

CITIZEN COMMENTS AND QUESTIONS

CLOSED SESSION (If approved)

NEXT MEETING

Monday, October 21, 2019

BOARDS AND COMMISSIONS OPENINGS

Building Board of Appeals – Alternate - term expires June 30, 2019
Building Board of Appeals – Alternate - term expires June 30, 2021
Brownfield Redevelopment Authority – term expires June 30, 2022
Historical Commission – term expires December 31, 2019
Historical Commission – 2 terms expire December 31, 2020
Parks & Recreation Commission – term expires June 30, 2021
Planning Commission – term expires June 30, 2019
SATA Board of Directors – term expires October 1, 2022

ADJOURNMENT

The City of Owosso will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio recordings of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon seventy-two (72) hours notice to the City of Owosso. Individuals with disabilities requiring auxiliary aids or services should contact the City of Owosso by writing, calling, or emailing the following: Owosso City Clerk's Office, 301 West Main Street, Owosso, MI 48867; Phone: (989) 725-0500; Email: city.clerk@ci.owosso.mi.us. The City of Owosso Website address is www.ci.owosso.mi.us.

**CITY OF OWOSSO
REGULAR MEETING OF THE CITY COUNCIL
MINUTES OF SEPTEMBER 16, 2019
7:30 P.M.**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

OPENING PRAYER: JOSHUA ADAMS
DDA/MAIN STREET DIRECTOR

PLEDGE OF ALLEGIANCE: TOM MANKE

PRESENT: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika,
Councilmembers Loreen F. Bailey, Janae L. Fear, Jerome C. Haber,
Daniel A. Law, and Nicholas L. Pidek.

ABSENT: None.

APPROVE AGENDA

Motion by Councilmember Law to approve the agenda with the following addition to the Consent Agenda:

7. Boards and Commissions Appointments. Approve the following Mayoral boards and commissions appointments

Name	Board/Commission	Term Expires
Teresa Schneider	Shiawassee Firefighters' Memorial Steering Committee	09-01-2020
Linda Robertson	Planning Commission	06-30-2022

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF SEPTEMBER 3, 2019

Motion by Mayor Pro-Tem Osika to approve the Minutes of the Regular Meeting of September 3, 2019 as presented.

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

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

Obsolete Property Rehabilitation Exemption Certificate – 152 E. Howard Street

City Manager Nathan R. Henne introduced the item saying it was a pretty straight-forward request, though he expressed some concern with the scoring as it relates to job creation. He asked Council for clarification as to how it would like to see items scored.

A public hearing was conducted to receive citizen comment regarding the application from Howard Street Development, LLC for an Obsolete Property Rehabilitation Exemption Certificate for their property at 152 E. Howard Street.

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

Applicant Sue Ludington briefly detailed the project and clarified the number of new job opportunities that are expected as a result of the project.

Mayor Eveleth said he appreciates the investment the Ludington's are making in the neighborhood.

Councilmember Fear inquired how long the Ludington's had owned the building and if they had done any work on the building up until now. Ms. Ludington indicated that they have owned it since 2003, with Ludington Electric moving into the building in 2005. They have fixed existing issues, but their plans for improvements were put on hold by the Great Recession.

Councilmember Pidek asked what the total taxable freeze amount would be for the property after the project is completed. He said he wanted to see that number as well as the total of all other tax abatements in the City when considering future abatements. He was particularly concerned about being mindful of the City-wide 5% cap and the fact that taxes allow the City to do the work that needs to be done. He said he would like to have a discussion regarding all abatements at some point in the near future.

Mayor Eveleth said that the City's abatement schedule was developed at a different time when job creation was extremely important. Things have changed since then and he agreed that having a discussion regarding all tax abatements would be a good idea.

Councilmember Fear noted that the Ludington's will be applying for a brownfield for this property as well as the OPRA before them this evening. She asked how the OPRA and the brownfield would work together if they are both granted. City Manager Henne explained that the OPRA would be in effect first and upon its expiration the brownfield would kick in.

Councilmember Pidek indicated he would like more information before making a decision. Specifically he would like to see changes to the abatement schedule before making any decisions on future abatements. There was debate as to when the discussion on the abatement schedule would take place.

Motion by Councilmember Pidek to authorize the following resolution approving the Obsolete Property Rehabilitation Exemption Certificate for Howard Street Development, LLC at 152 E. Howard Street for a period of twelve years, and place a moratorium on the consideration of tax abatements on other projects until the City's abatement policy is re-examined:

RESOLUTION NO. 125-2019

TO APPROVE THE APPLICATION FOR AN OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE FROM HOWARD STREET DEVELOPMENT FOR PROPERTY LOCATED AT 152 E. HOWARD STREET

WHEREAS, the City of Owosso is a Qualified Local Government Unit within the State of Michigan and is empowered to provide tax exemptions for increased value of rehabilitated facilities within the City; and

WHEREAS, after public notice and a public hearing on September 3, 2019, the City Council of the City of Owosso approved an Obsolete Property Rehabilitation District at 152 E. Howard Street in Owosso, Michigan. As provided by section 4(2) of Public Act 146 of 2000, said property more particularly described as:

COM 90.6' S OF NE COR BLK 20 AL WILLIAMS ADD TH N 90.6' TH NW'LY ALG N LN LOT
1 122' TH S 124.60' TH E'LY 117' TO POB

WHEREAS, the City Clerk received an application, on July 24, 2019 from Susan Ludington, authorized agent for Howard Street Development, LLC, owner of the property, for an Obsolete Property Rehabilitation Exemption Certificate; and

WHEREAS, the application is complete, including items (a) through (f) described under "Instructions" on the Application for Obsolete Property Rehabilitation Exemption Certificate; and

WHEREAS, notice of a public hearing concerning the application for an exemption certificate was provided to the Assessor of the City and the legislative body of each taxing unit that levies ad valorem property taxes in the City; and

WHEREAS, the City finds that the property meets the definition of an obsolete property as defined in section 2(h) of Public Act 146 of 2000 and the application for the exemption certificate is complete; and

WHEREAS, the City finds that the property relates to a rehabilitation program that when completed constitutes a "rehabilitated facility" within the meaning of P.A. 146 of 2000, and said property is located within an Obsolete Property Rehabilitation District established in a Qualified Local Governmental Unit eligible under Public Act 146 of 2000 to establish such a district; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of PA 146 of 2000; and

WHEREAS, it has been found that the rehabilitation of the obsolete property is calculated to, and will at the time of the issuance of the certificate, have the reasonable likelihood to increase commercial activity, retain and create employment, and revitalize the downtown; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of the property already exempt under PA 146 of 2000 and under PA 198 of 1974 does not exceed 5% of the total taxable value of the unit; and

WHEREAS, the applicant is not delinquent in any taxes related to the facility; and

WHEREAS, the rehabilitation work described in the application had not commenced prior to the establishment of the District.

NOW, THEREFORE, BE IT RESOLVED that, based on the findings above made at a public hearing held September 16, 2019, the City Council of the City of Owosso authorizes the application for an Obsolete Property Rehabilitation Exemption Certificate at 152 E. Howard Street for a period of twelve years; and

ALSO, BE IT RESOLVED that the rehabilitation shall be completed within eighteen (18) months from the date of approval of said application, and

FURTHERMORE, BE IT RESOLVED that the application and resolution are authorized for submittal to the State Tax Commission for final review and authorization.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

AYES: Councilmember Law, Mayor Pro-Tem Osika, Councilmembers Bailey, Pidek, Haber, and Mayor Eveleth.

NAYS: Councilmember Fear.

Alley Closure Resolution– North-South Alley in Woodlawn Park

City Manager Henne indicated that this alley closure is tied to the next item on the agenda. Both alleys have been platted but neither has been developed as an alley. The City recommends vacation of both alleys.

A public hearing was conducted to receive citizen comment regarding the request to close the north-south public alley east of Lots 5-17 of Block 31, George T. Abrey's Woodlawn Park Addition, City of Owosso, Shiawassee County, Michigan (alley south of Melinda Avenue between Abrey Avenue and the east City boundary).

Aaron Klawuhn, 715 Abrey Avenue, said he was here with two of his neighbors, he wanted to know if the adjoining Caledonia Charter Township property owners had been informed of the proposal to close the alley and if the City will pay to have the properties surveyed.

Tom Manke, 2910 W. M-21, inquired why the alleys are being proposed for closure.

Jane Merkel, owner of five parcels abutting the affected alleys, said she had requested the closure after discovering the east-west alley was still open. She said there's no way for anyone to use the alley as it exists today and she would like to be able to do something with her property.

City Manager Henne again noted the property was platted as alleyway but was never constructed as an alley. There will be no access issues created by the closures as it is full of trees and fences. He further indicated that the adjoining Caledonia Charter Township residents were not notified of the proposed closure as it will have no effect on their properties.

Motion by Mayor Pro-Tem Osika to approve the following resolution authorizing the closing of the north-south alley bounded by Melinda Avenue, Corunna Avenue, Abrey Avenue, and the east City boundary:

RESOLUTION NO. 126-2019

**TO CLOSE THE NORTH-SOUTH ALLEY IN BLOCK 31 OF
GEORGE T. ABREY'S WOODLAWN PARK ADDITION**

WHEREAS, the City Council of the City of Owosso, Michigan has met at the time and place named in a resolution passed by said City Council at a meeting thereof held on September 3, 2019 and in accordance to notice thereof published by the City Clerk in The Owosso Argus Press, for the purpose of hearing and considering objections to the proposed vacation and discontinuance of the following public alley in said City, and all objections of such proposed action having been heard and duly considered.

BE IT RESOLVED THAT for the benefit of the public health and welfare and safety of persons and property within the City of Owosso, County of Shiawassee, State of Michigan, be and the same is hereby vacated, discontinued and abolished, said alley being more particularly described as follows, to wit:

NORTH-SOUTH ALLEY IN BLOCK 31, GEORGE T. ABREY'S WOODLAWN PARK
ADDITION CONTIGUOUS TO LOTS 5-17.

BE IT FURTHER RESOLVED THAT it is hereby determined that it is necessary for the health, welfare, comfort and safety of the people of the City of Owosso to discontinue the above alley as platted.

BE IT FURTHER RESOLVED THAT the City Clerk is hereby directed to provide the Shiawassee County Register of Deeds, the Treasurer of the State of Michigan, and the Owosso City Engineer and City Assessor with a certified copy of this resolution within thirty (30) days of its adoption.

Motion supported by Councilmember Pidek.

Roll Call Vote.

AYES: Councilmembers Pidek, Bailey, Law, Haber, Mayor Pro-Tem Osika, Councilmember Fear, and Mayor Eveleth.

NAYS: None.

Alley Closure Resolution – East-West Alley in Woodlawn Park

A public hearing was conducted to receive citizen comment regarding the request to close the east-west public alley south of Lot 5 and north of Lots 1-4 of Block 31, George T. Abrey's Woodlawn Park Addition, City of Owosso, Shiawassee County, Michigan (alley behind businesses on Corunna Avenue between Abrey Avenue and the east City boundary).

There were no comments received prior to, or during the public hearing.

Councilmember Fear commented that she didn't think residents should have to pay to get a survey of their new land. Councilmember Bailey said she felt that in light of the fact that residents were receiving property for free it should be the property owner's responsibility to get a survey if they wanted one.

Motion by Councilmember Bailey to approve the following resolution authorizing the closing of the east-west alley bounded by Melinda Avenue, Corunna Avenue, Abrey Avenue, and the east City boundary as detailed below:

RESOLUTION NO. 127-2019

TO CLOSE THE EAST-WEST ALLEY IN BLOCK 31 OF GEORGE T. ABREY'S WOODLAWN PARK ADDITION

WHEREAS, the City Council of the City of Owosso, Michigan has met at the time and place named in a resolution passed by said City Council at a meeting thereof held on September 3, 2019 and in accordance to notice thereof published by the City Clerk in The Owosso Argus Press, for the purpose of hearing and considering objections to the proposed vacation and discontinuance of the following public alley in said City, and all objections of such proposed action having been heard and duly considered.

BE IT RESOLVED THAT for the benefit of the public health and welfare and safety of persons and property within the City of Owosso, County of Shiawassee, State of Michigan, be and the same is hereby vacated, discontinued and abolished, said alley being more particularly described as follows, to wit:

EAST-WEST ALLEY IN BLOCK 31, GEORGE T. ABREY'S WOODLAWN PARK ADDITION
CONTIGUOUS TO LOTS 1-5.

BE IT FURTHER RESOLVED THAT it is hereby determined that it is necessary for the health, welfare, comfort and safety of the people of the City of Owosso to discontinue the above alley as platted.

BE IT FURTHER RESOLVED THAT the City Clerk is hereby directed to provide the Shiawassee County Register of Deeds, the Treasurer of the State of Michigan, and the Owosso City Engineer and City Assessor with a certified copy of this resolution within thirty (30) days of its adoption.

Motion supported by Councilmember Pidek.

Roll Call Vote.

AYES: Councilmembers Law, Bailey, Fear, Mayor Pro-Tem Osika, Councilmembers Pidek, Haber, and Mayor Eveleth.

NAYS: None.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 2910 W. M-21, commented on the great Art Walk event this weekend. He went on to recommend the City hire an historian for the Historical Properties Director position recently vacated by Robert Doran. He also accused the City of making plans to transfer the ownership of the City's historical assets to a non-profit organization.

Eddie Urban, 601 Glenwood Avenue, presented the Mayor with a news clipping from May 19, 2009 showing him being sworn in when he was first appointed to City Council.

Mayor Eveleth thanked the Main Street Board and the Friends of the Shiawassee River for the great Art Walk and Wine Tasting events held over the weekend. Responding to Mr. Manke's comments, he indicated that there has been no proposal delivered to Council regarding the lease of City assets to another organization.

Following on the Mayor's comments, City Manager Henne said that it was not the City's intention to give away assets, a non-profit would only serve to maintain the assets. The properties in question will not leave the ownership of the City. He also indicated that the Historical Commission has yet to respond to the draft plan that was submitted to them in January.

Mayor Pro-Tem Osika wished Mayor Eveleth a happy belated birthday. She also congratulated Main Street Director Josh Adams on a job well done.

Councilmember Bailey said she had a great time at a number of local events this past weekend.

CONSENT AGENDA

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

Proposed Special Assessment Project – Cedar Street. Authorize Resolution No. 2 setting a public hearing for Monday, October 7, 2019 for proposed Special Assessment District No. 2020-01 for Cedar Street from South Street to Hampton Avenue for street rehabilitation as follows:

RESOLUTION NO. 128-2019

CEDAR STREET FROM SOUTH STREET TO HAMPTON AVENUE 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

CEDAR STREET, A PUBLIC STREET, FROM SOUTH STREET TO HAMPTON AVENUE;
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 \$588,054.00 and determines that \$100,550.94 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 \$487,503.06 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, October 7, 2019 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:

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

**Cedar Street, a Public Street, from South Street to Hampton Avenue
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, October 7, 2019 for the purpose of hearing any person to be affected by the proposed public improvement.

Proposed Special Assessment Project – Clark Street. Authorize Resolution No. 2 setting a public hearing for Monday, October 7, 2019 for proposed Special Assessment District No. 2020-02 for Clark Street from Oliver Street to King Street for street rehabilitation as detailed below:

RESOLUTION NO. 129-2019

**CLARK AVENUE
FROM OLIVER STREET TO KING 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

CLARK AVENUE, A PUBLIC STREET, FROM OLIVER STREET TO KING 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 \$323,828.40 and determines that \$59,294.94 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 \$264,533.46 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, October 7, 2019 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:

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

**Clark Avenue, a Public Street, from Oliver Street to King Street
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, October 7, 2019 for the purpose of hearing any person to be affected by the proposed public improvement.

Resolution Amendment – Recreation Passport Grant Application. Amend Resolution No. 50-2019, which authorized application for a Recreation Passport Grant, to reflect changes in the grant application (as requested by the MDNR) increasing the City's local match to \$62,300.00 as shown below:

AMENDED RESOLUTION NO. 50.1-2019

**SEEKING A RECREATION PASSPORT GRANT THROUGH
MICHIGAN DEPARTMENT OF NATURAL RESOURCES**

WHEREAS, Holman Grove Park is noted as a destination point within the city of Owosso that is being revitalized with the construction of a new skate park; and

WHEREAS, the current building in the park is no longer functioning, and regular maintenance cannot effectively address the reactivation of the structure; and

WHEREAS, the city of Owosso and its partners intend to rehabilitate the park's parking-lot, driveway, and existing building, using it for public restrooms, concessions, and a warming station for activities involving the skate park and winter sledding hill; and

WHEREAS, the city of Owosso and the Parks and Recreation Commission are publicly and financially committed to carrying out the improvements to the building and parking areas in Holman Grove Park; and

WHEREAS, the State of Michigan Department of Natural Resources is accepting Recreation Passport Grant applications for up to \$150,000 towards new or rehabilitated facilities for the purpose of "providing public outdoor recreation opportunities and infrastructure to support public outdoor recreation activity";

NOW, THEREFORE, BE IT RESOLVED that the city of Owosso city council commits to funding the capital rehabilitation funding proposal below and directs staff to complete and submit an application for the Recreation Passport Grant Program through the Michigan Department of Natural Resources (MDNR).

Grove Holman Building & Parking Lot Revitalization	
Contributor	Contribution
Parks and Recreation Millage	\$62,300.00 \$50,000

Contributor (cont.)	Contribution (cont.)
Total Local Match	\$ 62,300.00 \$50,000
Grant Request	\$150,000
Total Grant Project	\$212,300.00 \$200,000

Contract Amendment No. 3 – Façade Grant Construction Contract. Approve Amendment No. 3 to the contract with First Contracting, Inc. for the 2018-19 Façade Grant Construction project, increasing the amount by \$10,983.50 for conditions found in the field, and further approve payment to the contractor for said work satisfactorily completed as follows:

RESOLUTION NO. 130-2019

**AUTHORIZING AMENDMENT NO. 3 TO
THE 2018-19 MEDC/CDBG FAÇADE GRANT CONSTRUCTION CONTRACT
WITH FIRST CONTRACTING, INC.
FOR FAÇADE RENOVATION AT
114 N. WASHINGTON STREET, 115 N. WASHINGTON STREET, AND 114 W. MAIN STREET**

WHEREAS, on September 17, 2018 the City Council approved the bid from First Contracting, Inc. to complete proposed MEDC/CDGB Façade Grant restoration /reconstruction at 114 N. Washington Street, 115 N. Washington Street, and 114 W. Main Street; and

WHEREAS, site conditions and modifications in the proposed work have added costs to the overall contract with First Contracting, Inc.

WHEREAS, it is hereby determined that adjustments need to be made via change order for each property to complete the work.

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 increase façade renovation costs for 114 N. Washington Street from the amount of \$102,500.00 to \$109,702.50 for additional brick repair. An increase of \$6,842.50.
- SECOND: The City of Owosso has further determined that it is advisable, necessary and in the public interest to decrease façade renovation costs for 115 N. Washington Street from the amount of \$112,500.00 to \$109,525.00 for removal of the fabric awning from the project. A decrease of \$2,975.00.
- THIRD: The City of Owosso has further determined that it is advisable, necessary and in the public interest to increase façade renovation costs for 114 W. Main Street from the amount of \$403,855.00 to \$410,971.00 for additional lighting costs and the repainting of the east facade. An increase of \$7,116.00.
- FOURTH: The Mayor and City Clerk are instructed and authorized to sign appropriate documents formalizing the changes.
- FIFTH: The accounts payable department is authorized to pay the contractor the amounts noted upon satisfactory completion of the work.
- 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.

Bid Award – Tree Removal Services. Authorize bid award to Forrest M. Spitzer d/b/a J & M Tree Service for tree removal services for the 2019-20 fiscal year in the amount of \$30,200.00, further authorize a contingency of \$8,000.00 to be utilized upon written direction of the City, and approve payment to the contractor upon satisfactory completion of the work as detailed below:

RESOLUTION NO. 131-2019

**AUTHORIZATION TO ENTER INTO A SERVICE AGREEMENT WITH
FORREST M. SPITZER D/B/A J & M TREE SERVICE
FOR TREE REMOVAL**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has determined that maintenance and removal of city owned trees within the street right of way is required, and in the public interest to maintain an aesthetically pleasing community, and to avoid risk of property damage and risk to the general public; and

WHEREAS, the city of Owosso solicited bids to perform tree removal services, and Forrest M. Spitzer d/b/a J & M Tree Service was the low responsible and responsive bidder for the 2019-2020 fiscal year; and

WHEREAS, J&M Tree Service has offered to provide the tree removal services in the amount of \$30,200.00.

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

FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to employ Forrest M. Spitzer d/b/a J & M Tree Service for tree removal services for the 2019-2020 fiscal year.

SECOND: The mayor and city clerk are instructed and authorized to sign the contract document/s for services between the city of Owosso, Michigan and Forrest M. Spitzer d/b/a J & M Tree Service in the amount of \$30,200.00, plus contingency work with prior written approval, in the amount of \$8,000.00 for a total of \$38,200.00

THIRD: The accounts payable department is authorized to pay Forrest M. Spitzer d/b/a J & M Tree Service for work satisfactorily completed in the amount of \$30,200.00, plus contingency work in the amount of \$8,000.00 with prior written approval, for a total of \$38,200.00.

FOURTH: The above expenses shall be paid from accounts 202/203-480-818.000.

Check Register – August 2019.* Affirm check disbursements totaling \$1,922,975.66 for August 2019.

Boards and Commissions Appointments. (This item was added to the agenda.) Approve the following Mayoral boards and commissions appointments

Name	Board/Commission	Term Expires
Teresa Schneider	Shiawassee Firefighters' Memorial Steering Committee	09-01-2020
Linda Robertson	Planning Commission	06-30-2022

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

ITEMS OF BUSINESS

Policy Changes – Water & Sewer Connection Charges and Miscellaneous Water Policies & Charges

City Manager Henne noted that the policies in question do not involve water and sewer rates and generally will not affect current accounts.

Motion by Councilmember Fear to approve the following two resolutions documenting changes to the Water and Sewer Connection Charges policy and the Miscellaneous Water Policies and Service Charges policy to update fees and procedures as follows:

RESOLUTION NO. 132-2019

ESTABLISHMENT OF WATER AND SEWER CONNECTION CHARGE POLICIES EFFECTIVE OCTOBER 1, 2019

WHEREAS, the city of Owosso owns and operates water and wastewater utilities; and

WHEREAS, the city of Owosso must have policies and water and sewer connection charges in addition to the basic rates pursuant to the *Code of Ordinances of the City of Owosso, Michigan* Sec. 34-67 (Water service connections, connection charges), and Sec. 34-144 (sewer connection charges).

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

FIRST: The city council hereby adopts the following connection charges for the water utility which shall become effective October 1, 2019.

SECOND: That any policies previously adopted which conflict with the provisions of the following policies and services are hereby repealed.

WATER AND SEWER CONNECTION CHARGES

Water and sewer connection charges for new or increased size services are a combination of the applicable charges appearing below. The director of public services and utilities shall verify the applicable charges before approving an application for service. The applicant shall provide adequate information concerning water and sewer service requirements for the determination of service size.

I. Water Service Line Charges

- a) Option 1 - Contractor for owner provides all excavation, backfill and surface restoration. City performs tap and installs water service from main to curb stop and provides meter for interior installation. (SFR = single family residence) (DI = Ductile Iron Water Main) (PVC = C900 Water Main).

1" SFR Service DI	\$1,315 (1" tap, 1" corp, 1" copper to curb stop, curb stop, curb box, 5/8" meter)
1" SFR Service DI	\$1,355 (1" tap, 1" corp, 1" copper to curb stop, curb stop, curb box, 3/4" meter)

1" SFR Service PVC	\$1,410 (1" tap, 1" saddle, 1" copper to curb stop, curb stop, curb box, 5/8" meter)
1" SFR Service PVC	\$1,450 (1" tap, 1" saddle, 1" copper to curb stop, curb stop, curb box, 3/4" meter)

Other services: If meter pit, add \$125.00 parts and labor.

- b) Option 2 – City provides excavation, backfill and surface restoration, including street patch, from tap to curb stop, and/or when service line is installed by boring or directional drilling. This option is generally only available for in-city customers.

1" SRF Service DI	\$3,525 (1" tap, 1" copper to curb stop, 5/8" meter)
1" SRF Service DI	\$3,565 (1" tap, 1" copper to curb stop, 3/4" meter)
1" SRF Service PVC	\$3,620 (1" tap, 1" copper to curb stop, 5/8" meter)
1" SRF Service PVC	\$3,660 (1" tap, 1" copper to curb stop, 3/4" meter)

Other services: If meter pit, add \$125.00 parts and labor.

- c) Option 3 – Connection to existing water service stub (at property line), if stub was provided at City cost (such water service stubs are typically installed during new street and/or water main construction).

1" SRF Service	\$1,250.00 (5/8" meter, MTU, meter horn, curb box, material, labor, equipment, all fees)
1" SRF Service	\$1,285.00 (3/4" meter, MTU, meter horn, curb box, material, labor, equipment, all fees)
1" SRF Service	\$1,365.00 (1.0" meter, MTU, meter horn, curb box, material, labor, equipment, all fees)

- d) Additional charges if applicable:

Meter pit (for 3/4" to 1" services)	\$125 (parts and labor when interior meter set is not feasible)
Winter construction surcharge	\$300 (applicable generally between December 15 to March 15 to cover additional costs related to frost excavation and extended street patch maintenance prior to final patch)

II. Sewer Service Line Charge

- a) Option 1 - Contractor for owner provides all excavation, backfill and surface restoration

4" or 6" service	\$330 (parts and labor covers sewer wye or saddle tap by city)
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- b) Option 2 – Connection to existing sewer service stub to vacant lot, if stub was provided at City cost (such stubs are typically done prior to street construction).

4" or 6" service	\$1,000
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III. Water & Sewer System Charges

System Charges as provided in the table below account for water or sewer system reserve capacity provided for new customers but financed at system expense.

Out of Town Water System Charges apply to retail customers outside the Owosso City Limits unless otherwise provided in an agreement between the City and the respective municipality. City Sewer System Charges do not apply to out-of-town water services. The respective Township regulates sewer service connections in their jurisdiction and their sewer charges thus apply.

Sewer System Charges do not apply to separate water only metered services such as irrigation, fire sprinkler service, or approved industrial applications where the water used does not go to a wastewater system.

A residential duplex served by a single service line and meter shall have a minimum meter size of $\frac{3}{4}$ ". Determination of appropriate meter size for other larger services is subject to review and approval by the Director of Utilities prior to acceptance of the application for service. That review shall be based on the user's demand potential and generally accepted practices for sizing water meters based on expected average and peak flow rates. Generally, the meter size shall be reduced no more than one standard size from the size of the water line (e.g. a 1.5" meter is acceptable with a 2" service line).

When an existing water service is enlarged or replaced with a larger water service due to an expansion of the customer's water demand, the Water and Sewer System charges shall be charged based on that for the new meter size minus that for the existing water meter size. There is no credit or rebate on reduction of meter size. In the event a new connection is made to up-size the service line (for example 6" to 8") and the meter size remains the same, no additional system charges will be assessed.

**TABLE I
WATER AND SEWER SYSTEM CHARGES**

Potable Water Service Meter Size	In-City Water System Charge	Out-of-City Water System Charge	In-City Sewer System Charge
5/8"	\$400	\$600	\$400
3/4"	\$600	\$900	\$600
1"	\$1,000	\$1,500	\$1,000
1.5"	\$2,000	\$3,000	\$2,000
2"	\$3,200	\$4,800	\$3,200
3"	\$6,000	\$9,000	\$6,000
4"	\$10,000	\$15,000	\$10,000
6"	\$20,000	\$30,000	\$20,000
8"	\$32,000	\$48,000	\$32,000

FIRE LINE CHARGES

Line Size	In-City	Out-of-City
4"	\$1,000	\$1,500
6"	\$2,000	\$3,000
6" with pump	\$4,000	\$6,000
8"	\$4,000	\$6,000
8" with pump	\$6,000	\$9,000
10"	\$6,000	\$9,000
10" with pump	\$8,000	\$12,000
12"	\$8,000	\$12,000
12" with pump	\$10,000	\$15,000

IV. Water Main Assessment Charge (Out of City)

For properties outside the City, that were not assessed or did not pay in a comparable way for the installation of the water main abutting their property, a Water Main Assessment Charge (WMAC) shall be paid prior to connection. This assessment is currently applicable to the Charter Townships of Owosso and Caledonia. Caledonia Charter Township opted out of the WMAC effective October 6, 2011, and then reinstated the charges beginning January 1, 2019.

Owosso Township cost per front linear foot of property		Minimum	Maximum
Water (residential)	\$15	\$900	\$3,000
Water (commercial or industrial)	\$20	\$2,000	
Caledonia Township cost per front foot of property			
Water (all accounts)	\$35	None	None

For corner lots the assessment applies only to the frontage abutting the water main to be used for the service connection.

Water Main Assessment Charge revenue shall be dedicated and restricted to a replacement fund to be used for water main replacements in the respective Township.

V. Meter Service Line Charge

These charges apply in cases where only the cost of meter installation is required for a new water meter and account. The charge includes costs of water meter, meter transmission unit (MTU), couplings/horn, service vehicle, one-hour meter installation and inspection, permit fee, and administration fee for 5/8", 3/4", and 1" meters only. A licensed plumber may be required to make interior piping changes.

5/8" meter	\$455	1.0" meter	\$560
3/4" meter	\$485		

Meters larger than 1" will be charged at actual cost and be installed by a licensed contractor.

And

RESOLUTION NO. 133-2019

**ESTABLISHING MISCELLANEOUS WATER POLICIES AND SERVICE CHARGES
EFFECTIVE OCTOBER 1, 2019**

WHEREAS, the city of Owosso owns and operates water and wastewater utilities; and

WHEREAS, the city of Owosso must have policies and service charges in addition to the basic rates pursuant to the *Code of Ordinances of the City of Owosso, Michigan* Sec. 34-79. Additional regulations and Sec. 34-81 Rules, regulations and fees.

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

FIRST: The city council hereby adopts the following policies and service charges for the water utility which shall become effective October 1, 2019.

SECOND: That any policies previously adopted which conflict with the provisions of the following policies and services are hereby repealed.

**MISCELLANEOUS WATER POLICIES AND SERVICE CHARGES
EFFECTIVE OCTOBER 1, 2019**

I. Service Costs – Customer Request for Turn-on/off of Water Service

- a. There shall be no service charge for routine turn-on or turn-off of a water service during normal working hours or for an emergency after-hours call. Normal work hours are 7:00 a.m. to 3:30 p.m. Monday-Friday excluding holidays. An emergency is a situation such as a ruptured water service line that would result in significant loss of water and/or property damage and is not due to negligence or fault of the customer.
- b. A \$30.00 service charge shall apply for return appointments during normal work hours when required by the customer's failure to keep a previous service appointment. (Note: A water service will not be turned on unless a responsible person is present who can verify that there are no leaks in the internal plumbing.)
- c. A \$30.00 service charge shall no longer apply for seasonal meter turn-on and account activation (during normal working hours only). Quarterly Readiness to Service charges shall continue to be billed.
- d. A \$60.00 service charge shall apply for after-hours, non-emergency customer-requested and scheduled service calls up to one hour in duration. After-hours service exceeding one hour and/or requiring more than one employee will be charged the actual cost.

II. Service Costs - Customer Request for RPZ (reduced pressure zone) Backflow Inspection

- a. Initial compliance inspections and noncompliance inspections are at no charge to the customer.
- b. If additional inspections are necessary, a \$30.00 re-inspection fee for each additional inspection will be added to the water bill.

III. Service Costs - Nonpayment of Water and/or Sewer Bills by Due Date

- a. A \$30.00 service charge shall be applied when payment is not received by the shut-off due date, and the past due account was added to the shut-off listing.
- b. An additional \$30.00 service charge shall be paid prior to turning on a water service, which was turned off for nonpayment, if such turn-on request would occur after 5:00 p.m. on a normal working day.
- c. A \$25.00 service charge shall be paid for returned payments (for any reason), for account holders having insufficient funds. A \$35.00 service charge shall be paid for any returned payments due to insufficient funds paid after the above 7 days.

IV. Water Service Permit

- a. A permit processing fee of \$30.00 will be required for all new services requested.

V. Hydrant Use Requests

- a. Contractors and special projects. A \$1,000 service charge will be required at time of permit application. This fee includes the minimum charge of \$50.00 for 5,000 bulk gallons of water, plus

additional charges of \$10.00 per 1,000 gallons, or fraction thereof, consumed greater than the minimum quantity. Owosso water system personnel will attach a water meter and RPZ backflow preventer to the hydrant for contractor use. If the water meter and RPZ are returned in good operating condition, the contractor will receive a \$450.00 refund, less charges for additional water consumed greater than the minimum quantity. Hydrant meters will not be provided from December 1 and March 31, unless the contractor can provide acceptable protection of equipment during freezing temperatures.

- b. Resident pool filling. Minimum charge for the filling of pools is \$300.00, and includes the first 5,000 gallons of water. A \$10.00-per-1,000 gallons, or fraction thereof, will be charged after the first 5,000 gallons.

VI. Hydrant Flow Data Requests

- a. The charge for water distribution modeling data (average day psi, max day psi, peak hour psi, available fire flow in gallons per minute/GPM @ residual pressure of 20 psi) is \$135.00.
- b. The charge for actual field flow data & psi testing will be ~~\$275.00~~ \$270.00. This field work does not include providing distribution modeling data.

VII. Customer Deposits

- a. Deposit for in-city-of-Owosso tenant accounts is \$225.00.
- b. Deposit for all accounts outside the city of Owosso is \$225.00.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

AYES: Councilmembers Law, Bailey, Fear, Pidek, Haber, Mayor Pro-Tem Osika, and Mayor Eveleth.

NAYS: None.

CDBG Policy Requirements

City Manager Henne explained that the City periodically has to adopt certain policies to remain eligible for federal grant monies.

Councilmember Fear inquired whether any of the policies include sexual orientation. It was noted they do not.

Motion by Councilmember Bailey to adopt the five following policies and resolutions as required by the State of Michigan and the Community Development Block Grant Program (CDBG) to remain eligible for future grant funding:

RESOLUTION NO. 134-2019

RESOLUTION AUTHORIZING THE APPROVAL OF RESIDENTIAL ANT-DISPLACEMENT & RELOCATION PLAN, SECTION 3 POLICY, GRIEVANCE PROCEDURE, NON-DISCRIMINATION BASED ON HANDICAP POLICY, AND EXCESSIVE FORCE POLICY

WHEREAS, CDBG program funds are used to provide grants and loans to UGLGs, usually with

populations under 50,000, in support of economic or community development projects. Project proposals are considered and evaluated continuously based upon the Michigan Strategic Fund's approved CDBG Funding Guide; and

WHEREAS, a Residential Ant-Displacement & Relocation Plan, a Section 3 Policy, a Grievance Procedure, a Non-Discrimination Based on Handicap Policy, and an Excessive Force Policy are required by the State of Michigan and the CDBG as part of the grant process. These documents and procedures seek to ensure the safety of all parties involved in grant activities and help fulfill the national objective of the CDGB.

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

- FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to approve the Residential Ant-Displacement & Relocation Plan* as presented.
- SECOND: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to approve the Section 3 Policy* as presented.
- THIRD: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to approve the Grievance Procedure* as presented.
- FOURTH: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to approve the Non-Discrimination Based on Handicap Policy* as presented.
- FIFTH: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to approve the Excessive Force Policy* as presented.

Motion supported by Councilmember Law.

Roll Call Vote.

AYES: Mayor Pro-Tem Osika, Councilmembers Bailey, Haber, Law, Pidek, Fear, and Mayor Eveleth.

NAYS: None.

Downtown Revolving Loan Fund Program Manual Revisions

City Manager Henne indicated this change is simply to include an item that was accidentally omitted from the original rewrite in June.

Councilmember Pidek thanked the DDA/Main Street Board for listening to his concerns in relation to this policy.

Motion by Councilmember Pidek to approve changes to the Downtown Revolving Loan Program Manual to include working capital costs for small businesses as an eligible project type as shown below:

RESOLUTION NO. 135-2019

AMENDING THE DOWNTOWN OWOSSO REVOLVING LOAN PROGRAM CRITERIA

WHEREAS, on June 17, 2019 the City Council approved new Downtown Owosso Revolving Loan Program Criteria for projects within the Owosso Downtown Development Authority district; and

WHEREAS, from time to time the program criteria and guidelines need to be revised to meet the needs of the changing downtown business environment.

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

FIRST: The guidelines will be changed to include loans for small business working capital.

SECOND: The attached manual and process description shall be adopted and supersede any previously-adopted program manuals.*

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

AYES: Councilmembers Fear, Haber, Mayor Pro-Tem Osika, Councilmembers Bailey, Law, Pidek, and Mayor Eveleth.

NAYS: None.

5th Monday Meeting Agenda

Motion by Councilmember Bailey setting the agenda for the 5th Monday Meeting scheduled for September 30, 2019 to discuss ways to improve the City's trash collection ordinance and consider a curb-side recycling component.

Motion supported by Councilmember Law.

Roll Call Vote.

AYES: Mayor Pro-Tem Osika, Councilmembers Haber, Fear, Bailey, Pidek, Law, and Mayor Eveleth.

NAYS: None.

Recreational Marijuana Presentation/Discussion

City Manager Nathan Henne gave a presentation on recreational marijuana; how it came to be, licenses that are available under the new law, and the options available to the City in regulating recreational marijuana facilities.

Following the presentation there was discussion regarding whether the Planning Commission and Council would be able to develop the policies and practices necessary to implement the law by the December 17th deadline dictated by the moratorium passed in December of 2018; how the vetting process will work; what other municipalities are doing; the potential conversion of current medical marijuana facilities into recreational marijuana facilities; honoring the intent of voters; and whether the public knows the difference between medical marijuana and recreational marijuana.

Motion by Councilmember Fear to direct the City Manager to present Council with a range of potential dates and times to hold a public information session on marijuana.

Motion supported by Councilmember Pidek.

Roll Call Vote.

AYES: Councilmembers Pidek, Fear, Bailey, Haber, Law, Mayor Pro-Tem Osika, and Mayor Eveleth.

NAYS: None.

COMMUNICATIONS

N. Bradley Hissong, Building Official. August 2019 Building Department Report.

N. Bradley Hissong, Building Official. August 2019 Code Violations Report.

N. Bradley Hissong, Building Official. August 2019 Certificates Issued Report.

N. Bradley Hissong, Building Official. August 2019 Inspections Report.

Kevin D. Lenkart, Public Safety Director. August 2019 Police Report.

Kevin D. Lenkart, Public Safety Director. August 2019 Fire Report.

Historical Commission. Minutes of August 19, 2019.

Planning Commission. Minutes of August 26, 2019.

Parks & Recreation Commission. Minutes of August 28, 2019.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, 2910 W. M-21, inquired whether the Historic Properties Director position will be filled in the future, and if not, who will be in charge of the Historical Commission? He further asked if City administrators had the authority to develop policies without Council's approval. Changing gears, Mr. Manke said the City cannot afford to put another moratorium in place for recreational marijuana facilities at the risk of alienating millennial voters.

Pete Yerian, 1471 Jackson Drive, suggested Council consider a rule providing preference for marijuana businesses based in the county since they are more likely to give back to the community than a business based far away.

Eddie Urban, 601 Glenwood Avenue, commented about visiting the County Health Department and his enjoyment of funny movies.

Larry Johnson, Director of the Shiawassee County Health Department, indicated he was present at the request of the City Manager to detail the efforts the Health Department is undertaking to educate the public about the dangers of marijuana. He gave the City a large stack of information cards to hand out to the public and spread the message.

Mayor Eveleth asked Mr. Johnson about the status of the Hepatitis A outbreak. Mr. Johnson indicated that they had received grant funding from the State to assist in their efforts to control the spread of the disease and he was happy to say that the outbreak was now under control within the county.

Councilmember Pidek inquired about data the Health Department is tracking regarding Hepatitis A and auto accidents involving marijuana. Director Johnson said that they currently track the number of Hepatitis A cases in the county but do not track marijuana related accidents at this time.

Mayor Eveleth asked the City Manager about his thoughts on the Historic Properties Director position. City Manager Henne indicated that he had recently engaged the OHC board on the matter and they would like to continue without a director until someone new can be hired. He reminded the Council that filling the position was his prerogative as City Manager. He further stated that the City's only purpose in

developing an operations agreement with a non-profit organization would be to make historical related services delivered to residents more efficient.

Mayor Eveleth reminded everyone that the Historic Home Tour is this Saturday from 10:00am until 5:00pm. Councilmember Fear pointed out there are still decent positions available for anyone interested. Councilmember Fear congratulated Councilmember Pidek on the opening of his new Foster Coffee location in East Lansing.

Councilmember Law said he was happy the Council was planning on having discussions regarding recreational marijuana. He said he would like to see the City move with as much speed as possible so things don't get bogged down with recreational marijuana regulation the way they did with medical marijuana. He also said that it was his opinion that medical marijuana would eventually disappear in favor of recreational marijuana.

Councilmember Law went on to thank the Council for appointing a new member to the Shiawassee County Firefighters' Memorial Steering Committee. He displayed two engraved insulated mugs that are now available for sale. He said he also has tickets for their upcoming raffle.

NEXT MEETING

Monday, September 30, 2019 – 5th Monday Meeting
Monday, October 07, 2019 – Regular Meeting

BOARDS AND COMMISSIONS OPENINGS

Building Board of Appeals – Alternate - term expires June 30, 2019
Building Board of Appeals – Alternate - term expires June 30, 2021
Brownfield Redevelopment Authority – term expires June 30, 2022
Historical Commission – 2 terms expire December 31, 2021
Planning Commission – term expires June 30, 2019
SATA Board of Directors – term expires October 1, 2022

ADJOURNMENT

Motion by Mayor Pro-Tem Osika for adjournment at 9:15 p.m.

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

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk

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

**CITY OF OWOSSO
5TH MONDAY MEETING OF THE CITY COUNCIL
MINUTES OF SEPTEMBER 30, 2019
7:30 P.M.**

PRESIDING OFFICER: MAYOR CHRISTOPHER T. EVELETH

PLEDGE OF ALLEGIANCE: MAYOR CHRISTOPHER T. EVELETH

PRESENT: Mayor Christopher T. Eveleth, Mayor Pro-Tem Susan J. Osika, Councilmembers Loreen F. Bailey (7:39 p.m.), Janae L. Fear, Jerome C. Haber, Daniel A. Law, and Nicholas L. Pidek.

ABSENT: None.

CITIZEN COMMENTS & QUESTIONS

There were neither citizen comments, nor Council comments made at this time.

ITEMS OF BUSINESS

OMS/DDA RLF Grant Funding Approval – 114-116 W. Main Street

City Manager Nathan R. Henne indicated that the work proposed for this property has been identified by the DDA as being eligible for grant funding.

Councilmember Pidek inquired why this item, and the following item, were being addressed as Items of Business since they had already been so heavily vetted by the DDA and the loan committee. It was explained that such items would typically be addressed as part of the Consent Agenda, but due to the fact that a Consent Agenda is not used during 5th Monday meetings the items were placed on the agenda as Items of Business.

Motion by Councilmember Law to approve the application from Ruesswood REI Group requesting a grant from the OMS/DDA Revolving Loan Fund in the amount of \$50,000.00 for the purpose of installing a fire suppression system and rehabilitating the existing elevator located at 114-116 W. Main Street as follows:

RESOLUTION NO. 136-2019

**AUTHORIZING THE RELEASE OF OMS/DDA REVOLVING GRANT FUNDS
TO RUESSWOOD REI GROUP
FOR ELIGIBLE WORK AT 114-116 W. MAIN STREET**

WHEREAS, in 1994 the city of Owosso established the Downtown Owosso Revolving (formerly UDAG/CDBG) Loan Program for projects within the Owosso Downtown Development Authority district; and

WHEREAS, on June 17, 2019 City Council approved the new OMS/DDA Revolving Loan & Grant Program, giving stewardship of the loan and grant process to the Owosso Main Street/DDA Board.

WHEREAS, on July 23, 2019 a grant application was submitted to the OMS/DDA for a grant request from Ruesswood REI Group for \$50,000.00 for the installation of a fire suppression system and reconstruction of the existing elevator located at 114-116 W. Main Street. Improvements are being made to support the

development of residential units located on the third-story.

WHEREAS, on August, 27, 2019 the OMS/DDA Design & Business Vitality Committee reviewed and approved the application, giving it an overall score of 40. This score is well above the 30 points required for consideration.

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

FIRST: The City of Owosso approves the grant of \$50,000.00 to Ruesswood REI Group for fire suppression and elevator improvement associated with 114-116 W. Main Street according to the terms & specifications determined by the OMS/DDA Loan & Grant Manual.

SECOND: The mayor is hereby authorized and instructed to sign appropriate documents.

THIRD: The accounts payable department is hereby authorized to release funds to Ruesswood REI Group in the amount of \$50,000.00 from the OMS/DDA Revolving Loan Fund.

Motion supported by Councilmember Pidek.

Roll Call Vote.

AYES: Councilmembers Law, Fear, Pidek, Mayor Pro-Tem Osika, Councilmember Haber, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Bailey (absent at the time of the vote)

OMS/DDA RLF Loan Funding Approval – 216 W. Exchange Street

Motion by Councilmember Pidek to approve the application from Woodworth Properties, LLC requesting a loan from the OMS/DDA Revolving Loan Fund in the amount of \$50,000.00 for the purpose of renovating the first floor retail space and development of apartments on the second floor at 216 W. Exchange Street as detailed below:

RESOLUTION NO. 137-2019

AUTHORIZING THE RELEASE OF OMS/DDA REVOLVING LOAN FUNDS TO WOODWORTH PROPERTIES, LLC. ASSOCIATED TO WORK AT 216 W. EXCHANGE STREET

WHEREAS, in 1994 the city of Owosso established the Downtown Owosso Revolving (formerly UDAG/CDBG) Loan Program for projects within the Owosso Downtown Development Authority district; and

WHEREAS, on June 17, 2019 City Council approved the new OMS/DDA Revolving Loan & Grant Program, giving stewardship of the loan and grant process to the Owosso Main Street/DDA Board; and

WHEREAS, on July 23, 2019 a loan application was submitted to the OMS/DDA for a loan request from Woodworth Properties, LLC. for \$50,000.00 for the renovation of the vacant property location at 216 W. Exchange Street. Renovations include first-floor improvements and upper-level residential development.

WHEREAS, on August, 27, 2019 the OMS/DDA Design & Business Vitality Committee reviewed and

approved the application, giving it an overall score of 52. This score is well above the 30 points required for consideration.

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

FIRST: The City of Owosso approves the loan of \$50,000.00 to Woodworth Properties, LLC for the redevelopment of 216 W. Exchange Street according to the terms & specifications determined by the OMS/DDA Loan & Grant Manual.

SECOND: The mayor is hereby authorized and instructed to sign appropriate documents.

THIRD: The accounts payable department is hereby authorized to release funds to Woodworth Properties, LLC in the amount of \$50,000.00 from the OMS/DDA Revolving Loan Fund.

Motion supported by Mayor Pro-Tem Osika.

Roll Call Vote.

AYES: Councilmembers Fear, Law, Pidek, Mayor Pro-Tem Osika, Councilmember Haber, and Mayor Eveleth.

NAYS: None.

ABSENT: Councilmember Bailey (absent at the time of the vote)

Councilmember Bailey arrived at 7:39 p.m.

21-Day Posting – Proposed Property Sale

Motion by Mayor Pro-Tem Osika to authorize a twenty-one (21) day posting period for the sale of 30 acres of vacant City-owned industrial property to BCC Agricultural LLC in the amount of \$75,000.00 for purpose of developing a multi-business industrial park as follows:

RESOLUTION NO. 138-2019

AUTHORIZING 21-DAY POSTING OF PURCHASE AGREEMENT FOR THE SALE OF CITY-OWNED PROPERTY ON WEST SOUTH STREET

WHEREAS, the City of Owosso, Shiawassee County, Michigan, owns parcel 050-549-000-002-00, consisting of 30 acres of industrial-zoned property; and

WHEREAS, the City of Owosso, Shiawassee County, Michigan, has received an offer to purchase said parcel for seventy-five thousand dollars (\$75,000); and

WHEREAS, the City of Owosso has no immediate or long-term plans to develop said parcel under city ownership; and

WHEREAS, this parcel has not been actively 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 purchase agreement for the property described above be posted for a 21-day period

to allow for citizen comment and other offers.

SECOND: The proposed agreement be returned to Council at the meeting of Monday, October 21, 2019 for potential final disposition.

Motion supported by Councilmember Law.

Roll Call Vote.

AYES: Mayor Pro-Tem Osika, Councilmembers Bailey, Pidek, Fear, Law, Haber, and Mayor Eveleth.

NAYS: None.

Tax Abatement Policy Amendment

City Manager Henne requested that consideration of this item be postponed until the second meeting in October to allow staff time to refine the amendments to the Tax Abatement Policy being proposed. He went on to request that Council move forward with consideration of the two tax abatement applications currently in the pipeline under the guidelines of the existing policy.

Mayor Eveleth directed staff to place the Tax Abatement Policy Amendment item on the October 21, 2019 agenda.

Trash Collection & Curb-side Recycling Presentation & Discussion

City Manager Henne gave a presentation regarding ways to improve trash collection in the City and the possible adoption of a curbside recycling component. He suggested amendment of the trash ordinance, hiring a single hauler to provide service, instituting curbside recycling, as well as ways to pay for the service. Benefits to the City would include improvements in sanitation, fewer code enforcement violations, less wear and tear on City streets, and the potential for significant cost savings. The City's Building Official, Code Enforcement Officer, and a DPW supervisor were on hand to describe the problems they were encountering and to answer questions that arose during discussion.

There was Council discussion regarding the advantages and disadvantages of using a single hauler, the fact that it can take months to get through the Code Enforcement process, and other options rather than going to a single hauler, such as requiring landlords to provide trash service for tenants.

City Manager Henne said he appreciated what a difficult decision this could be for Council but he felt the benefits outweighed the drawbacks. Mayor Eveleth indicated tonight would mark the first in a series of discussions on the matter. Staff will conduct more research and begin to develop amendments to the ordinance.

NEXT MEETING

Monday, October 07, 2019

BOARDS AND COMMISSIONS OPENINGS

Building Board of Appeals – Alternate - term expires June 30, 2019
Building Board of Appeals – Alternate - term expires June 30, 2021
Brownfield Redevelopment Authority – term expires June 30, 2022
Historical Commission – 2 terms expire December 31, 2021

Planning Commission – term expires June 30, 2019
SATA Board of Directors – term expires October 1, 2022

Tom Manke interjected with his recollection that Council voted to conduct code enforcement entirely on a complaint basis, that staff could not begin enforcement action based solely on their observation of a violation.

ADJOURNMENT

Motion by Councilmember Bailey for adjournment at 8:42 p.m.

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

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk



MEMORANDUM

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

DATE: September 24, 2019

TO: Owosso City Council

FROM: Glenn Chinavare, Director of Public Services

SUBJECT: Cedar Street Resurfacing – Special Assessment Resolution No 3

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. **Cedar Street, from South Street to Hampton Avenue**, is proposed by the city for street rehabilitation. 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 **August 6, 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. Resolution No. 2 for the proposed improvement was approved by City Council at its **September 16, 2019** meeting.

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: 1) If council agrees 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; 2) If Council agrees the project should go forward, but with some adjustments council may direct staff to make those adjustments and proceed; 3) If council determines the project is not warranted and should not proceed at all, council would simply fail to act on Resolution No. 3, effectively stopping the process. The hearing of necessity will be held during the regularly scheduled city Council meeting of **October 7, 2019**.

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 holding a public hearing to receive citizen comments regarding the necessity of the proposed project. At the conclusion of the hearing council will consider approval of Resolution No. 3 authorizing the project to proceed. Residents that would be affected by the project have been sent a notification for the public hearing, a description of the work being proposed, and an estimate of the special assessment for their property.

Staff recommends authorization of Resolution No. 3 for the following district:

Special Assessment District No. 2020-01
Cedar Street, a Public Street, from South Street to Hampton Avenue

RESOLUTION NO.

**AUTHORIZING SPECIAL ASSESSMENT RESOLUTION NO. 3
ESTABLISHING SPECIAL ASSESSMENT DISTRICT NO. 2020-01
CEDAR STREET, FROM SOUTH STREET TO HAMPTON AVENUE
FOR STREET REHABILITATION**

WHEREAS, the City Council, after due and legal notice, has met and (there being no one to be heard regarding / having heard all persons to be affected by) the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

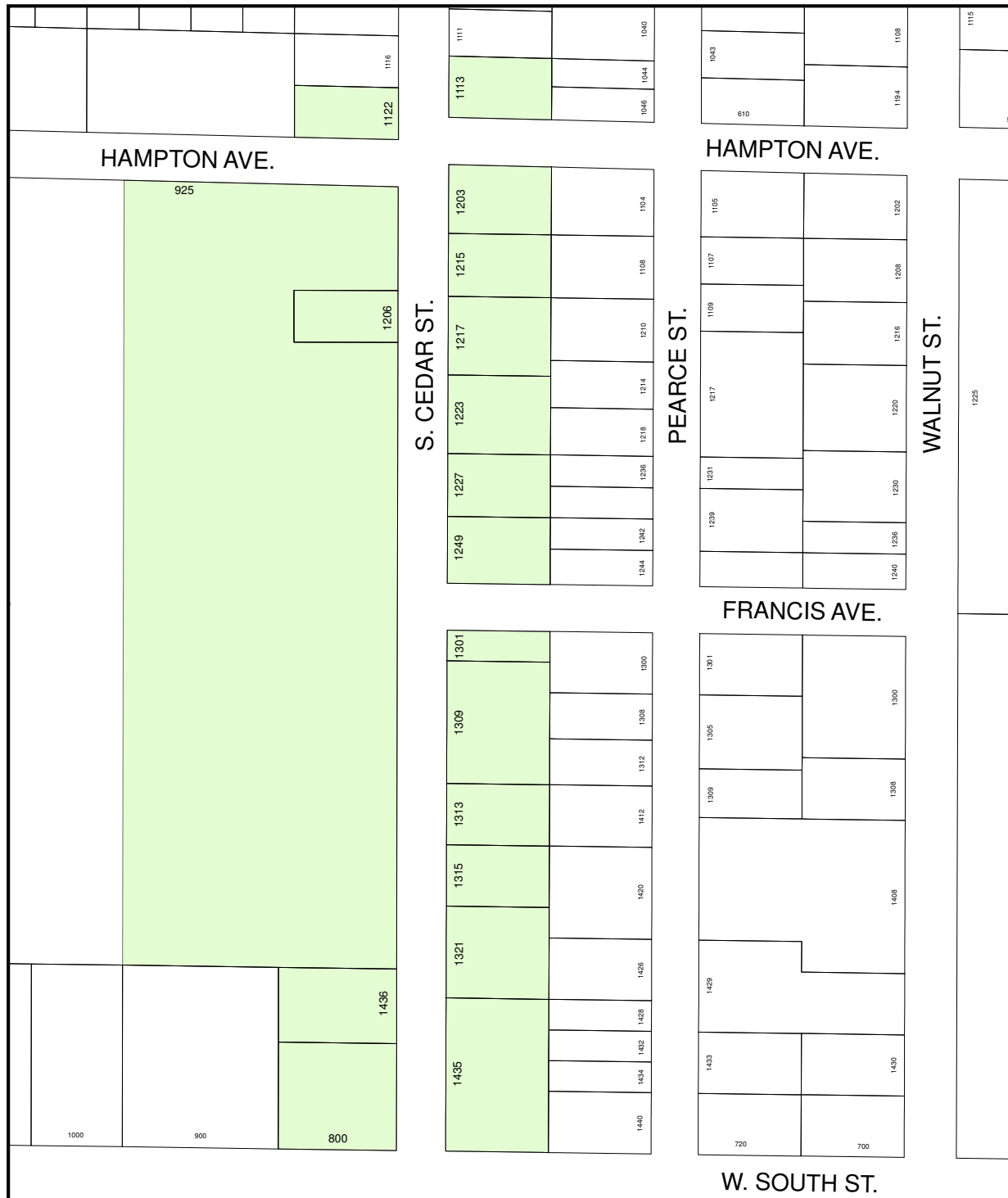
1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited:

**CEDAR STREET, A PUBLIC STREET, FROM SOUTH STREET TO HAMPTON AVENUE
STREET REHABILITATION**

2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be \$588,054.00 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.
3. The City Council determines that of said total estimated cost, the sum of \$100,550.94 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described, and that the sum of \$487,503.06 of said total estimated cost shall be the obligation of the City at large because of benefit to the City at large.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied:

**Cedar Street, a Public Street, from South Street to Hampton Avenue
For street rehabilitation**

5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.
6. When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.



City of Owosso

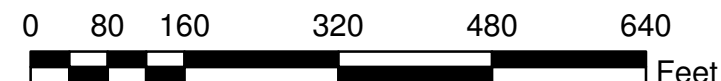
Proposed Special Assessment

S. Cedar St.
from South St. to Hampton Ave.



Legend

- Special Assessment Parcels
- City Parcels
- 501 Street Address Number



1 inch = 200 feet

HISTORY

Reso No. 2 S Cedar Street – W South St to Hampton Ave

- This project is part of the original five-year plan.
- Our records indicate last work done was 1972.
- Records are inaccurate as to existing pavement section. Recent pavement/soil cores indicate 4" asphalt over a sandy gravel base and 6.5" asphalt over a clay base.
- Street width varies from 27' to 33' edge-to-edge plus curb and gutter both sides of street. Proposed street is same width.
- Traffic volumes are about 500 vehicles per day.
- Work scope is to remove the existing pavement and replace with 5" asphalt over 8" crushed limestone base and geotextile separator, along with select curb and gutter repair, select storm sewer replacement, and ADA sidewalk ramps. The water main will be replaced in conjunction with the street project. Preliminary plans are available. This treatment is selected as most economical means to deliver a quality road.
- Work schedule TBD but should be sometime between June-September, 2020.
- Life expectancy is 20 years.

30-Aug-19

S CEDAR STREET FROM SOUTH TO HAMPTON ENGINEER'S ESTIMATE**RESO 2**

DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT	ELLIGIBLE AMOUNT	CITY COST 60 PERCENT	ASSESSMENT AT 40% RESIDENTIAL	ASSESSMENT AT 40% COMMERCIAL
Mobilization, Max 5%, (Road and Storm)	LSUM	0.6	\$ 35,100.00	\$ 21,060.00	\$ 21,060.00	\$ 12,636.00	\$ 8,424.00	\$ 8,424.00
Dr Structure, Rem	EA	16	\$ 350.00	\$ 5,600.00		\$ -	\$ -	\$ -
Sewer, Rem, Less than 24 inch	FT	955	\$ 10.00	\$ 9,550.00		\$ -	\$ -	\$ -
Curb and Gutter, Rem	FT	1048	\$ 7.00	\$ 7,336.00	\$ 7,336.00	\$ 4,401.60	\$ 2,934.40	\$ 2,934.40
Pavt, Rem	SYD	73	\$ 8.00	\$ 584.00	\$ 584.00	\$ 350.40	\$ 233.60	\$ 233.60
Sidewalk, Rem	SYD	133	\$ 8.00	\$ 1,064.00		\$ -	\$ -	\$ -
Embankment, CIP	CYD	66	\$ 12.00	\$ 792.00		\$ -	\$ -	\$ -
Subbase, CIP	CYD	17	\$ 17.00	\$ 289.00		\$ -	\$ -	\$ -
Excavation, Earth	CYD	1650	\$ 13.00	\$ 21,450.00		\$ -	\$ -	\$ -
Subgrade Undercutting, Type II	CYD	50	\$ 25.00	\$ 1,250.00		\$ -	\$ -	\$ -
Erosion Control, Inlet Protection, Fabric Drop	EA	12	\$ 100.00	\$ 1,200.00	\$ 1,200.00	\$ 720.00	\$ 480.00	\$ 480.00
Aggregate Base, 8 inch, Modified	SYD	4846	\$ 14.00	\$ 67,844.00	\$ -	\$ -	\$ -	\$ -
Maintenance Gravel	TON	30	\$ 25.00	\$ 750.00	\$ 750.00	\$ 450.00	\$ 300.00	\$ 300.00
Geotextile, Separator	SYD	4846	\$ 2.00	\$ 9,692.00		\$ -	\$ -	\$ -
Sewer, SDR-26, 10 inch, Tr Det B, Modified	FT	273	\$ 52.00	\$ 14,196.00		\$ -	\$ -	\$ -
Sewer, SDR-26, 12 inch, Tr Det B, Modified	FT	676	\$ 55.00	\$ 37,180.00		\$ -	\$ -	\$ -
Sewer Bulkhead, 12 inch	EA	3	\$ 200.00	\$ 600.00		\$ -	\$ -	\$ -
Dr Structure, Temp Lowering	EA	5	\$ 250.00	\$ 1,250.00	\$ 1,250.00	\$ 750.00	\$ 500.00	\$ 500.00
Dr Structure Cover, Adj, Case 1	EA	7	\$ 475.00	\$ 3,325.00	\$ 3,325.00	\$ 1,995.00	\$ 1,330.00	\$ 1,330.00
Dr Structure Cover, EJ 1060	EA	5	\$ 600.00	\$ 3,000.00	\$ 3,000.00	\$ 1,800.00	\$ 1,200.00	\$ 1,200.00
Dr Structure Cover, EJ 1120 w/ Gasket Seal	EA	5	\$ 650.00	\$ 3,250.00	\$ 3,250.00	\$ 1,950.00	\$ 1,300.00	\$ 1,300.00
Dr Structure Cover, EJ 7000	EA	14	\$ 700.00	\$ 9,800.00	\$ 9,800.00	\$ 5,880.00	\$ 3,920.00	\$ 3,920.00
Dr Structure 36 inch dia, Modified	EA	12	\$ 1,500.00	\$ 18,000.00		\$ -	\$ -	\$ -
Dr Structure 48 inch dia, Modified	EA	5	\$ 2,000.00	\$ 10,000.00		\$ -	\$ -	\$ -
Dr Structure, Add Depth of 48 inch dia, 8 foot to 15 foot	FT	1	\$ 350.00	\$ 350.00		\$ -	\$ -	\$ -
HMA Surface, Rem	SYD	4846	\$ 3.00	\$ 14,538.00	\$ 14,538.00	\$ 8,722.80	\$ 2,907.60	\$ 4,361.40
Hand Patching	TON	5	\$ 125.00	\$ 625.00	\$ 625.00	\$ 375.00	\$ 250.00	\$ 250.00
HMA, 2C @ 3.5"	TON	1027	\$ 85.00	\$ 87,295.00	\$ 87,295.00	\$ 52,377.00	\$ 24,941.43	\$ 34,918.00
HMA, 5E3 @1.5"	TON	440	\$ 88.00	\$ 38,720.00	\$ 38,720.00	\$ 23,232.00	\$ 15,488.00	\$ 15,488.00
HMA Approach	TON	10	\$ 125.00	\$ 1,250.00	\$ 1,250.00	\$ 750.00	\$ 500.00	\$ 500.00
Cement	TON	1	\$ 250.00	\$ 250.00	\$ 250.00	\$ 150.00	\$ 100.00	\$ 100.00

DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT	ELLIGIBLE AMOUNT	CITY COST 60 PERCENT	ASSESSMENT AT 40% RESIDENTIAL	ASSESSMENT AT 40% COMMERCIAL
Saw Cutting	FT	100	\$ 3.00	\$ 300.00		\$ -	\$ -	\$ -
Driveway, Nonreinf Conc, 6 inch	SYD	68	\$ 45.00	\$ 3,060.00		\$ -	\$ -	\$ -
Approach, CI II, LM	TON	10	\$ 50.00	\$ 500.00	\$ 500.00	\$ 300.00	\$ 200.00	\$ 200.00
Curb and Gutter, Conc, Det F4, Modified	FT	1048	\$ 20.00	\$ 20,960.00	\$ 20,960.00	\$ 12,576.00	\$ 8,384.00	\$ 8,384.00
Detectable Warning Surface, Modified	FT	40	\$ 40.00	\$ 1,600.00		\$ -	\$ -	\$ -
Sidewalk Ramp, Conc, 7 inch	SFT	770	\$ 5.00	\$ 3,850.00		\$ -	\$ -	\$ -
Sidewalk, Conc, 4 inch	SFT	300	\$ 4.50	\$ 1,350.00		\$ -	\$ -	\$ -
Sidewalk, Conc, 6 inch	SFT	150	\$ 5.00	\$ 750.00		\$ -	\$ -	\$ -
Sanitary Serv Conflict	EA	3	\$ 1,350.00	\$ 4,050.00		\$ -	\$ -	\$ -
Abandoned Gas Main Conflict	EA	5	\$ 500.00	\$ 2,500.00		\$ -	\$ -	\$ -
Barricade, Type III, High Intensity, Double Sided, Furn & Oper	EA	6	\$ 100.00	\$ 600.00		\$ -	\$ -	\$ -
Pedestrian Type II Barricade, Temp	EA	20	\$ 150.00	\$ 3,000.00		\$ -	\$ -	\$ -
Lighted Arrow, Type C, Furn & Oper	EA	1	\$ 300.00	\$ 300.00		\$ -	\$ -	\$ -
Minor Traf Devices	LSUM	0.6	\$ 10,000.00	\$ 6,000.00	\$ 6,000.00	\$ 3,600.00	\$ 2,400.00	\$ 2,400.00
Plastic Drum, High Intensity, Furn & Oper	EA	55	\$ 20.00	\$ 1,100.00		\$ -	\$ -	\$ -
Sign, Type B, Temp, Prismatic, Furn & Oper	SFT	181	\$ 5.00	\$ 905.00		\$ -	\$ -	\$ -
Turf Establishment, Performance	SYD	355	\$ 6.00	\$ 2,130.00		\$ -	\$ -	\$ -
Miscellaneous Work Items	LSUM	1	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 12,000.00	\$ 8,000.00	\$ 8,000.00
SUB TOTALS				\$ 465,045.00	\$ 241,693.00	\$ 145,015.80	\$ 83,793.03	\$ 95,223.40
ENGINEERING AT 15% ASSESSABLE COST				\$ 69,756.75	\$ 36,253.95	\$ 21,752.37	\$ 12,568.95	\$ 14,283.51
ADMINISTRATIVE AT 5% ASSESSABLE COST				\$ 23,252.25	\$ 12,084.65	\$ 7,250.79	\$ 4,189.65	\$ 4,761.17
GRAND TOTALS				\$ 558,054.00	\$ 290,031.60	\$ 174,018.96	\$ 100,551.63	\$ 114,268.08

ENGINEER'S DETERMINATION OF ASSESSABLE AMOUNT

S CEDAR STREET FROM SOUTH ST TO HAMPTON AVE

SPECIAL ASSESSMENT ROLL

RESO 2

ENGINEER'S ESTIMATE ASSESSABLE AMOUNT	\$290,031.50
TOTAL ASSESSABLE FRONT FEET	2100.50

CALCULATING ASSESSABLE FRONT FOOT RATE AND AMOUNTS:

PROPERTY TYPE	RESIDENTIAL PROPERTY	COMMERCIAL PROPERTY	TOTAL
TOTAL ASSEMENT PER TYPE	\$290,031.50	\$290,031.50	
CITY SHARE $\geq 60\%$	\$189,479.87	\$175,763.42	
PROPERTY SHARE @ $\leq 40\%$	\$100,551.63	\$114,268.08	
ASSESSABLE FRONT FOOT RATE: PROP SHARE/2100.5	\$47.87	\$54.40	
TOTAL FRONT FEET PER TYPE	2100.50	0.00	
TOTAL AMOUNT OF ASSESSMENT PER TYPE:	\$100,551.63	\$0.00	\$100,551.63

SUMMARY: SPECIAL ASSESSMENT AMOUNTS PER SIDE OF STREET:

WEST SIDE	\$47,415.24
EAST SIDE	\$53,135.70
TOTAL SPECIAL ASSESSMENT	<u>\$100,550.94</u>

S CEDAR ST FROM SOUTH TO HAMPTON

ESTIMATED SPECIAL ASSESSMENT ROLL NO. 2020-01

RESO 2

WEST SIDE

ADDRESS NO.	STREET	PROPERTY OWNER NAME	ROLL NUMBER	FRONT FOOTAGE	CORNER LOT DISCOUNT	ASSESSABLE FRONT FEET	FRONT FOOT RATE	AMOUNT OF ASSESSMENT	PROPERTY TYPE
800	W. SOUTH	HANSON, BARBARA J	114-005-004	136	0.75	102.00	\$47.87	\$4,882.74	R1
1436	S CEDAR	OCHODNICKY, TERRY & JUDITH	114-005-005	95	1	95.00	\$47.87	\$4,547.65	R1
925	HAMPTON	OWOSSO PUBLIC SCHOOLS	114-006-008	918	0.75	688.50	\$47.87	\$32,958.50	R1
1206	S CEDAR	LONG, RONALD	114-006-007	66	1	66.00	\$47.87	\$3,159.42	R1
1122	S CEDAR	MOSKAL PHILLIP	114-006-001	52	0.75	39.00	\$47.87	\$1,866.93	R1
				1267		990.50		\$47,415.24	

EAST SIDE

ADDRESS NO.	STREET	PROPERTY OWNER NAME	ROLL NUMBER	FRONT FOOTAGE	CORNER LOT DISCOUNT	ASSESSABLE FRONT FEET	FRONT FOOT RATE	AMOUNT OF ASSESSMENT	PROPERTY TYPE
1435	S CEDAR	HARRAND, RICHARD	270-000-162	195	0.75	146.25	\$47.87	\$7,000.99	R2
1321	S CEDAR	SCHAFER, DENNIS L	270-000-163	117	1	117.00	\$47.87	\$5,600.79	R2
1315	S CEDAR	TEJKL, MICHAEL W	270-000-025	78	1	78.00	\$47.87	\$3,733.86	R2
1313	S CEDAR	CROWE PROPERTIES, LLC	270-000-024	78	1	78.00	\$47.87	\$3,733.86	R2
1309	S CEDAR	LAWRENCE, ALAN R & KAREN A	270-000-022	156	1	156.00	\$47.87	\$7,467.72	R2
1301	S CEDAR	HOENSHELL, SCOTT	270-000-021	39	0.75	29.25	\$47.87	\$1,400.20	R2
1249	S CEDAR	REED, ANNA M	270-000-020	85	0.75	63.75	\$47.87	\$3,051.71	R2
1227	S CEDAR	MARTIN LARRY R	270-000-018	80	1	80.00	\$47.87	\$3,829.60	R2
1223	S CEDAR	MOWEN, DANIEL T	270-000-016	100	1	100.00	\$47.87	\$4,787.00	R2
1217	S CEDAR	WADLINGTON, IRVING H & BETTY J	270-000-013	100	1	100.00	\$47.87	\$4,787.00	R2
1215	S CEDAR	NESBIT KYLE W & SAMANTHA J	270-000-012	80	1	80.00	\$47.87	\$3,829.60	R2
1203	S CEDAR	BOUGHNER, PATRICK A & CYNTH	270-000-011	88	0.75	66.00	\$47.87	\$3,159.42	R2
1113	S CEDAR	WALLHEAD, DAVID G	270-000-010	21	0.75	15.75	\$47.87	\$753.95	R1
				1217		1110.00		\$53,135.70	

TOTAL ASSESSABLE FRONT FOOTAGE

2100.50



MEMORANDUM

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

DATE: September 24, 2019

TO: Owosso City Council

FROM: Glenn Chinavare, Director of Public Services

SUBJECT: Clark Avenue Resurfacing – Special Assessment Resolution No 3

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. **Clark Avenue, from Oliver Street to King Street**, is proposed by the city for street rehabilitation. 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 **August 6, 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. Resolution No. 2 for the proposed improvement was approved by City Council at its **September 16, 2019** meeting.

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: 1) If council agrees 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; 2) If council agrees the project should go forward, but with some adjustments, council may direct staff to make those adjustments and proceed; 3) If council determines 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. The hearing of necessity will be held during the regularly scheduled city Council meeting of **October 7, 2019**.

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 holding a public hearing to receive citizen comments regarding the necessity of the proposed project. At the conclusion of the hearing council will consider approval of Resolution No. 3 authorizing the project to proceed. Residents that would be affected by the project have been sent a notification for the public hearing, a description of the work being proposed, and an estimate of the special assessment for their property.

Staff recommends authorization of Resolution No. 3 for the following district:

Special Assessment District No. 2020-02
Clark Avenue, a Public Street, from Oliver Street to King Street

RESOLUTION NO.

**AUTHORIZING SPECIAL ASSESSMENT RESOLUTION NO. 3
ESTABLISHING SPECIAL ASSESSMENT DISTRICT NO. 2020-02
CLARK AVENUE, FROM OLIVER STREET TO KING STREET
FOR STREET REHABILITATION**

WHEREAS, the City Council, after due and legal notice, has met and (there being no one to be heard regarding / having heard all persons to be affected by) the proposed public improvement more particularly hereinafter described; and

WHEREAS, the City Council deems it advisable and necessary to proceed with said public improvement as more particularly hereinafter described.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby determines to make and proceed with the following described public improvement and to defray a part or the whole cost, as more particularly hereinafter provided, by special assessment upon the property specially benefited:

**CLARK AVENUE, A PUBLIC STREET, FROM OLIVER STREET TO KING STREET
STREET REHABILITATION**

2. The City Council hereby approves the plans for the aforesaid public improvement as prepared and presented by the City Manager and determines the estimated cost of said public improvement to be \$323,828.40 and approves said estimated cost and determines that the estimated life of said public improvement is twenty (20) years.
3. The City Council determines that of said total estimated cost, the sum of \$59,294.94 be paid by special assessment upon the property specially benefited, as more particularly hereinafter described, and that the sum of \$264,533.46 of said total estimated cost shall be the obligation of the City at large because of benefit to the City at large.
4. The City Council hereby designates the following described property as the special assessment district upon which the special assessment shall be levied:

**Clark Avenue, a Public Street, from Oliver Street to King Street
For street rehabilitation**

5. The City Assessor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district herein designated, and the Assessor shall assess to each such lot or parcel of land such relative portion of the whole sum to be levied against all lands in the special assessment district as the benefit to such lot or parcel of land bears to the total benefits to all lands in such district.
6. When the Assessor shall have completed the assessment roll, he shall file the special assessment roll with the City Clerk for presentation to the City Council.

----- Original message -----

From: host@webascender.com

Date: 9/21/19 4:55 PM (GMT-05:00)

To: Info Email Account Group <info@ci.owosso.mi.us>

Subject: Contact Form

Results From: Contact FormSubmitted By: Unauthenticated User IP: 69.41.6.100

Full Name:

Kathy Bond

Email:

kathybond03@gmail.com

Phone Number:

9894130028

Message:

I have received a Notice of Special Assessment stating that Clark Avenue from Oliver Street to King Street is intended to be improved. I live on the corner of Clark and King. Clark Avenue is in much better shape than a lot of the streets in Owosso. Clark Avenue does not need improvement and I object to this.



City of Owosso

Proposed Special Assessment

Clark Street
from King St. to Oliver St.



Legend

-  Special Assessment Parcels
-  City Parcels
- 501 Street Address Number



1 inch = 132 feet



HISTORY

Reso No. 2 Clark Ave – W Oliver St to W King St

- This project is part of the original five-year plan.
- Our records indicate last work done was 1975.
- Records are inaccurate as to existing pavement section. Recent pavement/soil cores indicate 5.5-6" asphalt over a clay base.
- Street width varies from 21' to 24' edge-to-edge plus curb and gutter both sides of street. Proposed street is same width.
- Traffic volumes are about 300 vehicles per day.
- Work scope is to remove the existing pavement and replace with 5" asphalt over 8" crushed limestone base and geotextile separator, along with select curb and gutter repair, storm sewer replacement, and ADA sidewalk ramps. The water main will be replaced in conjunction with the street project. Preliminary plans are available. This treatment is selected as most economical means to deliver a quality road.
- Work schedule TBD but should be sometime between May-September, 2020.
- Life expectancy is 20 years.

30-Aug-19

RESO 2

CLARK AVENUE FROM OLIVER ST TO KING ST ENGINEER'S ESTIMATE

DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT	ELLIGIBLE AMOUNT	CITY COST 60 PERCENT	ASSESSMENT AT 40% RESIDENTIAL	ASSESSMENT AT 40% COMMERCIAL
Mobilization, Max 5%, (Road and Storm)	LSUM	0.4	\$ 35,100.00	\$ 14,040.00	\$ 14,040.00	\$ 8,424.00	\$ 5,616.00	\$ 5,616.00
Dr Structure, Rem	EA	2	\$ 350.00	\$ 700.00		\$ -	\$ -	\$ -
Sewer, Rem, Less than 24 inch	FT		\$ 10.00	\$ -		\$ -	\$ -	\$ -
Sewer, Rem, Greater than 24 inch	FT		\$ 20.00	\$ -		\$ -	\$ -	\$ -
Curb and Gutter, Rem	FT	980	\$ 7.00	\$ 6,860.00	\$ 6,860.00	\$ 4,116.00	\$ 2,744.00	\$ 2,744.00
Pavt, Rem	SYD	116	\$ 8.00	\$ 928.00	\$ 928.00	\$ 556.80	\$ 371.20	\$ 371.20
Sidewalk, Rem	SYD	235	\$ 8.00	\$ 1,880.00		\$ -	\$ -	\$ -
Embankment, CIP	CYD	45	\$ 12.00	\$ 540.00		\$ -	\$ -	\$ -
Subbase, CIP	CYD	35	\$ 17.00	\$ 595.00		\$ -	\$ -	\$ -
Excavation, Earth	CYD	650	\$ 13.00	\$ 8,450.00		\$ -	\$ -	\$ -
Subgrade Undercutting, Type II	CYD	50	\$ 25.00	\$ 1,250.00		\$ -	\$ -	\$ -
Erosion Control, Inlet Protection, Fabric Drop	EA	3	\$ 100.00	\$ 300.00	\$ 300.00	\$ 180.00	\$ 120.00	\$ 120.00
Aggregate Base, 6 inch, Modified	SYD		\$ 13.00	\$ -		\$ -	\$ -	\$ -
Aggregate Base, 8 inch, Modified	SYD	2453	\$ 14.00	\$ 34,342.00	\$ -	\$ -	\$ -	\$ -
Maintenance Gravel	TON	30	\$ 25.00	\$ 750.00	\$ 750.00	\$ 450.00	\$ 300.00	\$ 300.00
Geotextile, Separator	SYD	2453	\$ 2.00	\$ 4,906.00		\$ -	\$ -	\$ -
Sewer, SDR-26, 10 inch, Tr Det B, Modified	FT	93	\$ 52.00	\$ 4,836.00		\$ -	\$ -	\$ -
Sewer, SDR-26, 12 inch, Tr Det B, Modified	FT	593	\$ 55.00	\$ 32,615.00		\$ -	\$ -	\$ -
Sewer, SDR-26, 15 inch, Tr Det B, Modified	FT		\$ 75.00	\$ -		\$ -	\$ -	\$ -
Sewer, SDR-26, 18 inch, Tr Det B, Modified	FT		\$ 100.00	\$ -		\$ -	\$ -	\$ -
Sewer, SDR-26, 24 inch, Tr Det B, Modified	FT		\$ 130.00	\$ -		\$ -	\$ -	\$ -
Sewer Bulkhead, 12 inch	EA	2	\$ 200.00	\$ 400.00		\$ -	\$ -	\$ -
Sewer Tap, 12 inch	EA	1	\$ 300.00	\$ 300.00		\$ -	\$ -	\$ -
Dr Structure, Temp Lowering	EA	2	\$ 250.00	\$ 500.00	\$ 500.00	\$ 300.00	\$ 200.00	\$ 200.00
Dr Structure Cover, Adj, Case 1	EA	3	\$ 475.00	\$ 1,425.00	\$ 1,425.00	\$ 855.00	\$ 570.00	\$ 570.00
Dr Structure Collar, Modified	EA		\$ 350.00	\$ -	\$ -	\$ -	\$ -	\$ -
Dr Structure Cover, EJ 1060	EA	3	\$ 600.00	\$ 1,800.00	\$ 1,800.00	\$ 1,080.00	\$ 720.00	\$ 720.00
Dr Structure Cover, EJ 1120 w/ Gasket Seal	EA	2	\$ 650.00	\$ 1,300.00	\$ 1,300.00	\$ 780.00	\$ 520.00	\$ 520.00
Dr Structure Cover, EJ 7000	EA	4	\$ 700.00	\$ 2,800.00	\$ 2,800.00	\$ 1,680.00	\$ 1,120.00	\$ 1,120.00
Dr Structure 36 inch dia, Modified	EA	4	\$ 1,500.00	\$ 6,000.00		\$ -	\$ -	\$ -
Dr Structure 48 inch dia, Modified	EA	2	\$ 2,000.00	\$ 4,000.00		\$ -	\$ -	\$ -
Dr Structure 60 inch dia, Modified	EA		\$ 3,500.00	\$ -		\$ -	\$ -	\$ -

DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT	ELLIGIBLE AMOUNT	CITY COST 60 PERCENT	ASSESSMENT AT 40% RESIDENTIAL	ASSESSMENT AT 40% COMMERCIAL
Dr Structure 72 inch dia, Modified	EA		\$ 5,500.00	\$ -		\$ -	\$ -	\$ -
Dr Structure, Add Depth of 48 inch dia, 8 foot to 15 foot	FT		\$ 350.00	\$ -		\$ -	\$ -	\$ -
HMA Surface, Rem	SYD	2454	\$ 3.00	\$ 7,362.00	\$ 7,362.00	\$ 4,417.20	\$ 1,472.40	\$ 2,208.60
Hand Patching	TON	5	\$ 125.00	\$ 625.00	\$ 625.00	\$ 375.00	\$ 125.00	\$ 187.50
HMA, 2C @ 3.5"	TON	520	\$ 85.00	\$ 44,200.00	\$ 44,200.00	\$ 26,520.00	\$ 12,628.57	\$ 17,680.00
HMA, 4E3 @ 2.0"	TON		\$ 88.00	\$ -	\$ -	\$ -	\$ -	\$ -
HMA, 5E3 @1.5"	TON	222	\$ 88.00	\$ 19,536.00	\$ 19,536.00	\$ 11,721.60	\$ 7,814.40	\$ 7,814.40
HMA Approach	TON	5	\$ 125.00	\$ 625.00	\$ 625.00	\$ 375.00	\$ 250.00	\$ 250.00
Cement	TON	1	\$ 250.00	\$ 250.00	\$ 250.00	\$ 150.00	\$ 100.00	\$ 100.00
Saw Cutting	FT	100	\$ 3.00	\$ 300.00		\$ -	\$ -	\$ -
Driveway, Nonreinf Conc, 6 inch	SYD	114	\$ 45.00	\$ 5,130.00		\$ -	\$ -	\$ -
Approach, CI II, LM	TON	5	\$ 50.00	\$ 250.00	\$ 250.00	\$ 150.00	\$ 100.00	\$ 100.00
Curb and Gutter, Conc, Det F4	FT		\$ 20.00	\$ -	\$ -	\$ -	\$ -	\$ -
Curb and Gutter, Conc, Det F4, Modified	FT	980	\$ 20.00	\$ 19,600.00	\$ 19,600.00	\$ 11,760.00	\$ 7,840.00	\$ 7,840.00
Driveway Opening, Conc, Det M	FT		\$ 20.00	\$ -		\$ -	\$ -	\$ -
Detectable Warning Surface, Modified	FT	35	\$ 40.00	\$ 1,400.00		\$ -	\$ -	\$ -
Sidewalk Ramp, Conc, 7 inch	SFT	1067	\$ 5.00	\$ 5,335.00		\$ -	\$ -	\$ -
Sidewalk, Conc, 4 inch	SFT	766	\$ 4.50	\$ 3,447.00		\$ -	\$ -	\$ -
Sidewalk, Conc, 6 inch	SFT	536	\$ 5.00	\$ 2,680.00		\$ -	\$ -	\$ -
Valve Box, Adj	EA		\$ 200.00	\$ -		\$ -	\$ -	\$ -
Sanitary Serv Conflict	EA	2	\$ 1,350.00	\$ 2,700.00		\$ -	\$ -	\$ -
Abandoned Gas Main Conflict	EA	5	\$ 500.00	\$ 2,500.00		\$ -	\$ -	\$ -
Barricade, Type III, High Intensity, Double Sided, Furn & Oper	EA	3	\$ 100.00	\$ 300.00		\$ -	\$ -	\$ -
Pedestrian Type II Barricade, Temp	EA	10	\$ 150.00	\$ 1,500.00		\$ -	\$ -	\$ -
Lighted Arrow, Type C, Furn & Oper	EA	1	\$ 300.00	\$ 300.00		\$ -	\$ -	\$ -
Minor Traf Devices	LSUM	0.4	\$ 10,000.00	\$ 4,000.00	\$ 4,000.00	\$ 2,400.00	\$ 1,600.00	\$ 1,600.00
Plastic Drum, High Intensity, Furn & Oper	EA	40	\$ 20.00	\$ 800.00		\$ -	\$ -	\$ -
Sign, Type B, Temp, Prismatic, Furn & Oper	SFT	110	\$ 5.00	\$ 550.00		\$ -	\$ -	\$ -
Turf Establishment, Performance	SYD	325	\$ 6.00	\$ 1,950.00		\$ -	\$ -	\$ -
Sign, Type IIIA	SFT		\$ 20.00	\$ -		\$ -	\$ -	\$ -
Pavt Mrkg, Ovly Cold Plastic, 24 inch, Stop Bar	FT		\$ 10.00	\$ -		\$ -	\$ -	\$ -
Pavt Mrkg, Ovly Cold Plastic, Rt Turn Arrow Sym	EA		\$ 150.00	\$ -		\$ -	\$ -	\$ -
Pavt Mrkg, Ovly Cold Plastic, Thru and Lt Turn Arrow Sym	EA		\$ 200.00	\$ -		\$ -	\$ -	\$ -
Pavt Mrkg, Waterborne, 4 inch, White	FT		\$ 1.00	\$ -		\$ -	\$ -	\$ -

DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT	ELLIGIBLE AMOUNT	CITY COST 60 PERCENT	ASSESSMENT AT 40% RESIDENTIAL	ASSESSMENT AT 40% COMMERCIAL
Pavt Mrkg, Waterborne, 4 inch, Yellow	FT		\$ 0.50	\$ -		\$ -	\$ -	\$ -
Post, Mailbox	EA		\$ 100.00	\$ -		\$ -	\$ -	\$ -
Miscellaneous Work Items	LSUM	1	\$ 13,000.00	\$ 13,000.00	\$ 13,000.00	\$ 7,800.00	\$ 5,200.00	\$ 5,200.00
SUB TOTALS				\$ 269,857.00	\$ 140,151.00	\$ 84,090.60	\$ 49,411.57	\$ 55,261.70
ENGINEERING AT 15% ASSESSABLE COST				\$ 40,478.55	\$ 21,022.65	\$ 12,613.59	\$ 7,411.74	\$ 8,289.26
ADMINISTRATIVE AT 5% ASSESSABLE COST				\$ 13,492.85	\$ 7,007.55	\$ 4,204.53	\$ 2,470.58	\$ 2,763.09
GRAND TOTALS				\$ 323,828.40	\$ 168,181.20	\$ 100,908.72	\$ 59,293.89	\$ 66,314.04

ENGINEER'S DETERMINATION OF ASSESSABLE AMOUNT

CLARK AVENUE FROM OLIVER TO KING

SPECIAL ASSESSMENT ROLL

ENGINEER'S ESTIMATE ASSESSABLE AMOUNT	\$168,181.20
TOTAL ASSESSABLE FRONT FEET	1548.58

CALCULATING ASSESSABLE FRONT FOOT RATE AND AMOUNTS:

PROPERTY TYPE	RESIDENTIAL PROPERTY	COMMERCIAL PROPERTY	TOTAL
TOTAL ASSEMENT PER TYPE	\$168,181.20	\$168,181.20	
CITY SHARE $\geq 60\%$	\$108,887.31	\$101,867.16	
PROPERTY SHARE @ $\leq 40\%$	\$59,293.89	\$66,314.04	
ASSESSABLE FRONT FOOT RATE: PROP SHARE/1548.58	\$38.29	\$42.82	
TOTAL FRONT FEET PER TYPE	1548.58	0.00	
TOTAL AMOUNT OF ASSESSMENT PER TYPE:	\$59,293.89	\$0.00	\$59,293.89

SUMMARY: SPECIAL ASSESSMENT AMOUNTS PER SIDE OF STREET:

WEST SIDE	\$30,880.89
EAST SIDE	\$28,414.05
TOTAL SPECIAL ASSESSMENT	<u>\$59,294.94</u>

CLARK AVE FROM OLIVER TO KING

ESTIMATED SPECIAL ASSESSMENT ROLL NO. 2020-02

RESO 2

WEST SIDE

ADDRESS NO.	STREET	PROPERTY OWNER NAME	ROLL NUMBER	FRONT FOOTAGE	CORNER LOT DISCOUNT	ASSESSABLE FRONT FEET	FRONT FOOT RATE	AMOUNT OF ASSESSMENT	PROPERTY TYPE
800	W OLIVER	VALASEK, ROBERT E & KATHY M	670-002-016	132	0.75	99.00	\$38.29	\$3,790.71	R1
515	CLARK	PATTERSON ELEANOR S	670-002-015	80.5	1	80.50	\$38.29	\$3,082.35	R1
523	CLARK	VANEPPS, MARK & BRENDA	670-002-013	66	1	66.00	\$38.29	\$2,527.14	R1
529	CLARK	COMRIE, DANIEL A & SUEANN	670-002-012	66	1	66.00	\$38.29	\$2,527.14	R1
603	CLARK	HENRY, ROSALYN A LIVING TRUST	670-002-010	132	1	132.00	\$38.29	\$5,054.28	R1
607	CLARK	HENRY, ROSALYN A LIVING TRUST	670-002-008	66	1	66.00	\$38.29	\$2,527.14	R1
609	CLARK	YOUNG, ANDREW V & BARBARA J	670-002-007	66	1	66.00	\$38.29	\$2,527.14	R1
615	CLARK	IHILEVICH, SUZANNE	670-002-005	66	1	66.00	\$38.29	\$2,527.14	R1
625	CLARK	SCHLUCKEBIER KELLY	670-002-004	66	1	66.00	\$38.29	\$2,527.14	R1
805	W KING	BOND, DAVID M & KATHY L	670-002-001	132	0.75	99.00	\$38.29	\$3,790.71	R1
				872.5		806.50		\$30,880.89	

EAST SIDE

ADDRESS NO.	STREET	PROPERTY OWNER NAME	ROLL NUMBER	FRONT FOOTAGE	CORNER LOT DISCOUNT	ASSESSABLE FRONT FEET	FRONT FOOT RATE	AMOUNT OF ASSESSMENT	PROPERTY TYPE
728	W OLIVER	LUPU, TAVI M	660-003-008	120.1	0.75	90.08	\$38.29	\$3,448.97	R1
516	CLARK	TAP ENTERPRISES, INC	660-003-009	58	1	58.00	\$38.29	\$2,220.82	R1
522	CLARK	SCHINDLER, KEITH, ET AL	660-003-010	66	1	66.00	\$38.29	\$2,527.14	R1
721	LEE	KURTZ, THOMAS E & ATHENA S	660-003-011	66	0.75	49.50	\$38.29	\$1,895.36	R1
600	CLARK	JONES, MATHEW P & INITA L	670-001-016	66	0.75	49.50	\$38.29	\$1,895.36	R1
610	CLARK	FLIPPONE, NICOLE	670-001-015	66	1	66.00	\$38.29	\$2,527.14	R1
620	CLARK	BURROUGHS, LAURA	670-001-014	66	1	66.00	\$38.29	\$2,527.14	R1
622	CLARK	KILEY, SHAWN	670-001-011	66	1	66.00	\$38.29	\$2,527.14	R1
626	CLARK	PRESCOTT, DAVID E & LISA M	670-001-010	66	1	66.00	\$38.29	\$2,527.14	R1
630	CLARK	BACK, WILLIAM H & LINN M TRUST	670-001-007	66	1	66.00	\$38.29	\$2,527.14	R1
636	CLARK	LAB ERIC P & FORMAN SIERRA L	670-001-006	132	0.75	99.00	\$38.29	\$3,790.71	R1
				838.1		742.08		\$28,414.05	

TOTAL ASSESSABLE FRONT FOOTAGE

1548.58



MEMORANDUM

DATE: September 23, 2019

TO: Mayor Christopher Eveleth, City Council, and Manager Nathan Henne

FROM: Treena Chick, Assessor

RE: Tax Abatement Application – Covenant Eyes, 1525 W King St

On September 16, 2019, the city clerk received an application for a Tax Abatement along with an application for a Real Property IFT from Covenant Eyes. Initial review indicates the applicant meets the requirements for tax abatement.

Covenant Eyes conducts ongoing research, development and maintenance of screen accountability helping members all over the world. The continued growth of this company makes it necessary for them to turn 3,500 sq. feet of empty warehouse into a fully functional customer service facility. The IFT application indicates the cost of this facility to be \$350,000 with an additional investment of \$467,000 in personal property. This expansion will retain the 192 current employees with an additional 40 new full time employees proposed offering competitive wages.

An Industrial Facilities Tax Exemption Certificate, Act 198 of 1974, is a tax abatement which reduces the tax burden by 50%. The proposed project is for expansion of the current office space within the 37,000 square foot facility and will cover 3,500 square feet of floor space. The estimated cost for this expansion is \$817,000. The applicant is applying for the IFT exemption on real property only. This exemption can be granted for up to 12 years.

An Industrial Development District for that area was established 6-19-2000. The next step is to set a public hearing for Monday, October 21, 2019 for the purpose of hearing public comments on this Real Property IFT application. The city clerk has notified the taxing jurisdictions of this application as required under the city's abatement policy and as required under the act and will forward any responses to you.

As always, if you have any further questions, please feel free to contact me at (989) 725-0530.

RESOLUTION NO.

**SETTING PUBLIC HEARING TO CONSIDER APPLICATION FOR
AN INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE
FOR COVENANT EYES, INC.
1525 W KING ST**

WHEREAS, a tax abatement application was received September 16, 2019 from Covenant Eyes, Inc. per the City of Owosso Tax Abatement Policy of June 7, 2010; and

WHEREAS, application was also received September 16, 2019 from Covenant Eyes, Inc. for a Real Property Industrial Facilities Tax Exemption Certificate; and

WHEREAS, an Industrial Development District was established June 19, 2000 for property described as:

PT OF N 1/2 OF SE 1/4 SEC 14 T7N R2E COM S 1*32 1/2' W 33' & E 418.73' FR CEN SEC 14 TO POB TH N90*00'00"E, ON S LN OF KING ST, 398.06, TH S42*7'30"E, 529.09', TH S49*29'16"W, 295.26", TH N42*07'00"W, 787.58' TO POB. 4.46 AC M/L (EX ESMTS OF RECORD); and

WHEREAS, the Industrial Facilities Tax Exemption certificate, being part of Act 198 of 1974, is available to the city of Owosso; and

WHEREAS, city of Owosso is a qualified local governmental unit and permits the city of Owosso to grant an Industrial Facilities Tax Exemption Certificate; and

WHEREAS, it was determined by city staff that the Industrial Facilities Exemption Certificate is within the guidelines of the City of Owosso Tax Abatement Policy of June 7, 2010; and

WHEREAS, notification will be sent to all taxing jurisdictions per the City of Owosso Tax Abatement Policy of June 7, 2010.

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

FIRST: the Owosso City Council sets a public hearing for October 21, 2019 on or about 7:30 p.m. in the council chambers for the purpose hearing comments for those within the proposed district, governmental taxing jurisdictions and any other resident or taxpayer, of the city of Owosso.

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



September 16, 2019

Treena Chick
Assessor, MAAO
City of Owosso
301 W. Main
Owosso, MI 48867

Dear City Assessor Treena Chick,

Covenant Eyes is dedicated to showcasing its local talent and is excited about being able to bring competitive wages to Shiawassee County. With the help of Michigan Economic Development Corporation, we have been approved for a grant to expand our 1525 W. King St facility. We plan on bringing hiring 65+ employees over the next three years. We are writing you today to request a tax abatement for the first round of leasehold improvements for our expansion.

We are planning on turning 3500 sq. feet of empty warehouse space into a fully functional customer service facility. This new area will have a fully functional training room equipped for 60 employees. The goal is to hire an additional 40 Customer Service Representatives and have a centralized center for all customer service trainings during 2020-2021.

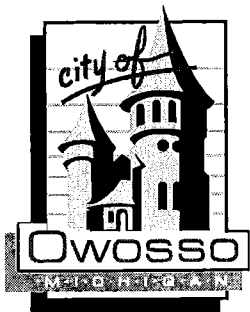
Please note that our Customer Service Representatives help members all over the world. 98% of the income generated by Covenant Eyes comes from outside of Michigan. Without the help of SEDP, MEDC and a close relationship with the City of Owosso, expansions like would have taken place on the west coast. The west coast or other countries such as New Zealand or Australia allow our customer service team to provide extended hours to our members. At this point, having local support to help us employ local talent and bring in new employees into our market is more important than expansion of service hours.

Please consider our application for the first of two expansions planned over the next two to 3 years years.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Taphouse".

Chris Taphouse
Controller
Covenant Eyes
989-720-8059



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

APPLICATION FOR TAX ABATEMENT

Applicant (Official Company Name) Covenant Eyes Inc

Business Name (If Different) _____

Address of Proposed Project 1525 W. King St, Owosso MI 48867

Mailing Address (If Different) _____

Do you own the property? No If no, what is your relationship? Lessee

Type of Abatement Requested (if known) New

Total square footage of all current buildings on site 37,000 sq. feet

Description of proposed project including type of current business activity and product to be manufactured (if applicable), size of proposed structure and proposed activity and/or product.

See attached letter

Give estimated cost of the following components applicable for the proposed project:

Land improvements (excluding land): 0

Building improvements: Size 3500 sf \$ 350,000

Machinery & Equipment: \$353,000

Furniture & Fixtures: \$114,000

Time schedule for start and completion of construction and equipment installation (if applicable):

Building: _____ Equipment installation (if applicable): _____

Start Date TBD Start Date TBD

Completion Date Year end 2020 Completion Date Year end 2020

Page 2

Will machinery be owned or leased by applicant? Owned

How many new employees do you estimate after project complete? Full Time 40
Part Time 0

Un-Skilled _____ Wage level \$ _____

Phone Number 989-720-8042

Signature [Signature] Date 9-20-19



MEMORANDUM

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

DATE: October 7, 2019

TO: Owosso City Council

FROM: Glenn Chinavare, Director of Public Services & Utilities

SUBJECT: North Street Reconstruction – 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. **North Street, from Hickory Street to Gould Street**, is proposed by the city for street reconstruction. Property owners are then specially assessed to cover the cost of the proposed improvement. Past practice has been to assess property owners along the street 40% of the proposed benefit and the remaining 60% to the community at large. Each property owner can pay an assessment in one lump sum or in installments over the multi-year period (the period being determined by the amount of the average assessment).

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

Step One/Resolution No. 1 identifies the special assessment district(s), directs the city manager to estimate project costs and the amounts to be specially assessed, and determines the life of the proposed improvements. Resolution No. 1 for the proposed improvement was approved by City Council at its **May 6, 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 **October 7, 2019** for the proposed improvement, setting a public hearing for Monday, **October 21, 2019**.

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: 1) If council agrees 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; 2) If council agrees the project should go forward, but with some adjustments they may direct staff to make those adjustments and proceed; 3) If council determines 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, **October 21, 2019**:

North Street, a Public Street, from Hickory Street to Gould Street

Attachments: Resolution No. 2-North Street
Special Assessment Roll-North Street
Engineer's Estimate-North Street

Special Assessment Resolution No. 2 for North Street

Special Assessment District No. 2020-03

**North Street, a Public Street, from Hickory Street to
Gould Street**

RESOLUTION NO.

**NORTH STREET
FROM HICKORY STREET TO GOULD 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

**NORTH STREET, A PUBLIC STREET, FROM HICKORY STREET TO GOULD STREET;
STREET RECONSTRUCTION**

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The plans and estimate of cost and the report of the City Manager for said public improvement shall be filed in the office of the City Clerk and shall be available for public examination.
2. The City Council hereby determines that the Public Improvement hereinafter set forth may be necessary.
3. The City Council hereby approves the estimate of cost of said public improvement to be \$1,343,777.40 and determines that \$196,884.33 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 \$1,146,893.07 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, October 21, 2019 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:

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

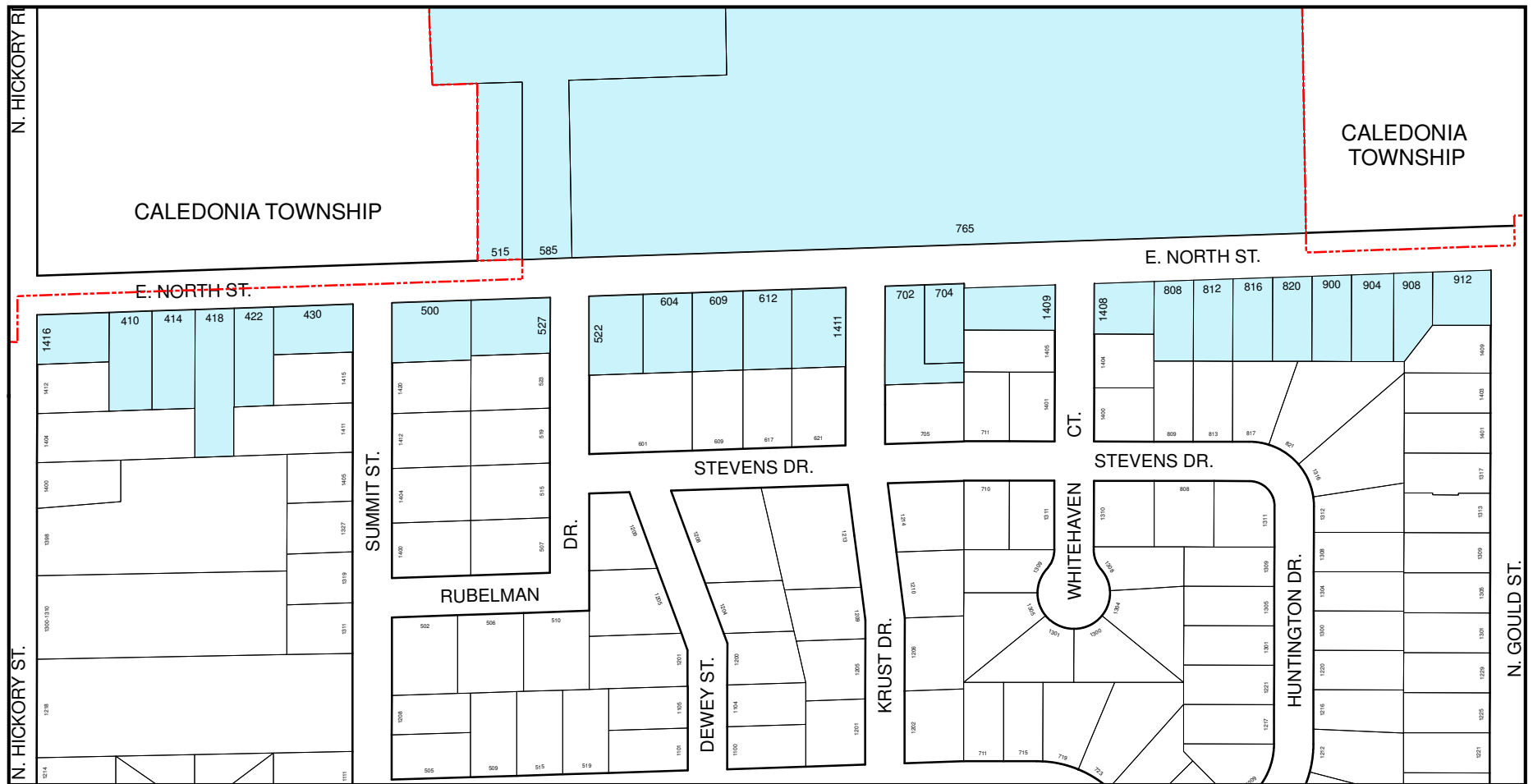
**North Street, a Public Street, from Hickory Street to Gould Street
Street Reconstruction**

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

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




TAKE FURTHER NOTICE that the City Council will meet at the Owosso City Hall Council Chambers, Owosso, Michigan at 7:30 o'clock p.m. on Monday, October 21, 2019 for the purpose of hearing any person to be affected by the proposed public improvement.

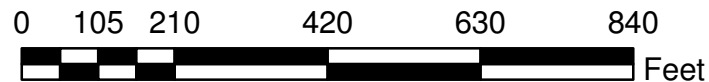
City of Owosso
Proposed Special Assessment



E. North Street from Hickory St. to Gould St.

Legend

-  Parcels
 Special Assessment Parcels
 CityLimit
1501 Street Address Number



1 inch = 264 feet



HISTORY

Reso No. 2 E North St – N Hickory St to N Gould St

- This project is part of the original five-year plan.
- Our records indicate last work done was 1980.
- Traffic volumes are about 3700 vehicles per day.
- Existing road is 37' wide and composed of asphalt of varying thickness with no base. Majority of curb and gutter is in poor condition.
- Water main is in poor condition and will be replaced as part of road work.
- Storm sewer is in poor condition and will be replaced and resized to fit drainage needs of the drainage area.
- Altogether, recommend fix is total road reconstruction with proposed 30' wide pavement, curb and gutter, water main, and storm sewer. New road will service two 12' wide travel lanes and one parking lane along the south side of the street.
- Work schedule TBD but should be sometime between June-October, 2020.
- Life expectancy is 20 years.

16-Sep-19

E NORTH STREET FROM HICKORY TO GOULD ENGINEER'S ESTIMATE

RESO 2

DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT	ELLIGIBLE AMOUNT	CITY COST 60 PERCENT	ASSESSMENT AT 40% RESIDENTIAL	ASSESSMENT AT 40% COMMERCIAL
Mobilization, Max 5%, (Road and Storm)	LSUM	0.6	\$ 82,740.00	\$ 49,644.00	\$ 49,644.00	\$ 29,786.40	\$ 19,857.60	\$ 19,857.60
Dr Structure, Rem	EA	20	\$ 350.00	\$ 7,000.00		\$ -	\$ -	\$ -
Sewer, Rem, Less than 24 inch	FT	1401	\$ 10.00	\$ 14,010.00		\$ -	\$ -	\$ -
Sewer, Rem, Greater than 24 inch	FT	32	\$ 20.00	\$ 640.00		\$ -	\$ -	\$ -
Curb and Gutter, Rem	FT	5202	\$ 7.00	\$ 36,414.00	\$ 36,414.00	\$ 21,848.40	\$ 14,565.60	\$ 14,565.60
Pavt, Rem	SYD	765	\$ 8.00	\$ 6,120.00	\$ 6,120.00	\$ 3,672.00	\$ 2,448.00	\$ 2,448.00
Sidewalk, Rem	SYD	163	\$ 8.00	\$ 1,304.00		\$ -	\$ -	\$ -
Embankment, CIP	CYD	1310	\$ 12.00	\$ 15,720.00		\$ -	\$ -	\$ -
Excavation, Earth	CYD	2250	\$ 13.00	\$ 29,250.00		\$ -	\$ -	\$ -
Subbase, CIP	CYD	135	\$ 17.00	\$ 2,295.00		\$ -	\$ -	\$ -
Subgrade Undercutting, Type II	CYD	200	\$ 25.00	\$ 5,000.00		\$ -	\$ -	\$ -
Erosion Control, Inlet Protection, Fabric Drop	EA	16	\$ 100.00	\$ 1,600.00	\$ 1,600.00	\$ 960.00	\$ 640.00	\$ 640.00
Aggregate Base, 6 inch, Modified	SYD	1657	\$ 13.00	\$ 21,541.00		\$ -	\$ -	\$ -
Aggregate Base, 8 inch, Modified	SYD	8905	\$ 14.00	\$ 124,670.00		\$ -	\$ -	\$ -
Maintenance Gravel	TON	100	\$ 25.00	\$ 2,500.00	\$ 2,500.00	\$ 1,500.00	\$ 1,000.00	\$ 1,000.00
Geotextile, Separator	SYD	10562	\$ 2.00	\$ 21,124.00		\$ -	\$ -	\$ -
Sewer, SDR-26, 10 inch, Tr Det B, Modified	FT	202	\$ 52.00	\$ 10,504.00		\$ -	\$ -	\$ -
Sewer, SDR-26, 12 inch, Tr Det B, Modified	FT	187	\$ 55.00	\$ 10,285.00		\$ -	\$ -	\$ -
Sewer, SDR-26, 15 inch, Tr Det B, Modified	FT	241	\$ 75.00	\$ 18,075.00		\$ -	\$ -	\$ -
Sewer, SDR-26, 18 inch, Tr Det B, Modified	FT	261	\$ 100.00	\$ 26,100.00		\$ -	\$ -	\$ -
Sewer, SDR-26, 24 inch, Tr Det B, Modified	FT	427	\$ 130.00	\$ 55,510.00		\$ -	\$ -	\$ -
Sewer Tap, 18 inch	EA	1	\$ 500.00	\$ 500.00		\$ -	\$ -	\$ -
Dr Structure, Temp Lowering	EA	10	\$ 250.00	\$ 2,500.00	\$ 2,500.00	\$ 1,500.00	\$ 1,000.00	\$ 1,000.00
Dr Structure Cover, Adj, Case 1	EA	12	\$ 475.00	\$ 5,700.00	\$ 5,700.00	\$ 3,420.00	\$ 2,280.00	\$ 2,280.00
Dr Structure, Tap, 12 inch	EA	1	\$ 500.00	\$ 500.00		\$ -	\$ -	\$ -
Dr Structure Collar, Modified	EA	16	\$ 350.00	\$ 5,600.00	\$ 5,600.00	\$ 3,360.00	\$ 2,240.00	\$ 2,240.00
Dr Structure Cover, EJ 1060	EA	7	\$ 600.00	\$ 4,200.00	\$ 4,200.00	\$ 2,520.00	\$ 1,680.00	\$ 1,680.00
Dr Structure Cover, EJ 1120 w/ Gasket Seal	EA	10	\$ 650.00	\$ 6,500.00	\$ 6,500.00	\$ 3,900.00	\$ 2,600.00	\$ 2,600.00
Dr Structure Cover, EJ 7000	EA	13	\$ 700.00	\$ 9,100.00	\$ 9,100.00	\$ 5,460.00	\$ 3,640.00	\$ 3,640.00
Dr Structure 36 inch dia, Modified	EA	12	\$ 1,500.00	\$ 18,000.00		\$ -	\$ -	\$ -
Dr Structure 48 inch dia, Modified	EA	7	\$ 2,000.00	\$ 14,000.00		\$ -	\$ -	\$ -
Dr Structure 72 inch dia, Modified	EA	1	\$ 5,500.00	\$ 5,500.00		\$ -	\$ -	\$ -

DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT	ELLIGIBLE AMOUNT	CITY COST 60 PERCENT	ASSESSMENT AT 40% RESIDENTIAL	ASSESSMENT AT 40% COMMERCIAL
HMA Surface, Rem	SYD	10729	\$ 3.00	\$ 32,187.00	\$ 32,187.00	\$ 19,312.20	\$ 6,437.40	\$ 9,656.10
HMA, 2C @ 3.5"	TON	1887	\$ 85.00	\$ 160,395.00	\$ 160,395.00	\$ 96,237.00	\$ 9,165.43	\$ 45,827.14
HMA, 4E3 @ 2.0"	TON	1078	\$ 88.00	\$ 94,864.00	\$ 94,864.00	\$ 56,918.40	\$ 37,945.60	\$ 37,945.60
HMA, 5E3 @1.5"	TON	810	\$ 88.00	\$ 71,280.00	\$ 71,280.00	\$ 42,768.00	\$ 28,512.00	\$ 28,512.00
Driveway, Nonreinf Conc, 6 inch	SYD	869	\$ 45.00	\$ 39,105.00	\$ 39,105.00	\$ 23,463.00	\$ 15,642.00	\$ 15,642.00
Curb and Gutter, Conc, Det F4	FT	4971	\$ 20.00	\$ 99,420.00	\$ 99,420.00	\$ 59,652.00	\$ 39,768.00	\$ 39,768.00
Driveway Opening, Conc, Det M	FT	256	\$ 20.00	\$ 5,120.00		\$ -	\$ -	\$ -
Detectable Warning Surface, Modified	FT	54	\$ 40.00	\$ 2,160.00		\$ -	\$ -	\$ -
Sidewalk Ramp, Conc, 7 inch	SFT	843	\$ 5.00	\$ 4,215.00		\$ -	\$ -	\$ -
Sidewalk, Conc, 4 inch	SFT	1028	\$ 4.50	\$ 4,626.00		\$ -	\$ -	\$ -
Sidewalk, Conc, 6 inch	SFT	1254	\$ 5.00	\$ 6,270.00		\$ -	\$ -	\$ -
Valve Box, Adj	EA	11	\$ 200.00	\$ 2,200.00		\$ -	\$ -	\$ -
Sanitary Serv Conflict	EA	3	\$ 1,350.00	\$ 4,050.00		\$ -	\$ -	\$ -
Abandoned Gas Main Conflict	EA	5	\$ 500.00	\$ 2,500.00		\$ -	\$ -	\$ -
Barricade, Type III, High Intensity, Double Sided, Furn & Oper	EA	6	\$ 100.00	\$ 600.00		\$ -	\$ -	\$ -
Pedestrian Type II Barricade, Temp	EA	10	\$ 150.00	\$ 1,500.00		\$ -	\$ -	\$ -
Lighted Arrow, Type C, Furn & Oper	EA	1	\$ 300.00	\$ 300.00		\$ -	\$ -	\$ -
Minor Traf Devices	LSUM	0.6	\$ 10,000.00	\$ 6,000.00	\$ 6,000.00	\$ 3,600.00	\$ 2,400.00	\$ 2,400.00
Plastic Drum, High Intensity, Furn & Oper	EA	50	\$ 20.00	\$ 1,000.00		\$ -	\$ -	\$ -
Sign, Type B, Temp, Prismatic, Furn & Oper	SFT	338	\$ 5.00	\$ 1,690.00		\$ -	\$ -	\$ -
Turf Establishment, Performance	SYD	3335	\$ 6.00	\$ 20,010.00		\$ -	\$ -	\$ -
Post, Steel, 3lb	FT	14	\$ 10.00	\$ 140.00		\$ -	\$ -	\$ -
Sign, Type IIIA	SFT	7	\$ 20.00	\$ 140.00		\$ -	\$ -	\$ -
Pavt Mrkg, Ovly Cold Plastic, 24 inch, Stop Bar	FT	24	\$ 10.00	\$ 240.00		\$ -	\$ -	\$ -
Pavt Mrkg, Ovly Cold Plastic, Rt Turn Arrow Sym	EA	3	\$ 150.00	\$ 450.00		\$ -	\$ -	\$ -
Pavt Mrkg, Ovly Cold Plastic, Thru and Lt Turn Arrow Sym	EA	3	\$ 200.00	\$ 600.00		\$ -	\$ -	\$ -
Pavt Mrkg, Waterborne, 4 inch, White	FT	236	\$ 1.00	\$ 236.00		\$ -	\$ -	\$ -
Pavt Mrkg, Waterborne, 4 inch, Yellow	FT	621	\$ 0.50	\$ 310.50		\$ -	\$ -	\$ -
Post, Mailbox	EA	18	\$ 100.00	\$ 1,800.00		\$ -	\$ -	\$ -
Miscellaneous Work Items	LSUM	1	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 15,000.00	\$ 10,000.00	\$ 10,000.00
SUB TOTALS				\$ 1,119,814.50	\$ 658,129.00	\$ 394,877.40	\$ 201,821.63	\$ 241,702.04
ENGINEERING AT 15% ASSESSABLE COST				\$ 167,972.18	\$ 98,719.35	\$ 59,231.61	\$ 30,273.24	\$ 36,255.31
ADMINISTRATIVE AT 5% ASSESSABLE COST				\$ 55,990.73	\$ 32,906.45	\$ 19,743.87	\$ 10,091.08	\$ 12,085.10
GRAND TOTALS				\$ 1,343,777.40	\$ 789,754.80	\$ 473,852.88	\$ 242,185.95	\$ 290,042.45

ENGINEER'S DETERMINATION OF ASSESSABLE AMOUNT

E NORTH STREET FROM HICKORY TO GOULD

SPECIAL ASSESSMENT ROLL

RESO 2

ENGINEER'S ESTIMATE ASSESSABLE AMOUNT	\$789,754.80
TOTAL ASSESSABLE FRONT FEET	4329.81

CALCULATING ASSESSABLE FRONT FOOT RATE AND AMOUNTS:

PROPERTY TYPE	RESIDENTIAL PROPERTY	COMMERCIAL PROPERTY	TOTAL
TOTAL ASSEMENT PER TYPE	\$789,754.80	\$789,754.80	
CITY SHARE $\geq 60\%$	\$547,568.85	\$499,712.35	
PROPERTY SHARE @ $\leq 40\%$	\$242,185.95	\$290,042.45	
ASSESSABLE FRONT FOOT RATE: PROP SHARE/4329.81	\$55.93	\$66.99	
TOTAL FRONT FEET PER TYPE	2049.04	1228.27	
TOTAL AMOUNT OF ASSESSMENT PER TYPE:	\$114,611.97	\$82,278.63	\$196,890.61

SUMMARY: SPECIAL ASSESSMENT AMOUNTS PER SIDE OF STREET:

NORTH SIDE	\$91,146.71
SOUTH SIDE	\$105,737.62
TOTAL SPECIAL ASSESSMENT	<u>\$196,884.33</u>

E NORTH STREET FROM HICKORY TO GOULD

ESTIMATED SPECIAL ASSESSMENT ROLL NO. 2020-03

RESO 2

NORTH SIDE

ADDRESS NO.	STREET	PROPERTY OWNER NAME	ROLL NUMBER	FRONT FOOTAGE	CORNER LOT DISCOUNT	ASSESSABLE FRONT FEET	FRONT FOOT RATE	AMOUNT OF ASSESSMENT	PROPERTY TYPE
	E NORTH	CALEDONIA TOWNSHIP		736.5	1	736.50		\$0.00	
515	E NORTH	FIRST CHURCH OF CHRIST	530-000-003	75	1	75.00	\$55.93	\$4,194.75	R1
585	E NORTH	FIRST CHURCH OF CHRIST	530-000-002	83.5	1	83.50	\$55.93	\$4,670.16	R1
765	E NORTH	OWOSSO PUBLIC SCHOOLS	530-000-001	1228.27	1	1228.27	\$66.99	\$82,281.81	R1*
	E NORTH	CALEDONIA TOWNSHIP		316	1	316.00		\$0.00	
				2439.27		2439.27		\$91,146.71	

SOUTH SIDE

ADDRESS NO.	STREET	PROPERTY OWNER NAME	ROLL NUMBER	FRONT FOOTAGE	CORNER LOT DISCOUNT	ASSESSABLE FRONT FEET	FRONT FOOT RATE	ASSESSMENT	PROPERTY TYPE
1416	N HICKORY	ZAMORA, RODOLFO L/FLANAGAN, PATTY A	140-000-020	120	0.75	90.00	\$55.93	\$5,033.70	R1
410	E NORTH ST	KALINA, THOMAS W	140-000-022	72	1	72.00	\$55.93	\$4,026.96	R1
414	E NORTH ST	PARTAIN, ERIC	140-000-023	72	1	72.00	\$55.93	\$4,026.96	R1
418	E NORTH ST	SIREKIS, DAWN	140-000-019	66	1	66.00	\$55.93	\$3,691.38	R1
422	E NORTH ST	PERRY, ANTHONY & PAMELA	140-000-018	66	1	66.00	\$55.93	\$3,691.38	R1
430	E NORTH ST	WALKER, JAMES R. & MARY E.	140-000-017	132	0.75	99.00	\$55.93	\$5,537.07	R1
500	E NORTH ST	HILGENDORF, HAROLD D & JACQULYN E	140-000-014	132	0.75	99.00	\$55.93	\$5,537.07	R1
527	RUBELMAN	SCRIMGER, JOSHUA & MARY	360-000-014	132	0.75	99.00	\$55.93	\$5,537.07	R1
522	RUBELMAN	CAMPBELL, DENNIS S & MARY J	360-000-015	90	0.75	67.50	\$55.93	\$3,775.28	R1
604	E NORTH ST	ROWELL, RODNEY & ANDREA	360-000-016	82	1	82.00	\$55.93	\$4,586.26	R1
608	E NORTH ST	KULMAN, TODD W	360-000-017	85	1	85.00	\$55.93	\$4,754.05	R1
612	E NORTH ST	PLAMP, KELLY S	360-000-018	82	1	82.00	\$55.93	\$4,586.26	R1
1411	KRUST	DRAKE, WM E & JANET L	360-000-019	89.92	0.75	67.44	\$55.93	\$3,771.92	R1
702	E NORTH ST	WOOD NICHOLAS J	541-000-043	66	0.75	49.50	\$55.93	\$2,768.54	R1
704	E NORTH ST	POLLION, JENNIFER J	541-000-042	66	1	66.00	\$55.93	\$3,691.38	R1
1409	WHITEHAVEN	WALTER, MARK & DEANA	193-000-001	152	0.75	114.00	\$55.93	\$6,376.02	R1
1408	WHITEHAVEN	SKODINSKI, CAMILLA K	193-000-016	100.06	0.75	75.05	\$55.93	\$4,197.27	R1
808	E NORTH ST	BURNSIDE, DENISE	197-000-022	66.04	1	66.04	\$55.93	\$3,693.62	R1
812	E NORTH ST	ZIMMERMAN, ROBERT H & CHERY	197-000-021	66.04	1	66.04	\$55.93	\$3,693.62	R1
816	E NORTH ST	GOODING, JASON E & JENNA E	197-000-020	66.04	1	66.04	\$55.93	\$3,693.62	R1
820	E NORTH ST	ST. JOHN, ASHLEY M	197-000-019	66.04	1	66.04	\$55.93	\$3,693.62	R1
900	E NORTH ST	CRANE, KEVIN J & KRISTY LYNN	197-000-018	66.04	1	66.04	\$55.93	\$3,693.62	R1
904	E NORTH ST	SAWER, GLENN H ET AL	197-000-017	71	1	71.00	\$55.93	\$3,971.03	R1
908	E NORTH ST	HUDAK, KRISTA D	197-000-016	65.04	1	65.04	\$55.93	\$3,637.69	R1
912	E NORTH ST	KIRBY KENNETH H & SANDRA S & SCOTT	197-000-015	97.08	0.75	72.81	\$55.93	\$4,072.26	R1
				2168.3		1890.54		\$105,737.62	

TOTAL ASSESSABLE FRONT FOOTAGE

4329.81

*ASSESSED AS COMMERCIAL



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

DATE: 10.7.19
TO: CITY COUNCIL
FROM: CITY MANAGER
SUBJECT: Administrative Site Plan Review Ordinance

BACKGROUND:

The City does not have any means to approve minor site plans at the staff level like other communities. Having this ability would streamline the process for small projects by precluding the need to have a full Planning Commission site plan review for certain small projects. This new ordinance would streamline the process and satisfy a small portion of our Redevelopment Ready Community certification efforts.

SUMMARY:

This new ordinance would allow city staff to approve:

1. New construction of any permitted non-residential or multi-family development that is less than 2000 sq ft
2. Construction of an addition less than 2000 sq ft in a non-residential district
3. Construction of expansion of an impervious surface less than 5000 sq ft
4. Changes in use from a non-conforming use to a more conforming use
5. A vacant existing building or site to be re-occupied by a use permitted and will not require any significant changes in existing site facilities such as parking, landscaping, lighting, or sidewalks
6. Installation of pavement or curbing improvements provided the number of spaces remain constant and the plans and construction are approved by the City Engineer
7. Relocation of a waste receptacle or screening around the waste receptacle
8. Accessory structures in non-residential districts
9. Temporary uses, sales, and seasonal events
10. Erection of a tower, antenna, or other community facility, essential public service building.
11. Minor revisions to an approved site plan limited to:
 - a. Changes to façade or architectural features
 - b. Alterations/substitutions/expansions of approved landscaping areas consistent with the other requirements of the Ordinance

Site plan application and submittal requirements are required for administrative site plan approval.

RECOMMENDATION:

Set a public hearing for October 21 to take comment on this ordinance.

RESOLUTION NO.

**SETTING A PUBLIC HEARING TO
AMEND CHAPTER 38, ZONING, OF THE CODE OF ORDINANCES
TO ALLOW ADMINISTRATIVE SITE PLAN REVIEW**

WHEREAS, the city of Owosso Planning Commission currently reviews every site plan per Chapter 38, Article XVII, Section 390; and

WHEREAS, an Administrative Site Plan Review ordinance would allow the Zoning Official to review certain site plans; and

WHEREAS, an Administrative Site Plan Review protocol would reduce the amount of time necessary to approve minor site plans; and

WHEREAS, the Owosso Planning Commission has met, discussed and authored amendments to the Zoning Ordinance to allow Administrative Site Plan Review in select circumstances; and

WHEREAS, the Planning Commission held a public hearing on September 23, 2019 at its regularly scheduled meeting regarding the proposal to amend various sections of Chapter 38, Zoning, in which no citizen comments were received; and

WHEREAS, the Planning Commission further recommends adoption of the following amendments to the Zoning Ordinance to allow for the administrative review of select site plans; and

WHEREAS, the City Council is required to hold a public hearing to receive citizen comment regarding any and all proposed ordinance amendments.

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

SECTION 1. AMENDMENT. That Sec. 38-390, Site plan review, be amended to read as follows:

Sec. 38-390. - Site plan review.

When provisions of this chapter require submission of a site plan ~~to the planning commission~~, it shall be submitted in accordance with the provisions of this section. Site Plans may be approved Administratively or by the Planning Commission, depending on the proposal.

- (1) Submission for approval. A site plan shall be required for the following:
 - a. Any use or development for which the submission of a site plan is required by any provision of this chapter;
 - b. Any development, except single-family and two-family residential, for which off-street parking areas are provided as required in section 38-380, off-street parking requirements;
 - c. Any use in an RM-1, RM-2, OS-1, B-1, B-2, B-3, B-4, I-1, I-2, P-1 or PUD district;
 - d. Any use except single- or two-family residential which lies contiguous to a major thoroughfare or collector street;
 - e. All residentially related uses permitted in single-family districts such as, but not limited to, churches, schools, colleges, institutions, and public facilities;
 - f. Accessory buildings or building additions which require additional off-street parking.
- (2) All site plans must be reviewed and approved by the Planning Commission, with the exception of the following, that may qualify for an Administrative Site Plan Review.
 - a. The Zoning Official, at his discretion, may send a development otherwise eligible for Administrative Site Plan Review to the Planning Commission for review and approval.
 - b. The following development/construction/activity within the City is eligible for Administrative Site Plan Approval:

1. New construction of any Principally Permitted non-residential or multiple family development that is less than 2,000 square feet in floor area;
 2. Construction of an additional less than 2,000 square feet in floor area in a non-residential district;
 3. Construction of expansion of an impervious surface less than 5,000 square feet in area;
 4. Changes in use from a non-conforming use to a more conforming use;
 5. A vacant existing building or site to be re-occupied by a use permitted and will not require any significant changes in existing site facilities such as parking, landscaping, lighting, or sidewalks;
 6. Installation of pavement or curbing improvements provided the number of spaces remain constant and the plans and construction are approved by the City Engineer;
 7. Relocation of a waste receptacle or screening around the waste receptacle;
 8. Accessory structures in non-residential districts;
 9. Temporary uses, sales, and seasonal events;
 10. Erection of a tower, antenna, or other community facility, essential public service building
 11. Minor revisions to an approved site plan, limited to:
 - a) changes to façade or architectural features
 - b) alterations/substitutions/expansions of approved landscaping areas consistent with the other requirements of the Ordinance;
- c. Site Plan Application and Submittal Requirements are required for Administrative Site Plan Approval, consistent with Section 38-390 (3).

- (3) Any person seeking site plan approval hereunder shall submit a site plan, application, and the applicable filing fee to the building department. Application should be made a minimum of 30 days prior to the next regularly scheduled Planning Commission meeting. The building department shall provide application forms and graphic standards for the site plan. Said site plan shall be prepared by a professional architect, engineer, landscape architect or land planner and must contain the following information:
- a. A scale of not less than one (1) inch equals fifty (50) feet if the subject property is less than three (3) acres and one (1) inch equals one hundred (100) feet if three (3) acres or more;
 - b. Date, north point, scale, and area of the site in acres;
 - c. The dimensions of all lot and property lines, showing the relationship of the subject property to the abutting properties;
 - d. The location of all existing and proposed structures and utilities on the subject property and all existing structures within one hundred (100) feet to the subject property;
 - e. The location and layout of all existing and proposed drives and parking areas;
 - f. The location and right-of-way widths of all abutting streets and alleys;
 - g. The names and addresses of the architect, planner, designer, engineer, or person responsible for the preparation of the site plan.
 - h. The number, location, and layout of off-street parking spaces to include all access roads and the manner in which they are to be surfaced;
 - i. The provision of internal site drainage and necessary city utilities complete with existing and proposed elevations;
 - j. The proposed site landscaping complete with a planting plan to include all proposed walls, fences, and screening in compliance with the provisions of this chapter;
 - k. The elevation of the site in relation to the identified flood hazard area. All proposed construction, reconstruction, or demolition shall be in compliance with local, state, and federal ordinances, laws, or regulations with regard to flood hazard areas;
 - l. A copy of the permit from the local enforcing agency on soil erosion and sedimentation control if the earth change activity involves more than one (1) acre or is within five hundred (500) feet of a lake or stream.

- (43) Upon receipt of a complete site plan, application, and application fee the building department shall forward said documents to the ~~community development department~~ Zoning Official for distribution to appropriate City departments for comment. Staff comments shall be made with respect to compliance with the minimum technical requirements of City ordinances and the quality of the development consistent with the intent of the building codes, zoning codes and ~~comprehensive plan~~ Master Plan. Upon receipt of all staff comments, the ~~community development department~~ Zoning Official shall either complete the site plan review under the administrative site plan approval process or review the site plan and make its recommendation to the Planning Commission which shall consider the application, site plan, all staff, City, and consultant comments, ~~and community development department and~~ recommendations at the next scheduled meeting.
- (5) A Final approval of site plan. Every site plan submitted to the ~~planning commission~~ City shall be in accordance with the requirements of this chapter. ~~Three (3) copies~~ Copies of the site plan shall be submitted to the building department ~~ten (10) 30~~ days prior to the City Planning Commission's regular meeting. No site plan shall be approved until and unless a letter of assurance has been received from the building inspector that the site plan has been reviewed by and is in conformance with all applicable standards of the building department, police department, fire department, engineering department, and city utility department. Further, no construction, reconstruction, demolition, or other site work may progress during the interim, and no building permit(s) shall be issued prior to the final approval of the site plan by the Zoning Official or by the the Planning Commission. Upon granting final approval of a site plan, ~~the chairman of the planning commission shall sign all~~ three (3) copies of the site plan will be stamped and signed for approval, returning one (1) copy to the petitioner, and delivering two (2) copies to the building inspector. ~~The site plan submitted for final approval by the planning commission shall include:~~
- a. ~~The number, location, and layout of off street parking spaces to include all access roads and the manner in which they are to be surfaced;~~
 - b. ~~The provision of internal site drainage and necessary city utilities complete with existing and proposed elevations;~~
 - c. ~~The proposed site landscaping complete with a planting plan to include all proposed walls, fences, and screening in compliance with the provisions of this chapter;~~
 - d. ~~The elevation of the site in relation to the identified flood hazard area. All proposed construction, reconstruction, or demolition shall be in compliance with local, state, and federal ordinances, laws, or regulations with regard to flood hazard areas;~~
 - e. ~~A copy of the permit from the local enforcing agency on soil erosion and sedimentation control if the earth change activity involves more than one (1) acre or is within five hundred (500) feet of a lake or stream.~~
- (6) In the process of reviewing the site plan, the Zoning Official or Planning Commission shall consider:
- a. The location and design of driveways providing vehicular ingress to and egress from the site, in relation to streets giving access to the site, and in relation to pedestrian traffic;
 - b. The traffic circulation features within the site and location of automobile parking areas; and may make such requirements with respect to any matters as will assure:
 1. Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets;
 2. Satisfactory and harmonious relationships between the development on the site and the existing and prospective development of contiguous land and adjacent neighborhoods;
 - c. The Zoning Official or Planning Commission may further require landscaping, fences, and walls in pursuance of these objectives and same shall be provided and maintained as a condition of the establishment and the continued maintenance of any use to which they are appurtenant;
 - d. In those instances wherein the Zoning Official or Planning Commission finds that an excessive number of ingress and/or egress points may occur with relation to major or

- secondary thoroughfares, thereby diminishing the carrying capacity of the thoroughfares, the ~~planning commission~~City may recommend marginal access drives. For a narrow frontage, which will require a single outlet, the ~~planning commission~~City may recommend that money in escrow be placed with the ~~Ce~~ity so as to provide for a marginal service drive equal in length to the frontage of the property involved. Occupancy permits shall not be issued until the improvement is physically provided, or moneys have been deposited with the clerk.
- e. Whether the site is located within a designated historic overlay district, and whether the proposed action would have an adverse impact on the resources of the historic overlay district, as defined in subsection 38-32(b)(4). The ~~P~~planning ~~Ce~~ommission may deny the proposed action if the action would have an unacceptable adverse impact on the historic resource or the historic overlay district itself. The ~~P~~planning ~~Ce~~ommission may also require landscaping or other reasonable methods to minimize the adverse impact any proposed action may have on a historic resource or on the historic overlay district itself.
- (7) An approved PUD site plan shall be required before applicable permits may be issued for any form of construction or removal or disturbance of any natural feature for all planned unit developments.
- a. *Procedure for PUD site plan review.*
1. The applicant for PUD site plan approval shall file with the ~~community development director (hereinafter "director")~~City Zoning Official all drawings and other materials required for site plans in this chapter, all drawings and other materials required in Section 38-395 for PUD zoning district approval, and the additional information listed below. A PUD site plan application shall not be considered filed until all drawings and other required materials have been submitted and may be rejected if the materials submitted are inadequate to make the foregoing determinations.
 2. If requested by the ~~P~~planning ~~Ce~~ommission or ~~Ce~~ity ~~Ce~~ouncil, additional graphics, models, three-dimensional or electronic, or written materials shall be submitted to assist the ~~Ce~~ity in visualizing and understanding the proposal. Additional detailed information, including but not limited to plans, elevations, building and site sections, or existing and proposed building materials, if submitted, shall become a part of the PUD site plan.
 3. The ~~director~~Zoning Official will distribute these materials to the appropriate ~~Ce~~ity departments and other reviewing agencies for review and comment regarding compliance with the PUD zoning district supplemental regulations and conceptual PUD plan, and compliance with all applicable local, state, or federal laws, ordinances, standards and regulations and to determine the need for a development agreement as provided in this chapter. The ~~director~~Zoning Administrator will notify the applicant of any questions raised by the ~~Ce~~ity departments and other reviewing agencies and negotiate a development agreement with the applicant if it is determined that such an agreement is needed. The director shall submit a report and recommendation to the planning commission based on this review.
 4. The ~~P~~planning ~~Ce~~ommission, after holding a public hearing on the PUD site plan with notification as required by this chapter, shall transmit its recommendation based on the standards below, together with any recommended conditions of approval and all related reports and minutes to ~~Ce~~ity ~~Ce~~ouncil.
- b. *Standards for PUD site plan review.* City ~~Ce~~ouncil, after holding a public hearing on the PUD site plan with notification as required by this chapter, and after receiving all related reports and minutes and a recommendation from the ~~Planning~~ ~~Ce~~ommission, shall approve, with conditions, or deny a PUD site plan. A PUD site plan shall be approved by ~~Ce~~ity ~~Ce~~ouncil only after it determines that:
1. The development would comply with the PUD zoning established pursuant to the requirements of section 38-395, and with all applicable local, state, or federal laws, ordinances, standards and regulations; and
 2. The development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land, applying criteria for reviewing a natural features statement of impact set forth in this chapter; and

3. The development would not cause a public or private nuisance and would not have a detrimental effect on the public health, safety or welfare.
- c. *Development Agreement.*
1. Upon obtaining approval of a site plan, the applicant and the Ccity Council may enter into a Ddevelopment Agreement that describes the terms and conditions of the approval and the rights and obligations of each party. The Ccity Council may approve the Ddevelopment Agreement immediately following approval of a site plan or it may be placed on a *subsequent agenda of the Ccity Cocouncil*. *The applicant shall reimburse the Ccity for all fees for Ccity legal counsel and consultant participation in the Ddevelopment Aagreement.*
 2. The approved Ddevelopment Agreement shall be recorded with the county Register of Deeds.
 3. In the event the site plan requires a major amendment, the development agreement shall be amended to reflect the approved changes and recorded as provided in subsection (5)c.2. above.
- d. *Effect of PUD site plan approval.* For three (3) years from the date of approval of a PUD site plan, permits may be issued and the land developed consistent with the PUD site plan and the regulations, laws and ordinances in effect as the time of approval, unless new regulations, laws and ordinances have been made applicable to previously approved developments. After three (3) years from PUD site plan approval, no permits shall be issued unless the PUD site plan is reconsidered in the manner provided for new PUD site plans and is determined to meet the standards of the PUD zoning district or has been extended as provided under administrative amendments to approved PUD site plans.
- e. *PUD site plan amendments.* A minor change to an approved PUD site plan may be approved by the Pplanning Ccommission as provided in this chapter except that the proposed changes shall not alter the fundamental design, conceptual integrity, natural features shown to be preserved, any specific conditions of the PUD development program, the conceptual PUD plan or the supplemental regulations. The following restrictions shall also apply:
1. Adjustment in approved phases of development shall not result in a change greater than ten percent of the total gross area in any phase, or ten percent of the number of approved lots, or ten percent of the approved maximum building square footage.
 2. For residential buildings the size may be reduced or increased by five percent, provided the overall density of units does not increase and the minimum square footage requirements are met.
 3. Gross floor area of non-residential buildings may be decreased or increased by up to five (5) percent or ten thousand (10,000) square feet whichever is smaller.
 4. Floor plans may be changed if consistent with the character of the use.
 5. Horizontal and/or vertical elevations may be altered by up to five (5) percent.
 6. Relocation of a building is permitted by up to ten (10) feet, if consistent with required setbacks and other standards.
 7. Designated "areas not to be disturbed" may be increased.
 8. Plantings approved in the final PUD site plan may be replaced by similar types of landscaping on a one-to-one or greater basis. Any trees to be preserved, which are lost during construction, may be replaced by at least two (2) trees of the same or similar species.
 9. Improvements or slight relocation of site access or circulation patterns are minor changes, such as inclusion of deceleration lanes, boulevards, curbing, and pedestrian or bicycle paths.
 10. Changes of building materials to another of higher quality can be made, with determined of quality a judgment of the building inspector.
 11. Slight modification of sign placement or reduction of size may be made.
 12. Internal rearrangement of a parking lot is possible if the change does not affect the number of parking spaces or alter access locations or design.
 13. Changes required by the Ccity, county or state for safety reasons are a basis for a minor change.

(~~87~~) It shall be understood that the petitioner agrees to install and/or construct all improvements in the approved site plan within twelve (12) months from the initiation of on-site construction, and to provide for their continued maintenance.

(~~98~~) The ~~P~~lanning ~~C~~ommission may modify the foregoing requirements or waive them if it can be shown that no good purpose would be served in the preparation of a site plan.

(~~109~~) The ~~P~~lanning ~~C~~ommission may require that a bond be posted by a developer(s) to assure that improvements connected with an approved site plan are made as proposed.

SECTION 2. PUBLIC HEARING. A public hearing is set for Monday, October 21, 2019 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed repeal and replacement of Chapter 26, Signs, of the Code of the City of Owosso.

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



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

DATE: 10.7.19
TO: CITY COUNCIL
FROM: CITY MANAGER
SUBJECT: Sign Ordinance

BACKGROUND:

CIB Planning and the Planning Commission have finished drafting updates to the sign ordinance. CIB's memo on the changes is included in the packet. Please reference that memo for Planning Commission's recommendation.

RECOMMENDATION:

Set a public hearing for October 21 to take comment on this ordinance amendment.

RESOLUTION NO.

**SETTING A PUBLIC HEARING TO
REPEAL AND REPLACE
CHAPTER 26, SIGNS, OF THE CODE OF THE CITY OF OWOSSO**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, Planning Commission believe Chapter 26, Sigms, of the Code of the City of Owosso, also known as the Sign ordinance, to be content based posing potential liability to the city of Owosso; and

WHEREAS, the planning commission held a public hearing at their September 23, 2019 regularly scheduled meeting regarding the proposal to repeal and replace Chapter 26, Sigms, in which no citizen comments were voiced or received; and

WHEREAS, the planning commission seeks the repeal and replacement of Chapter 26, Sigms, in its entirety.

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

SECTION 1. REPEAL. That Chapter 26, Sigms, of the Code of Ordinances of the City of Owosso, is hereby repealed in its entirety.

SECTION 2. REPLACEMENT. The new Chapter 26, Sigms, shall read as follows:

Insert "PROPOSED" text here.

SECTION 3. PUBLIC HEARING. A public hearing is set for Monday, October 21, 2019 at 7:30 p.m. for the purpose of hearing citizen comment regarding the proposed repeal and replacement of Chapter 26, Sigms, of the Code of the City of Owosso.

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

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

CHAPTER 26, SIGNS - PROPOSED

ARTICLE I. - IN GENERAL

Sec. 26-1. – Short title.

This ordinance shall be known as and may be cited as the City of Owosso Sign Ordinance.

Sec. 26-2. - Purpose.

- a. The purpose of this article is to regulate signs and to minimize outdoor advertising within the city so as to protect public safety, health and welfare; minimize abundance and size of signs to reduce visual clutter, motorist distraction, and loss of sight distance; promote public convenience; preserve property values; support and complement land use objectives as set forth in the City of Owosso Master Plan and this article; and enhance the aesthetic appearance and quality of life within the city. The standards contained herein are intended to be content neutral.
- b. These objectives are accomplished by establishing the minimum amount of regulations necessary concerning the size, placement, construction, illumination, and other aspects of signs in the city so as to:
 1. Recognize that the proliferation of signs is unduly distracting to motorists and non-motorized travelers, reduces the effectiveness of signs directing and warning the public, causes confusion, reduces desired uniform traffic flow, and creates potential for accidents.
 2. Prevent signs that are potentially dangerous to the public due to structural deficiencies or disrepair.
 3. Reduce visual pollution and physical obstructions caused by a proliferation of signs which would diminish the city's image, property values, and quality of life.
 4. Recognize that the principal intent of commercial signs, to meet the purpose of these standards and serve the public interest, should be for identification of an establishment on the premises, and not for advertising special events, brand names, or off-premises activities; alternative channels of advertising communication and media are available for advertising which do not create visual blight and compromise traffic safety.
 5. Enable the public to locate goods, services and facilities without excessive difficulty and confusion by restricting the number and placement of signs.
 6. Prevent placement of signs which will conceal or obscure signs of adjacent uses.
 7. Protect the public right to receive messages, especially noncommercial messages such as religious, political, economic, social, philosophical and other types of information protected by the First Amendment of the U.S. Constitution.
- c. The regulations and standards of this article are considered the minimum necessary to:
 1. Achieve a substantial government interest for public safety, aesthetics, protection of property values, and are intended to be content neutral.
 2. Allow for adequate and effective signage for business identification and other commercial speech, non-commercial speech, and dissemination of public information, including but not limited to, public safety information and notification as may be required by law.
 3. Prevent off-premises signs from conflicting with other allowed land uses.
 4. Maintain and improve the image of the city by encouraging signs of consistent size which are compatible with and complementary to related buildings and uses, and harmonious with their surroundings.
 5. Prohibit portable commercial signs in recognition of their significant negative impact on traffic safety and aesthetics.
 6. Preserve and enhance the image of the City
 7. To prohibit all signs not expressly permitted by this chapter.
 8. To provide for the permitting of signage and the enforcement of the provisions of this chapter.
 9. Permit signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.

Sec. 26-3. – 26-4. - Reserved.

ARTICLE II. - DEFINITIONS

Sec. 26-5. - Sign definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning.

Abandoned sign. Any sign which is still on the premises six (6) months after a business ceases to operate or moves from the location.

Address sign: Address numbers attached to the building or sign which are readily visible from the street.

CHAPTER 26, SIGNS - PROPOSED

Administrator. The City Manager or his designated representative within the City of Owosso.

Alteration. Any construction or repair which significantly changes a sign, including additions or deletions to the sign structure.

Accessory sign: A sign which pertains to the use of the premises on which it is located.

Animated sign: A sign which uses lights, moving parts, or other means to depict action, create an image of a living creature or person, or create a special effect or scene.

Awning: A roof like cover, typically constructed of canvas, vinyl or similar fabric stretched over a framework, that projects from the wall of the building for the purpose of shielding a doorway, a window, or pedestrians from the elements.

Awning sign: A permanent sign painted on, printed on, or attached flat against the surface of an awning.

Balloon sign: A type of temporary, portable sign filled with air or gas.

Banner: A fabric, plastic or other sign made of non-rigid material without enclosing structural framework. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banner signs.

Building marker. Any sign indicating the name of a building and date of construction which is typically cut into a masonry surface and part of the building wall construction.

Barber pole sign: A permanent sign attached to the building in a vertical cylinder shape with moving and/or alternating colors.

Business or campus center: A grouping of two or more buildings on one or more parcels of property which may share parking, access and are linked by ownership giving the appearance of a unified grouping of uses.

Changeable message sign: A sign on which the message is changed mechanically, electronically or manually. The elements may be internally illuminated or may be illuminated by reflected light. The sign may be framed by permanent, nonmoving signage. Reference Electronic message sign (EMS) definition.

Community special event sign: Signs and banners, including decorations and displays celebrating a traditionally-accepted patriotic or religious holiday, or special municipal, school or other non-profit activities.

Commemorative plaque: A memorial tablet, commemorative plaque, or sign including historical identification sign, designating the name and date of significance, cut into or raised on any masonry surface, or when constructed of cast metal, with a total maximum sign area of ten (10) square feet.

Construction sign: A temporary sign identifying the name(s) of project owners, contractors, developers, realtors representing developers, architects, designers, engineers, landscape architects, and financiers of a project being constructed or improved; and not including any advertising of any product or announcement of availability of leasing space.

Directional sign: A sign which assists motorists in determining or confirming a correct route such as, enter, exit and parking signs...

Display time: The amount of time a message and/or graphic is displayed on an Electronic Message Sign.

Double faced sign: Signs with two parallel or nonparallel sign surfaces not more than 24 inches apart at any point on the opposite face.

Downtown Historic District boundary: As shown in the map.



CHAPTER 26, SIGNS - PROPOSED

Electronic message sign (EMS): A sign or portion of a sign, that displays an electronic image or video, which may or may not include text, including any sign or portion of a sign that uses changing lights or similar forms of electronic display such as LED to form a sign message with text and or images wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. This definition includes without limitation television screens, plasma screens, digital screens, flat screens, LED displays, video boards, and holographic displays.

Fade: A mode of message transition on an Electronic Message Sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

Feather or flutter sign: Any sign that is comprised of material that is suspended or attached in such a manner to a pole or stake as to attract attention by waving, moving or fluttering from natural wind currents. It also includes similar signs that do not move or flutter. Feather or flutter signs are considered temporary signage.

Festoon: Temporary signage that is a string of ribbons, tinsel, small flags, pinwheels, streamer, pennants, or balloons, typically strung overhead.

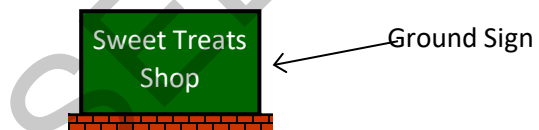
Flag. Any sign printed or painted on cloth, plastic, canvas, or other like material with distinctive colors, patterns, or symbols attached to a pole or staff and anchored along only one edge or supported or anchored at only two corners.

Flashing sign: A sign which contains an intermittent or sequential flashing light source.

Gas station canopy: A freestanding, open-air structure constructed for the purpose of shielding service station islands from the elements.

Gas station canopy sign: Any sign that is part of, or attached to, the vertical sides of the gas station canopy roof structure.

Ground or monument sign: A sign extending upward from grade that is attached to a permanent foundation with either stone or masonry or is wrapped in a material so that the support structure is concealed.



Historical marker: A historical marker or historic marker is an indicator such as a plaque or sign to commemorate an event or person of historic interest and to associate that point of interest with a specific locale one can visit. Historical marker designation and plaque or sign size and placement may be regulated by local, state, or federal regulations and standards.

Illegal sign: A sign which does not meet the requirements of this article and does not have legal nonconforming status.

Illuminated sign. Any sign that provides artificial light directly on or through any transparent or translucent material, from a source of light connected with such sign, or a sign illuminated by a light with a source so obscured and shielded that no direct rays from it are visible from a public right-of-way or from an abutting property.

Incidental sign: A small sign, emblem, or decal informing the public of goods, facilities, or services available on the premises. Examples of incidental signs include credit card signs, signs indicating the hours of business, no smoking signs, signs used to designate bathrooms, and signs providing information on credit cards and business affiliations.

Inflatable sign: A sign that is an air-inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device.

Institutional uses: Meaning a use by public or quasi- public institution such as a religious organization, church, nonprofit organization, academic institution, library or hospital.

Mansard: A sloped roof or roof-like façade. Signs mounted on the face of a mansard roof shall be considered roof signs.

Maintenance. For the purposes of this chapter, the cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

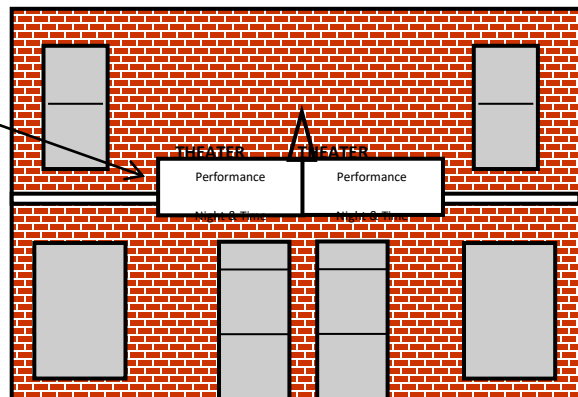
Marquee: A permanent roof-like structure or canopy, supported by and extending from the face of the building.

Marquee sign: A permanent sign attached to any part of a marquee other than the roof.

Menu board sign: A sign oriented to the drive through lane for a restaurant that advertises the menu available from the drive through window.

Moving sign: A sign in which the sign itself, or any portion of the sign, moves or

Marquee
Sign



CHAPTER 26, SIGNS - PROPOSED

revolves. A "rotating sign" is a type of moving sign. This definition does not include "changeable message signs."

Mural: A design or representation which is painted or drawn on the exterior surface of a structure and which does not advertise a business, product, service, or activity.

Nonconforming sign: A sign that does not comply with the size, placement, construction or other standards or regulations of this article, but were lawfully established prior to its adoption. Signs for which the zoning board of appeals has granted a variance are exempt and shall not be defined as nonconforming.

Obsolete sign: A sign that advertises a product that is no longer made or that advertises a business that has closed.

Off-premises sign: A sign which identifies a use or advertises products and services not available on the site or parcel on which the sign is located; a sign which directs travelers or provides a message unrelated to the site on which the sign is located, e.g. billboards.

On-premises sign: A sign providing the address and name of owner of a parcel of land; a sign advertising a business, service or product sold or produced on the same site or parcel.

Outline tubing sign: A sign consisting of glass tubing, filled with a gas such as neon, which glows when electric current is sent through it including neon and luminous tube. Outline tubing signs shall also apply to signs consisting of LED tubing. Accent lighting not spelling words shall not be considered signage.

Owasso Historic District Commission: Formed in the fall of 2010, this regulatory commission is responsible for reviewing all applications for exterior work that is completed in within the Downtown Historic District Commission (HDC) boundaries.

Owner. A person regarded as such on city tax records, or a tenant of the premises so designated by the administrator.

Parapet: The extension of a false front or wall above a roof line. Signs mounted on the face of a parapet shall be considered wall signs.

Pennant. A flag or banner that tapers to a point. A pennant is considered a temporary sign.

Pole sign: A sign supported on the ground by a pole, braces, and not attached to any building or other structure.

Permanent sign: A sign designed to be installed permanently in the ground or wall of a building that is constructed out of durable materials.

Portable sign: A temporary sign designed to be moved from place to place by wheels, whether or not it is attached to the ground or a structure. Portable may include changeable signage area.

Premises. The contiguous land in the same ownership or control which is not divided by a public street.

Principal building. The building in which is conducted the principal use of the zone lot on which it is located. Zone lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings.

Projecting sign: A sign, other than a wall sign, that is affixed to any building or wall and whose leading edge extends more than 12 inches beyond such building or wall. The leading edge may extend over the public right of way.

Public sign: A sign erected in the public interest by or upon orders from a city, state, or federal public official. Examples of public signs include: legal notices, safety signs, traffic signs, memorial plaques, signs of historical interest, and similar signs.

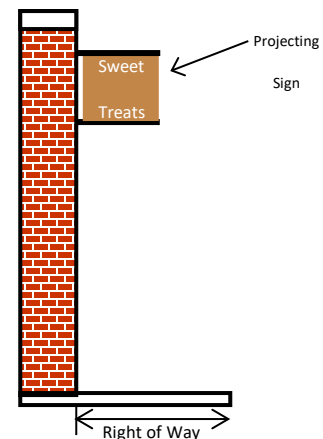
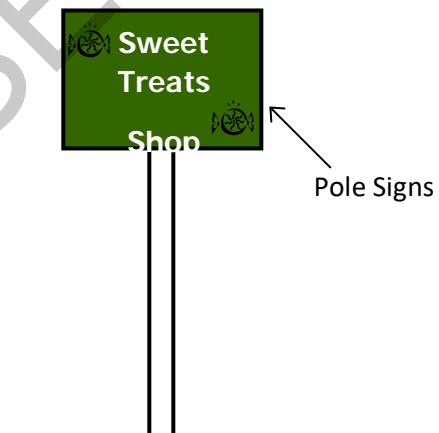
Real estate development sign: A sign that is designed to promote the sale or rental of lots, homes, or building space in a real estate development (such as a subdivision or shopping center) which is under construction on the parcel on which the sign is located.

Real estate sign: An on-premises temporary sign advertising the property or structure's availability for sale or lease.

Regulatory sign: A sign installed by a public agency to direct traffic flow, regulate traffic operations and provide information in conformance with the Michigan Manual of Uniform Traffic Control Devices.

Residential entranceway sign: A permanent sign which marks the entrance to a subdivision, apartment complex, condominium development, or other residential development.

Roof line: The top edge of a roof or building parapet, whichever is higher, excluding cupolas, pylons, chimneys, or similar minor projections.



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Roof sign: A temporary sign or permanent sign erected upon, against, or directly above a roof or on top of or above the parapet of a building, or signs where any portion of the sign extends above the roof of the building where the sign is located.

Sandwich board sign: A temporary sign containing two separate faces which are attached to one another at the top by one or more hinges or fasteners and which when placed upon the ground will stand upright without any additional support.

Sign: A sign means any structure or wall or other object used for the display of any message, and includes but is not limited to any bill, poster, placard, handbill, flyer, painting, balloon, streamer or other similar object in any form whatsoever which may contain printed or written matter in words, symbols, or pictures, or in any combination thereof attached to or affixed to the ground or any structure.

Temporary sign: A sign constructed of paper, cloth, canvas, plastic, cardboard, wall board, plywood, or other like material that are constructed for limited time use, lack a permanent foundation or mounting, or is determined by the Ordinance Enforcer to be displayed for a limited time.

Time and temperature sign: Signs which display the current time and/or temperature only.

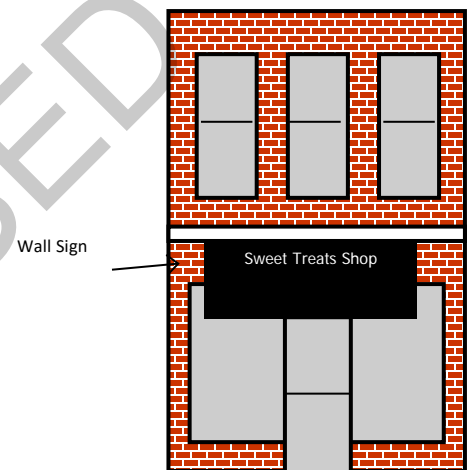
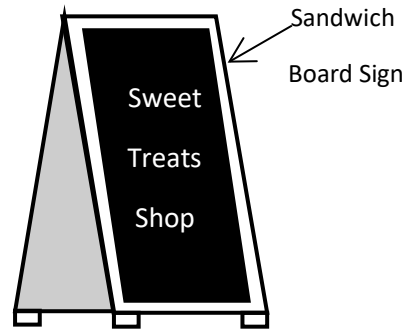
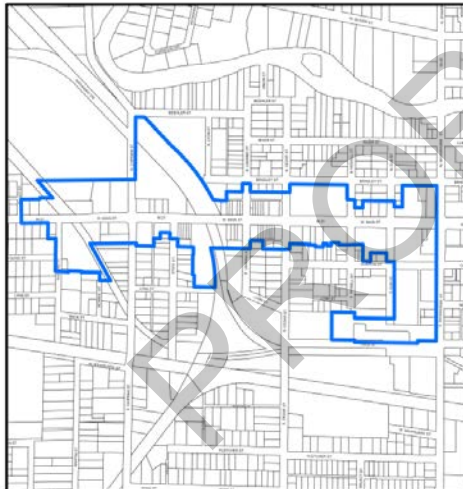
Vehicle sign: Signs affixed to a parked vehicle or truck trailer which is being used principally for advertising purposes. This does not include the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes and/or personal transportation on a daily basis.

Wall sign: A sign attached parallel to and extending not more than 12 inches from the wall of a building.

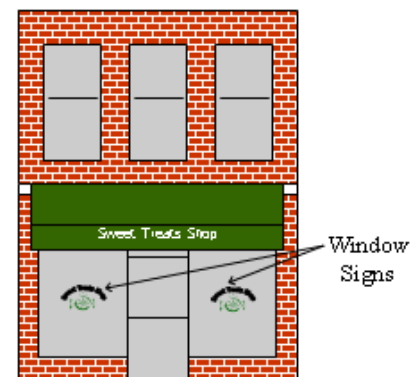
Westtown boundary: As shown in the map.

Westtown Boundary

Legend
— Westtown
□ City Parcels



Window sign: A sign located in or on a window which is intended to be viewed from the outside. This includes TV or computer screens placed in the window visible from the outside.



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ARTICLE III. - GENERAL PROVISIONS

Sec. 26-6. Applicability; effect and scope.

The regulations of this chapter shall apply to all signs visible from a public right-of-way, private road, public park or residentially zoned property located within the City of Owosso.

Sec. 26-7. – Sign permits.

- a. All signs are subject to the general and specific regulations of this chapter whether they require a permit or not. Any sign permitted under the ordinance may contain either a commercial or noncommercial message.
- b. Any signs within the Downtown Historic District shall meet and be reviewed for all requirements of the Owosso Historic District Commission prior to submittal of a permit to the City of Owosso.
- c. It shall be unlawful for any person to erect, re-erect, change panels, make an alteration, or relocate any sign unless a permit shall have been first obtained from the administrator, and a permit fee paid in accordance with the schedule adopted by resolution of the city council. Electrical signs shall, in addition, require an electrical permit.
- d. Applications for sign permits and the appropriate nonrefundable fee shall be made upon forms provided by the building department for this purpose and in accordance with application specifications published by the administrator. These specifications shall be as complete in form as necessary for evaluation of the sign in relationship to the requirements of this chapter.
- e. Within ten (10) days of receiving an application for a sign permit, the administrator shall review it for completeness. If the administrator finds that it is complete, the application shall then be processed. If the administrator finds that it is incomplete, the administrator shall, within such ten (10) day period, send to the applicant a notice of the specific ways in which the application is deficient, with appropriate references to the applicable sections of this chapter. If it is discovered that the sign permit application contains any false information, the administrator may revoke the permit or deny the application, whichever is appropriate.
- f. The administrator shall issue a permit within ten (10) days of receipt of a valid application, provided that the sign complies with all applicable laws and regulations of the city. In all applications, where a matter of interpretation arises, the more specific definition or higher standard shall prevail.
- g. When a permit is denied, the administrator shall within ten (10) days, give a written notice to the applicant along with a brief statement of the reasons for denial, citing code sections and interpretation of possible nonconformity.
- h. Unless otherwise indicated, no person shall conceal any portion of such work until it has been inspected and approved by the administrator. The administrator shall inspect the work completed in conformance with the approved permit and applicable codes. If the construction is not complete within six months of the permit issuance date, the permit shall expire.

Sec. 26- 8. – Signs exempt from permit regulations.

The following signs are exempted from permit requirements but must be in conformance with all other requirements of this chapter:

- a. Address signs
- b. Building marker
- c. Commemorative plaque
- d. Historical marker sign
- e. Directional signs
- f. Public signs and regulatory signs
- g. Temporary signs as detailed in this chapter
- h. Time and temperature signs
- i. Window signage

Sec. 26-9. - Prohibited signs.

The following signs are prohibited in all districts:

- a. Abandoned signs
- b. Balloon signs
- c. Festoons
- d. Flashing signs
- e. Illegal signs
- f. Inflatable signs
- g. Moving signs excluding barber shop poles
- h. Obsolete signs
- i. Off-premise signs, unless otherwise specified in this chapter

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- j. Outline tubing signs
- k. Pennants
- l. Portable signs
- m. Roof signs
- n. Vehicle signs
- o. Non-regulatory signs placed in any public right-of-way; attached to a utility pole; or affixed to a tree, street furniture, or waste receptacles.
- p. Any sign which simulates or imitates in size, color, lettering, or design, any traffic sign or signal or other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse the drivers of motorized vehicles.
- q. Signs which obstruct or impair the vision of motorists or non-motorized travelers at any intersection, driveway, within a parking lot or loading area.
- r. Signs which obstruct the minimum 5 feet of clearance required for Barrier Free accessibility.
- s. Signs which obstruct free access or egress from any building, including those that obstruct any fire escape, required exit way, window, or door opening or that prevent free access to the roof by firefighters

Sec. 26-10. - General standards for permitted signs.

The following regulations shall apply, unless otherwise specifically stated in this chapter, to all signage erected or located in any zoning district within the city:

- a. The current edition of the Michigan Building Code shall be in full force and effect in the City as if set out fully herein. Complete printed copies of the code are available for public use and inspection at the office of the city clerk.
- b. Sign setbacks.
 - 1. All signs, unless otherwise provided for, shall be set back a minimum of five feet from any public or private street right-of-way line or access drive in all districts. This distance shall be measured from the nearest edge of the sign, measured at a vertical line perpendicular to the ground to the right-of-way.
 - 2. Side yard setbacks for signs shall be the same as that required for the main structure or building.
- c. Adequate sight distance. In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, a minimum clear vision area shall be maintained between a height of 24 inches and six feet within a triangular area measured 25 feet back from intersection of public right-of-way lines. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.
- d. Illumination.
 - 1. Signs may be illuminated, but only by steady, stationary, shielded light sources directed solely at the sign or internal to the sign.
 - 2. Use of glaring undiffused lights, bare bulbs, or flames is prohibited.
 - 3. External sources of illumination shall be shielded and directed to prevent glare onto neighboring properties or the public right of way.
 - 4. Underground wiring shall be required for all illuminated signs not attached to a building.
- e. Maintenance, construction and design.
 - 1. All signs shall be maintained in good structural condition at all times...
 - 2. All signs shall be kept neatly painted, stained, sealed or preserved including all metal, wood or other materials used for parts and supports.
 - 3. All signs, including any cables, guide wires, or supports shall have a minimum clearance of four feet from any electric fixture, electric line, street light, or other public utility pole or standard.
 - 4. Signs shall not be constructed from materials that are remnants or manufactured for a different purpose.
- f. Addresses. Addresses shall be in compliance with the International Fire Code requirements for number size and visibility from the public right of way.
- g. Noncommercial speech. Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.
- h. Directional Signs.
 - 1. Private On-premise directional signs.
 - a) Not more than one directional sign shall be permitted for each approved driveway entrance from a right of way, with a maximum sign area of six square feet per sign, and a maximum height of six feet.
 - b) Any directional sign which includes a business name, symbol or logo shall be calculated as part of the allowable sign square footage.
 - c) Directional signage located within a business center not adjacent to a public right of way shall be governed by the property owner.

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2. Private Off-Premise Directional Signs. Private off-premise directional signs which provide directions to a commercial or industrial establishment which is not located on a primary street within the city shall be allowed on private property provided there exists a written agreement between the property owner and the business/industry. Said agreement shall be filed with the city of Owosso.
 - a) Off-premise directional signs shall be no greater than twelve (12) square feet.
 - b) Sign lettering may only display the off-premise business name, address, and an arrow indicating direction.
 - c) Off-premise directional signs shall only be located on B-2, B-3, B-4, I-1, and I-2 Districts.
3. Public Off-Premise Directional Signs: Public off-premise directional signs erected by the City, City affiliated organization or State of Michigan shall be permitted in the street right-of-way
- i. Temporary signs. Temporary signs as defined in Sec. 26-5 are allowed with a permit subject to the following:
 1. Size of Temporary Signs: The total aggregate sign area of all temporary signs on any one site shall not exceed 30 square feet. The maximum size of individual temporary signs shall not exceed twenty 20 square feet in area. Temporary signs shall not be higher than 42 inches above average mean grade of the yard on which it is placed.
 - a) Exceptions:
 1. For uses other than one and two family dwellings, temporary signs for buildings under construction shall be a maximum size of 10% of the square foot area of the front of the structure, and not more than 20 feet in height.
 2. One temporary sign located on vacant land that is for sale or for lease, when the parcel exceeds two acres in area, shall be allowed to have a size equal to 64 square feet of sign area (total), but not more than 32 square feet per sign face and not more than 8 feet in height.
 - b) Location of Temporary Signs:
 1. Temporary signs shall not be attached to any utility pole or be located within any public right-of-way.
 2. Temporary signs shall not be erected in such a manner that they will or reasonably may be expected to interfere with, obstruct, confuse or mislead traffic.
 3. Temporary signs cannot be placed or constructed so as to create a hazard of any kind.
 4. Prior to the erection or placement of a temporary sign, the permission of the property owner where the sign is to be located must be secured.
 5. Signs shall be located so as to comply with the corner clearance requirements of the ordinance.
 6. Temporary signs shall not be illuminated.
 - c) Time Limitations for Temporary Signs: Temporary signs shall be removed within 60 days of placement, except for temporary signs that are located on real property that is for sale or lease. Temporary signs are permitted for 60 days in a 120-day period.
 - j. Measuring sign area and height.
 1. Measurement of allowable sign area (see Figure 26.1 Guidelines for Measuring Sign Face Square Footage below).
 2. The sign area shall include the surface area which encloses the extreme limits of the sign copy together with the frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding only the structure necessary to support the sign.
 3. Measurement of sign height. Sign height shall be the vertical distance measured from the point of ground immediately beneath the sign to the highest point of the sign, including decorative embellishments. Where the ground elevation beneath a sign varies, the average grade of the ground within a five-foot radius of the sign structure shall be used. The average grade shall be the highest point within said radius plus the lowest point within said radius, divided by two. Any filling, berming, mounding or excavating solely for the purpose of locating the sign shall not be included in the calculation of average grade.

Sec. 26-11. - Nonconforming signs. Nonconforming signs are those signs that do not comply with the size, placement, construction or other standards or regulations of this chapter, but were lawfully established prior to its adoption. Signs for which the board of appeals has granted a variance are exempt and shall not be defined as nonconforming. It is the intent of this article to encourage eventual elimination of nonconforming signs in a timely manner. This objective is considered as much a subject of public health, safety and welfare as the prohibition of new signs in violation of this article. Therefore, the purpose of this article is to remove illegal nonconforming signs

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while avoiding any unreasonable invasion of established private property rights. A nonconforming sign may be continued and shall be maintained in good condition as described elsewhere in this article, however, the following alterations are regulated:

- a. A nonconforming sign shall not be structurally altered or repaired so as to prolong its useful life or so as to change its shape, size, type or design unless such change shall make the sign conforming.
- b. A nonconforming sign shall not be replaced by another nonconforming sign.
- c. A nonconforming sign shall not be reestablished after abandonment as defined in section 26-22, dangerous, unsafe, abandoned, and illegally erected signs.
- d. A nonconforming sign must not be reestablished after damage or destruction if the estimated expense of reconstruction exceeds 50 percent of the appraised replacement cost as determined by the building official/zoning administrator or if 50 percent or more of the face of the sign is damaged or destroyed.

Sec. 26-12. - Dangerous, unsafe, abandoned, and illegally erected signs.

- a. Dangerous signs. Any sign constituting an immediate hazard to health or safety shall be deemed a nuisance and may be immediately removed by the city and the cost thereof charged against the owner of the property on which it was installed.
- b. Unsafe signs. Any sign that becomes insecure, in danger of falling, or otherwise unsafe but not considered an immediate danger by the building official/zoning administrator to the health or safety of the public shall be removed or repaired according to the process outline in paragraph 5. below.
- c. Abandoned signs. Any sign that advertises a business that has been discontinued for at least 90 days or that advertises a product or service that is no longer offered shall be deemed abandoned. Permanent signs applicable to a business temporarily suspended by a change in ownership or management shall not be deemed abandoned unless the structure remains vacant for at least six months. An abandoned sign shall be removed by the owner or lessee of the premises. If the owner or lessee fails to remove the sign, the building official/zoning administrator shall initiate the process noted in paragraph e. below.
- d. Illegally erected signs. The building official/zoning administrator shall order the removal of any sign erected illegally in violation of this article, according to the process outlined in paragraph e. below.
- e. Process for enforcing violations of section 26-5, dangerous, unsafe, abandoned, and illegally signs. For violations of section 26-5, the building official/zoning administrator shall notify the owner of the property on which the sign is located. Verbal notices or those sent by first class mail shall be sufficient notice. Where a sign erected in violation of this article is considered dangerous or unsafe, the notice shall inform the owner to remove said sign(s) immediately and property owners of other illegal signs on private property shall be granted a reasonable period of time within which to remove the sign, as determined by the building official/zoning administrator. Should the property owner fail to remove the sign(s) within the time specified, or if a sign is erected within any right-of-way or public property, the building official/zoning administrator, or their designee, shall have the authority to remove the sign, and the property owner shall be liable for the cost thereof.

Sec. 26-13. - Administration of sign ordinance standards.

- a. Generally. The regulations of this article shall be administered and enforced by building official/zoning administrator.
- b. Signs in the public right of way. In addition to the penalties prescribed below, any sign erected in the public right of way may be removed by the ordinance enforcer and stored in a safe location for at least 48 hours. During this period of time, the sign owner may obtain the sign from the City upon request and payment of a fee established in the City's Fee Schedule which will cover the cost of removal and storage. After 48 hours, the City may dispose of the sign.
- c. Violations. It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, use or maintain any sign in the city, or cause or permit the same to be done, contrary to or in violation of any of the standards and regulations of this article. Any such violation, including the failure to remove a sign when directed under the authority of this article, shall constitute a misdemeanor punishable in accordance with section 34-231 of the Owosso Code of Ordinances.

Sec. 26-14. – Board of Appeals

- a. Organization. The sign board of appeals shall be the zoning board of appeals as organized in chapter 38.
- b. Powers and duties.
 1. Hear and decide appeals by the sign permit applicant from a decision of the administrator denying, or failing to grant a sign permit within 30 days of application.
 2. Grant variances from the requirements of this chapter as part of the disposition of an appeal from action of the administrator denying or failing to grant a sign permit.

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3. Hear and decide appeals of a determination by the administrator that a sign must be removed for noncompliance with this chapter.
4. Interpret the provisions of this chapter.
- c. Grounds for variance. The board of appeals may grant a variance from the provisions or requirements of this chapter only where:
 1. The literal interpretation and strict application of the provisions and requirements of this chapter would cause undue and unnecessary hardship to the sign user because of unique or unusual conditions pertaining to the specific building or parcel of property in question.
 2. The granting of the requested variance would not be materially detrimental to the property owners in the vicinity.
 3. The unusual conditions applying to the specific property do not apply generally to other properties in the city.
 4. The granting of the variance will not be contrary to the general objective of this chapter of moderating the size, number and obtrusive placement of signs and the reduction of clutter.
 5. Support for hardship. Where there is insufficient evidence, in the opinion of the board of appeals, to support a finding of "undue and unnecessary hardship" under subsection (a) of this section, but some hardship does exist, the board may consider the requirement fulfilled if:
 - a) The proposed sign is of particularly good design and in particularly good taste.
 - b) The entire site has been or will be of particularly good design and in granting a variance, the board may attach thereto such conditions regarding the location, character and other features of the proposed sign as it may deem necessary to carry out the spirit and purpose of this chapter in the public interest.
 6. Notice of hearing. Shall be done in accordance with the Michigan Zoning Enabling Act, Act 110 of 2006 and any amendments to said Act.

Sec. 26-15—26-19. - Reserved.

ARTICLE IV. – SPECIFIC SIGN STANDARDS

Sec. 26-20. - Signs Permitted in Residential One-family Residential (R-1), Two-family Residential (R-2), Attached One-family Residential (R-T), Multiple-family Residential (RM-1) and Multiple-family Residential – High rise (RM-2) Districts Signage Table

Type	# Allowed	Max Height	Max Size
Wall	1 per business		Not exceed 10% facade
Awning	1 per business		Not exceed 10% facade
Ground	1 per parcel	6 feet	24 square feet per side
EMS	Institutional use only *		50% of allowed ground sign
Subdivision/Development Entrance	Entrance to development	6 feet	24 square feet per side
Business Placard (B & B)	1 per residence		2 feet x 3 feet

Sec. 26-21. - Signs Permitted in Residential One-family Residential (R-1), Two-family Residential (R-2), Attached One-family Residential (R-T), Multiple-family Residential (RM-1) and Multiple-family Residential – High rise (RM-2) Districts Signage.

- a. The following signs are permitted in the R-1, R-2, R-T, RM-1 and RM-2 zoning districts subject to the following requirements:
 1. Wall Sign.
 - a) One wall sign per business not to exceed 10% of front façade for all uses other than single family homes, duplexes, and attached condominiums.
 - b) No wall sign shall extend above the roof or parapet of the structure to which it is attached. No wall sign shall have a thickness greater than 12 inches measured from the wall to which it is attached.
 - c) No wall sign shall be attached to a wall at a height less than eight feet above any sidewalk.
 2. Awning signs may be used as an alternative or in addition to wall signs for all uses other than single family homes, duplexes, and attached condominiums, provided that they meet the following standards:
 - a) Awning signs and wall signs must not exceed 10% of front façade
 - b) Any sign area on an awning shall be included in calculations of maximum wall sign square footage.

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- c) Awning signs shall be set back at least two feet from any street curb-line, shall not extend more than six feet over the public right-of-way, and shall leave a minimum clearance of eight feet above the ground and shall not project over an alley or private access lane.
- d) No awning sign shall extend above the roof or parapet of the structure to which it is attached.
- e) Awning signs shall not be internally illuminated.
- 3. Home Occupations as allowed and defined in Sec. 38-394 shall be permitted a sign not to exceed a size of 2' x 3' mounted flush to the building. The sign may be illuminated, provided such illumination is concentrated on the surface of the sign and is so located as to avoid glare or reflection onto any portion of an adjacent street or highway, into the path of oncoming vehicles, or on any adjacent premises. In no event, shall any home occupation sign have flashing or intermittent lights, nor shall the lights be permitted to rotate or oscillate.
- 4. Bed and breakfast signs as detailed in Chapter 7 of the Owosso City Code.
- 5. Ground Sign shall be permitted as follows for all uses other than single family homes, duplexes and attached condominiums:
 - a) Not more than one ground sign is permitted per parcel.
 - b) The top of the ground sign shall be no more than six feet above ground level.
 - c) A ground sign shall not extend closer than 5 feet to any part of the public right of way and shall meet the adequate sight distance requirements of this chapter.
 - d) No ground sign shall have an area exceeding 24 square feet per side.
 - e) A ground sign shall be located on the same parcel as the use.
 - f) In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, the location of the sign shall be such that a minimum clear vision area shall be maintained between a height of 24 inches and six feet within a triangular area measured 25 feet back from intersection of public right-of-way lines. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.
- 6. One electronic message sign, meeting the above requirements, may be permitted for institutional uses located in a residential district when meeting the following requirements:
 - a) The institutional use is located on a major or minor arterial or collector road.
 - b) The size of the electronic message sign shall be no greater than 50% of the allowable ground sign square footage.
- 7. Residential Entryway/Ground Sign shall be permitted as follows at the entrance of a residential subdivision:
 - a) Entryway Sign:
 - 1. The top of the ground sign shall be no more than six feet above ground level.
 - 2. A ground sign shall not extend closer than 5 feet to the adjacent public right of way and shall meet the adequate sight distance requirements of this chapter.
 - 3. No ground sign shall have a single surface area exceeding 24 square feet per side.
 - 4. A ground sign shall be located on the same parcel or at the vehicular entrance to identify a subdivisions, apartment complexes, condominium communities, senior housing complexes, manufactured housing communities, or similar residential uses.
 - b) Real Estate Sales Sign:
 - 1. One temporary sign located on vacant land that is for sale or for lease or a residential development that has site plan approval and is under construction, and when the parcel exceeds two acres in area, shall be allowed to have a size equal to 64 square feet of sign area (total), but not more than 32 square feet per sign face and not more than 8 feet in height.
 - 2. Real Estate Sales signs must be removed after the last lot/parcel/residence is sold/leased in the development.
- 8. Temporary signs per Sec. 26-10(i) of this chapter and:
 - a) Temporary signs include, but are not limited to the following:
 - 1. For a single dwelling or building or vacant land: an on-site real estate sign, advertising the premises for sale, rent or lease.
 - 2. An on-site sign advertising an on-going garage, estate or yard sale.
 - 3. Noncommercial signs which contain noncommercial information or directional messages.
 - 4. Political signs.
 - 5. Holiday or other seasonal signs.
 - 6. Construction signs for buildings under construction. See Real Estate Development Sign requirements.
 - 7. All temporary signs must comply with the sign size and height standards as specified in the sign dimensional standards and regulations table.

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- b) Location of temporary signs shall comply with the following:
 - 1. Temporary signs shall not be attached to any utility pole or be located within any public right-of-way.
 - 2. Temporary signs shall not be located closer than 20 feet to the edge of the traveled portion of the roadway, nor shall they be located within any dedicated right-of-way.
 - 3. Temporary signs shall not be erected in such a manner that they will or may reasonably be expected to interfere with, obstruct, confuse or mislead traffic.
 - 4. Temporary signs cannot be placed or constructed so as to create a hazard of any kind.
 - 5. Temporary signs may not be posted on private property without first obtaining the permission of the property owner.
 - 6. Signs shall not be located within any clear vision triangle, as described in section 38-388 Corner Clearance.
- c) Time limitations for temporary signs. Each temporary sign shall be removed within 60 days of placement. Furthermore, no sign may be erected on a single parcel for more than 60 calendar days out of every 120 calendar days.

Section 26-22. - Signs Permitted in Local Business (B1), Planned Shopping Center (B2), Central Business (B3) and General Business (B4) Districts Signage Table

- ¹ Lots fronting on two (2) or more streets are allowed the permitted signage for each street frontage, but signage cannot be accumulated and used on one (1) street in excess of that allowed for lots with only one street frontage.
- ² Additional wall signage is permitted per Section 26.23.a.2.c
- ³ Additional pole sign may be permitted per Section 26.23.e
- ⁴ The percentage figure here shall mean the percentage of the area of the wall of which such sign is a part or to which each such sign is most nearly parallel.

Sec. 26-23. Signs Permitted in Local Business (B1), Planned Shopping Center (B2), Central Business (B3) and General Business (B4) Districts Signage.

- a. Wall Sign:
 - 1. Any signs within the Downtown Historic District shall meet and be reviewed for all requirements of the Owosso Historic District Commission prior to submittal of a sign permit, and prior to installation of new signage or modification of existing signage.
 - 2. Wall signs may be used provided that they meet the following standards:
 - a) One wall sign per business not to exceed 10% of front façade or 100 square feet, whichever is less is permitted.
 - b) No wall sign shall extend above the roof or parapet of the structure to which it is attached.
 - c) Businesses located on a second public right of way, public parking lot or public alley shall be allowed up to two wall signs, one for each front façade. The maximum wall sign area shall not exceed ten percent of the front façade of the building per use or business establishment.
 - d) Additional wall sign square footage is permitted when the following is met:
 - 1. 201 - 400 linear feet of building frontage facing a public street and having a public entrance is allowed a maximum wall sign area of 150 square feet.
 - 2. Greater than 400 linear feet of building frontage facing a public street and having a public entrance is allowed a maximum wall sign area of 200 square feet
 - e) No wall sign shall have a thickness greater than 12 inches measured from the wall to which it is attached.
 - f) No wall sign shall be attached to a wall at a height less than eight feet above any sidewalk.
- b. Ground Sign
 - 1. Ground Sign may be used provided that they meet the following standards:
 - a) The top of the ground sign shall be no more than six feet above ground level.
 - b) A ground sign shall not extend closer than 5 feet to the public right of way.
 - c) No ground sign shall have an area exceeding 40 square feet per side.
 - d) A ground sign shall be located on the same parcel as the building or use to which it is accessory.
 - e) An additional ground sign may be permitted if access to the parcel is provided from two public streets.
 - f) In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, the location of the sign shall be such that a minimum clear vision area shall be maintained between a height of 24 inches and six feet within a triangular area measured 25 feet back from intersection of public right-

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of-way lines. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.

- c. Changeable or electronic message sign
 - 1. Changeable or electronic message signs as part of a wall or ground sign when the following requirements are met:
 - a) Changeable or electronic message signs are not permitted within the historic district boundary.
 - b) One changeable or electronic message signs sign shall be permitted per premises, but not both.
 - c) The area of a changeable or electronic message sign shall not exceed half the total area of the sign.
 - d) Illumination shall be concentrated within the face of the sign to prevent glare upon adjoining properties and thoroughfares.
 - e) Electronic messages shall not flash, fade in or out, or scroll.
 - f) Any voids or burned out bulb in an electronic display shall be replaced within 10 days of city notification.
 - 2. One gasoline price sign is permitted for a gas station canopy with an area not to exceed ten percent of the canopy façade.
- d. Pole Signs
 - 1. Pole signs may be used provided that they meet the following standards:
 - a) Pole signs are not permitted within the historic district boundary.
 - b) A pole sign may stand no higher than the building it represents or 20 feet above the level of the ground, upon which the sign is mounted, whichever is less.
 - c) A pole sign shall not extend closer than 5 feet to the public right of way.
 - d) The lower edge of the pole sign shall be is eight feet or more above the ground level.
 - e) No pole sign shall have a single surface area exceeding 40 square feet per side.
 - f) A pole sign shall be located on the same parcel of property as the building or use to which it is accessory.
 - g) Changeable or electronic message signs as part of a pole sign when the following requirements are met:
 - 1. Changeable or electronic message signs are not permitted within the historic district boundary.
 - 2. One changeable or electronic message sign sign shall be permitted per premises, but not both.
 - 3. The area of a changeable or electronic message sign shall not exceed half the total area of the sign.
 - 4. Illumination shall be concentrated within the face of the sign to prevent glare upon adjoining properties and thoroughfares.
 - 5. Electronic messages shall not flash, fade in or out, or scroll.
 - 6. Any voids or burned out bulb in an electronic display shall be replaced within 10 days of city notification.
 - h) One gasoline price sign is permitted for an overhead gas pump awning with an area not to exceed ten percent of the awning façade.
- e. Number of pole or ground signs. Not more than one pole or ground sign may be erected accessory to any single building, structure, or shopping center regardless of the number of separate parties, tenants or uses contained therein; provided however, a property may have two pole or ground signs when the following is met:
 - 1. If fronting along two or more right of ways, 1 ground sign is allowed on each right of way
 - 2. If there is greater than 300 feet of frontage along one right of way, 2 ground signs are allowed on such right of way.
- f. Awning
 - 1. Projecting and awning signs may be used as an alternative or in addition to wall signs provided that they meet the following standards:
 - a) Any sign area of an awning or projecting sign shall be included in calculations of maximum wall sign square footage.
 - b) Awning or projecting signs shall be set back at least two feet from any street curb-line, shall not extend more than six feet over the public right-of-way, and shall leave a minimum clearance of eight feet above the ground and shall not project over an alley or private access lane.
 - c) No awning or projecting sign shall extend above the roof or parapet of the structure to which it is attached.
 - d) Wood posts or supporting arms shall not be used in conjunction with any projecting sign.
 - e) Awning signs shall not be internally illuminated.
 - f) If any projecting sign is suspended over a public property, public street, sidewalk or alley, the owner shall at all times carry liability insurance in such amounts as are satisfactory to the city, and

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issued by companies acceptable to the city, licensed in the state of Michigan naming the city as an additional insured on any such policy. The owner will file with the city certificates or policies evidencing such insurance coverage. The insurance policies or certificates shall provide that the city shall be given 30 days' written notice before a cancellation in coverage may occur.

- g) If at any time the insurance policy obtained to subsection (9)(G) is canceled, the projecting sign shall be immediately removed. In the event the projecting sign is not removed, the City of Owosso shall have the right to remove the sign and repair the façade at the expense of the property owner.
- g. Marquee
 - 1. Marquee signs shall be permitted within the Historic district and Westtown district for theater uses as follows:
 - a) The bottom of the marquee sign shall be a minimum of eight feet above the ground.
 - b) A marquee shall not project over a public street. For purposes of this section, a public sidewalk is not considered to be a public street.
 - c) A marquee sign shall not project greater than 48 inches beyond the property line. In measuring the sign's projection, the measurement shall be taken from the building from which it protrudes, including any open area between the wall face and the sign face.
 - d) One marquee shall be permitted per public entrance.
 - e) The total size of a marquee sign shall not exceed one and one-half square feet per lineal foot of building frontage. The total square feet of a marquee sign shall be subtracted from the total allowable wall signage square footage for the district.
 - f) No marquee sign shall project into an alley or truck service driveway.
 - g) If any marquee sign is suspended over a public property, public street, sidewalk or alley, the owner shall at all times carry liability insurance in such amounts as are satisfactory to the city, and issued by companies acceptable to the city, licensed in the state of Michigan naming the city as an additional insured on any such policy. The owner will file with the city certificates or policies evidencing such insurance coverage. The insurance policies or certificates shall provide that the city shall be given 30 days' written notice before a cancellation in coverage may occur.
 - h) If at any time the insurance policy obtained to subsection (9)(G) is canceled, the marquee shall be immediately removed. In the event the marquee is not removed, the City of Owosso shall have the right to remove the sign and repair the façade at the expense of the property owner.
- h. Menu Boards
 - 1. Menu board signs may be used provided that they meet the following standards:
 - a) Menu display boxes shall be constructed of high-quality materials, and their size, location, and design shall be appropriate to the character of the building and the restaurant.
 - b) Menu signs, including display box, shall not exceed 25 square feet in area and 6 feet in height.
- i. Sandwich Board
 - 1. Sandwich board signs are permitted within the Historic District and Westtown district subject to the following requirements:
 - a) One sign per entrance shall be permitted regardless of the number of tenants on the premises.
 - b) The sign shall be located on the sidewalk.
 - c) The sign is permitted only during operating business hours and must be stored inside when the establishment is not open to the general public.
 - d) Each sign shall not exceed an overall height of 4 feet and a maximum square footage of 8 per side.
 - e) No sign shall be located in such a manner as to interfere with vehicular traffic flow or visibility.
 - f) Sign placement shall permit for the minimum 5 feet of clearance required for Barrier Free accessibility, which includes but is not limited to placement on a sidewalk.
 - g) No sign shall be placed as to obstruct any door or opening used as a means of egress or as to prevent free passage.
 - h) All signs must be constructed of weather-proof, durable material, have a professionally-made appearance and be kept in good repair.
 - i) Sandwich board signs may not be illuminated by any means and may not have moving parts.
 - j) The owner of a sidewalk/sandwich board sign shall at all times carry liability insurance in such amounts as are satisfactory to the city, and issued by companies acceptable to the city, licensed in the state of Michigan naming the city as an additional insured on any such policy. The owner will file with the city certificates or policies evidencing such insurance coverage. The insurance policies or certificates shall provide that the city shall be given 30 days' written notice before a cancellation in coverage may occur.
 - k) If at any time the insurance policy obtained pursuant to subsection (8)(J) is canceled, the sidewalk/sandwich board sign shall be immediately removed. In the event the sign is not removed, the City of Owosso shall have the right to remove the sign at the expense of the property owner.

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- j. Temporary signs per Sec. 26-10(i) of this chapter.

Sec. 26-24. - Light Industrial (I1) and General Industrial (I2) Districts Signage.

The following signs are permitted in the I1 and I2 zoning districts subject to the following requirements:

- a. Wall signs
 1. Wall signs may be used provided that they meet the following standards:
 - a) One wall sign per business not to exceed 20% of front façade or 200 square feet, whichever is less is permitted.
 - b) No wall sign shall extend above the roof or parapet of the structure to which it is attached.
 - c) Businesses located on a corner lot shall be allowed up to two wall signs, one for each front façade. The maximum wall sign area shall not exceed ten percent of the front façade of the building per use or business establishment.
 - d) Additional wall sign square footage is permitted when the following is met:
 1. 201 - 400 linear feet of building frontage facing a public street and having a public entrance is allowed a maximum wall sign area of 150 square feet.
 2. Greater than 400 linear feet of building frontage facing a public street and having a public entrance is allowed a maximum wall sign area of 200 square feet
 - e) No wall sign shall have a thickness greater than 12 inches measured from the wall to which it is attached.
 - f) No wall sign shall be attached to a wall at a height less than eight feet above any sidewalk.
 2. Projecting signs and awning signs may be used as an alternative or in addition to wall signs provided that they meet the following standards:
 - a) Any sign area of an awning or projecting sign shall be included in calculations of maximum wall sign square footage.
 - b) Awning or projecting signs shall be set back at least two feet from any street curb-line, shall not extend more than six feet over the public right-of-way, and shall leave a minimum clearance of eight feet above the ground and shall not project over an alley or private access lane.
 - c) No awning or projecting sign shall extend above the roof or parapet of the structure to which it is attached.
 - d) Wood posts or supporting arms shall not be used in conjunction with any projecting sign.
 - e) Awning signs shall not be internally illuminated.
- b. Pole signs.
 1. Pole signs may be used provided that they meet the following standards:
 - a) A pole sign may stand no higher than the building it represents or 20 feet above the level of the ground, upon which the sign is mounted, whichever is less.
 - b) A pole sign shall not extend closer than 5 feet to any part of the public right of way.
 - c) The lower edge of the pole sign shall be eight feet or more above the ground level.
 - d) No pole sign shall have a single surface area exceeding 40 square feet for a single face sign.
 - e) A pole sign shall be located on the same parcel of property as the building or use to which it is accessory.
 - f) Changeable or electronic changeable message signs as part of a pole sign when the following requirements are met:
 1. One changeable message sign shall be permitted per premises.
 2. Message changes may occur electronically or manually.
 3. The area of a changeable message sign shall not exceed half of the total area of the sign.
 4. Illumination shall be concentrated within the face of the sign to prevent glare upon adjoining properties and thoroughfares.
 5. Electronic messages shall not flash, fade in or out, or scroll.
 6. Any voids or burned out bulb in an electronic display shall be replaced within 10 days of city notification.
- c. Ground Sign
 1. Ground signs may be used provided that they meet the following standards:
 - a) The top of the ground sign shall be no more than six feet above ground level.
 - b) A ground sign shall not extend closer than 5 feet to any part of the public right of way.
 - c) No ground sign shall have an area exceeding 40 square feet per side.
 - d) A ground sign shall be located on the same parcel as the building or use to which it is accessory.
 - e) In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, the location of the sign shall be such that a minimum clear vision area shall be maintained between a height of 24 inches and six feet within a triangular area measured 25 feet back from intersection of public right-

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of-way lines. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.

- f) Changeable or electronic message signs as part of a ground sign when the following requirements are met:
 - 1. One changeable message sign shall be permitted per premises.
 - 2. Message changes may occur electronically or manually.
 - 3. The area of a changeable message sign shall not exceed half of the total area of the sign.
 - 4. Illumination shall be concentrated within the face of the sign to prevent glare upon adjoining properties and thoroughfares.
 - 5. Electronic messages shall not flash, fade in or out, or scroll.
 - 6. Any voids or burned out bulb in an electronic display shall be replaced within 10 days of city notification.
- d. Number of pole or ground signs.
 - 1. Not more than one pole or ground sign may be erected accessory to any single building or structures regardless of the number of separate parties, tenants or uses contained therein; provided however, a property may have two pole or ground signs when the following is met:
 - a) If fronting along two or more right of ways, 1 ground sign is allowed on each right of way
 - b) If there is greater than 300 feet of frontage along one right of way, 2 ground signs are allowed on such right of way.
- e. Temporary signs per Sec. 26-10(i) of this chapter.

Sec. 26-25. Planned Unit Development District (PUD) Signage.

- a. The following signs are permitted in the PUD subject to the following requirements:
 - 1. Signage in PUD zoning districts established prior to the adoption of this amendment shall utilize the sign regulations for the B1, B-2, B-3 and B-4 zoning districts.
 - 2. PUD zoning districts established after the adoption of this chapter amendment will state allowable signage in the approved development program for the PUD.

Sec. 26-26. Vehicular Parking District (P1) Signage.

- a. The following signs are permitted in the P1 zoning district subject to the following requirements:
 - 1. Signage per Sec. 38-333 - No signs of any kind, other than signs designating entrances, exits, and conditions of use, shall be maintained on such parking area per the directional signage requirements of this chapter.

Sec. 26-27. Conservation/Open Space District (C-OS) Signage.

- a. The following signs are permitted in the C-OS zoning district subject to the following requirements:
 - 1. Ground signs may be used provided that they meet the following standards:
 - a) The top of the ground sign shall be no more than six feet above ground level.
 - b) A ground sign shall not extend closer than 5 feet to any part of the public right of way.
 - c) No ground sign shall have an area exceeding 40 square feet per side.
 - d) A ground sign shall be located on the same parcel.
 - e) In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, the location of the sign shall be such that a minimum clear vision area shall be maintained between a height of 24 inches and six feet within a triangular area measured 25 feet back from intersection of public right-of-way lines. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.
 - 2. Number of ground signs. Not more than one ground sign may be erected; provided however, a property may have two ground signs when the following is met:
 - a) If fronting along two or more right of ways, 1 ground sign is allowed on each right of way.
 - b) If there is greater than 300 feet of frontage along one right of way, 2 ground signs are allowed on such right of way.
 - 3. Temporary signs per Sec. 26-10(i) of this chapter.

Sec. 26- 28—26-31. - Reserved.

Chapter 26 - SIGNS^[1]

Footnotes:

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Editor's note— Ord. No. 783, §§ 1, 2, adopted June 19, 2017, repealed Ch. 26 in its entirety and enacted a new Ch. 26 to read as set out herein. Former Ch. 26, §§ 26-1, 26-2, 26-5—26-7, 26-9, 26-11—26-21, 26-23, 26-24, 26-26—26-33, 26-35—26-38, pertained to similar subject matter and derived from Ord. No. 500, 2-16-93; Ord. No. 571, § 1, 9-6-98; Ord. No. 578, § 1, 5-3-99; Ord. No. 579, § 1, 5-3-99; Ord. No. 627, § 1, 5-19-03; Ord. No. 628, § 1, 5-19-03; Ord. No. 661, §§ 1, 3, 10-18-04; Ord. No. 673, § 1, 6-19-06; Ord. No. 760, § 1, 2-2-15.

Cross reference— Signs for bed and breakfast operations, § 7-7; destruction of official notices, § 19-26; planning, Ch. 23; streets, sidewalks and other public places, Ch. 29; subdivision regulations, Ch. 30; traffic and motor vehicles, Ch. 33; zoning, Ch. 38; zoning regulations of signs, § 38-385.

State Law reference— Highway advertising act, MCL 252.301 et seq., MSA 9.391(101) et seq.

ARTICLE I. - MICHIGAN BUILDING CODE

Sec. 26-1. - Adoption of Michigan Building Code.

The current edition of the Michigan Building Code shall be in full force and effect in the city as if set out fully herein. Complete printed copies of the code are available for public use and inspection at the office of the city clerk.

(Ord. No. 783, § 2, 6-19-17)

Secs. 26-2—26-4. - Reserved.

ARTICLE II. - IN GENERAL

Sec. 26-5. - Short title.

This chapter shall be known as and may be cited as the City of Owosso Sign Ordinance.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-6. - Purpose.

The purpose of this chapter is to regulate signs and to minimize outdoor advertising within the city so as to protect public safety, health and welfare; minimize abundance and size of signs to reduce visual clutter, motorist distraction, and loss of sight distance; promote public convenience; preserve property values; support and complement land use objectives as set forth in the City of Owosso Master Plan and this chapter; and enhance the aesthetic appearance and quality of life within the city. The standards contained herein are intended to be content neutral.

These objectives are accomplished by establishing the minimum amount of regulations necessary concerning the size, placement, construction, illumination, and other aspects of signs in the city so as to:

- (1) Recognize that the proliferation of signs is unduly distracting to motorists and non-motorized travelers, reduces the effectiveness of signs directing and warning the public, causes confusion, reduces desired uniform traffic flow, and creates potential for accidents.
- (2) Prevent signs that are potentially dangerous to the public due to structural deficiencies or disrepair.
- (3) Reduce visual pollution and physical obstructions caused by a proliferation of signs which would diminish the city's image, property values and quality of life.
- (4) Recognize that the principal intent of commercial signs, to meet the purpose of these standards and serve the public interest, should be for identification of an establishment on the premises, and not for advertising special events, brand names, or off-premises activities; alternative channels of advertising communication and media are available for advertising which do not create visual blight and compromise traffic safety.

- (5) Enable the public to locate goods, services and facilities without excessive difficulty and confusion by restricting the number and placement of signs.
- (6) Prevent placement of signs which will conceal or obscure signs of adjacent uses.
- (7) Protect the public right to receive messages, especially noncommercial messages such as religious, political, economic, social, philosophical and other types of information protected by the First Amendment of the U.S. Constitution.
- (8) The regulations and standards of this chapter are considered the minimum necessary to achieve a substantial government interest for public safety, aesthetics, protection of property values, and are intended to be content neutral.
- (9) Prevent off-premises signs from conflicting with other allowed land uses.
- (10) Maintain and improve the image of the city by encouraging signs of consistent size which are compatible with and complementary to related buildings and uses, and harmonious with their surroundings.
- (11) Prohibit portable commercial signs in recognition of their significant negative impact on traffic safety and aesthetics.
- (12) Preserve and enhance the image of the city's central business district.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-7. - Applicability; effect and scope.

A sign may be erected, placed, established, painted, created, or maintained in the city only in conformance with the standards, procedures, exemptions, and other requirements of this chapter.

The effect of the chapter as more specifically set forth herein, is:

- (1) To establish a permit system to allow a variety of types of signs in commercial and industrial zones, and a limited variety of signs in other zones, subject to the standards and the permit procedures of this chapter.
- (2) To allow signs that are small unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this chapter, but without a requirement for permits.
- (3) To provide for temporary signs without commercial messages in limited circumstances in the public right-of-way.
- (4) To prohibit all signs not expressly permitted by this chapter.
- (5) To provide for the enforcement of the provisions of this chapter.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-8. - Reserved.

ARTICLE III. - DEFINITIONS

Sec. 26-9. - Sign definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Abandoned sign: Any sign which is still on the premises six (6) months after a business ceases to operate or moves from the location.

Administrator: The building official or his designated representative within the building department.

Alteration: Any construction or repair which significantly changes a sign, including additions or deletions to the sign structure.

Accessory sign: A sign which pertains to the use of the premises on which it is located.

Animated sign: A sign which uses lights, moving parts, or other means to depict action, create an image of a living creature or person, or create a special effect or scene.

Awning or canopy sign: A non-rigid fabric marquee or awning-type structure which is attached to the building by supporting framework, which includes a business identification message, symbol and/or logo. See "wall sign."

Banner: A fabric, plastic or other sign made of non-rigid material without enclosing structural framework. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banner signs.

Billboard: A sign separate from a premises erected for the purpose of advertising a product, event, person, or subject not related to the premises on which the sign is located. Permitted off-premises directional signs shall not be considered billboards for the purpose of this chapter.

Building marker: Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

Business center: A grouping of two (2) or more business establishments on one (1) or more parcels of property which may share parking and access and are linked architecturally or otherwise present the appearance of a unified grouping of businesses. A business center shall be considered one (1) use for the purposes of determining the maximum number of ground signs. An automobile or vehicle dealership shall be considered a business center regardless of the number or type of models or makes available, however, used vehicle sales shall be considered a separate use in determining the maximum number of signs, provided that the used vehicle sales section of the lot includes at least twenty-five (25) percent of the available sales area.

Changeable message sign: A sign on which the message is changed mechanically, electronically or manually, including time/temperature signs; also called menu board, reader board or bulletin board.

Combination sign: Any sign which combines the characteristics of two (2) or more signs.

Community special event sign: Signs and banners, including decorations and displays celebrating a traditionally accepted patriotic or religious holiday, or special municipal, school or other non-profit activities.

Construction sign: A temporary sign identifying the name(s) of project owners, contractors, developers, realtors representing developers, architects, designers, engineers, landscape architects, and financiers of a project being constructed or improved; and not including any advertising of any product or announcement of availability of leasing space.

Directional sign: A sign which assists motorists in determining or confirming a correct route such as, enter, exit and parking signs. Business identification or logo on such a sign is considered and calculated as part of the allowable square footage for a ground sign.

Festoon: A string of ribbons, tinsel, small flags, pinwheels or lights, typically strung overhead in loops.

Flag: Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols used as a symbol of a government, political subdivision, or other entity.

Flashing sign: A sign which contains an intermittent or sequential flashing light source.

Freestanding sign: A sign which is erected upon or supported by the ground, including "pole or pylon signs" and "ground signs."

Gasoline price sign: A sign which is used to advertise the price of gasoline. In the event that the brand identification sign is attached to or is a part of the sign advertising price, that portion of the sign used for advertising price shall be considered the gasoline price sign.

Ground or monument sign: A three-dimensional, self-supporting, base-mounted freestanding identification sign, consisting of two (2) or more sides extending up from the base, and upon which a message, business, group of businesses or center name is affixed.

Identification sign: Also a "nameplate" sign or "information" sign with only name and address of occupant on the sign bearing no advertising message or logo.

Illegal sign: A sign which does not meet the requirements of this chapter and does not have legal nonconforming status.

Illuminated sign: Any sign that provides artificial light directly on or through any transparent or translucent material, from a source of light connected with such sign, or a sign illuminated by a light with a source so obscured and shielded that no direct rays from it are visible from a public right-of-way or from an abutting property.

Incidental sign: A small sign, emblem, or decal informing the public of goods, facilities, or services available on the premises. Examples of incidental signs include credit card signs, signs indicating the hours of business, no smoking signs, signs used to designate bathrooms, and signs providing information on credit cards and business affiliations.

Integral sign: A memorial sign or commemorative tablet which contains names of buildings, dates of erection, and monumental citations.

Luminous tube: See "neon" and "outline tubing sign."

Mansard: A sloped roof or roof-like facade. Signs mounted on the face of a mansard roof shall be considered wall signs.

Maintenance: For the purposes of this chapter, the cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

Marquee: A permanent roof-like structure or canopy supported by and extending from the face of the building. A marquee sign is a sign attached to or supported by a marquee structure.

Menu board, reader board, or bulletin board: See "changeable message sign."

Moving sign: A sign in which the sign itself, or any portion of the sign, moves or revolves. A "rotating sign" is a type of moving sign. This definition does not include "changeable message signs."

Mural: A design or representation which is painted or drawn on the exterior surface of a structure and which does not advertise a business, product, service, or activity.

Nameplate: A nonelectric, on-premises identification sign giving only the name, address, and/or occupation of an occupant or group of occupants.

Neon sign: See "outline tubing sign."

Nonconforming sign: A sign that does not comply with the size, placement, construction or other standards or regulations of this chapter, but were lawfully established prior to its adoption. Signs for which the zoning board of appeals has granted a variance are exempt and shall not be defined as nonconforming.

Obsolete sign: A sign that advertises a product that is no longer made or that advertises a business that has closed.

Off-premises sign: A sign which identifies a use or advertises products and services not available on the site or parcel on which the sign is located; a sign which directs travelers or provides a message unrelated to the site on which the sign is located, e.g., billboards.

On-premises sign: A sign providing the address and name of owner of a parcel of land; a sign advertising a business, service or product sold or produced on the same site or parcel.

Outline tubing sign: A sign consisting of glass tubing, filled with a gas such as neon, which glows when electric current is sent through it. See "neon" and "luminous tube".

Owner: A person regarded as such on city tax records, or a tenant of the premises so designated by the administrator.

Parapet: The extension of a false front or wall above a roof line. Signs mounted on the face of a parapet shall be considered wall signs.

Pennant: Any lightweight plastic, fabric, or other material whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

Permanent sign: A sign designed to be installed permanently in the ground a minimum of forty-two (42) inches deep by use of a steel post, wood post or other appropriate materials.

Political sign: A temporary sign used in connection with local, state, or national elections or referendums.

Portable sign: A sign designed to be moved from place to place, whether or not it is permanently attached to the ground or structure. This includes hot-air and gas-filled balloons, banners, pennants, streamers, festoons, ribbons, tinsel, pinwheels, non-government flags, and searchlights; but excludes political signs, real estate signs, construction signs, permanent changeable message signs, and regulatory/government signs.

Poster panel sign: A type of temporary sign that is used to draw attention to matters that are temporary in nature, such as price changes or sales. "A" frame or sandwich signs are types of poster panel signs.

Premises: The contiguous land in the same ownership or control which is not divided by a public street.

Principal building: The building in which is conducted the principal use of the zone lot on which it is located. Zone lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings.

Programmable display sign: An animated sign, including LEDs, made up of a field of individual electronic elements or mechanical grids that, when programmed and activated, create still or moving images or words. The elements may be internally illuminated or may be illuminated by reflected light. The sign may be framed by permanent, nonmoving signage.

Projecting sign: A sign, other than a wall sign, that is affixed to any building or wall and whose leading edge extends more than twelve (12) inches beyond such building or wall.

Public sign: A sign erected in the public interest by or upon orders from a city, state, or federal public official. Examples of public signs include: legal notices, safety signs, traffic signs, memorial plaques, signs of historical interest, and similar signs.

Pylon or pole sign: A sign supported on the ground by a pole, braces, or monument, and not attached to any building or other structure.

Real estate development sign: A sign that is designed to promote the sale or rental of lots, homes, or building space in a real estate development (such as a subdivision or shopping center) which is under construction on the parcel on which the sign is located.

Real estate open house sign: Temporary signs which advertise and direct the public to an open house for a building which is available for sale or lease, with the event held on a specific day.

Real estate sign: An on-premises temporary sign advertising the property or structure's availability for sale or lease.

Regulatory sign: A sign installed by a public agency to direct traffic flow, regulate traffic operations and provide information in conformance with the Michigan Manual of Uniform Traffic Control Devices.

Residential entranceway sign: A sign which marks the entrance to a subdivision, apartment complex, condominium development, or other residential development.

Roof line: The top edge of a roof or building parapet, whichever is higher, excluding cupolas, pylons, chimneys, or similar minor projections.

Roof sign: Any sign that extends above the roofline or is erected over the surface of the roof.

Rotating sign: See "moving sign."

Sign: Any device, structure, fixture, figure, symbol, banner, pennant, flag, balloon, logo, or placard consisting of written copy, symbols, logos and/or graphics, designed for the purpose of bringing attention to, identifying or advertising an establishment, product, goods, services, or other message to the general

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public. Unless otherwise indicated, the definition of "sign" includes interior and exterior signs which are visible from any public street, sidewalk, alley, park, or public property, but not signs which are primarily visible to and directed at persons within the premises upon which the sign is located.

Temporary sign: A sign not constructed or intended for long-term use. Examples of temporary signs include signs which announce a coming attraction, a new building under construction, a community or civic project, or other special events that occur for a limited period of time such as a garage or estate sale.

Time and temperature sign: Signs which display the current time and/or temperature.

Vehicle sign: Signs affixed to a parked vehicle or truck trailer which is being used principally for advertising purposes rather than for transportation purposes.

Wall sign: A sign attached parallel to and extending not more than twelve (12) inches from the wall of a building. Painted signs, signs which consist of individual letters, cabinet signs, and signs mounted on the face of a mansard roof shall be considered wall signs. Permanent signs, which are not affixed directly to a window or are positioned next to a window so that they are visible from the outside, shall also be considered wall signs.

Window sign: A sign located in or on a window which is intended to be viewed from the outside. Permanent window signs which are not affixed directly to a window or are positioned next to a window so that they are visible from the outside shall be considered wall signs.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-10. - Reserved.

ARTICLE IV. - GENERAL PROVISIONS

Sec. 26-11. - Permits required and fees.

It shall be unlawful for any person to erect, re-erect, make an alteration, or relocate any sign unless a permit shall have been first obtained from the administrator, and a permit fee paid in accordance with the schedule adopted by resolution of the city council. Electrical signs shall, in addition, require an electrical permit.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-12. - Sign erector qualifications.

The administrator shall evaluate, authorize or deny as a part of the permit the person assigned to the installing of, erecting, maintaining, repairing or altering a sign. The authorization of the erector shall be based on the administrator's evaluation of the direct experience of the person specified for the sign work. Notwithstanding the previous sentences, a person does not undergo evaluation to install a nonelectrical sign, provided the sign does not exceed an area of thirty-two (32) feet, a height of seven (7) feet above grade, has no illumination, and no remuneration, monetary or otherwise, is involved.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-13. - Application.

Applications for sign permits and the appropriate nonrefundable fee shall be made upon forms provided by the building department for this purpose and in accordance with application specifications published by the administrator. These specifications shall be as complete in form as necessary for evaluation of the sign in relationship to the requirements of this chapter.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-14. - Completeness.

Within ten (10) days of receiving an application for a sign permit, the administrator shall review it for completeness. If the administrator finds that it is complete, the application shall then be processed. If the administrator finds that it is incomplete, the administrator shall, within such ten-day period, send to the

applicant a notice of the specific ways in which the application is deficient, with appropriate references to the applicable sections of this chapter. If it is discovered that the sign permit application contains any false information, the administrator may revoke the permit or deny the application, whichever is appropriate.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-15. - Issuance and denial.

The administrator shall issue a permit and permit sticker or tag for the erection, structural alteration, or relocation of a sign within ten (10) days of receipt of a valid application, provided that the sign complies with all applicable laws and regulations of the city. In all applications, where a matter of interpretation arises, the more specific definition or higher standard shall prevail.

When a permit is denied, the administrator shall within ten (10) days, give a written notice to the applicant along with a brief statement of the reasons for denial, citing Code sections and interpretation of possible nonconformity.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-16. - Inspection.

A person conducting or performing work covered by a permit required by this chapter shall notify the administrator when such work has commenced. Unless otherwise indicated, no person shall conceal any portion of such work until it has been inspected and approved by the administrator. The administrator shall cause an inspection of the zone lot for which each permit for a new sign or for modification of an existing sign is issued during the sixth month or at such earlier date as the owner may request. If the construction is not substantially complete at the time of a six-month inspection, the permit shall lapse and become void. If the construction is complete, the administrator shall issue a certificate of completion to the owner and the erector.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-17. - Signs exempt from regulation.

The following signs shall be exempt from regulation under this chapter:

- (1) Any sign of a governmental unit required by a valid and applicable federal, state, or local law, regulation, or ordinance.
- (2) Holiday lights and decorations on residential zone lots with no commercial message.
- (3) Works of art of a noncommercial nature.
- (4) Flags of any country, state, or unit of local government not causing a vision obstruction at intersections or flown at the top of a pole over thirty-five (35) feet in height. Any flag not meeting these conditions shall be subject to regulation as such.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-18. - Prohibited signs.

The following signs are prohibited in all districts:

- (1) Signs which obstruct free access or egress from any building, including those that obstruct any fire escape, required exit way, window, or door opening or that prevent free access to the roof by firefighters.
- (2) Moving signs and signs having moving members or parts, excluding barber poles, and electronic poles.
- (3) Signs using high intensity or flashing lights, festoons, spinners or other animated devices.

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- (4) Signs which in any way simulate or could be confused with the lighting of emergency vehicles or traffic signals; there shall be no flashing, oscillating or intermittent, or red, yellow, or green illumination on any sign located in the same line of vision as a traffic control system, nor interference with vision clearance along any highway, street, or road or at any intersection of two (2) or more streets.
- (5) Signs which obstruct or impair the vision of motorists or non-motorized travelers at any intersection, driveway, within a parking lot or loading area.
- (6) Non-regulatory signs placed in any public right-of-way; attached to a utility pole; or affixed to a tree, street furniture, or waste receptacles.
- (7) Roof signs unless specifically permitted elsewhere in this article.
- (8) Portable signs, as defined, not provided for in this chapter.
- (9) Pylon or pole signs not provided for in this chapter.
- (10) Any sign or sign structure which:
 - a. Is structurally unsafe.
 - b. Constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, or abandonment.
 - c. Is capable of causing electric shock to person who come in contact with it.
 - d. Is not kept in good repair, such that it has broken parts, missing letters, or nonoperational lights.
- (11) Any sign which makes use of the words "stop", "look", or "danger", or any other words, phrases, symbols, or characters, in such a manner as to interfere with, mislead, or confuse traffic.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-19. - General standards for permitted signs.

Signs which are permitted as accessory uses serving a commercial or informational purpose may be permitted subject to the requirements of this chapter; provided, that no such sign shall be erected or altered until approved by the building official/zoning administrator and until a sign permit has been issued pursuant to chapter 26 of the City of Owosso Code of Ordinances.

- (1) *Sign setbacks.*
 - a. All signs, unless otherwise provided for, shall be set back a minimum of five (5) feet from any public or private street right-of-way line or access drive in all districts. This distance shall be measured from the nearest edge of the sign, measured at a vertical line perpendicular to the ground to the right-of-way.
 - b. Side yard setbacks for signs shall be the same as that required for the main structure or building, provided that all nonresidential signs shall be set back at least one hundred (100) feet from any residential district.
- (2) *Location.* Sign location to assure adequate sight distance. In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, a minimum clear vision area shall be maintained between a height of twenty-four (24) inches and six (6) feet within a triangular area measured twenty-five (25) feet back from intersection of public right-of-way lines. Furthermore, signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic-control devices or street signs.
- (3) *Design and construction.* Signs, as permitted in the various zoning districts, shall be designed to be compatible with the character of building materials and landscaping to promote an overall unified and aesthetic effect in accordance with the standards set forth herein. Signs shall not be constructed from materials that are remnants or manufactured for a different purpose. New box

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sign panels with a white or tan background must be blackened internally so only the letters show when illuminated.

(4) *Illumination.*

- a. Signs may be illuminated, but only by steady, stationary, shielded light sources directed solely at the sign or internal to it.
- b. Use of glaring undiffused lights, bare bulbs, or flames is prohibited.
- c. Lighting shall be shielded and/or pointed downward so as not to project onto adjoining properties or thoroughfares.
- d. Underground wiring shall be required for all illuminated signs not attached to a building.

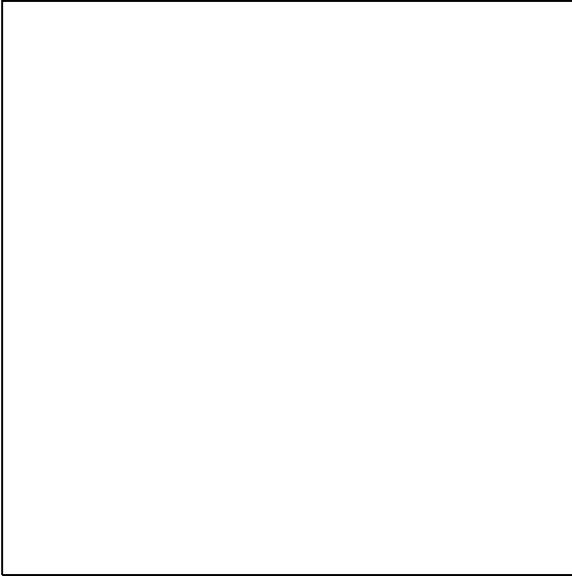
(5) *Maintenance and construction.*

- a. Every sign shall be constructed and maintained in a manner consistent with the Michigan Building Code provisions and maintained in good structural condition at all times. All signs shall be kept neatly painted, stained, sealed or preserved including all metal, wood or other materials used for parts and supports.
- b. All signs erected, constructed, reconstructed, altered or moved shall be constructed in such a manner and of such materials so that they shall be able to withstand wind pressure of at least twenty (20) pounds per square foot or seventy-five (75) miles per hour.
- c. All signs, including any cables, guy wires, or supports shall have a minimum clearance of four (4) feet from any electric fixture, street light, or other public utility pole or standard.

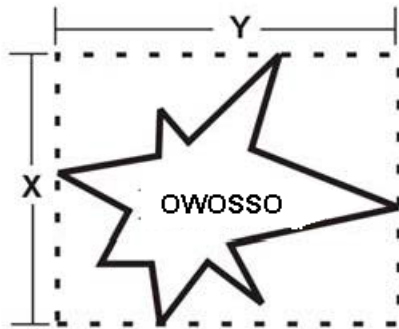
(6) *Measurement.* Measurement of allowable sign area (see Figure 26.1 Guidelines for Measuring Sign Face Square Footage below).

- a. The allowable area for signs shall be measured by calculating the square footage of the sign face and any frame or base of other material or color forming an integral part of the display or used to differentiate it from the background against which it is placed as measured by enclosing the most protruding points or edges of a sign within a parallelogram or rectangle.
- b. When a sign has two (2) or more faces, the area of all faces shall be included in calculating the area of the sign except that where two (2) such faces are placed back to back, only larger face shall be considered, provided that both faces are part of the same structure, contain the same message and are separated by no more than two (2) feet.
- c. For purposes of calculating sign area allowed as a wall sign, the wall sign square footage shall be determined by measuring a parallelogram (box) which includes the portion of the canopy which contains a message, symbol and/or logo (examples are shown on the attached figures).
- d. When a sign consists solely of lettering or other sign elements printed, painted or mounted on a wall of a building without any distinguishing border, panel or background, the calculation for sign area shall be measured by enclosing the most protruding edges of the sign elements within a parallelogram or rectangle.

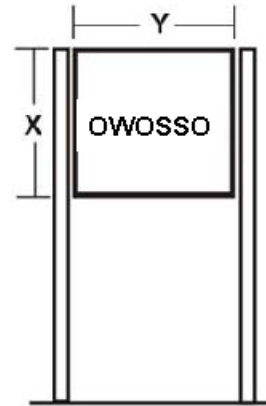
Guidelines for Measuring Sign Face Square Footage
Figure 26.1



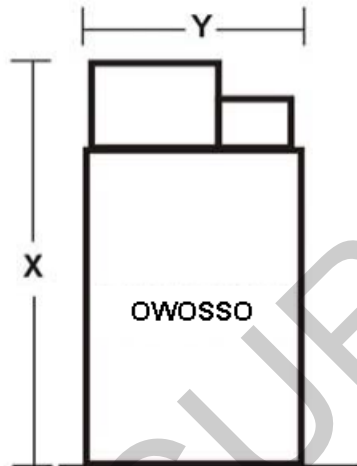
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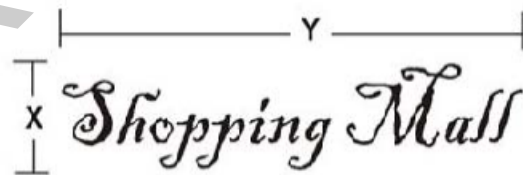
ALL SIGNS
Measurements taken from the
outermost points of the panel



DIRECTIONAL SIGNS
Post are not included in the
measurement of a sign face



GROUND SIGNS
Measurements taken from the
outermost points of the sign face



WALL, CANOPY, or PROJECTING SIGNS
Measurements taken from the
outermost points of the copy

(Ord. No. 783, § 2, 6-19-17; Ord. No. 792, § 1, 5-7-18)

Sec. 26-20. - Off-premises signs.

(a) *Off-premises advertising.* The regulation of off-premises signs is intended to enhance and protect community character and image by minimizing visual blight and pollution, and to minimize traffic safety hazards due to diversion of the driver's attention and blockage of sight distances. Off-premises sign regulations address the location, size, height and related characteristics of such signs.

- (1) *Area and height limitations.* No off-premises sign may be erected or maintained of a greater surface area than three hundred (300) square feet for each side of such sign. The top of the sign shall be no more than twenty-five (25) feet above the ground and the bottom of the sign shall be at least ten (10) feet above the ground. Double-faced off-premises sign structures (i.e., structures having back-to-back faces) and V-type structures having only one (1) face visible to traffic

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proceeding from any given direction on a street or highway shall be considered as one (1) off-premises sign.

- (2) *Location.* Static and digital off-premises signs may be erected only in the industrial district. No off-premises sign may be erected or maintained within fifty (50) feet of street lines at any street intersection and shall have a minimum setback from the front property line of twenty-five (25) feet. No off-premises sign shall be installed or placed on top of, cantilevered or otherwise suspended above the roof of any building.
 - (3) *Spacing.* Off-premises signs shall be located no closer to one another than five hundred (500) feet.
 - (4) *Illumination.* An off-premises sign may be illuminated, provided such illumination is concentrated on the surface of the sign and is so located as to avoid glare or reflection onto any portion of an adjacent street or highway, into the path of oncoming vehicles, or on any adjacent premises. In no event shall any off-premises sign have flashing or intermittent lights, nor shall the lights be permitted to rotate or oscillate.
 - (5) *Digital off-premises signs.*
 - a. *Rate of change.* The rate of change between static messages or images shall not exceed more than one (1) change per six (6) seconds. Each change shall be complete in one (1) second or less.
 - b. *Luminance.* The maximum daylight sign luminance level shall not exceed sixty-two thousand (62,000) candelas per meter squared at forty thousand (40,000) lux illumination beginning one-half (½) hour after sunrise and continuing until one-half (½) hour before sunset and does not exceed three hundred seventy-five (375) candelas per meter squared at four (4) lux illumination at all other times.
 - c. *[Digital off-premises signs.]* Digital off-premises signs shall be configured to default to a static display in the event of mechanical failure.
 - (6) *[Construction.]* An off-premises sign must be constructed in such a fashion that it will withstand all wind and vibration forces which can normally be expected to occur in the vicinity. An off-premises sign must be maintained so as to assure proper alignment of structure, continued structural soundness, and continued readability of the message(s).
 - (7) *[Industrial areas.]* An off-premises sign established within an industrial area, as defined in the Highway Advertising Act of 1972 (1972 PA 106, as amended), bordering interstate highways, freeways or primary highways as defined in said Act shall, in addition to complying with the above conditions, also comply with all applicable provisions of said Act and the regulations promulgated thereunder.
- (b) *Combination off-premises and on-premises electronic message boards.* Digital signs which are used to advertise both on-premises and off-premises establishments shall comply with the following regulations:
- (1) A permanent, static on-premises primary sign must be in existence totaling at least twenty-five (25) percent of the allowable sign size in the district. The balance of the total allowable sign area may consist of the combination off-premises/on-premises sign.
 - (2) The combination off-premises/on-premises sign shall adhere to the regulations contained in.
 - (3) Digital messages may advertise the on-premises establishment. The balance of the messages may advertise off-premises establishments under the same ownership and/or public service announcements.
 - (4) Each message shall remain readable for at least six (6) seconds.
 - (5) Combination off-premises and on-premises digital signs shall be spaced at least five hundred (500) feet apart in all districts.

- (6) Combination off-premises and on-premises digital signs shall be allowed in the B-2, B-3, B-4, I-1 and I-2 districts.
- (7) Combination off-premises/on-premises signs shall count toward the total sign area allowed for the property.
- (c) *Off-premises directional signs.*
- (1) *Private off-premise directional signs.* Private off-premises directional signs which provide directions to a commercial or industrial establishment which is not located on a primary street within the city shall be allowed on private property provided there exists a written agreement between the property owner and the business/industry. Said agreement shall be filed with the City of Owosso.
 - a. Off-premises directional signs shall be no greater than twelve (12) square feet.
 - b. Sign lettering may display the off-premises business name, address, and an arrow indicating direction.
 - c. Off-premises directional signs shall only be located on B-2, B-3, B-4, I-1, and I-2 districts.
 - d. One (1) off-premises direction sign is permitted per industrial zoning lot.
 - (2) *Public off-premises directional signs.* Public off-premises directional signs erected by the city, State of Michigan, or the downtown development authority shall be permitted in the street right-of-way.
- (d) *Off-premises private signs in the public right-of-way.* Private A-frame signs may be allowed in the public right-of-way. The following regulations shall apply:
- (1) Signs shall be approved by the city council.
 - (2) Signs shall be removed each night.
 - (3) Maximum size two (2) feet wide by four (4) feet in total height for each panel with a maximum of two (2) panels per sign. Maximum spread between the two (2) panels at the base shall be two (2) feet six (6) inches.
 - (4) The owner of the property abutting the right-of-way on which the sign is placed shall be notified, prior to city council approval, that the sign is being requested.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-21. - Specific sign standards.

The number, display area, and height of signs within the various zoning districts are provided in the sign dimensional standards and regulations table and its accompanying footnotes. Additional standards for specific types of signs are given below:

SIGN DIMENSIONAL STANDARDS AND REGULATIONS								
District	Wall, Canopy or Projecting Sign (c)		Ground Sign (c)			Temporary Signs (d)		
	Number Allowed	Max. Size	Number (b)	Max. Size Per Sign Face	Max. Height	Max. Size Per Sign	Total Area Per Parcel	Max. Height
R-1, R-2, RM-1, RM-2, R-T	-	10% of front facade for all uses other than single family homes, duplexes,	1	24 square feet	6 feet	6 square feet	14 square feet	4 feet

		and attached condominiums						
Home Occupations as allowed and defined in Sec. 38-394	1	Not to exceed a size of 2' x 3' mounted flush to the building*	-	-	-	-	-	-
B1, B-2, B-3, B-4 PUD	1 per business (a)	10% of front facade or 100 square feet, whichever is less (a)	1	72 square feet	6 feet	24 square feet	48 square feet	6 square feet
I-1 and I-2	1 per business (a)	20% of front facade or 200 square feet, whichever is less (a)	1	72 square feet	6 feet	24 square feet	48 square feet	6 square feet

* Illumination: home occupation sign may be illuminated, provided such illumination is concentrated on the surface of the sign and is so located as to avoid glare or reflection onto any portion of an adjacent street or highway, into the path of oncoming vehicles, or on any adjacent premises. In no event shall any home occupation sign have flashing or intermittent lights, nor shall the lights be permitted to rotate or oscillate.

Footnotes to the Sign Dimensional Standards and Regulations Table

- (a) One (1) wall sign shall be allowed per business, in addition to any other allowed ground signs. Businesses located on a corner lot shall be allowed up to two (2) wall signs, one (1) for each front facade. The maximum wall sign area shall not exceed ten (10) percent of the front facade of the building (any facade which faces a public or approved private street), per use or business establishment. However, for a commercial structure containing one (1) use or business establishment, as determined by the planning commission, the size of the wall sign may be increased up to the maximum square footage as follows:

201—400 linear feet of building frontage facing a public street and having a public entrance	150 square feet
Greater than 400 linear feet of building frontage facing a public street and having a public entrance	200 square feet

- (b) Only one (1) ground sign is permitted per use, including uses which occupy more than one (1) parcel and business centers containing more than one (1) business or use, with additional signs permitted according to the following table, however, no site shall have more than two (2) ground signs, regardless of the number of street frontages or the amount of frontage. Single uses on a single parcel do not qualify for this consideration:

Frontage along 2 or more rights-of-way	1 sign up to the maximum sign face area shall be allowed along 2 frontages
300 feet of frontage along 1 right-of-way	1 ground sign along that frontage
Greater than 300 feet of frontage along 1 right-of-way	2 ground signs

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- (c) *Changeable message signs and gasoline price signs may be permitted as part of a monument sign in the business districts and industrial districts, and when associated with a commercial in accordance with the following:*
- (1) *One (1) changeable message sign or one (1) gasoline price sign shall be permitted per premises, but not both.*
 - (2) *Message or gasoline price changes may occur electronically or manually.*
 - (3) *The area of a changeable message sign or gasoline price sign shall not exceed one-third ($\frac{1}{3}$) the total area of the sign.*
 - (4) *Illumination shall be concentrated within the face of the sign to prevent glare upon adjoining properties and thoroughfares.*
 - (5) *Electronic messages or gasoline prices shall not flash, fade in or out, or scroll.*
 - (6) *Any voids or burned out bulb in an electronic display shall be replaced.*
 - (7) *Electronic changeable message signs and gasoline price signs shall be at least one hundred (100) feet from any residential district or use, except as modified in subsection (10) below.*
 - (8) *One (1) gasoline price sign is permitted for an overhead gas pump canopy with an area not to exceed ten (10) percent of the canopy facade and when this is the only changeable message sign on the property.*
 - (9) *One (1) electronic message sign, meeting the above requirements, may be approved by the planning commission for institutional uses, meaning a use by public or quasi-public institution such as a religious organization, church, nonprofit organization, academic institution, library or hospital, located in a residential district when meeting the following requirements:*
 - i. *The institutional use is located on a minor arterial or collector road, as designated in the City of Owosso Master Plan;*
 - ii. *That the sign will not create a nuisance for residential properties in the immediate vicinity of the sign, as determined by the planning commission and subject to any conditions;*
 - iii. *The appropriate size of the sign shall be determined by the planning commission but shall be no greater than fifty (50) square feet in area.*
- (d) *Signs for temporary uses.*
- (1) *Temporary signs include, but are not limited to the following:*
 - i. *For a single dwelling or building or vacant land: an on-site real estate sign, advertising the premises for sale, rent or lease.*
 - ii. *An on-site sign advertising an ongoing garage, estate or yard sale.*
 - iii. *Noncommercial signs which contain noncommercial information or directional messages.*
 - iv. *Political signs.*
 - v. *Holiday or other seasonal signs.*
 - vi. *Construction signs for buildings under construction.*
 - vii. *All temporary signs must comply with the sign size and height standards as specified in the sign dimensional standards and regulations table.*
 - (2) *Location of temporary signs shall comply with the following:*

- i. *Temporary signs shall not be attached to any utility pole or be located within any public right-of-way.*
 - ii. *Temporary signs shall not be located closer than twenty (20) feet to the edge of the traveled portion of the roadway, nor shall they be located within any dedicated right-of-way.*
 - iii. *Temporary signs shall not be erected in such a manner than they will or may reasonably be expected to interfere with, obstruct, confuse or mislead traffic.*
 - iv. *Temporary signs cannot be placed or constructed so as to create a hazard of any kind.*
 - v. *Temporary signs may not be posted on private property without first obtaining the permission of the property owner.*
 - vi. *Signs shall not be located within any clear vision triangle, as described in section 38-388, corner clearance.*
- (3) *Time limitations for temporary signs. Each temporary sign shall be removed within sixty (60) days of placement. Furthermore, no sign may be erected on a single parcel for more than sixty (60) calendar days out of every one hundred twenty (120) calendar days.*
- (1) *Directional signs.* No more than one (1) directional sign shall be permitted for each approved driveway, with a maximum sign area of four (4) square feet per sign, and a maximum height of four (4) feet. Any directional sign which includes a business name, symbol or logo shall be calculated as part of the allowable sign square footage, as specified in the sign dimensional standards and regulations table.
- (2) *Projecting and canopy signs.* Projecting signs and canopy signs may be used as an alternative to wall signs listed in the sign dimensional standards and regulations table, provided that they meet the following standards:
- a. Any sign area on a canopy shall be included in calculations of maximum wall sign square footage.
 - b. Projecting or canopy signs in the central business district shall be set back at least two (2) feet from any street curblin, shall not extend more than six (6) feet over the public right-of-way, and shall leave a minimum clearance of eight (8) feet above the ground.
 - c. Projecting or canopy signs in the B-1, B-2, B-4, I-1 and I-2 districts shall have a minimum ground clearance of ten (10) feet, shall be set back at least six (6) feet from any adjacent public right-of-way, and shall not project over an alley or private access lane. A projecting sign shall not extend for more than two (2) feet from the building to which it is attached.
 - d. No wall, canopy or projecting sign shall extend above the roof or parapet of the structure to which it is attached by more than one (1) foot.
 - e. Wood posts or supporting arms shall not be used in conjunction with any projecting sign.
 - f. Projecting signs shall not exceed sixteen (16) square feet in area.
 - g. Canopy signs shall not be internally illuminated.
- (3) *Downtown historic district.* Any signs within the downtown historic district shall meet all requirements of the Owosso Historic District Commission prior to installation of new signage or modification of existing signage.
- (4) *Entranceway signs.* One (1) permanent sign per vehicular entrance identifying developments such as subdivisions, apartment complexes, condominium communities, senior housing complexes, manufactured housing communities, office and industrial parks and similar uses, provided that the sign is set back a minimum of fifteen (15) feet from any property line or public right-of-way is permitted.

- (5) *Portable A-frame signs.* Portable A-frame or sandwich board signs are permitted in the B-1, B-2, B-3, and B-4 districts at the public building entrances to businesses subject to the following requirements:
- One (1) sign per customer entrance shall be permitted regardless of the number of tenants on the premises.
 - The sign is permitted only during operating business hours and must be stored inside when the establishment is not open to the general public.
 - Each sign shall not exceed an overall height of forty-two (42) inches and an overall width of twenty-four (24) inches.
 - No sign shall be located in such a manner as to interfere with vehicular or pedestrian traffic flow or visibility.
 - All signs must be constructed of weatherproof, durable material and kept in good repair.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-22. - Nonconforming signs.

Nonconforming signs are those signs that do not comply with the size, placement, construction or other standards or regulations of this chapter but were lawfully established prior to its adoption. Signs for which the board of appeals has granted a variance are exempt and shall not be defined as nonconforming. It is the intent of this chapter to encourage eventual elimination of nonconforming signs in a timely manner. This objective is considered as much a subject of public health, safety and welfare as the prohibition of new signs in violation of this chapter. Therefore, the purpose of this chapter is to remove illegal nonconforming signs while avoiding any unreasonable invasion of established private property rights. A nonconforming sign may be continued and shall be maintained in good condition as described elsewhere in this chapter, however, the following alterations are regulated:

- (1) A nonconforming sign shall not be structurally altered or repaired so as to prolong its useful life or so as to change its shape, size, type or design unless such change shall make the sign conforming.
- (2) A nonconforming sign shall not be replaced by another nonconforming sign.
- (3) A nonconforming sign shall not be reestablished after abandonment as defined in section 26-23, dangerous, unsafe, abandoned, and illegally erected signs.
- (4) A nonconforming sign must not be reestablished after damage or destruction if the estimated expense of reconstruction exceeds fifty (50) percent of the appraised replacement cost as determined by the building official/zoning administrator or if fifty (50) percent or more of the face of the sign is damaged or destroyed.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-23. - Dangerous, unsafe, abandoned, and illegally erected signs.

- (a) *Dangerous signs.* Any sign constituting an immediate hazard to health or safety shall be deemed a nuisance and may be immediately removed by the city and the cost thereof charged against the owner of the property on which it was installed.
- (b) *Unsafe signs.* Any sign that becomes insecure, in danger of falling, or otherwise unsafe but not considered an immediate danger by the building official/zoning administrator to the health or safety of the public shall be removed or repaired according to the process outline in subsection (e) below.
- (c) *Abandoned signs.* Any sign that advertises a business that has been discontinued for at least ninety (90) days or that advertises a product or service that is no longer offered shall be deemed abandoned. Permanent signs applicable to a business temporarily suspended by a change in ownership or management shall not be deemed abandoned unless the structure remains vacant for at least six (6)

months. An abandoned sign shall be removed by the owner or lessee of the premises. If the owner or lessee fails to remove the sign, the building official/zoning administrator shall initiate the process noted in subsection (e) below.

- (d) *Illegally erected signs.* The building official/zoning administrator shall order the removal of any sign erected illegally in violation of this chapter, according to the process outlined in subsection (e) below.
- (e) *Process for enforcing violations of section 26-7, dangerous, unsafe, abandoned, and illegally signs.* For violations of sections 26-7(2) through (4), the building official/zoning administrator shall notify the owner of the property on which the sign is located. Verbal notices or those sent by first-class mail shall be sufficient notice. Where a sign erected in violation of this chapter is considered dangerous or unsafe, the notice shall inform the owner to remove said sign(s) immediately and property owners of other illegal signs on private property shall be granted a reasonable period of time within which to remove the sign, as determined by the building official/zoning administrator. Should the property owner fail to remove the sign(s) within the time specified, or if a sign is erected within any right-of-way or public property, the building official/zoning administrator, or their designee, shall have the authority to remove the sign, and the property owner shall be liable for the cost thereof.

(Ord. No. 783, § 2, 6-19-17)

Sec. 26-24. - Changes to permitted signs.

No physical, structural or electrical changes can be made to existing permitted signs without first obtaining a new sign permit. Individual sign panels can be replaced on existing box signs, but a permit must still be obtained.

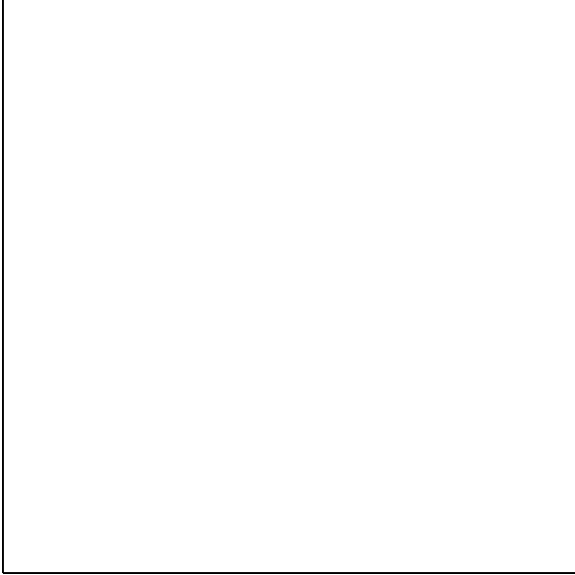
(Ord. No. 783, § 2, 6-19-17)

Sec. 26-25. - Administration and appeals of sign ordinance standards.

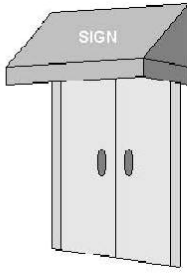
- (a) *Generally.* The regulations of this chapter shall be administered and enforced by building official/zoning administrator.
- (b) *Violations.* It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, use or maintain any sign in the city, or cause or permit the same to be done, contrary to or in violation of any of the standards and regulations of this chapter. Any such violation, including the failure to remove a sign when directed under the authority of this chapter, shall constitute a misdemeanor punishable in accordance with section 1-8 of the Owosso Code of Ordinances.

SIGN DIAGRAMS

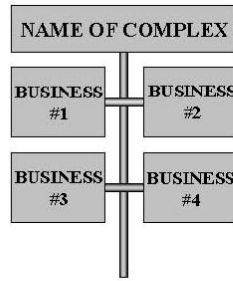
Figure 26.2



CURRENT



Awning Sign



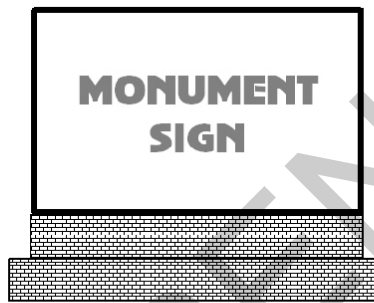
Business Center Sign



Free Standing Sign



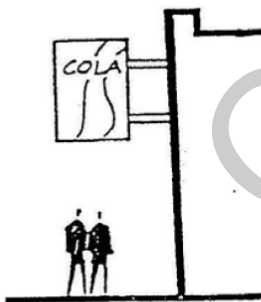
Message Board Sign



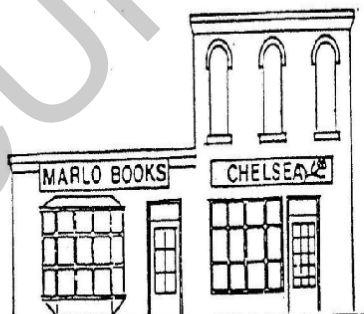
Monument Sign (Freestanding)



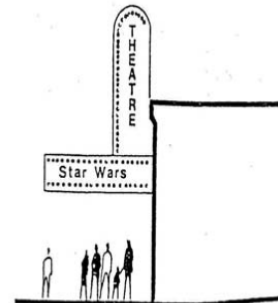
Off-Premise Sign



Projecting Sign



Wall Sign



Marquee Sign

(Ord. No. 783, § 2, 6-19-17)



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

MEMORANDUM

DATE: September 27, 2019

TO: City Council

FROM: Kevin Lenkart
Director of Public Safety

RE: Traffic Control Order # 1428

Jeff Deason, President of the Shiawassee Regional Chamber of Commerce, is requesting the closure of streets and a parking lot as described below for Oktoberfest 2019.

LOCATIONS/DATES/TIMES:

5:00 a.m. on Thursday, October 10 through 5 p.m. on Sunday October 13, 2019

Closure of Ball/Exchange parking lot for construction of tent and weekend Oktoberfest activities.

Note: One of the conditions of hiring Wheeler Party Rental is that they will provide a crew on Sunday, October 13th to remove the tent and all equipment that day so that the parking lot may reopen for business on Monday, October 14, 2019.

5:30 p.m. to 7:30 p.m., Friday, October 11, 2019

Temporary closure of Water Street from Exchange to North Streets; North Street from Water to Owosso High School for 5K race.

5:00 a.m. to 5:00 p.m., Saturday, October 12, 2019

Closure of Water Street from Exchange Street north to Mason Street (in conjunction with existing TCO approved for Downtown Owosso Farmers Market)

INSURANCE:

Certificate of Liability Insurance provided:

CLH Insurance Agency

Michael Ardelean

200 W. Exchange St.

Owosso, MI 48867

The Public Safety Department has issued Traffic Control Order No. 1428 in accordance with the Rules for the Issuance of Certain Traffic Control Orders. Staff recommends approval 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
1428	9/27/19	9:06 am

REQUESTED BY
Kevin Lenkart – Director of Public Safety

TYPE OF CONTROL
Streets and lot closure

LOCATION OF CONTROL
<u>5:00 a.m. on Thursday, October 10 through 5 p.m. on Sunday October 13, 2019</u>
Closure of Ball/Exchange parking lot (Lot #5) for construction of tent and weekend Oktoberfest activities.

<u>5:30 p.m. to 7:30 p.m., Friday, October 11, 2019</u>
Temporary closure of Water Street from Exchange to North Streets; North Street from Water to Owosso High School for 5K race.

<u>5:00 a.m. to 5:00 p.m., Saturday, October 12, 2019</u>
Closure of Water Street from Exchange Street north to Mason Street (in conjunction with existing TCO approved for Downtown Owosso Farmers Market)

EVENT:
Oktoberfest
10/10/19 – 10/13/19
5:00 a.m. 10/10/19 to 5:00 p.m. 10/13/19

APPROVED BY COUNCIL

_____, 20 ____

REMARKS

Note: Wheeler Party Rental will provide a crew on Sunday, October 13th to remove the tent and all equipment so that the parking lot may reopen for business on Monday, October 14, 2019.



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

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

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

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

Name of individual or group: Shiawassee Regional Chamber of Commerce Date: 9/5/2019

Primary Contact Person

Name: Jeff Deason

Title: President

Address: 215 N. Water Street

Owosso, MI 48867

Phone: 989-723-5149

Requested Date(s): 10/10/19 – 10/13/19 Requested Hours: 5:00 a.m. 10/10 to 5:00 p.m. 10/13

Area Requested (Parking Lot - Parade Route): Parking lot at Exchange & Ball Streets; Water Street

Detailed description of the use for which the request is made: Oktoberfest 2019 – Please see attached closure list and site plan submitted to the State of Michigan Liquor Commission and Insurance Underwriting.

- ☒ 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

**Details of Oktoberfest closure request for consideration:
(Event site plan is included)**

5:00 a.m. on Thursday, October 10 through 5 p.m. on Sunday, October 13, 2019:

- Closure of the Ball/Exchange parking lot for construction of tent and weekend Oktoberfest activities. (See note below.)

5:30 p.m. to 7:30 p.m., Friday, October 11:

- Temporary closure of Water Street from Exchange to North Streets; North Street from Water to Owosso High School for 5K race.

5 a.m. to 5:00 p.m., Saturday, October 12:

- Closure of Water Street from Exchange Street north to Mason Street (In conjunction with existing TCO approved for Downtown Owosso Farmers Market)

Note: One of the conditions of hiring Wheeler Party Rental is that they will provide a crew on Sunday, October 13th to remove the tent and all equipment that day so that the parking lot may reopen for business on Monday, October 14, 2019.

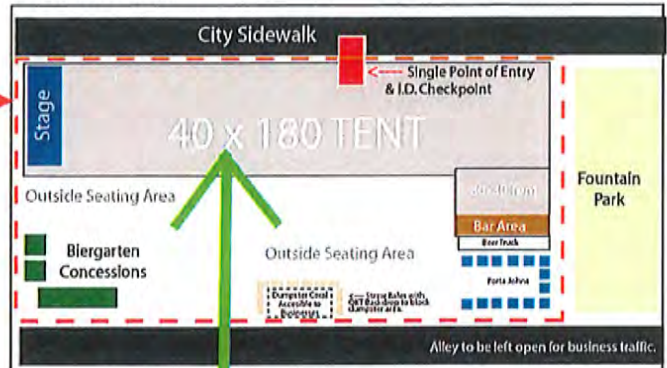
Oktoberfest Site Layout for October 11-12, 2019 in Downtown Owosso, MI

Expanded view of tent area:

Alcohol Sales Plan:

- 1) Absolutely no one under 18 allowed in the tent at any time without parent or guardian.
- 2) Armbands will be given to each person entering the tent. Free admission for designated drivers and a different color armband for designated drivers and those under 21.
- 3) All admissions must use a single point of entry.
- 4) Working in conjunction with local law enforcement, trained volunteers will staff the admission area.

FENCE
BARRICADE
80' wide by
220' long



Save the Date! Oktober 11 & 12, 2019



Featuring:
Lenny Gomulka
& The Chicago Push
Both Days of OKT 2019!

Presented by:



Joining Lenny...Friday, Oktober 11th - The Polka Riot • Saturday, Oktober 12th - New Brass Express
Also, Saturday, Oktober 12th at 11 am - the 35 piece "Ein Prosit" German Band on The Armory Lawn



2019 Schedule of Events

Friday, October 11th

3:00 – 11:00 p.m. Food Service/Biergarten Tent Open
 3:00 p.m. Ceremonial Tapping of the Keg – State Rep Ben Frederick
 6:30 p.m. "The Beer Run" 5K Walk/Run
 7:15 p.m. Awards Ceremony for The Beer Run
 5:00 p.m. – 7:00 p.m. St Julian Wine Tasting Party in Biergarten
 5:00 – 11:30 p.m. Live Music by Lenny Gomulka & The Chicago Push with
 The Polka Riot, Dancing & Fun with the local Schuhplattlers
 Midnight Biergarten Closes

Saturday, October 12th

8:00 a.m. – 1:00 p.m. Downtown Owosso Farmers Market
 10:00 a.m. until finished Shiawassee Family YMCA 3 on 3 Basketball
 11:00 a.m. – 11:00 p.m. Food Service
 11:00 – 3:30 p.m. LikeWater CrossFit Competition, Middle School Grounds
 High Noon Ceremonial Tapping of the Keg – Mayor Chris Eveleth, Armory
 Lawn
 Noon – Midnight Biergarten Tent Open
 Noon – 3:00 p.m. "Ein Prosit" – A 35-piece German Band performance
 1:00 – 3:00 p.m. Children's Activities: Bounce houses, Pumpkin Carving,
 Pumpkin Bowling, Armory Lawn
 1:00 – 3:00 p.m. Happy Hour – Buy One Get One Free Armbands
 2:00 – 8:00 p.m. Live Music by Lenny Gomulka & The Chicago Push with New
 Brass Express
 8:00 p.m. Beer Stein Endurance Contest
 8:30 p.m. Guinness World Record Weighlifting Attempt: Most weight squatted
 overhead in 1 minute, goal is 5,000#
 9:00 p.m. to Midnight NEW! ROCKtoberfest – Finish out the evening with
 Bachelors Since Breakfast
 Midnight Biergarten Closes



Saturday, Oktober 12th: NEW! ROCKtoberfest

9:00 p.m. to Midnight
 Finish out the evening with
 Bachelors Since Breakfast
 (80's-90's Cover Band)

Downtown Owosso, Michigan • Beer, Dancing, Food & Contests

Polka Tent Cover Charge: \$10.00 per person per day or \$15.00 for weekend pass

More information: 989-723-5149 or www.oktoberfestinowosso.org

An annual event of The Shiawassee Regional Chamber of Commerce

Shiawassee Convention & Visitors Bureau Hotel/Dining/Local Information: www.shiawassee.org

www.facebook.com/oktoberfestinowosso



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

09/23/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Michael Ardelean
CLH Insurance Agency	PHONE (A/C, No, Ext): (989) 277-0984
Michael Ardelean	FAX (A/C, No):
200 W Exchange St.	E-MAIL ADDRESS: mike@clh-insurance.com
Owosso MI 48867	INSURER(S) AFFORDING COVERAGE
	INSURER A: Lloyds Syndicate 2623
	INSURER B: Lloyds Syndicate 623
	INSURER C:
	INSURER D:
	INSURER E:
	INSURER F:

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	Y		EH-771919-L2290809	10/10/2019 12:01 AM	10/14/2019 12:01 AM	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES \$ 100,000
	Host Liquor Liability						MED EXP (Any one person) \$ 5,000
	<input checked="" type="checkbox"/> Retail Liquor Liability						PERSONAL & ADV INJURY \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$ 2,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG \$ INCLUDED
	OTHER:						Deductible \$ 1,000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	ANY AUTO						BODILY INJURY (Per person) \$
	OWNED AUTOS ONLY						BODILY INJURY (Per accident) \$
	HIRED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$
	SCHEDULED AUTOS						\$
	NON-OWNED AUTOS ONLY						\$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DED RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N					E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below	N/A					E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate holder listed below is named as additional insured per attached CG 20 26 07 04.

Attendance: 1600, Event Type: Festival & Cultural Event - Outdoor.

CERTIFICATE HOLDER

City of Owosso
301 W Main St
Owosso MI 48867

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
AUTHORIZED REPRESENTATIVE
Michael Ardelean

© 1988-2015 ACORD CORPORATION. All rights reserved.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – DESIGNATED
PERSON OR ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)
City of Owosso 301 W Main St Owosso, MI 48867
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

- A. In the performance of your ongoing operations; or
- B. In connection with your premises owned by or rented to you.



MEMORANDUM

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

DATE: September 23, 2019

TO: Owosso City Council

FROM: Glenn Chinavare, Director of Public Services & Utilities

SUBJECT: Change Order No. 1 to Amendment No. 5 – Fleis & Vandenbrink Contract

RECOMMENDATION

Approval of Change Order No. 1 to Amendment No. 5 of the Contract with Fleis & Vandenbrink Engineering, Incorporated, for additional construction administration services in the amount of \$42,500.00.

BACKGROUND

On January 7, 2019, City Council approved Amendment No. 5 of a contract to Fleis & Vandenbrink Engineering, Inc., in the amount of \$137,500.00.

City staff has requested additional engineering services from the consultant. Specifically; to provide additional full construction monitoring and administration services on contracts No.1 and No.2 for the City's 2019 Street Resurfacing Program. These services are necessary due to wet weather and subcontractor scheduling, which extended construction completion dates.

Fleis & Vandenbrink Engineering, Inc. has submitted a proposal to perform the requested additional construction administration services at a cost of \$42,500.00. The revised Contract amount for Amendment No. 5 will become \$180,000.00 should City Council approve Change Order No. 1.

FISCAL IMPACTS

Requested services in the amount of \$42,500.00 will be funded from the 2016 Unlimited Obligation Bond Proceeds Account Nos. 202-451-818.000 (\$9,700.00) and 203-451-818-000 (\$32,800.00).

Document originated by: Glenn Chinavare, Director of Public Services & Utilities

Attachments: (1) Proposal - Fleis & Vandenbrink, Inc.
(2) Resolution

RESOLUTION NO.

**AUTHORIZING CHANGE ORDER NO. 1 TO AMENDMENT NO. 5
OF THE CONTRACT FOR ENGINEERING SERVICES WITH
FLEIS & VANDENBRINK ENGINEERING, INC. FOR
THE 2018 STREET PROGRAM ENGINEERING SERVICES CONTRACT**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved Amendment No. 5 to a Contract with Fleis & Vandenbrink Engineering Inc. on January 7, 2019 for Design Engineering and Construction Administration Services for the 2019 Street Program in the amount of \$137,500.00; and

WHEREAS, the city requests additional services of the consultant in the amount of \$42,500.00 to provide construction engineering and administration services for the City's 2019 Street Resurfacing Program, that are beyond the original contractual scope of services due to unforeseen delays; and

WHEREAS, the Director of Public Services has reviewed the proposal submitted by Fleis & Vandenbrink as requested, and has determined the scope of additional services to be fair and reasonable.

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 change the contract with Fleis & Vandenbrink Engineering Inc. for an additional cost to the city of Owosso in the amount of \$42,500.00 as outlined in the proposal.
- SECOND: The mayor and city clerk are requested and authorized to sign Change Order No. 1 to Amendment No. 5 of Addendum No. 4 to the Engineering Services Contract between the City of Owosso, Michigan and Fleis & Vandenbrink Engineering, Inc.
- THIRD: The Accounts Payable department is authorized to make payment up to the contract amount, including the change order, totaling \$180,000.00 for the 2019 Street Rehab Program upon successful completion of said additional services.
- FOURTH: The above expenses shall be paid from the 2016 Unlimited Obligation Bond Proceeds Account Nos. 202-451-818.000 (\$9,700.00) and 203-451-818-000 (\$32,800.00).

**CITY OF OWOSSO
CONTRACT CHANGE ORDER NO. 1**

CONTRACTOR: Fleis & Vandenbrink, Inc.

Date: 9/13/2019

CONTRACT: 2019 Street Program Engineering Services Contract
(Addendum No. 4 to 2017 Professional Services Contract)

REQUESTING PARTY:
Fleis & Vandenbrink

You are hereby requested to comply with the following changes from the contract plans and specifications:

1 Item No.	2 Description of Changes - Quantities, Units, Unit Prices, Change in Completion Schedule, Etc.	3 Decrease Contract Price	4 Increase Contract Price
	See attached: Amendment Request: 2019 Street Resurfacing Program dated September 13, 2019		
	Change in contract price due to this Change Order		
	Total Decrease	\$ -	XXXXXXXXXXXXXX
	Total Increase	XXXXXXXXXXXXXX	\$ 42,500.00
	Difference between columns 3 & 4		\$ 42,500.00
	Net INCREASE contract price		\$ 42,500.00

Original Contract Price:	\$ 137,500.00
Total Net Addition or Deduction by previous C.O. No.:	\$ -
Total Amount of Contract Prior to this Change Order:	\$ -
Net Addition or Deduction for this Change Order No.:	\$ 42,500.00
Net Amount of Contract to date:	\$ 180,000.00

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

FOR THE CITY:

FOR THE CONTRACTOR:

Christopher T. Eveleth, Mayor

Amy K. Kirkland, City Clerk



September 13, 2019

Mr. Randy Chesney, P.E.
City of Owosso
City Hall, 301 West Main Street
Owosso, MI 48867

RE: 2019 Street Resurfacing Program, PO No. 42693
Amendment Request

Dear Randy,

We are pleased to submit this amendment request for your review and consideration of additional professional services to assist the City of Owosso with your 2019 street resurfacing program.

Project Understanding

This amendment request is for 1) additional construction observation services for the period of September 7, 2019 through October 4, 2019 (anticipated Contract 3 completion date) and 2) additional construction observation services for Contract 1 due to an increase in the construction time frame as a result of above average spring rain and other unforeseen construction difficulties. Multiple construction technicians were required to simultaneously cover Contracts 1 and 2.

Scope of Services

Below is our anticipated level of effort estimate used in establishing our recommended budget for the additional construction administration services beginning September 7, 2019 and ending October 4, 2019.

Classification	Name	Hours
Field Technician	Ty Williams	200
Project Manager / Engineer	Geric Rose, PE, PS	16
Administration	Elizabeth Petersen; Deb LaJoice	6

The additional construction observation services invested in Contract 1 represent actual hourly expenses incurred during that contract as noted below.

Fee Budget

We propose to complete the services noted within this proposal for the following not-to-exceed fees:

Additional Construction Observation Services completed through September 6, 2019..... \$16,385
Additional Construction Observation Services from September 7, 2019 through October 4, 2019.. \$26,115
Total Additional Construction Observation Services: \$42,500

The above fee includes the additional services completed for Contract 1 and the anticipated level of effort for completion of Contract 3.

9475 Holly Road, Suite 201
Grand Blanc, MI 48439
P: 810.743.9120
F: 810.771.7860
www.fveng.com

Thank you for your consideration of this contract amendment for our professional services to continue assisting the City of Owosso with your 2019 Street Resurfacing Program. Please contact me if you have any questions or need any additional information at this time.

Sincerely,

FLEIS & VANDENBRINK

A handwritten signature in blue ink, appearing to read "Geric L. Rose", written over a horizontal line.

Geric L. Rose, P.E., P.S.
Operations Manager



MEMORANDUM

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

DATE: September 23, 2019
TO: City Council
FROM: Glenn M. Chinavare, Director of Public Services & Utilities
SUBJECT: State of Michigan Salt Contract 171-180000000768

RECOMMENDATION:

Approval of award to Detroit Salt Company, LLC under State of Michigan Contract in the amount of \$88,700.00 for 1800 tons of road salt at \$65.92/ton early fill and \$60.36/ton seasonal fill, to be delivered as needed for the 2019/2020 contract period.

BACKGROUND:

The State of Michigan has taken competitive bids for road salt. The Detroit Salt Company, LLC was the low bidder for 2018. This contract became effective September 1, 2018 and will expire August 31, 2023.

FISCAL IMPACTS:

The above expenses in the amount of \$88,700.00 shall be paid from the Local and Major Street Fund accounts 202/203.478.728.000 and State Trunk-line account 202.497.728.000.

Document originated by:

Glenn M. Chinavare
Director, Public Services & Utilities

Attachments: (1) Resolution
(2) MiDeal State Contract/s
(3) Bulk Salt Usage

RESOLUTION NO.

**AUTHORIZING THE EXECUTION OF A PURCHASE ORDER WITH
THE DETROIT SALT COMPANY, LLC
FOR THE 2019-2020 WINTER SUPPLY OF ROAD SALT**

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

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

WHEREAS, in order to obtain the best price for road salt material, it is in the best interest of the city of Owosso to waive competitive bidding requirements and utilize State of Michigan Contract number 171-180000000768 effective September 1, 2018, provided by The Detroit Salt Company, LLC for the purchase of road salt at \$65.92 per ton for early delivery and \$60.36 per ton for seasonal as needed bulk.

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

- FIRST: The City of Owosso has heretofore determined that it is advisable, necessary and in the public interest to purchase 1,800 tons of road salt from The Detroit Salt Company, LLC.
- SECOND: The contract between the City and The Detroit Salt Company, LLC shall be in the form of a Purchase Order, with reference to State of Michigan Contract No. 171-180000000768.
- THIRD: The accounts payable department is authorized to pay The Detroit Salt Company, LLC for road salt delivered in the amount of \$88,700.00.
- FOURTH: The above expenses shall be paid from Local and Major Street Fund and State Trunk-line accounts 202/203.478.728.000 and 202.497.728.000.

Glenn M. Chinavare

From: MIDeal <MIDeal@michigan.gov>
Sent: Thursday, September 19, 2019 10:11 AM
To: Glenn M. Chinavare
Cc: Rigg, Steve (DTMB); Vaughn, Shawn (DTMB)
Subject: RE: 2019-2020 Bulk Salt Requirements - City of Owosso
Attachments: 180000000768 MASTER Detroit Early Salt.pdf; 180000000768 Master Detroit Seasonal Mineral.pdf

Importance: High

Hi Glenn,

Detroit Salt Company has agreed to add your entity to both the early fill and seasonal back-up contracts. I have attached both contracts. Your entity will not be listed on the contract pricing page, but below is confirmation of you being added.

Detroit Salt Company: We just received approval for this one:

We agree to extend to:

Owosso, City of
Drop Point – 522 Milwaukee Street
County - Shiawassee
Contact: Glenn Chinavare
Phone 989-725-0555

Early Fill – 400 Ton

Price - \$65.92

Seasonal Back-Up - 1400 Ton

Price - \$60.36

Attached you will find the 2019/2020 early fill road salt contract for your drop point(s).

This contract is for early fill road salt only

For this early fill contract, the vendor awarded to your drop point(s) (listed on the cover page of the attached contract) will be contacting you in approximately September about arranging delivery of your early fill amount. The early fill tonnage amount you ordered will be delivered in one lump sum.

2019/2020 Seasonal Back-up Salt Contract

Attached you will find the 2019/2020 seasonal road salt contract for your drop point(s).

To order from this seasonal back-up contract, you should contact the vendor (listed on the cover page of the attached contract) after November 1, 2019, as you need the salt. Your request(s) for salt delivery must be in at least 50 ton increments.

Mary Hanes

Analyst, Knowledge Management

Central Procurement Services - Customer Experience

State of Michigan

SALT CONTRACT HISTORY

YEAR		CONTRACTED TONS	COST PER TON	BUDGETED AMOUNT	PURCHASED TONS	PURCHASED COST	
2011/2012		1800	\$54.39	\$97,902.00	1253	\$68,150.67	
2012/2013		1800	\$51.80	\$93,240.00	1423	\$73,711.40	
2013/2014		1700	\$45.59	\$77,503.00	1689	\$77,001.51	
2014/2015		1800	\$54.94	\$98,892.00	1409	\$77,410.46	
2015/2016		1500	\$61.30	\$91,950.00	1497	\$91,766.10	
2016/2017		1800	\$50.11	\$90,198.00	1650	\$82,681.50	
2017/2018	Early fill	200	\$34.42	\$6,884.00	207.05	\$7,126.66	
2017/2018	In Season	1400	\$39.41	\$55,174.00	1398.89	\$55,130.25	
2018/2019	Early fill	400	\$58.34	\$23,336.00	417.18	\$24,338.28	
2018/2019	In Season	1400	\$52.49	\$73,486.00	1400	\$73,486.00	
2018/2019	Ext Purchase	420	\$52.49	\$22,045.80	420	\$22,045.80	Note 1
2019/2020	Early Fill	400	\$65.92	\$21,094.40			
2019/2020	Seasonal	1400	\$60.36	\$57,905.60			

Note: 1 Additional purchase in spring to obtain lower price

STATE OF MICHIGAN
CENTRAL PROCUREMENT SERVICES
 Department of Technology, Management, and Budget
 525 W. ALLEGAN ST., LANSING, MICHIGAN 48913
 P.O. BOX 30026 LANSING, MICHIGAN 48909



CONTRACT CHANGE NOTICE

Change Notice Number **1**
 to
 Contract Number **171180000000768**

CONTRACTOR	DETROIT SALT COMPANY LC
	12841 Sanders Street
	Detroit, MI 48217
	Steve Briggs
	313-841-5144
	sales@detroitsalt.com
	CV0040860

STATE	Program Manager	Melissa Longworth	SW
		517-636-4386	
		LongworthM@Michigan.gov	
	Contract Administrator	Steve Rigg	DTMB
		(517) 249-0454	
		riggs@michigan.gov	

CONTRACT SUMMARY				
BULK SALT, EARLY FILL & SEASONAL BACK-UP-STATEWIDE				
INITIAL EFFECTIVE DATE	INITIAL EXPIRATION DATE	INITIAL AVAILABLE OPTIONS		EXPIRATION DATE BEFORE
September 1, 2018	August 31, 2023	5 - 1 Year		August 31, 2023
PAYMENT TERMS		DELIVERY TIMEFRAME		
NET 45		See Section 1.3 Delivey and Acceptance		
ALTERNATE PAYMENT OPTIONS			EXTENDED PURCHASING	
<input type="checkbox"/> P-Card <input type="checkbox"/> PRC <input type="checkbox"/> Other			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
MINIMUM DELIVERY REQUIREMENTS				
See Section 1.3 Delivey and Acceptance				
DESCRIPTION OF CHANGE NOTICE				
OPTION	LENGTH OF OPTION	EXTENSION	LENGTH OF EXTENSION	REVISED EXP. DATE
<input type="checkbox"/>		<input type="checkbox"/>		N/A
CURRENT VALUE	VALUE OF CHANGE NOTICE	ESTIMATED AGGREGATE CONTRACT VALUE		
\$5,053,100.00	\$6,423,614.00	\$11,476,714.00		
DESCRIPTION				
Effective September 1st, 2019 this contract is hereby amended as follows: 1.) 2019-2020 annual road salt pricing is updated, per schedule B - attached. The contract value is increased by \$6,423,614.00. 2.) Please note the contract administrator has been updated to Steve Rigg.				
All other terms, conditions, specifications and pricing remain the same per agency and vendor agreement, and Central Procurement Services approval.				



MEMORANDUM

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

DATE: September 25, 2019

TO: City Council

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

SUBJECT: Township Fire Hydrant Restoration & Painting

RECOMMENDATION:

Approval of award to David Hamilton d/b/a American Flo Blasting of Climax, Michigan for hydrant restoration in the amount of \$21,750.00.

BACKGROUND:

The city of Owosso is responsible for the maintenance of fire hydrants by agreement, for Owosso Charter Township and Caledonia Charter Township. The water fund collects annual revenue from the townships for hydrant maintenance and inspection in the amount of \$165.00 per hydrant.

This restoration process will involve removal of all paint to bare metal, with one primer coat and two epoxy finish coats applied. Pumper caps will also be colored coded to reflect gallon per minute capacity. Ten year life expectancy of restoration application is expected.

Five bids were received for the hydrant restoration services, with American Flo Blasting submitting the lowest, responsible bid.

FISCAL IMPACTS:

The above expenses in the amount of \$21,700.00 shall be paid from the Water Fund account 591-901-972.000.

Document originated by:

Glenn M. Chinavare
Director, Public Services & Utilities

Attachments: (1) Resolution
(2) Bid Tab

RESOLUTION NO.

**AUTHORIZING THE EXECUTION OF A CONTRACT WITH
AMERICAN FLO BLASTING OF CLIMAX, MICHIGAN
FOR FIRE HYDRANT RESTORATION SERVICES FOR
OWOSSO CHARTER TOWNSHIP AND CALEDONIA CHARTER TOWNSHIP**

WHEREAS, the city of Owosso, Shiawassee County, Michigan, has responsibility by water agreement to maintain municipal fire hydrants for Owosso Charter Township and Caledonia Charter Township; and

WHEREAS, the fire hydrants for Owosso and Caledonia Charter Townships are in need of corrosion protection and restoration; and

WHEREAS, these services were competitively bid, with David Hamilton d/b/a American Flo Blasting of Climax, Michigan submitting the lowest and responsible bid for these services; and

WHEREAS, the Director of Public Services & Utilities has determined that David Hamilton d/b/a American Flo Blasting is qualified to perform these restoration services.

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 provide corrosion control and restoration of municipal fire hydrants for Owosso and Caledonia Charter Townships.
- SECOND: The Director of Public Services & Utilities has reviewed the competitive bids received, and recommends authorizing a services agreement between the city of Owosso and David Hamilton d/b/a American Flo Blasting of Climax, Michigan in the amount of \$21,700.00.
- THIRD: The mayor and city clerk are hereby authorized and instructed to sign the contract, substantially in the form attached. Contract for Services between the City of Owosso, Michigan and David Hamilton d/b/a American Flo Blasting.
- FOURTH: The accounts payable department is authorized to pay David Hamilton d/b/a American Flo Blasting for hydrant restoration services in the amount not to exceed \$21,700.00.
- FIFTH: The above expenses shall be paid from Water Fund account 591-901-972.000.

EXHIBIT A

Contract for Services Between

The City of Owosso

and

David Hamilton D/B/A American Flo Blasting

**Caledonia & Owosso Charter Townships Fire Hydrant
Restoration & Painting**

October 2019

CONTRACT

THIS AGREEMENT is made on October ____, 2019 between the CITY OF OWOSSO, a Michigan municipal corporation, 301 W. Main Street, Owosso, Michigan 48867 ("city") and DAVID HAMILTON D/B/A AMERICAN FLO BLASTING ("contractor"), a Michigan company, whose address is 2449 South 40th Street, Climax, Michigan 49034.

Based upon the mutual promises below, the contractor and the city agree as follows:

ARTICLE I - Scope of work

The contractor agrees to provide the services listed in the proposal entitled "Caledonia & Owosso Charter Townships Fire Hydrant Restoration & Painting", as attached, including all written modifications incorporated into any of the documents, which are incorporated as part of this contract:

- Bid Documents
- Bid Proposal
- Contract and exhibits
- Bonds
- Proof of Insurance
- W-9

ARTICLE II - The Contract Sum

(A) The city shall pay to the contractor for the performance of the contract, in the unit prices as given in the proposal not to exceed twenty-one thousand seven hundred fifty dollars (\$21,750.00). No additional work shall be performed unless a change order is issued by the city.

(B) The amount paid shall be equitably adjusted to cover changes in the work ordered by the city but not required by the contract documents where there is a written change order.

ARTICLE III – Assignment

This contract may not be assigned or subcontracted without the written consent of the city.

ARTICLE IV - Choice of law

This contract shall be construed, governed, and enforced in accordance with the laws of the state of Michigan. By executing this agreement, the contractor and the city agree to a venue in a court of appropriate jurisdiction sitting within Shiawassee County for purposes of any action arising under this contract.

Whenever possible, each provision of the contract will be interpreted in a manner as to be effective and valid under applicable law. The prohibition or invalidity, under applicable law, of any provision will not invalidate the remainder of the contract.

ARTICLE V - Relationship of the parties

The parties of the contract agree that it is not a contract of employment but is a contract to accomplish a specific result. Contractor is an independent contractor performing services for the city. Nothing contained in this contract shall be deemed to constitute any other relationship between the city and the contractor.

Contractor certifies that it has no personal or financial interest in the project other than the compensation it is to receive under the contract. Contractor certifies that it is not, and shall not become, overdue or in default to the city for any contract, debt, or any other obligation to the city including real or personal property taxes. City shall have the right to set off any such debt against compensation awarded for services under this agreement.

ARTICLE VI – Notice

All notices given under this contract shall be in writing, and shall be by personal delivery or by certified mail with return receipt requested to the parties at their respective addresses as specified in the contract documents or other address the contractor may specify in writing.

ARTICLE VII - Indemnification

To the fullest extent permitted by law, for any loss not covered by insurance under this contract; contractor shall indemnify, defend and hold harmless the city, its officers, employees and agents harmless from all suits, claims, judgments and expenses including attorney's fees resulting or alleged to result, in whole or in part, from any act or omission, which is in any way connected or associated with this contract, by the contractor or anyone acting on the contractor's behalf under this contract. Contractor shall not be responsible to indemnify the city for losses or damages caused by or resulting from the city's sole negligence.

ARTICLE VIII - Entire agreement

This contract represents the entire understanding between the city and the contractor and it supersedes all prior representations or agreements whether written or oral. Neither party has relied on any prior representations in entering into this contract. This contract may be altered, amended or modified only by written amendment signed by the city and the contractor.

FOR CONTRACTOR

By_____

Its:_____

Date:_____

THE CITY OF OWOSSO

By_____

Its: Christopher T. Eveleth, Mayor

Date:_____

By_____

Its: Amy K. Kirkland, City Clerk

Date:_____

CITY OF OWOSSO BID TABULATION SHEET

DATE 9/5/2019DEPT. WFTPSUBJECT: Fire Hydrant PaintingAmerican Flo Blasting
2449 S. 40th Street
Climax, MI 49034
269-207-2514Mow On The Go
21700 Wyoming Ave. Ste. M
Oak Park, MI 48237
248-669-5296MMP Professional Painting
5388 S. Saginaw Rd.
Flint, MI 48507
810-908-8024

ITEM #	DESCRIPTION	EST. QTY	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Caledonia Charter Township Fire Hydrants	91	EA	\$ 150.00	\$ 13,650.00	\$ 185.00	\$ 16,835.00	\$ 261.00	\$ 23,751.00
2	Owosso Charter Township Fire Hydrants	54	EA	\$ 150.00	\$ 8,100.00	\$ 185.00	\$ 9,990.00	\$ 261.00	\$ 14,094.00
3	Additional Hydrants Each:					\$ 185.00		\$ 261.00	
Grand Total					\$ 21,750.00		\$ 26,825.00		\$ 37,845.00

TOTAL BID PRICING ADJUSTED FOR LOCAL PURCHASING PREFERENCE:

DEPT

HEAD

GENERAL LIABILITY INSURANCE

EXPIRATION DATE: 12/7/2019

AWARDED:

PURCH.

AGENT:

WORKERS COMPENSATION INSURANCE

EXPIRATION DATE: 11/8/2019

COUNCIL

APPROVED:

STAFF

REC.:

American Flo Blasting

SOLE PROPRIETORSHIP

EXPIRATION DATE:

PO NUMBER:

CITY OF OWOSSO BID TABULATION SHEET

DATE 9/5/2019

DEPT. WFTP

SUBJECT: Fire Hydrant Painting

				Eco Painting LLC 34133 Schoolcraft Rd. Livonia, MI 48150 734-619-6739		R & G Painting LLC 5471 Wentworth Dr. Commerce Twp, MI 48382 517-518-4700			
ITEM #	DESCRIPTION	EST. QTY	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Caledonia Charter Township Fire Hydrants	91	EA	325.00	\$ 29,575.00	350.00	\$ 31,850.00		\$ -
2	Owosso Charter Township Fire Hydrants	54	EA	\$ 325.00	\$ 17,550.00	\$ 350.00	\$ 18,900.00		\$ -
3	Additional Hydrants Each:			\$ 325.00		\$ 350.00			
Grand Total					\$ 47,125.00		\$ 50,750.00		\$ -

TOTAL BID PRICING ADJUSTED FOR LOCAL PURCHASING PREFERENCE:



Warrant 575
October 2, 2019

Vendor	Description	Fund	Amount
Caledonia Charter Township	Caledonia Utility Fund payment-7/1/19-9/30/19	Water	\$36,415.14
Owosso Charter Township	Owosso Charter Township 2011 Water Agreement payment-7/1/19-9/30/19	Water	\$14,973.59
Michigan Municipal Risk Authority	Building and property insurance-2 of 3 installments for FY 19/20	Various	\$62,482.50
Total			\$113,871.23



MEMORANDUM

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

DATE: September 30, 2019

TO: Mayor Eveleth and the Owosso City Council

FROM: Glenn Chinavare, Director of Public Services & Utilities

SUBJECT: Professional Engineering Services – Water & Wastewater Utility Operations

RECOMMENDATION:

Request council approval of four agreements for professional engineering services with:

1. Tetra Tech (Ann Arbor, MI)
2. Orchard, Hiltz & McClement (OHM) Advisors (Saginaw, MI)
3. C2ae/ Black & Veatch (Lansing, MI)
4. Jones & Henry (Kalamazoo, MI)

The above proposed agreements have been reviewed by the city manager as to substance and form. Individual resolutions approving each of these agreements appear under the regular order of business.

BACKGROUND:

On March 17, 2014, City Council approved the Qualification Based Selection (QBS) process for Engineering Services. These services are necessary to support City utility staff and the City's engineering staff in carrying out the duties and responsibilities for customer services, municipal agreements, and regulatory compliance, where workloads demand the assistance of a consultant's staff and expertise.

Two of the firms have provided quality work to the city since 2015. Tetra Tech has provided engineering guidance and assistance for SCADA & telemetry systems for the water treatment plant since 2018, and serves as a consultant to other engineer firms for specific water and wastewater applications. Jones & Henry provides water and wastewater engineering services to many small and medium sized municipalities in Michigan, Ohio, and Indiana.

City staff reviewed proposals from eight interested firms, and ranked them with recommendations for entering into contracts with four firms. The term for these agreements is recommended to be renewed annually through October 30, 2025.

FISCAL IMPACTS:

City staff will request individual quotes from the four firms whenever there is a need for a specific service. These quotes will be evaluated and administered in accordance with the city of Owosso's Purchasing Policy.

ATTACHMENTS:

Resolution for Professional Utility Engineering Services

Document originated by: Glenn Chinavare, Director of Public Services

RESOLUTION NO.

**AUTHORIZING THE EXECUTION OF AN AGREEMENT
FOR PROFESSIONAL ENGINEERING SERVICES WITH
C2AE/BLACK & VEACH, OHM ADVISORS, TETRA TECH, JONES & HENRY**

WHEREAS, the city of Owosso, Michigan, has determined that it is advisable, necessary and in the public interest to secure professional engineering services for various public utility improvement projects in the city; and

WHEREAS, a quality based selection process was developed to select qualified engineering firms; and

WHEREAS, C2ae/Black & Veach, OHM Advisors, Tetra Tech, and Jones & Henry have been determined as most qualified to perform engineering services for water and wastewater utilities through this process.

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

- FIRST: The city of Owosso has heretofore determined that it is advisable, necessary and in the public interest to employ the firms of C2ae/Black & Veach, OHM Advisors, Tetra Tech, and Jones & Henry to provide professional engineering services for future water and wastewater utility projects; and
- SECOND: The city manager of the city of Owosso is hereby instructed and authorized to sign the document attached as; Exhibit A, Agreement for Professional Engineering Services with C2ae/Black & Veach; and
- THIRD The city manager of the city of Owosso is hereby instructed and authorized to sign the document attached as; Exhibit B, Agreement for Professional Engineering Services with OHM Advisors; and
- FOURTH The city manager of the city of Owosso is hereby instructed and authorized to sign the document attached as; Exhibit C, Agreement for Professional Engineering Services with Tetra Tech; and
- FIFTH The city manager of the city of Owosso is hereby instructed and authorized to sign the document attached as; Exhibit D, Agreement for Professional Engineering Services with Jones & Henry; and
- SIXTH The city manager of the city of Owosso is hereby instructed to receive cost proposals from each of these four firms for future projects and make recommendation to the City Council for acceptance and award in accordance with the city of Owosso Purchasing Policy for a period renewed annually through October 30, 2025.

EXHIBIT A TO RESOLUTION ____-2019

**AGREEMENT FOR
PROFESSIONAL ENGINEERING SERVICES WITH
_[NAME OF FIRM]__**

THIS IS AN AGREEMENT made on INSERT DATE between the city of Owosso, hereinafter referred to as the "owner," and _[NAME OF FIRM] with its principal place of business at _[INSERT BUSINESS ADDRESS] hereinafter referred to as the "engineer."

WHEREAS, the owner intends to accomplish a professional engineering services contract for as-needed water and wastewater services, hereinafter referred to as the "project"; and

WHEREAS, the engineer has the necessary personnel and facilities to provide the professional services described; and

WHEREAS, the engineer desires to contract with the owner for rendering professional services for the project;

NOW, THEREFORE, for and in consideration of the mutual covenants hereinafter contained, the owner and the engineer do hereby covenant and agree as follows:

**SECTION I - DESCRIPTION OF SERVICES
STATEMENT OF UNDERSTANDING**

1.1 General

1.1.1 The engineer agrees to provide all professional services within a reasonable period of time following the date of authorization to proceed by the owner. A detailed description of services will be specifically set forth by addenda to this agreement.

1.1.2 The engineer agrees to adhere to general conditions listed in Exhibit B – General Conditions.

1.2 Pertaining to the Engineer's Services

1.2.1 The engineer agrees to perform all services in a thorough and professional manner and to hold the owner harmless from any liens for materials and labor furnished by the engineer in connection with the engineer's work.

1.2.2 The engineer agrees to maintain insurance as specified in EXHIBIT A -- INSURANCE COVERAGES.

1.2.3 The engineer intends to render services under this agreement in accordance with generally accepted professional practices for the intended use of the project and makes no warranty either express or implied.

1.2.4 The engineer reserves the right to enter into agreements with other design professionals for portions of the work included under this agreement. Where this sub-agreement would represent a major portion of the design work, the engineer shall receive approval of the owner for this sub-agreement.

1.2.5 All documents, including drawings and specifications, furnished by the engineer pursuant to this agreement are the instruments of the engineer's services in respect to the project. The engineer grants

to the owner a nonexclusive license for the owner's use of the documents on the project. They are not intended or represented to be suitable for reuse by others on extensions of the project or on any other project. Any reuse without the specific written verification or adaptation by the engineer will be at the owner's sole risk, and without liability or legal exposure to the engineer from all claims, damages, losses and expenses, including attorneys' fees, arising out of or resulting therefrom.

1.2.6 All work product shall become the product of the owner and shall not be made available to any third party by the engineer without the consent of the owner. The engineer shall provide copies of all work product in printed format and computerized format.

1.2.7 Original documents, notes and the like, except those furnished to the engineer by the owner, represent the engineer's cumulative knowledge and are, and shall remain, the property of the engineer and shall not constitute the work product of this agreement. The owner shall have access to these materials and the engineer shall provide a copy upon written request at cost for reproduction.

1.2.8 Whenever the owner elects to enter into any contract or agreement with any person or entity other than the engineer for the performance of services on the project, the engineer will not be responsible for the acts or omissions of said persons or entity at the site or otherwise performing such services. This includes those parties for whom the engineer is providing coordination. Neither the engineer's authority to act under the contract documents or under this agreement, nor any decision made by the engineer in good faith either to exercise or not exercise such authority, shall give rise to any duty or responsibility of the engineer to the above, or any of their agents, or employees, or any other person performing any services for the owner.

1.2.9 The engineer has not been retained or compensated to provide design and construction review services relating to safety precautions, or to means, methods, techniques, sequences, or procedures, all as may be required for any person or entity other than the engineer to perform their work, including but not limited to shoring, scaffolding, underpinning, temporary retainment of excavations, and any erection methods or temporary bracing methods.

1.2.10 The engineer in no way undertakes to be responsible for any personal injury or property damage occurring to any person or entity arising out of the construction or subsequent operation of this project by any person or entity unless same shall be found to be the result of a design error. In spite of this, if any claims shall be brought against the engineer of that nature, the owner agrees to defend, indemnify and hold harmless the engineer from all claims, damages and expenses including attorneys' fees arising out of such claim, which claim, damages and expenses are the result or attributable to the acts or omissions in whole or in part of any person or entity other than the engineer.

1.2.11 The engineer and the owner hereby agree that the engineer services under this contract do not include the investigation, detection, abatement, materials, or processes containing asbestos. All responsibility with asbestos detection and abatement shall remain with the owner.

The engineer and the owner also agree that the engineer's services under this contract do not include responsibility for mine subsidence, ground water contamination or legal proceedings related to loss of real estate values.

1.3 Pertaining to the Owner

1.3.1 The owner shall provide at the owner's expense (unless the engineer has specifically included them in addenda to this agreement), and in such manner that the engineer may rely upon them in the performance of services under this agreement, all criteria, design, and construction standards including full information as to the owner's requirements for the project insofar as such documents are available to the owner, or in the owner's possession. Such information may include but not be limited to:

- a. a complete survey of the project site, which shall include but not be limited to easements, rights-of-way, encroachments, zoning and deed restrictions, existing buildings and improvements, roads and streets;
- b. soils data, laboratory tests, reports and inspections of samples, materials or other items, with appropriate professional interpretations;

- c. legal, accounting, financial and insurance counseling services necessary for the project, including legal review of the construction contract documents; and
- d. permits and approvals from any authorities having jurisdiction over the project.

1.3.2 The owner shall designate a person authorized to act as the owner's representative. The owner or the owner's representative shall receive and examine documents submitted by the engineer, and shall be empowered to interpret and define the owner's policies and render decisions and authorizations in writing promptly to prevent unreasonable delay in the progress of the engineer's services.

1.3.3 The owner shall guarantee full and free access for the engineer to enter upon all property required for the performance of the engineer's services under this agreement.

1.3.4 The owner shall give prompt written notice to the engineer whenever the owner observes or otherwise becomes aware of any defect in the project or other event which may substantially affect the engineer's performance of services under this agreement.

SECTION II - COMPENSATION FOR SERVICES

2.1 General

2.1.1 The owner shall compensate the engineer for services rendered under this agreement. The method of compensation for said services shall be as set forth in addenda to this agreement.

2.1.2 Payments for services are due 30 days after their invoiced date, based on actual engineering services furnished, unless another schedule of payments is agreed upon by addenda.

2.1.3 Where the owner disputes some portion of the charges contained in the engineer's bill for services, it shall make payment of that portion of the bill which is undisputed and shall notify the engineer in writing of the reason for the dispute. In no case may the owner elect to withhold payment to the engineer of the entire amount due. This would constitute a failure to make payment.

SECTION III - GENERAL PROVISIONS

3.1 General

3.1.1 This agreement is the result of final negotiations between the owner and the engineer and represents the entire and integrated agreement between the owner and the engineer for the project and supersedes all prior negotiations, representations or agreements, either written or oral. This agreement may be amended only by written instrument signed by both the owner and the engineer.

3.1.2 Neither party shall hold the other responsible for damages or delay in performance by acts of God, strikes, lockouts, accidents, or other events beyond the control of the other or the other's agents. However, when these delays require additional work to be performed by the engineer, the engineer shall be entitled to additional compensation at the prevailing per diem rates or as otherwise agreed to between the owner and the engineer.

3.1.3 This agreement may be terminated by either party if the other party substantially fails to fulfill its obligations under this agreement through no fault of the terminating party. No such termination may be effected unless the other party is given not less than ten (10) calendar days written notice of intent to terminate and an opportunity for correcting the default, and for consultation with the terminating party before termination. In addition, the owner may terminate this agreement, in whole or in part, for cause (such as for legal or financial reasons, or major changes in the work or program requirements), and the engineer is given not less than ten (10) calendar days written notice and an opportunity for consultation before termination. If the owner terminates as a result of the engineer's default, any payment due the

engineer at the time of termination may be adjusted to the extent of any additional cost the owner incurs due to the engineer's default. If the engineer terminates as a result of the owner's default or the owner terminates for cause, the engineer shall be paid for services performed to the termination date, including reimbursable expenses due. Upon receipt of the terminating action, the engineer shall promptly discontinue all services unless the notice directs otherwise, and upon receipt of final compensation make available to the owner all appropriate documents prepared under the agreement, whether completed or in process.

3.1.4 Unless otherwise specified within this agreement, this agreement shall be governed by the laws the state of Michigan.

3.1.5 In the event any provisions of this agreement or any subsequent Addendum shall be held to be invalid and unenforceable, the remaining provisions shall be valid and binding upon the parties. One or more waivers by either party of any provision, term, condition, or covenant shall not be construed by the other party as a waiver of a subsequent breach of the same by the other party.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals the day and date first above written.

Approved INSERT DATE]

For the engineer:
INSERT NAME OF FIRM

For the owner:
City of Owosso, Michigan

By: _____

By: _____
Christopher T. Eveleth
Mayor

By: _____

By: _____
Amy K. Kirkland
City Clerk

Executed: _____, Year

Executed: _____, Year

EXHIBIT A

INSURANCE COVERAGES

A. The engineer shall purchase from and maintain in a company or companies lawfully authorized to do business in the state of Michigan such insurance as will protect the owner, its officers, directors, employees, agents, consultants, and volunteers from claims involving the engineer's contractual obligations under this agreement including, but not limited to, the following hold-harmless agreement:

The engineer herein agrees to indemnify, defend and hold harmless the owner, its officers, directors, employees, agents, consultants and volunteers from all losses, claims, liabilities, injuries, damages and expenses, including attorneys' fees, that the owner, its officers, directors, employees, agents, consultants and volunteers may incur by reason of any injury or damage sustained to any person or property (including loss of use) arising out of or occurring in connection with the negligent performance by the engineer of engineer's duties and obligations.

B. The engineer shall obtain and maintain, at the engineer's own expense, engineer's professional liability insurance in the amount of one million dollars (\$1,000,000.00) (including a broad form contractual liability coverage with all coverage retroactive to the earlier date of this agreement or the commencement of the engineer's services in relation to the project) covering personal injury, bodily injury and property damages, said coverage to be maintained for three (3) years after the date of final payment hereunder.

C. The engineer shall maintain at the engineer's own expense comprehensive general liability insurance (including broad-form contractual liability and completed operations, explosions, collapse and underground hazards) in the amount of one million dollars (\$1,000,000.00) covering personal injury, bodily injury and property damage.

D. The engineer shall maintain at the engineer's own expense comprehensive automobile liability insurance, including hired and non-owned vehicles, if any, in the amount of one million dollars (\$1,000,000.00) covering personal injury, bodily injury and property damage.

E. The engineer shall maintain at the engineer's own expense workers' compensation insurance in the amount of the statutory maximum with an employer's liability coverage of at least five hundred thousand dollars (\$500,000.00).

F. The owner and its officers and employees shall be named as additional insured on the engineer's comprehensive general liability and automobile insurance policies.

G. All insurance required by the engineer shall be maintained at the engineer's own expense, from a company or companies lawfully authorized to do business in Michigan and rated at least A by Best's Key Rating Guide. All insurance obtained by the engineer shall incorporate a provision requiring the giving of written notice to the owner at least thirty (30) days prior to the cancellation, renewal or material modification of any such policies by return receipt of United States certified mail. All insurance required by the engineer shall also state that the coverage afforded under the policy or policies shall be primary insurance. Any insurance carried independently by the owner shall be secondary insurance which operates on only an excess or contingent basis.

H. All insurance required of the engineer shall provide that any failure to comply with reporting provisions of the policy shall not affect coverage provided to the owner, its directors, officials, employees, agents, consultants or volunteers.

I. The engineer shall submit valid certificates in form and substance satisfactory to the owner evidencing the effectiveness of the foregoing insurance policies and the required amendatory requirements to each such policy to the owner for the owner's approval before the engineer commences the rendition of any services hereunder.

J. Under no circumstances shall the owner be deemed to have waived any of the insurance requirements of this contract by any action or omission, including but not limited to:

- (1) allowing any work to commence by the engineer before receipt of certificates of insurance;
- (2) failing to review any certificates of insurance received from the engineer; or
- (3) failing to advise the engineer that any certificate of insurance fails to contain all the required insurance provisions, or is otherwise deficient in any manner.

The engineer agrees that the obligation to provide the insurance required by these documents is solely the engineer's responsibility and that this is a requirement which cannot be waived by any conduct, action, inaction or omission by the owner.

K. Nothing contained in this contract is to be construed as limiting the liability of the engineer. The owner does not, in any way, represent that the coverages or limits of insurance specified is sufficient or adequate in each addendum for specific projects to protect the owner, or the engineer, but are merely minimums. The obligations of the engineer to purchase insurance shall not, in any way, limit its obligations to the owner in the event that the owner should suffer an injury or loss in excess of the amount recoverable through insurance, or any loss or portion of a loss which is not covered by the engineer's insurance.

L. In the event the engineer fails to furnish and maintain the insurance required by this contract, the owner may purchase such insurance on behalf of the engineer, and the engineer shall pay the cost thereof to the owner upon demand or shall have such cost deducted from any payments due the engineer. The engineer agrees to furnish to the owner the information needed to obtain such insurance.

**AGREEMENT FOR
PROFESSIONAL ENGINEERING SERVICES
WITH
LEGAL NAME OF ENGINEERING SERVICES**

This addendum is attached and made part of the agreement for professional engineering services dated Month Day, Year between the city of Owosso, Michigan (owner) and name of engineering service (Engineer) providing for professional services.

NAME OF PARTICULAR BID OR PROJECT

PROJECT SCOPE OF WORK

The project scope of work is attached as Section 1: Statement of Understanding and Addenda.

SCHEDULE

The schedule for the project is attached as Addenda: Schedule and Budget Control shown begin by Month Day, Year and be completed by Month Day, Year.

COMPENSATION

The cost proposal of the engineer for the project is attached as Addenda: Design Engineering which totals \$ amount and Construction Administration \$ amount. The engineer shall submit for payment based on monthly progress of the work.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals the day and date first above written.

Approved Month day, year

For ENGINEER:
Full legal name of engineering service

OWNER:
City of Owosso, Michigan

By: _____

By: _____
Benjamin R. Frederick
Mayor

By: _____

By: _____
Amy Kirkland
City Clerk

Executed: _____, 2014

Executed: _____, 2014

EXHIBIT B GENERAL CONDITIONS

1. LOCAL PREFERENCE POLICY

The city of Owosso has a local preference policy for the purchase of goods and services. The policy in part states: *A business located within the city limits and paying real or personal property taxes to the city of Owosso will be granted a 6% bid advantage or \$2,500, whichever is less, over a business located outside Shiawassee County. A business located outside the city limits but within Shiawassee County and paying property taxes to the county will be granted a 3% bid advantage or \$2,500, whichever is less, over a business located outside Shiawassee County. The preference also applies to subcontractors performing 25% or more of the work of a general contract.*

2. BID ACCEPTANCE

The city reserves the right to reject any or all proposals. Unless otherwise specified, the city reserves the right to accept any item in the proposal. In case of error in extending the total amount of the bid, the unit prices shall govern.

3. PAYMENT

Unless otherwise stated by the bidder, time, concerning discount offered, will be computed from date of delivery and acceptance at destination or from date correct bill or claim voucher properly certified by the contractor is received. When so stated herein, partial payments, based on a certified approved estimate by the city of materials, supplies or equipment delivered or work done, may be made upon presentation of a properly-executed claim voucher. The final payment will be made by the city when materials, supplies, equipment or the work done have been fully delivered or completed to the full satisfaction of the city.

4. BID DEFAULT

In case of default by the bidder or contractor, the city of Owosso may procure the articles or services from other sources and hold the bidder or contractor responsible for any excess cost occasioned thereby.

5. UNIT PRICES

Prices should be stated in units of quantity specified.

6. QUOTED PRICES

Unless otherwise stated by the bidder, prices quoted will be considered as being based on delivery to a designated destination and to include all charges for packing, crating, containers, shipping, etc., and being in strict accordance with specifications and standards as shown.

7. SPECIFIC SPECIFICATION

Wherever a reference is made in the specifications or description of the materials, supplies, equipment, or services required, to a particular trade name, manufacturer's catalog, or model number, the bidder, if awarded a contract or order, will be required to furnish the particular item referred to in strict accordance with the specifications or description unless a departure or substitution is clearly noted and described in the proposal.

8. HOLD CITY HARMLESS

The bidder, if awarded an order or contract, agrees to protect, defend, and save the city harmless against any demand for payment for the use of any patented material, process, article, or device that may enter into the manufacture, construction, or form a part of the work covered by either order or contract. Bidder further agrees to indemnify and save the city harmless from suits or action of every nature and description brought against it, for or on account of any injuries or damages received or sustained by any party or parties, by or from any of the acts of the contractor, his employees, subcontractors, or agents.

9. COMPETITIVE BIDDING STATUTES

The laws of the state of Michigan, the charter and ordinances of the city of Owosso, as far as they apply to the laws of competitive bidding, contracts and purchases, are made a part hereof.

10. SAMPLES

Samples, when requested, must be furnished free of expense to the city and, if not destroyed, will upon request be returned at the bidder's expense.

11. EQUAL EMPLOYMENT OPPORTUNITY AND OTHER CLAUSES

The contractor shall agree not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined by Michigan Compiled Statutes, or national origin. This provision shall include but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rate of pay or other forms of compensation, and selection for training including apprenticeship. The contractor further agrees to take affirmative action to ensure equal employment opportunities for persons with disabilities. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provision of the non-discrimination clause.

LOCAL PREFERENCE POLICY

The following affidavit should be completed if a bidder is located within Shiawassee County or intends to sub-contract more than twenty-five percent (25%) to a Shiawassee County based business: The city of Owosso has a local preference policy for the purchase of goods and services as recorded in the city ordinance in section 2-348. "Lowest qualified bidder" defined.

1. The term "lowest qualified bidder," as used in this division, shall mean the lowest bidder having qualifications to perform the work which are satisfactory to the council. The lowest bidder shall be determined based on an adjusted bid tabulation which shall be prepared in the following manner: To the bid of any bidder which is neither a city-based business nor a county-based business shall be added an amount equal to six (6) percent of the bid or two thousand five hundred dollars (\$2,500.00), whichever is less.
2. To the bid of any bidder which is a county-based business shall be added an amount equal to three (3) percent of the bid or two thousand five hundred dollars (\$2,500.00), whichever is less; provided, however, that if no bid is received from a city-based business, no additional amount shall be added to the bid of a county-based business.
3. "Owosso-based business" shall be interpreted to mean a business registered with the county clerk or a corporation registered with the state having a business address within the city limits which pays real and/or personal property taxes levied by the city.
The term "county-based business" shall be interpreted to mean a business other than a city-based business registered with the county clerk or a corporation registered with the state having a business address within the county which pays real and/or personal property taxes levied by the county.
4. If twenty-five (25) percent or more of a contract for construction or other services is to be subcontracted by a city-based business bidder to a non-city-based business or businesses, or by a county-based business bidder to a non-county-based business or businesses, the adjusted bid shall be calculated by applying the provisions of this section separately to each portion of the contract based on the status of the contractor or subcontractor performing that portion of the contract as a city-based or county-based business.

AFFIDAVIT

In accordance with Section 2-348 of the Owosso city code, the bid from a business located in Shiawassee County shall be adjusted to reflect a preference. In order for the city to calculate the adjustment, the bidder hereby deposes and states that their business address is registered, and is currently paying real and/or personal property taxes in Shiawassee County at the following address:

Registered business address

The affiant further deposes and states that a sub-contract with a business registered, and paying real and/or personal property taxes in Shiawassee County will be executed for a percentage equal to or greater than twenty-five percent (25%) as stated below:

Business name and address of sub-contractor

Percentage of contract

Authorized signature

Date

Title

Company name

SIGNATURE PAGE AND LEGAL STATUS

The undersigned certifies that he is an official legally authorized to bind his firm and to enter into a contract should the city accept this proposal.

Bid proposal by _____
(Name of Firm)

Legal status of bidder. Please check the appropriate box and **USE CORRECT LEGAL NAME.**

A. Corporation ____ ; State of Incorporation _____

B. Partnership ____ ; List of names _____

C. DBA ____ ; State full name _____ DBA

D. Other ____ ; Explain _____

Signature of Bidder _____ Title _____
(Authorized Signature)

Signature of Bidder _____ Title _____
(Authorized Signature)

Address _____ City _____ Zip _____

Telephone () _____

Signed this _____ day of _____ 20____.

Bidder acknowledges receipt of the following Addenda:

ADDENDUM NO.

BIDDER'S INITIALS

W-9 INFORMATION FOR LEGAL STATUS

Sole proprietor. Enter your individual name as shown on your income tax return on the “Name” line. You may enter your business, trade, or “doing business as (DBA)” name on the “Business name/disregarded entity name” line.

Partnership, C Corporation, or S Corporation. Enter the entity's name on the “Name” line and any business, trade, or “doing business as (DBA)” name on the “Business name/disregarded entity name” line.

Disregarded entity. Enter the owner's name on the “Name” line. The name of the entity entered on the “Name” line should never be a disregarded entity. The name on the “Name” line must be the name shown on the income tax return on which the income will be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a domestic owner, the domestic owner's name is required to be provided on the “Name” line. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on the “Business name/disregarded entity name” line. If the owner of the disregarded entity is a foreign person, you must complete an appropriate Form W-8.

Note. Check the appropriate box for the federal tax classification of the person whose name is entered on the “Name” line (Individual/sole proprietor, Partnership, C Corporation, S Corporation, Trust/estate).

Limited Liability Company (LLC). If the person identified on the “Name” line is an LLC, check the “Limited liability company” box only and enter the appropriate code for the tax classification in the space provided. If you are an LLC that is treated as a partnership for federal tax purposes, enter “P” for partnership. If you are an LLC that has filed a Form 8832 or a Form 2553 to be taxed as a corporation, enter “C” for C corporation or “S” for S corporation. If you are an LLC that is disregarded as an entity separate from its owner under Regulation section 301.7701-3 (except for employment and excise tax), do not check the LLC box unless the owner of the LLC (required to be identified on the “Name” line) is another LLC that is not disregarded for federal tax purposes. If the LLC is disregarded as an entity separate from its owner, enter the appropriate tax classification of the owner identified on the “Name” line.

Other entities. Enter your business name as shown on required federal tax documents on the “Name” line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the “Business name/disregarded entity name” line.

Please see attached W-9 Request for Taxpayer Identification Number and Certification form for a detailed explanation on filling out the W-9 form.

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return)	
	Business name/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <input type="checkbox"/> Other (see instructions) ▶ _____	
	<input type="checkbox"/> Exempt payee	
	Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	City, state, and ZIP code	
List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number								
				-				
Employer identification number								
				-				

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

**Sign
Here**

Signature of
U.S. person ▶

Date ▶

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

PROOF OF INSURANCE

This is to certify that the following endorsement is part of the policy(ies) described below:

NAMED INSURED (CONTRACTOR)

COMPANIES AFFORDING COVERAGE

ADDRESS

A.
B.
C.

Bidders can substitute this page with a copy of the insurance declaration of coverage sheet.

It is hereby understood and agreed that the city of Owosso, its city council and each member thereof and every officer and employee of the city shall be named as joint and several assureds with respect to claims arising out of the following project:

GENERAL ENGINEERING SERVICES

It is further agreed that the following indemnity agreement between the city of Owosso and the named insured is covered under this policy: Contractor agrees to indemnify, hold harmless and defend city, its city council and each member thereof and every officer and employee of city from any and all liability or financial loss resulting from any suits, claims, losses or actions brought against and from all costs and expenses of litigation brought against city, its city council and each member thereof and any officer or employee of city which results directly or indirectly from the wrongful or negligent actions of contractor's officers, employees, agents or others employed by Contractor while engaged by contractor in the (performance of this agreement) construction of this project.

It is further agreed that the inclusion of more than one assured shall not operate to increase the limit of the company's liability and that insurer waives any right on contribution with insurance which may be available to the city of Owosso.

In the event of cancellation or material change in the above coverage, the company will give 30 days written notice of cancellation or material change to the certificate holder.

Please include a copy of insurance declaration verifying amounts of coverage. The verification of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policies listed herein. Notwithstanding any requirement, term, or condition of any contract or other document with respect to which this certificate or verification of insurance may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies.

DATE _____

BY _____
Authorized Insurance Agent

AGENCY _____

TITLE _____

ADDRESS _____

From: Jake Adams [<mailto:jake@woodworthcommercial.com>]

Sent: Tuesday, September 17, 2019 8:12 AM

To: Tanya S. Buckelew

Subject: Re: PC Meeting packet

Hi Tanya,

I regret to inform you that I will need to resign my position on the planning commission effective immediately. I will no longer be living in the city limits thus disqualifying me from service. If there is anything else I need to do regarding proper protocol for resignation, please let me know.

It has been a pleasure serving on the commission and working with everyone. I will certainly miss it.

Jake Adams

From: Jed Dingens [jed@dingensarchitects.com]
Sent: Monday, September 9, 2019 2:56 PM
To: Robert V. Doran-Brockway
Subject: Re: Please bring Binders from July 15 meeting

Hi Robert and Board,

To help simplify any transition or reformation, and due to potential conflicts of interest, I'm planning to resign from both boards. I can come tonight however if needed, and can come any time as a resource person.

It's a dynamic and fascinating board. Perhaps after i retire in a few years I'll request to come back on board.

Sincerely, Jed Dingens

From: Karen Marumoto [karenmarumoto@gmail.com]

Sent: Friday, July 19, 2019 4:29 PM

To: Robert V. Doran-Brockway

Cc: cebert96@gmail.com

Subject: OHC Board letter of resignation

Dear Robert,

I am emailing to inform you of my decision to resign my position on the board of the Owosso Historical Commission and Castle City Museums effective immediately.

My other commitments have become too great for me to be able to fulfill the requirements of my position on this board and I feel it's best for me to make room for someone with the time and passion to devote to your organization.

Jeff and I will document at Tim and Tricia Alderman's house for the Home Tour as previously planned with them.

Thanks to your tremendous efforts, this board has accomplished so much to be proud of over the last couple of years and I have no doubt the successes will continue in the future.

Sincerely,

Karen

----- Original message -----

From: Randy Woodworth <randywoodworth@gmail.com>

Date: 9/25/2019 18:19 (GMT-05:00)

To: downtownowosso@gmail.com, nathan.henne@ci.owosso.mi.us, espichgoblue@aol.com

Cc: Chris Eveleth <Chriseveleth@gmail.com>

Subject: Parks and Recreations Commission

Gentlemen,

I have decided to resign from the Parks and Recreation Commission.

I'm proud of our accomplishments during my tenure and will continue to privately support projects I believe to be important to our community.

This decision has been prayed over and it's clear that it is time for me to step away from this position.

I thank you all for your diligent efforts and wish you the greatest success in future endeavors.

Your forever friend of the parks,

- Randy Woodworth

MINUTES
REGULAR MEETING OF THE
DOWNTOWN DEVELOPMENT AUTHORITY/MAIN STREET
CITY OF OWOSSO
SEPTEMBER 4, 2019 AT 7:30 AM
CITY COUNCIL CHAMBERS

CALL TO ORDER: The meeting was called to order by Chairman Dave Acton at 7:33 a.m.

ROLL CALL: Was taken by Recording Secretary, Debbie Hebert

MEMBERS PRESENT: Chairman Dave Acton, Vice-Chairman Bill Gilbert, Commissioner Ken Cushman, Commissioner Jon Moore, Commissioner Lance Omer, Commissioner Theresa Trecha, and Commissioner Jim Woodworth.

MEMBERS ABSENT: Mayor Chris Eveleth, Commissioner Bobbi Fuller

OTHERS PRESENT: Josh Adams, DDA Director; Robert Doran-Brockway, OHC Director.

AGENDA: IT WAS MOVED BY AUTHORITY MEMBER GILBERT AND SUPPORTED BY AUTHORITY MEMBER WOODWORTH TO APPROVE THE AGENDA FOR SEPTEMBER 4, 2019.

AYES: ALL. MOTION CARRIED.

MINUTES: IT WAS MOVED BY AUTHORITY MEMBER TRECHA AND SUPPORTED BY AUTHORITY MEMBER WOODWORTH TO APPROVE THE MINUTES OF AUGUST 7, 2019.

AYES: ALL. MOTION CARRIED.

PUBLIC COMMENTS: NONE

ITEMS OF BUSINESS:

1) CHECK REGISTER

IT WAS MOVED BY AUTHORITY MEMBER CUSHMAN, SUPPORTED BY AUTHORITY MEMBER WOODWORTH TO APPROVE THE CHECK REGISTER FOR AUGUST, 2019 AS PRESENTED.

AYES: ALL. MOTION CARRIED.

2) SEPTEMBER 2019 BUDGET REPORT- Discussion leading to revenue will probably increase as the year goes forward. Maintenance expenses have increased including watering costs and \$4,000 for mowing of Fountain Park; along the river behind Public Safety to the Armory, JC Penney/Roma's area May – October.

The Streetscape Committee will restart for continuing discussion of maintenance concerns while following the chain of command when working with the City. Signage outside of district will be added to the City Maintenance list.

Residents have asked about restoring Quaker Oats sign on wall has. Overlays can be made applied as a skin for \$3,000 to \$5,000. The board determined to move this topic to the Design Committee to consider A) Historical B) Modern C) Combination of both and discussion of mural on Gilbert's Hardware wall.

3) Revolving Loan Fund – Manual Revision – Inadvertent wording mistake was discovered in the manual. Refine ineligible products wording with Match on Main wording.

IT WAS MOVED BY AUTHORITY MEMBER WOODWORTH, SUPPORTED BY AUTHORITY MEMBER MOORE TO MODIFY THE REVOLVING LOAN PROCEDURE MANUAL AND PRESENT TO CITY COUNCIL FOR FINAL APPROVAL.

AYES: ALL. MOTION CARRIED.

4) Entrepreneurial Ecosystem Service #2 – Matt Wagner will be in Owosso in 9/13/19. A series of 2 meetings will be held with an AM and PM sessions lasting 2-3 hours each. The Design and Business Vitality Committee is encouraged to attend.

5) National Mainstreet Coordinators Meeting – will be held in Owosso, October 3rd and 4th. 35 - 40 registrants will be staying at Comstock. The entire National Mainstreet Center will be in Owosso meeting at Armory for a 3-hour session then continuing with sessions for their annual meeting. Owosso Mainstreet may be requested to provide an overview of Owosso's program and may be requested to provide a tour of Owosso Downtown District. Owosso DDA is honored to have the National organization choose Owosso to hold their annual meeting.

COMMITTEE UPDATES:

1) Design & Business Vitality – Reviewed loan applications, approved two applications: 1-Grant, 1-Loan. More to come for grant and loan requests. The guidelines for the process went well. Outreach is key to communicate the grant and loan programs are available. Business owners may be invited for an event with a presentation of the programs available

2) Promotion & Outreach – Largest number of Motorcycles participated in the Vintage Motorcycle Days totaling 95. The committee raised a record amount of funds. Discussion will include expanding another block. Artwalk is scheduled for 9/14/19. Partnering with OHC Home Tour on 9/21/19. The Glo committee will be holding their first meeting today at 6:00 PM. The first NYE meeting will take place tomorrow. A unique collaboration with Owosso Community Players is developing to merge the organizations. Sponsors are needed for Glo and NYE. Christmas Extravaganza will not be held this year. A "Christmas on Main" is being considered during the two Saturdays before Christmas with activities in the Plaza.

3) Business Owners Committee – Low attendance throughout the summer. September 17, 2019, Tuesday will be the next meeting at 6:30 P.M.

4) Manager Updated – See Director Report.

Board Continuing Education/Information:

- **Director Report** – The Chairman noted that the comprehensive Director's report is excellent. It is important that residents see the Director's Report. It is being published on the Business Owner's page. Owosso is on target 90/10 Streetscape Grant: It would allow 157 chairman lights to be replaced, and retaining wall repaired along with other items on list. A training on October 9th is being conducted in Grand Haven focusing on Marketing. Any interested commissioners may attend.

PUBLIC COMMENTS: None

BOARD COMMENTS: None

ADJOURNMENT: IT WAS MOVED BY AUTHORITY MEMBER GILBERT AND SUPPORTED BY AUTHORITY MEMBER OMER TO ADJOURN AT 8:40 A.M. AYES: ALL. MOTION CARRIED.

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.

GL NUMBER	DESCRIPTION	2019-20		YTD BALANCE	ACTIVITY FOR	AVAILABLE		% BDGT USED
		AMENDED	BUDGET	08/31/2019 (NORMAL (ABNORMAL))	MONTH 08/31/2019 INCREASE (DECREASE)	NORMAL	(ABNORMAL)	
Fund 101 - GENERAL FUND								
000 - REVENUE		7,747,159.00		1,405,199.13	744,705.68	6,341,959.87		18.14
TOTAL REVENUES		7,747,159.00		1,405,199.13	744,705.68	6,341,959.87		18.14
101 - CITY COUNCIL		5,300.00		189.60	189.60	5,110.40		3.58
171 - CITY MANAGER		141,558.00		26,473.79	15,874.46	115,084.21		18.70
201 - FINANCE		273,420.00		47,987.74	30,802.57	225,432.26		17.55
209 - ASSESSING		142,039.00		20,003.78	13,511.80	122,035.22		14.08
210 - CITY ATTORNEY		115,000.00		20,705.88	10,579.92	94,294.12		18.01
215 - CLERK		281,729.00		42,096.89	25,280.51	239,632.11		14.94
226 - HUMAN RESOURCES		216,500.00		40,144.29	26,973.91	176,355.71		18.54
253 - TREASURY		153,215.00		26,566.13	15,991.26	126,648.87		17.34
258 - INFORMATION & TECHNOLOGY		101,695.00		3,970.50	3,822.00	97,724.50		3.90
265 - BUILDING & GROUNDS		135,288.00		18,762.31	12,085.58	116,525.69		13.87
299 - GENERAL ADMIN		310,080.00		116,220.01	9,090.46	193,859.99		37.48
300 - POLICE		2,017,119.00		400,259.37	208,575.23	1,616,859.63		19.84
335 - FIRE		1,962,167.00		324,554.65	189,881.34	1,637,612.35		16.54
370 - BUILDING AND SAFETY		223,836.00		26,849.57	20,707.12	196,986.43		12.00
441 - PUBLIC WORKS		613,857.00		87,851.66	72,224.90	526,005.34		14.31
528 - LEAF AND BRUSH COLLECTION		221,363.00		23,556.75	21,915.32	197,806.25		10.64
585 - PARKING		33,030.00		4,826.86	4,806.02	28,203.14		14.61
728 - COMMUNITY DEVELOPMENT		67,486.00		3,185.54	2,424.13	64,300.46		4.72
756 - PARKS		230,600.00		60,861.14	21,166.31	169,738.86		26.39
966 - TRANSFERS OUT		501,877.00		297,061.66	3,333.33	204,815.34		59.19
TOTAL EXPENDITURES		7,747,159.00		1,592,128.12	709,235.77	6,155,030.88		20.55

PERIOD ENDING 08/31/2019

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.

GL NUMBER	DESCRIPTION	2019-20	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED
		AMENDED BUDGET	08/31/2019 NORMAL (ABNORMAL)	MONTH 08/31/2019 INCREASE (DECREASE)	BALANCE NORMAL (ABNORMAL)	
Fund 101 - GENERAL FUND						
Fund 101 - GENERAL FUND:						
TOTAL REVENUES		7,747,159.00	1,405,199.13	744,705.68	6,341,959.87	18.14
TOTAL EXPENDITURES		7,747,159.00	1,592,128.12	709,235.77	6,155,030.88	20.55
NET OF REVENUES & EXPENDITURES		0.00	(186,928.99)	35,469.91	186,928.99	100.00
Fund 202 - MAJOR STREET FUND						
000 - REVENUE		2,594,052.00	1,497.89	669.27	2,592,554.11	0.06
TOTAL REVENUES		2,594,052.00	1,497.89	669.27	2,592,554.11	0.06
451 - CONSTRUCTION		1,550,000.00	195,043.23	195,042.23	1,354,956.77	12.58
463 - STREET MAINTENANCE		236,000.00	27,407.06	19,879.94	208,592.94	11.61
473 - BRIDGE MAINTENANCE		11,470.00	0.00	0.00	11,470.00	0.00
474 - TRAFFIC SERVICES-MAINTENANCE		24,800.00	(10.14)	(10.14)	24,810.14	(0.04)
478 - SNOW & ICE CONTROL		117,000.00	0.00	0.00	117,000.00	0.00
480 - TREE TRIMMING		54,000.00	20,780.74	3,408.62	33,219.26	38.48
482 - ADMINISTRATION & ENGINEERING		213,676.00	9,466.79	5,089.00	204,209.21	4.43
484 - TRUNKLINE SUPERVISOR		1,000.00	0.00	0.00	1,000.00	0.00
485 - LOCAL STREET TRANSFER		339,166.00	0.00	0.00	339,166.00	0.00
486 - TRUNKLINE SURFACE MAINTENANCE		5,000.00	0.00	0.00	5,000.00	0.00
488 - TRUNKLINE SWEEPING & FLUSHING		2,550.00	623.15	623.15	1,926.85	24.44
490 - TRUNKLINE TREE TRIIM & REMOVAL		600.00	0.00	0.00	600.00	0.00
491 - TRUNKLINE STORM DRAIN, CURBS		8,500.00	0.00	0.00	8,500.00	0.00
492 - TRUNKLINE ROADSIDE CLEANUP		690.00	64.90	0.00	625.10	9.41
494 - TRUNKLINE TRAFFIC SIGNS		800.00	52.00	52.00	748.00	6.50
496 - TRUNKLINE TRAFFIC SIGNALS		800.00	0.00	0.00	800.00	0.00
497 - TRUNKLINE SNOW & ICE CONTROL		23,000.00	0.00	0.00	23,000.00	0.00
502 - TRUNKLINE LEAVE & INS BENEFITS		5,000.00	0.00	0.00	5,000.00	0.00
TOTAL EXPENDITURES		2,594,052.00	253,427.73	224,084.80	2,340,624.27	9.77

User: CAGrice
DB: Owosso

PERIOD ENDING 08/31/2019

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.

GL NUMBER	DESCRIPTION	2019-20 AMENDED BUDGET	YTD BALANCE	ACTIVITY FOR		AVAILABLE		% BDGT USED
			08/31/2019	MONTH 08/31/2019	MONTH 08/31/2019	BALANCE		
Fund 202 - MAJOR STREET FUND								
Fund 202 - MAJOR STREET FUND:								
TOTAL REVENUES		2,594,052.00	1,497.89	669.27	2,592,554.11	0.06		
TOTAL EXPENDITURES		2,594,052.00	253,427.73	224,084.80	2,340,624.27	9.77		
NET OF REVENUES & EXPENDITURES		0.00	(251,929.84)	(223,415.53)	251,929.84	100.00		
Fund 203 - LOCAL STREET FUND								
000 - REVENUE		2,345,681.00	1,339.04	903.04	2,344,341.96	0.06		
TOTAL REVENUES		2,345,681.00	1,339.04	903.04	2,344,341.96	0.06		
451 - CONSTRUCTION		1,636,682.00	456,647.93	456,647.93	1,180,034.07	27.90		
463 - STREET MAINTENANCE		399,000.00	28,469.83	19,872.05	370,530.17	7.14		
474 - TRAFFIC SERVICES-MAINTENANCE		9,300.00	94.04	94.04	9,205.96	1.01		
478 - SNOW & ICE CONTROL		100,000.00	0.00	0.00	100,000.00	0.00		
480 - TREE TRIMMING		76,000.00	16,792.64	4,717.75	59,207.36	22.10		
482 - ADMINISTRATION & ENGINEERING		124,699.00	10,148.25	5,693.67	114,550.75	8.14		
TOTAL EXPENDITURES		2,345,681.00	512,152.69	487,025.44	1,833,528.31	21.83		
Fund 203 - LOCAL STREET FUND:								
TOTAL REVENUES		2,345,681.00	1,339.04	903.04	2,344,341.96	0.06		
TOTAL EXPENDITURES		2,345,681.00	512,152.69	487,025.44	1,833,528.31	21.83		
NET OF REVENUES & EXPENDITURES		0.00	(510,813.65)	(486,122.40)	510,813.65	100.00		
Fund 208 - PARK/RECREATION SITES FUND								
000 - REVENUE		125,000.00	31,732.33	20,463.24	93,267.67	25.39		
TOTAL REVENUES		125,000.00	31,732.33	20,463.24	93,267.67	25.39		
756 - PARKS		125,000.00	0.00	0.00	125,000.00	0.00		
TOTAL EXPENDITURES		125,000.00	0.00	0.00	125,000.00	0.00		
Fund 208 - PARK/RECREATION SITES FUND:								
TOTAL REVENUES		125,000.00	31,732.33	20,463.24	93,267.67	25.39		
TOTAL EXPENDITURES		125,000.00	0.00	0.00	125,000.00	0.00		
NET OF REVENUES & EXPENDITURES		0.00	31,732.33	20,463.24	(31,732.33)	100.00		

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GL NUMBER	DESCRIPTION	2019-20 AMENDED BUDGET	YTD BALANCE	ACTIVITY FOR		AVAILABLE		% BDGT USED
			08/31/2019	MONTH 08/31/2019	BALANCE			
			NORMAL (ABNORMAL)	INCREASE (DECREASE)	NORMAL (ABNORMAL)			
Fund 248 - DOWNTOWN FACADE PROGRAM								
000 - REVENUE		171,486.00	582.13	244.61	170,903.87		0.34	
TOTAL REVENUES		171,486.00	582.13	244.61	170,903.87		0.34	
200 - GEN SERVICES		6,250.00	0.00	0.00	6,250.00		0.00	
901 - CAPITAL OUTLAY		165,236.00	322.75	322.75	164,913.25		0.20	
TOTAL EXPENDITURES		171,486.00	322.75	322.75	171,163.25		0.19	
Fund 248 - DOWNTOWN FACADE PROGRAM:								
TOTAL REVENUES		171,486.00	582.13	244.61	170,903.87		0.34	
TOTAL EXPENDITURES		171,486.00	322.75	322.75	171,163.25		0.19	
NET OF REVENUES & EXPENDITURES		0.00	259.38	(78.14)	(259.38)		100.00	
Fund 273 - OMS/DDA REVLG LOAN FUND								
000 - REVENUE		11,162.00	6,246.99	1,056.90	4,915.01		55.97	
TOTAL REVENUES		11,162.00	6,246.99	1,056.90	4,915.01		55.97	
200 - GEN SERVICES		1,500.00	0.00	0.00	1,500.00		0.00	
965 - OTHER FINANCING SOURCES (USES)		9,662.00	0.00	0.00	9,662.00		0.00	
TOTAL EXPENDITURES		11,162.00	0.00	0.00	11,162.00		0.00	
Fund 273 - OMS/DDA REVLG LOAN FUND :								
TOTAL REVENUES		11,162.00	6,246.99	1,056.90	4,915.01		55.97	
TOTAL EXPENDITURES		11,162.00	0.00	0.00	11,162.00		0.00	
NET OF REVENUES & EXPENDITURES		0.00	6,246.99	1,056.90	(6,246.99)		100.00	
Fund 275 - HOUSING & REDEVELOPMENT								
000 - REVENUE		0.00	3.28	1.65	(3.28)		100.00	
TOTAL REVENUES		0.00	3.28	1.65	(3.28)		100.00	
Fund 275 - HOUSING & REDEVELOPMENT:								
TOTAL REVENUES		0.00	3.28	1.65	(3.28)		100.00	
TOTAL EXPENDITURES		0.00	0.00	0.00	0.00		0.00	
NET OF REVENUES & EXPENDITURES		0.00	3.28	1.65	(3.28)		100.00	
Fund 276 - OBRA FUND DISTRICT #16 - QDOBA								
000 - REVENUE		0.00	15.15	7.70	(15.15)		100.00	

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GL NUMBER	DESCRIPTION	2019-20	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED
		AMENDED BUDGET	08/31/2019 NORMAL (ABNORMAL)	MONTH 08/31/2019 INCREASE (DECREASE)	BALANCE NORMAL (ABNORMAL)	
Fund 276 - OBRA FUND DISTRICT #16 - QDOBA						
	TOTAL REVENUES	0.00	15.15	7.70	(15.15)	100.00
Fund 276 - OBRA FUND DISTRICT #16 - QDOBA:						
	TOTAL REVENUES	0.00	15.15	7.70	(15.15)	100.00
	TOTAL EXPENDITURES	0.00	0.00	0.00	0.00	0.00
	NET OF REVENUES & EXPENDITURES	0.00	15.15	7.70	(15.15)	100.00
Fund 283 - OBRA FUND-DISTRICT#3-CONAGRA						
	000 - REVENUE	14,787.00	0.00	0.00	14,787.00	0.00
	TOTAL REVENUES	14,787.00	0.00	0.00	14,787.00	0.00
	730 - PROFESSIONAL SERVICES	750.00	0.00	0.00	750.00	0.00
	905 - DEBT SERVICE	14,037.00	0.00	0.00	14,037.00	0.00
	TOTAL EXPENDITURES	14,787.00	0.00	0.00	14,787.00	0.00
Fund 283 - OBRA FUND-DISTRICT#3-CONAGRA:						
	TOTAL REVENUES	14,787.00	0.00	0.00	14,787.00	0.00
	TOTAL EXPENDITURES	14,787.00	0.00	0.00	14,787.00	0.00
	NET OF REVENUES & EXPENDITURES	0.00	0.00	0.00	0.00	0.00
Fund 288 - OBRA FUND-DISTRICT #17 CARGILL (PREV #8)						
	000 - REVENUE	111,495.00	0.00	0.00	111,495.00	0.00
	TOTAL REVENUES	111,495.00	0.00	0.00	111,495.00	0.00
	730 - PROFESSIONAL SERVICES	107.00	0.00	0.00	107.00	0.00
	905 - DEBT SERVICE	111,388.00	0.00	0.00	111,388.00	0.00
	TOTAL EXPENDITURES	111,495.00	0.00	0.00	111,495.00	0.00
Fund 288 - OBRA FUND-DISTRICT #17 CARGILL (PREV #8):						
	TOTAL REVENUES	111,495.00	0.00	0.00	111,495.00	0.00
	TOTAL EXPENDITURES	111,495.00	0.00	0.00	111,495.00	0.00
	NET OF REVENUES & EXPENDITURES	0.00	0.00	0.00	0.00	0.00
Fund 289 - OBRA:DISTRICT#9(ROBBIN'S LOFT)						
	000 - REVENUE	2,988.00	0.00	0.00	2,988.00	0.00

PERIOD ENDING 08/31/2019

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GL NUMBER	DESCRIPTION	2019-20	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED
		AMENDED BUDGET	08/31/2019	MONTH 08/31/2019	BALANCE	
			NORMAL (ABNORMAL)	INCREASE (DECREASE)	NORMAL (ABNORMAL)	
Fund 289 - OBRA:DISTRICT#9(ROBBIN'S LOFT)						
	TOTAL REVENUES	2,988.00	0.00	0.00	2,988.00	0.00
	730 - PROFESSIONAL SERVICES	1,100.00	0.00	0.00	1,100.00	0.00
	964 - TAX REIMBURSEMENTS	1,888.00	0.00	0.00	1,888.00	0.00
	TOTAL EXPENDITURES	2,988.00	0.00	0.00	2,988.00	0.00
Fund 289 - OBRA:DISTRICT#9(ROBBIN'S LOFT):						
	TOTAL REVENUES	2,988.00	0.00	0.00	2,988.00	0.00
	TOTAL EXPENDITURES	2,988.00	0.00	0.00	2,988.00	0.00
	NET OF REVENUES & EXPENDITURES	0.00	0.00	0.00	0.00	0.00
Fund 291 - OBRA FUND-DIST#11(CAPITOL BOWL)						
	000 - REVENUE	11,097.00	0.00	0.00	11,097.00	0.00
	TOTAL REVENUES	11,097.00	0.00	0.00	11,097.00	0.00
	730 - PROFESSIONAL SERVICES	875.00	0.00	0.00	875.00	0.00
	TOTAL EXPENDITURES	875.00	0.00	0.00	875.00	0.00
Fund 291 - OBRA FUND-DIST#11(CAPITOL BOWL):						
	TOTAL REVENUES	11,097.00	0.00	0.00	11,097.00	0.00
	TOTAL EXPENDITURES	875.00	0.00	0.00	875.00	0.00
	NET OF REVENUES & EXPENDITURES	10,222.00	0.00	0.00	10,222.00	0.00
Fund 292 - OBRA FUND-DIST#12(WOODARD LOFT)						
	000 - REVENUE	91,560.00	0.00	0.00	91,560.00	0.00
	TOTAL REVENUES	91,560.00	0.00	0.00	91,560.00	0.00
	730 - PROFESSIONAL SERVICES	1,000.00	0.00	0.00	1,000.00	0.00
	964 - TAX REIMBURSEMENTS	90,560.00	0.00	0.00	90,560.00	0.00
	TOTAL EXPENDITURES	91,560.00	0.00	0.00	91,560.00	0.00
Fund 292 - OBRA FUND-DIST#12(WOODARD LOFT):						
	TOTAL REVENUES	91,560.00	0.00	0.00	91,560.00	0.00
	TOTAL EXPENDITURES	91,560.00	0.00	0.00	91,560.00	0.00
	NET OF REVENUES & EXPENDITURES	0.00	0.00	0.00	0.00	0.00

PERIOD ENDING 08/31/2019

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.

GL NUMBER	DESCRIPTION	2019-20	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED
		AMENDED BUDGET	NORMAL (ABNORMAL)	MONTH 08/31/2019 INCREASE (DECREASE)	BALANCE NORMAL (ABNORMAL)	
Fund 295 - OBRA-DIST#15 -ARMORY BUILDING						
000 - REVENUE		1,840.00	0.00	0.00	1,840.00	0.00
TOTAL REVENUES		1,840.00	0.00	0.00	1,840.00	0.00
730 - PROFESSIONAL SERVICES		750.00	0.00	0.00	750.00	0.00
964 - TAX REIMBURSEMENTS		1,090.00	0.00	0.00	1,090.00	0.00
TOTAL EXPENDITURES		1,840.00	0.00	0.00	1,840.00	0.00
Fund 295 - OBRA-DIST#15 -ARMORY BUILDING:						
TOTAL REVENUES		1,840.00	0.00	0.00	1,840.00	0.00
TOTAL EXPENDITURES		1,840.00	0.00	0.00	1,840.00	0.00
NET OF REVENUES & EXPENDITURES		0.00	0.00	0.00	0.00	0.00
Fund 297 - HISTORICAL FUND						
000 - REVENUE		86,204.00	13,016.16	6,564.86	73,187.84	15.10
TOTAL REVENUES		86,204.00	13,016.16	6,564.86	73,187.84	15.10
797 - HISTORICAL COMMISSION		61,054.00	8,859.20	6,195.52	52,194.80	14.51
798 - CASTLE		11,650.00	2,882.89	369.36	8,767.11	24.75
799 - GOULD HOUSE		12,500.00	914.30	411.77	11,585.70	7.31
800 - COMSTOCK/WOODARD		1,000.00	3.99	3.99	996.01	0.40
TOTAL EXPENDITURES		86,204.00	12,660.38	6,980.64	73,543.62	14.69
Fund 297 - HISTORICAL FUND:						
TOTAL REVENUES		86,204.00	13,016.16	6,564.86	73,187.84	15.10
TOTAL EXPENDITURES		86,204.00	12,660.38	6,980.64	73,543.62	14.69
NET OF REVENUES & EXPENDITURES		0.00	355.78	(415.78)	(355.78)	100.00
Fund 298 - HISTORICAL SITES FUND						
000 - REVENUE		125,000.00	31,738.89	20,460.78	93,261.11	25.39
TOTAL REVENUES		125,000.00	31,738.89	20,460.78	93,261.11	25.39
798 - CASTLE		113,000.00	0.00	0.00	113,000.00	0.00
799 - GOULD HOUSE		12,000.00	1,321.00	0.00	10,679.00	11.01
800 - COMSTOCK/WOODARD		0.00	1,070.50	0.00	(1,070.50)	100.00

PERIOD ENDING 08/31/2019

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GL NUMBER	DESCRIPTION	2019-20	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED
		AMENDED BUDGET	08/31/2019 (NORMAL (ABNORMAL))	MONTH 08/31/2019 (INCREASE (DECREASE))	BALANCE NORMAL (ABNORMAL)	
Fund 298 - HISTORICAL SITES FUND						
TOTAL EXPENDITURES		125,000.00	2,391.50	0.00	122,608.50	1.91
Fund 298 - HISTORICAL SITES FUND:						
TOTAL REVENUES		125,000.00	31,738.89	20,460.78	93,261.11	25.39
TOTAL EXPENDITURES		125,000.00	2,391.50	0.00	122,608.50	1.91
NET OF REVENUES & EXPENDITURES		0.00	29,347.39	20,460.78	(29,347.39)	100.00
Fund 325 - DEBT SERVICE-2010 GO BONDS						
000 - REVENUE		91,453.00	0.00	0.00	91,453.00	0.00
TOTAL REVENUES		91,453.00	0.00	0.00	91,453.00	0.00
905 - DEBT SERVICE		91,453.00	0.00	0.00	91,453.00	0.00
TOTAL EXPENDITURES		91,453.00	0.00	0.00	91,453.00	0.00
Fund 325 - DEBT SERVICE-2010 GO BONDS:						
TOTAL REVENUES		91,453.00	0.00	0.00	91,453.00	0.00
TOTAL EXPENDITURES		91,453.00	0.00	0.00	91,453.00	0.00
NET OF REVENUES & EXPENDITURES		0.00	0.00	0.00	0.00	0.00
Fund 327 - DEBT SERVICE						
000 - REVENUE		811,106.00	219,445.23	141,438.52	591,660.77	27.06
TOTAL REVENUES		811,106.00	219,445.23	141,438.52	591,660.77	27.06
905 - DEBT SERVICE		811,106.00	500.00	500.00	810,606.00	0.06
TOTAL EXPENDITURES		811,106.00	500.00	500.00	810,606.00	0.06
Fund 327 - DEBT SERVICE:						
TOTAL REVENUES		811,106.00	219,445.23	141,438.52	591,660.77	27.06
TOTAL EXPENDITURES		811,106.00	500.00	500.00	810,606.00	0.06
NET OF REVENUES & EXPENDITURES		0.00	218,945.23	140,938.52	(218,945.23)	100.00
Fund 368 - 2009 SPECIAL ASSESSMENT						
000 - REVENUE		0.00	108.00	0.00	(108.00)	100.00
TOTAL REVENUES		0.00	108.00	0.00	(108.00)	100.00

PERIOD ENDING 08/31/2019

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GL NUMBER	DESCRIPTION	2019-20	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED
		AMENDED BUDGET	NORMAL (ABNORMAL)	MONTH 08/31/2019	MONTH 08/31/2019	
				INCREASE (DECREASE)	NORMAL (ABNORMAL)	
Fund 368 - 2009 SPECIAL ASSESSMENT						
Fund 368 - 2009 SPECIAL ASSESSMENT:						
TOTAL REVENUES		0.00	108.00	0.00	(108.00)	100.00
TOTAL EXPENDITURES		0.00	0.00	0.00	0.00	0.00
NET OF REVENUES & EXPENDITURES		0.00	108.00	0.00	(108.00)	100.00
Fund 370 - 2010 SPECIAL ASSESSMENT						
000 - REVENUE		0.00	9.99	(6.64)	(9.99)	100.00
TOTAL REVENUES		0.00	9.99	(6.64)	(9.99)	100.00
Fund 370 - 2010 SPECIAL ASSESSMENT:						
TOTAL REVENUES		0.00	9.99	(6.64)	(9.99)	100.00
TOTAL EXPENDITURES		0.00	0.00	0.00	0.00	0.00
NET OF REVENUES & EXPENDITURES		0.00	9.99	(6.64)	(9.99)	100.00
Fund 372 - 2011 SPECIAL ASSESSMENT						
000 - REVENUE		0.00	(6.61)	(6.61)	6.61	100.00
TOTAL REVENUES		0.00	(6.61)	(6.61)	6.61	100.00
Fund 372 - 2011 SPECIAL ASSESSMENT:						
TOTAL REVENUES		0.00	(6.61)	(6.61)	6.61	100.00
TOTAL EXPENDITURES		0.00	0.00	0.00	0.00	0.00
NET OF REVENUES & EXPENDITURES		0.00	(6.61)	(6.61)	6.61	100.00
Fund 378 - 2014 SPECIAL ASSESSMENT						
000 - REVENUE		0.00	(2.20)	(10.11)	2.20	100.00
TOTAL REVENUES		0.00	(2.20)	(10.11)	2.20	100.00
Fund 378 - 2014 SPECIAL ASSESSMENT:						
TOTAL REVENUES		0.00	(2.20)	(10.11)	2.20	100.00
TOTAL EXPENDITURES		0.00	0.00	0.00	0.00	0.00
NET OF REVENUES & EXPENDITURES		0.00	(2.20)	(10.11)	2.20	100.00
Fund 383 - 2017 SPECIAL ASSESSMENTS						
000 - REVENUE		0.00	12,625.35	8,667.94	(12,625.35)	100.00
TOTAL REVENUES		0.00	12,625.35	8,667.94	(12,625.35)	100.00

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.

GL NUMBER	DESCRIPTION	2019-20 AMENDED BUDGET	YTD BALANCE	ACTIVITY FOR		AVAILABLE		% BDGT USED
			08/31/2019 (ABNORMAL)	MONTH 08/31/2019 INCREASE (DECREASE)	NORMAL	(ABNORMAL)		
Fund 383 - 2017 SPECIAL ASSESSMENTS								
Fund 383 - 2017 SPECIAL ASSESSMENTS:								
TOTAL REVENUES		0.00	12,625.35	8,667.94	(12,625.35)	100.00		
TOTAL EXPENDITURES		0.00	0.00	0.00	0.00	0.00		
NET OF REVENUES & EXPENDITURES		0.00	12,625.35	8,667.94	(12,625.35)	100.00		
Fund 384 - 2018 SPECIAL ASSESSMENTS								
000 - REVENUE		0.00	15,882.64	6,053.39	(15,882.64)	100.00		
TOTAL REVENUES		0.00	15,882.64	6,053.39	(15,882.64)	100.00		
Fund 384 - 2018 SPECIAL ASSESSMENTS:								
TOTAL REVENUES		0.00	15,882.64	6,053.39	(15,882.64)	100.00		
TOTAL EXPENDITURES		0.00	0.00	0.00	0.00	0.00		
NET OF REVENUES & EXPENDITURES		0.00	15,882.64	6,053.39	(15,882.64)	100.00		
Fund 397 - 2009 LTGO DEBT								
000 - REVENUE		76,023.00	0.00	0.00	76,023.00	0.00		
TOTAL REVENUES		76,023.00	0.00	0.00	76,023.00	0.00		
905 - DEBT SERVICE		76,023.00	0.00	0.00	76,023.00	0.00		
TOTAL EXPENDITURES		76,023.00	0.00	0.00	76,023.00	0.00		
Fund 397 - 2009 LTGO DEBT:								
TOTAL REVENUES		76,023.00	0.00	0.00	76,023.00	0.00		
TOTAL EXPENDITURES		76,023.00	0.00	0.00	76,023.00	0.00		
NET OF REVENUES & EXPENDITURES		0.00	0.00	0.00	0.00	0.00		
Fund 401 - CAPITAL PROJECT FUND								
000 - REVENUE		290,395.00	290,395.00	0.00	0.00	100.00		
TOTAL REVENUES		290,395.00	290,395.00	0.00	0.00	100.00		
000 - REVENUE		324,745.00	10,897.73	1,347.98	313,847.27	3.36		
TOTAL EXPENDITURES		324,745.00	10,897.73	1,347.98	313,847.27	3.36		
Fund 401 - CAPITAL PROJECT FUND:								
TOTAL REVENUES		290,395.00	290,395.00	0.00	0.00	100.00		

PERIOD ENDING 08/31/2019

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.

		YTD BALANCE		ACTIVITY FOR		AVAILABLE		
		2019-20	08/31/2019	MONTH	08/31/2019	BALANCE		%
GL NUMBER	DESCRIPTION	AMENDED BUDGET	NORMAL (ABNORMAL)	INCREASE	(DECREASE)	NORMAL	(ABNORMAL)	BDGT USED
<hr/>								
Fund 401 - CAPITAL PROJECT FUND								
TOTAL EXPENDITURES		324,745.00	10,897.73	1,347.98		313,847.27		3.36
NET OF REVENUES & EXPENDITURES		(34,350.00)	279,497.27	(1,347.98)		(313,847.27)		813.67
<hr/>								
Fund 411 - CAPITAL PROJECTS-STREET PROGRAM								
000 - REVENUE		2,274,807.00	8,644.39	4,324.03		2,266,162.61		0.38
TOTAL REVENUES		2,274,807.00	8,644.39	4,324.03		2,266,162.61		0.38
966 - TRANSFERS OUT		2,274,807.00	0.00	0.00		2,274,807.00		0.00
TOTAL EXPENDITURES		2,274,807.00	0.00	0.00		2,274,807.00		0.00
Fund 411 - CAPITAL PROJECTS-STREET PROGRAM:								
TOTAL REVENUES		2,274,807.00	8,644.39	4,324.03		2,266,162.61		0.38
TOTAL EXPENDITURES		2,274,807.00	0.00	0.00		2,274,807.00		0.00
NET OF REVENUES & EXPENDITURES		0.00	8,644.39	4,324.03		(8,644.39)		100.00
Fund 466 - CAPITAL PROJECTS-BUILDING AUTH								
000 - REVENUE		0.00	75.11	38.15		(75.11)		100.00
TOTAL REVENUES		0.00	75.11	38.15		(75.11)		100.00
Fund 466 - CAPITAL PROJECTS-BUILDING AUTH:								
TOTAL REVENUES		0.00	75.11	38.15		(75.11)		100.00
TOTAL EXPENDITURES		0.00	0.00	0.00		0.00		0.00
NET OF REVENUES & EXPENDITURES		0.00	75.11	38.15		(75.11)		100.00
Fund 494 - CAPITAL PROJECTS FUND								
000 - REVENUE		10,000.00	74.41	37.80		9,925.59		0.74
TOTAL REVENUES		10,000.00	74.41	37.80		9,925.59		0.74
270 - ADMINISTRATIVE		10,000.00	0.00	0.00		10,000.00		0.00
TOTAL EXPENDITURES		10,000.00	0.00	0.00		10,000.00		0.00
Fund 494 - CAPITAL PROJECTS FUND:								
TOTAL REVENUES		10,000.00	74.41	37.80		9,925.59		0.74
TOTAL EXPENDITURES		10,000.00	0.00	0.00		10,000.00		0.00
NET OF REVENUES & EXPENDITURES		0.00	74.41	37.80		(74.41)		100.00
Fund 588 - TRANSPORTATION FUND								

PERIOD ENDING 08/31/2019

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.

GL NUMBER	DESCRIPTION	2019-20 AMENDED BUDGET	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED
			08/31/2019 NORMAL (ABNORMAL)	MONTH 08/31/2019 INCREASE (DECREASE)	BALANCE NORMAL (ABNORMAL)	
Fund 588 - TRANSPORTATION FUND						
000 - REVENUE		75,279.00	3.17	3.17	75,275.83	0.00
TOTAL REVENUES		75,279.00	3.17	3.17	75,275.83	0.00
200 - GEN SERVICES		75,279.00	62,938.74	0.00	12,340.26	83.61
TOTAL EXPENDITURES		75,279.00	62,938.74	0.00	12,340.26	83.61
Fund 588 - TRANSPORTATION FUND:						
TOTAL REVENUES		75,279.00	3.17	3.17	75,275.83	0.00
TOTAL EXPENDITURES		75,279.00	62,938.74	0.00	12,340.26	83.61
NET OF REVENUES & EXPENDITURES		0.00	(62,935.57)	3.17	62,935.57	100.00
Fund 590 - SEWER FUND						
000 - REVENUE		2,801,735.00	20,952.20	14,918.70	2,780,782.80	0.75
TOTAL REVENUES		2,801,735.00	20,952.20	14,918.70	2,780,782.80	0.75
200 - GEN SERVICES		1,648,648.00	243,186.27	123,523.25	1,405,461.73	14.75
549 - SEWER OPERATIONS		562,292.00	25,589.85	12,008.15	536,702.15	4.55
901 - CAPITAL OUTLAY		540,000.00	0.00	0.00	540,000.00	0.00
905 - DEBT SERVICE		50,795.00	5,397.33	5,397.33	45,397.67	10.63
TOTAL EXPENDITURES		2,801,735.00	274,173.45	140,928.73	2,527,561.55	9.79
Fund 590 - SEWER FUND:						
TOTAL REVENUES		2,801,735.00	20,952.20	14,918.70	2,780,782.80	0.75
TOTAL EXPENDITURES		2,801,735.00	274,173.45	140,928.73	2,527,561.55	9.79
NET OF REVENUES & EXPENDITURES		0.00	(253,221.25)	(126,010.03)	253,221.25	100.00
Fund 591 - WATER FUND						
000 - REVENUE		3,614,094.00	55,025.03	48,461.32	3,559,068.97	1.52
TOTAL REVENUES		3,614,094.00	55,025.03	48,461.32	3,559,068.97	1.52
200 - GEN SERVICES		465,284.00	90,129.43	39,934.66	375,154.57	19.37
552 - WATER UNDERGROUND		612,939.00	116,205.14	61,978.83	496,733.86	18.96
553 - WATER FILTRATION		1,035,427.00	148,633.25	97,451.37	886,793.75	14.35

PERIOD ENDING 08/31/2019

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.

GL NUMBER	DESCRIPTION	2019-20 AMENDED BUDGET	YTD BALANCE	ACTIVITY FOR		AVAILABLE		% BDGT USED
			08/31/2019 (ABNORMAL)	MONTH 08/31/2019 INCREASE (DECREASE)	BALANCE			
			NORMAL			NORMAL	(ABNORMAL)	
Fund 591 - WATER FUND								
901 - CAPITAL OUTLAY		455,000.00	29,693.88	21,612.06		425,306.12		6.53
905 - DEBT SERVICE		611,082.00	0.00	0.00		611,082.00		0.00
TOTAL EXPENDITURES		3,179,732.00	384,661.70	220,976.92		2,795,070.30		12.10
Fund 591 - WATER FUND:								
TOTAL REVENUES		3,614,094.00	55,025.03	48,461.32		3,559,068.97		1.52
TOTAL EXPENDITURES		3,179,732.00	384,661.70	220,976.92		2,795,070.30		12.10
NET OF REVENUES & EXPENDITURES		434,362.00	(329,636.67)	(172,515.60)		763,998.67		75.89
Fund 599 - WASTEWATER FUND								
000 - REVENUE		2,052,374.00	276,203.82	137,767.05		1,776,170.18		13.46
TOTAL REVENUES		2,052,374.00	276,203.82	137,767.05		1,776,170.18		13.46
548 - WASTEWATER OPERATIONS		1,627,374.00	261,584.29	153,854.20		1,365,789.71		16.07
901 - CAPITAL OUTLAY		525,000.00	78,140.98	6,530.98		446,859.02		14.88
TOTAL EXPENDITURES		2,152,374.00	339,725.27	160,385.18		1,812,648.73		15.78
Fund 599 - WASTEWATER FUND:								
TOTAL REVENUES		2,052,374.00	276,203.82	137,767.05		1,776,170.18		13.46
TOTAL EXPENDITURES		2,152,374.00	339,725.27	160,385.18		1,812,648.73		15.78
NET OF REVENUES & EXPENDITURES		(100,000.00)	(63,521.45)	(22,618.13)		(36,478.55)		63.52
Fund 661 - FLEET MAINTENANCE FUND								
000 - REVENUE		1,215,746.00	123,362.54	58,566.86		1,092,383.46		10.15
TOTAL REVENUES		1,215,746.00	123,362.54	58,566.86		1,092,383.46		10.15
891 - FLEET MAINTENANCE		277,241.00	56,943.72	28,391.28		220,297.28		20.54
901 - CAPITAL OUTLAY		938,505.00	0.00	0.00		938,505.00		0.00
TOTAL EXPENDITURES		1,215,746.00	56,943.72	28,391.28		1,158,802.28		4.68
Fund 661 - FLEET MAINTENANCE FUND:								
TOTAL REVENUES		1,215,746.00	123,362.54	58,566.86		1,092,383.46		10.15
TOTAL EXPENDITURES		1,215,746.00	56,943.72	28,391.28		1,158,802.28		4.68
NET OF REVENUES & EXPENDITURES		0.00	66,418.82	30,175.58		(66,418.82)		100.00

PERIOD ENDING 08/31/2019

*NOTE: Available Balance / Pct Budget Used does not reflect amounts encumbered.

GL NUMBER	DESCRIPTION	2019-20 AMENDED BUDGET	YTD BALANCE 08/31/2019 NORMAL (ABNORMAL)	ACTIVITY FOR MONTH 08/31/2019 INCREASE (DECREASE)	AVAILABLE BALANCE NORMAL (ABNORMAL)	% BDGT USED
TOTAL REVENUES - ALL FUNDS		26,752,523.00	2,514,169.06	1,215,331.30	24,238,353.94	9.40
TOTAL EXPENDITURES - ALL FUNDS		26,442,289.00	3,502,923.78	1,980,179.49	22,939,365.22	13.25
NET OF REVENUES & EXPENDITURES		310,234.00	(988,754.72)	(764,848.19)	1,298,988.72	318.71

OWOSSO HISTORICAL COMMISSION

Regular Meeting Minutes

September 9, 2019, 6:00 PM Curwood Castle



- CALL TO ORDER:** MEETING WAS CALLED TO ORDER AT 6:08 PM BY CHAIR CAROLYN EBERT
- PRESENT:** Chairman Carolyn Ebert; Vice Chair Dave Acton; Commissioner Sara Adams; Commissioner Jed Dingens; Commissioner Elaine Greenway; Commissioner Heather Jacobs; Commissioner Paul Rogers.
- ABSENT:** None
- OTHERS PRESENT:** Robert Doran-Brockway, Director; Nathan Henne, City Manager; Josh Adams, DDA Director; and Mark Erikson
- APPROVAL OF AGENDA:** Commissioner Adams made a motion to amend the agenda to include introduction of Mark Erickson and add the documents: Millage Review and Contract Items to the Agenda. Motion Supported by Commissioner Acton. Ayes all, motion carried.
- APPROVAL OF AUGUST 19, 2019 REVENUE AND EXPENDITURE REPORT:** Commissioner Greenway motioned to approve the August 19, 2019 Revenue and Expenditure Report. Motion Supported by Commissioner Jacobs. Ayes all, motion carried.
- CONSENT AGENDA:** OHC Balance Sheet; OHC Check Register; OHC August 19, 2019 Meeting Minutes. Commissioner Adams motioned to approve the Consent Agenda, Supported by Commissioner Greenway. Ayes all, motion carried.
- CITIZEN COMMENTS:** Mark Erikson described himself as born and raised in Owosso. He has an avid interest in Curwood Books. He believes OHC is a worthy endeavor. Now that he is retired he would like to include serving on the board in the time he now has available.
- COMMUNICATIONS:** NONE
- OLD BUSINESS:**
- **2019 Owosso Historic Home Tour – Date: 9/21/19** – The Home Tour “To Do” list was reviewed. Commissioners will be utilized as needed in Home Tour locations. Commissioner Rogers will sell tickets at 9/14/19 Farmer’s Market. Commissioners Adams and Ebert will distribute tickets at Curwood Castle the day of the Tour.

The Home Tour book was distributed for Commissioner’s review. It is noted that additional volunteers are needed. A piece of Woodard Furniture will be displayed at each home. Follow-up will be done with newspapers. Final details are being carried out in the coming week.
- NEW BUSINESS:**
- **Outline of Items for consideration in Contract with City of Owosso – with Five Categories as shown:**
 - 1) Overall Goals, Expectations and Mutual Relationship
 - 2) Ownership of Assets
 - 3) Maintenance
 - 4) Insurance and Risk Management
 - 5) Process and Procedures

- **Millage Review Document**

Capital Improvements itemized for Curwood Castle, Woodard Paymaster Building, Comstock Pioneer Cabin, and Gould House. Curwood Castle planning is underway and on schedule.

Public must be shown as soon as possible that millage money is being spent on capital improvements. The board will prioritize and initiate projects. Commissioners will make recommendations for items prioritized at October 2019 meeting. Nathan Henne, City Manager, offered to assist with quotes and/bids for capital improvement purchases.

A public announcement will be made offering free admission to Curwood Castle to Owosso residents.

- **Contract agreement between Castle City Museums/Owosso Historical Commission with the City of Owosso**

City Manager – Nathan Henne responded to his brief overview of the list of Items for consideration list. He will make an effort to incorporate the additional items as appropriate by 9/30/2019.

- **Executive Director Job** – Options for replacement were presented as follows:

1) Interim Executive Director for 3-6 months or

2) Office of the Executive Director developed consisting of commission members to run the daily operations.

a) This option is a cost saving measure.

b) Contracted individuals would spearhead specific projects/events.

Three commissioners agreed to form “**Office of the Executive Director**”, the time period that the office is in force, is to be determined and is open-ended within a guideline of 4-6 months. First meeting will be held Wednesday, September 11, 8 a.m. This action will allow an opportunity to determine if a full-time or part-time director is needed while developing a job description.

Motion by Commissioner Rogers and supported by Commissioner Greenway to form the “Office of the Executive Director” committee.

All Ayes, Motion carried.

- **501c3 Development and Requirements** - Tom Williams from Nonprofit Network will provide information and guidance to develop Castle City Museum to transition from OHC to nonprofit.

- **Special Meeting scheduled** for Monday, September 23, 2019, 6:00 P.M. to be held at Curwood Castle to discuss: Goals, Leadership and City Proposal. Tom Williams, Nonprofit Network, will be in attendance.

ADJOURN: Commissioner Rogers motioned to adjourn at 8:34 PM, Supported by Commissioner Adams. Ayes All, Motion Carried.

**MINUTES
REGULAR MEETING OF THE OWOSSO PLANNING COMMISSION
COUNCIL CHAMBERS, CITY HALL
MONDAY, SEPTEMBER 23, 2019 – 6:30 P.M.**

CALL TO ORDER: Chairman Wascher called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE: Recited

ROLL CALL: Tanya Buckelew

MEMBERS PRESENT: Chairman Wascher, Vice-Chair Livingston, Secretary Fear, Commissioners Jenkins, Law, Robertson, Taylor and Yerian

MEMBERS ABSENT: Commissioner Kirkland

OTHERS PRESENT: Justin Sprague, CIB Planning, Robert Bates, HG Realty

APPROVAL OF AGENDA:
MOTION BY VICE-CHAIR LIVINGSTON, SUPPORTED BY SECRETARY FEAR TO APPROVE THE AGENDA FOR SEPTEMBER 23, 2019.

YEAS ALL. MOTION CARRIED.

APPROVAL OF MINUTES:
MOTION BY VICE-CHAIR LIVINGSTON, SUPPORTED BY COMMISSIONER LAW TO APPROVE THE MINUTES FOR THE AUGUST 26, 2019 MEETING.

YEAS ALL. MOTION CARRIED.

PUBLIC HEARINGS:

1. Administrative Site Plan Review Ordinance Amendments

Justin Sprague, CIB Planning, reviewed the proposed amendments. Chairman Wascher opened the Public Hearing at 6:35 pm. Robert Bates, HG Realty, questioned how many would see the plans before determining it can be administrative or would be sent to the Planning Commission. Mr. Sprague responded with at least 6 city employees would review the determination. This includes CIB Planning, the building department, city manager, engineer and utilities director. Public Hearing was closed at 6:38 pm.

MOTION BY COMMISSIONER LAW, SUPPORTED BY VICE-CHAIR LIVINGSTON TO ADVANCE THE ADMINISTRATIVE SITE PLAN REVIEW ORDINANCE AMENDMENTS TO THE CITY COUNCIL FOR THEIR CONSIDERATION AND ADOPTION.

RCV VOTE ALL YEAS MOTION CARRIED

2. Sign Ordinance Amendments

Justin Sprague reviewed the amendments. Chairman Wascher opened the Public Hearing at 6:40 pm; no one was in attendance to speak and the Public Hearing was closed.

MOTION BY VICE-CHAIR LIVINGSTON, SUPPORTED BY COMMISSIONER TAYLOR TO ADVANCE THE SIGN ORDINANCE AMENDMENTS TO THE CITY COUNCIL FOR THEIR CONSIDERATION AND ADOPTION.

RCV VOTE ALL YEAS MOTION CARRIED

OLD BUSINESS: NONE

NEW BUSINESS: NONE

OTHER BOARD BUSINESS: NONE

PUBLIC COMMENTS AND COMMUNICATIONS:

Discussion about recreational marijuana and holding a public forum.

Matthews Building – discussions about the timeline for the renovations to begin.

Master Plan Update – draft should be presented to the Planning Commission at the October or November meeting.

Thank you to Linda Robertson for stepping up to be a member of the Planning Commission due to Jake Adam's moving outside the city.

ADJOURNMENT

MOTION BY COMMISSIONER LAW, SUPPORTED BY COMMISSIONER TAYLOR TO ADJOURN AT 6:58 P.M. UNTIL THE NEXT MEETING ON OCTOBER 28, 2019.

YEAS ALL, MOTION CARRIED.

Janae L. Fear, Secretary

OWOSSO MID-SHIAWASSEE COUNTY WWTP REVIEW BOARD

MEETING MINUTES

September 24, 2019

4:30 P.M.

WWTP

1. Roll (4:30 p.m.)
Members Present: R. Holzheuer, G. Chinavare, D. Chrenka, J. Sawyer
Alternates Present: T. Crawford, B. Horton
Others Present: T. Guysky, WWTP Superintendent/Board Secretary
2. Minutes of the June 25, 2019 meeting: Motion by Holzheuer to approve the June 25, 2019 meeting minutes with support by Chinavare. No Discussion. Motion carries 4-0.
3. Secretary's Report:
 - a) Plant Performance Summaries (June-August 2019): Guysky noted full permit compliance for the period of June-August, with special note of full compliance during June, where plant influent flows exceeded 200 million gallons.
 - b) Operation/Staffing Update: Guysky noted how a return to average dry weather conditions following a wet June has resulted in normal chemical and energy consumption. He also informed the board that the plant currently has one open operator position, with a hire likely by the end of the week.
 - c) WWTP Project Updates: Guysky updated the board on the backup generator progress, noting that work is proceeding as scheduled with complete install expected by early October. Chinavare informed the board that he has submitted the agreements to Consumers Energy to 1) terminate the second feed source by the end of the year, and 2) participate in the Demand Response Program, which will result in annual rebates with the WWTP agreeing to run the plant off the generator upon specific request from Consumers when they have crisis situations that require reduced power consumption. Guysky noted the screw pump replacement and grit removal projects are in the design phase, with C2AE as consultants. He also noted a local limit study that is almost complete, which may affect the sewer use ordinance limitations.
4. Old Business
 - a) SRF Loan Application Status: Chinavare informed the board that SRF funding will be received in the 3rd quarter (next June) for the screw pump/grit removal project. He also noted that C2AE had updated cost figures for the project: \$2.25 million, with \$155,000 for the project engineering.
5. New Business
 - a) Wastewater Plant Agreement Review: Chinavare explained that a dialogue should be started with respect to the original 1977 Wastewater Plant Agreement and subsequent amendments/updates. He encouraged board members to go through the agreement and bring items for clarification or review to future board meetings. Guysky distributed the 2002 Organizational Rules update. Meeting notice publication was discussed, with all

agreeing that Guysky would submit the annual schedule to the proper publications at the beginning of each year.

6. Citizens'/Members' Comments: Chinavare made special note of the contributions outgoing board member Gary Burk has made over the years to the board, to the wastewater plant, and to the city in general. The board also agreed that a plant tour will be part of the next meeting agenda.
7. Next Meeting: October 22, 2019, 4:30 p.m.
8. Adjourn: Motion to adjourn by Chinavare, with support by Holzheuer. No discussion. Motion carries 4-0. Meeting adjourned at 5:02 p.m.

Respectfully submitted, Timothy J. Guysky, Secretary
Approval by Review Board – Pending