

OWOSSO CITY COUNCIL

NOVEMBER 20, 2006

7:30 P.M.

PRESIDING OFFICER: MAYOR LINDA L. ROBERTSON

OPENING PRAYER: MAYOR LINDA L. ROBERTSON

PLEDGE OF ALLEGIANCE: PASTOR CURT DEWITT
SEVENTH DAY ADVENTIST CHURCH

PRESENT: Mayor Linda L. Robertson, Mayor Pro-tem Mark D. Owen,
Councilpersons Michael E. Bruff Michael N. Cline, Joane E.
Ford, Matthew B. Harvey, and Justin R. Horvath.

ABSENT: None.

APPROVE AGENDA

Motion by Councilperson Harvey to approve the agenda as presented with the following change:
Consent Item #2, Change Order, to become Item of Business #7.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF NOVEMBER 6, 2006

Motion by Councilperson Ford to approve the Minutes of the Regular Meeting of November 6,
2006 as presented.

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

CITIZEN COMMENTS AND QUESTIONS

Rick Morris, 1229 Willow Street, asked for help on behalf of the Westtown Merchants for electrical
service to the tree knuckles in Westtown.

Gary Holzhausen, 3810 Easton Road, County Drain Commissioner, commented on progress in
redrawing the flood plain and answered questions regarding the service/maintenance of drains.

Ed Urban, 601 Glenwood Avenue, commented on the Veteran's Day Parade.

CONSENT AGENDA

Motion by Councilperson Harvey to approve the Consent Agenda as follows:

Set Public Hearing - Personal Property Exemption. Set a public hearing for December 4, 2006 to
receive public comments on New Personal Property Exemption for Target Industries, 222 South
Elm Street.

Contract Payment. Authorized Final Payment to Spartan Asphalt in the amount of \$911.19
for paving of the Library parking lot, the Bentley Park parking lot and the 100 block of North
Ball Street.

Contract Payment. Authorized Final Payment to Perrin Construction Co. in the amount of
\$138,379.83 for the 2006 Street Program.

Payment Authorization. Approved bid award for replacement of one gear reducer for the Waste
Water Treatment Plant Influent Pump from Lakeside Equipment in the amount of \$8,891.00.

Traffic Control Order No. 1167. Authorized Traffic Control Order No. 1167 establishing parking
regulations for City Lot #1 bound by Park Street, Mason Street, and Williams Street.

Traffic Control Order No. 1168. Authorized Traffic Control Order No. 1168 establishing parking
regulations for City Lot #2 at the southeast corner of Ball Street and Mason Street.

Traffic Control Order No. 1169. Authorized Traffic Control Order No. 1169 establishing parking
regulations for City Lot #3 on the north side of Main Street at Michigan Avenue.

Traffic Control Order No. 1170. Authorized Traffic Control Order No. 1170 establishing parking
regulations for City Lot #4 on the west side of North Water Street between Main Street and
Exchange Street.

Traffic Control Order No. 1171. Authorized Traffic Control Order No. 1171 establishing parking
regulations for City Lot #5 bound by Ball Street, Exchange Street, and Water Street.

Traffic Control Order No. 1172. Authorized Traffic Control Order No. 1172 establishing parking regulations for City Lot #6 bound by for Park Street, Mason Street, and Williams Street.

Traffic Control Order No. 1173. Authorized Traffic Control Order No. 1173 establishing parking regulations for City Lot #7 on the northwest corner of Main Street and Park Street.

Traffic Control Order No. 1174. Authorized Traffic Control Order No. 1174 establishing parking regulations for City Lot #8 surrounding the public building at 202 South Water Street.

Traffic Control Order No. 1175. Authorized Traffic Control Order No. 1175 establishing parking regulations for City Lot #9 on the northeast corner of Ball Street and Comstock Street.

Traffic Control Order No. 1176. Authorized Traffic Control Order No. 1176 establishing parking regulations for City Lot #10 bound by Jerome Avenue, Washington Street, Comstock Street, and Hickory Street.

Traffic Control Order No. 1177. Authorized Traffic Control Order No. 1177 establishing parking regulations for City Lot #11 bound by Cedar Street, Lansing Street, and Eleanor Street.

Traffic Control Order No. 1178. Authorized Traffic Control Order No. 1178 establishing parking regulations for City Lot #12 on the southeast corner of Main Street and State Street behind the businesses on Main Street.

Traffic Control Order No. 1179. Authorized Traffic Control Order No. 1179 for installation of a “No Parking from here to Driveway” sign on the south side of Prindle Street 20 feet east of the driveway leading to 1104 Palmer Avenue.

Rescind Traffic Control Orders. Authorized rescinding Traffic Control Order No’s 319 section (11), 460, 461, 584, 705, 714, 719, 739, 745b, 748, 818, 848, 875, 907, 914, 953, 954, 972, 973, 978, 1098, and 1127 to be superceded by Traffic Control Orders No.’s 1167 through 1178 for the establishment of new consolidated Traffic Control Orders governing City parking lots.

Warrant No. 336. Accepted Warrant No. 336 as follows:

Vendor	Description	Fund	Amount
Brown & Stewart, PC	Professional services covering the period from 10-12-2006 to 11-10-2006	General	\$13,424.46
Michigan Municipal Risk Management Authority	Building and Property Insurance	General	\$70,745.00

Motion supported by Councilperson Ford.

Roll Call Vote.

AYES: Councilpersons Ford, Bruff, Cline, Horvath, Mayor Pro-Tem Owen, Councilperson Harvey, and Mayor Robertson.

NAYS: None.

ITEMS OF BUSINESS

SOLE SOURCE CONTRACT

Motion by Councilperson Ford to waive bid irregularities and approve sole source contract with Sascon Construction, Inc. for curb removal, 6” concrete removal, 6” concrete pavement, straight curb and landscaping in the amounts detailed and authorize payment up to the contract amount as follows:

1. Curb removal at \$3.00/linear foot.
2. Removal of 6” concrete pavement at \$1.40/square foot.
3. Installation of 6” concrete pavement at \$3.00/square foot.
4. Installation of straight curb at \$15.00/foot.
5. Landscaping at \$3.00/square foot.

Motion supported by Councilperson Horvath.

Roll Call Vote.

AYES: Councilpersons Cline, Horvath, Ford, Mayor Pro-Tem Owen, Councilpersons Harvey, Bruff, and Mayor Robertson.

NAYS: None.

TREE LIGHTS IN WESTOWN

There was general discussion regarding possible payment methods to provide electrical service to the tree knuckles along Main Street in Westtown. It was noted the City split the cost of the previous sidewalk improvements with property owners 70%/30%. There was discussion regarding the cost to administer a special assessment, setting precedence by paying for the work from the general fund, waiting for the Westtown Merchants to raise funds, the need to be fair with merchants funding the DDA, pursuing private contributions to fund the project and Council's desire to see the project take place.

Council directed staff to pursue private contributions for the project and report back at the meeting of December 4, 2006 with quotes for labor and materials.

GOULD HOUSE GARAGE

Motion by Mayor Pro-Tem Owen to table the request to demolish the garage at the Gould House to further explore ideas to save the structure.

Motion supported by Councilperson Cline.

Roll Call Vote.

AYES: Councilpersons Ford, Cline, Horvath, Mayor Pro-Tem Owen, Councilpersons Bruff, Harvey, and Mayor Robertson.

NAYS: None.

NEIGHBORHOOD ENTERPRISE ZONE RESOLUTION

Motion by Mayor Pro-Tem Owen to adopt the following resolution establishing a Neighborhood Enterprise Zone for the Woodard Station Lofts and adjoining properties:

**RESOLUTION 12-2006
NEIGHBORHOOD ENTERPRISE ZONE
CITY OF OWOSSO, MICHIGAN**

WHEREAS, the City of Owosso has received a request for the establishment of a Neighborhood Enterprise Zone at 317 S. Elm Street, and;

WHEREAS, the Owosso City Planning Commission has recommended a neighborhood enterprise zone encompassing said property and contiguous properties, compact in nature with redevelopment potential, and containing 8 acres with over 10 platted properties, described as follows:

- 621 Clinton Street The west 1/2 Lot 8, Block 22 of A L & B O Williams Addition.
[Parcel #78-050-660-022-001-00]
- 615 Clinton Street The east 1/2 of Lot 8, Block 22 of A L & B O Williams Addition.
[Parcel #78-050-660-022-003-00]
- 601 Clinton Street The north 56 feet of Lot 1, Block 22 of A L & B O Williams Addition
[Parcel #78-050-660-022-002-00]
- 216 S. Elm Street The South S 10' of Lot 1 & All of Lots 2 3 4 5 6 & 7 of Block 22 & all of
the vacated Genesee Street lying between Elm and Howell Streets of A
L and B O Williams Addition to the City of Owosso (Except the South 115
feet thereof).
[Parcel #78-050-660-022-004-00]
- 222 S. Elm Street The South 115' of the following described area-The south 10 feet of Lot 1
& 11 of Lots 2 3 4 5 6 & 7, Block 22 & all of the vacated Genesee Street
lying between Elm and Howell Streets of A L & B O Williams Addition to
the City; ALSO Part of Lot 1, Block 24 of A L & B O Williams Addition to
the City, beginning at a point on the North line of said Lot 1 which is west
7.68 feet of the Northeast Corner of said Lot 1, thence west 119.47',
thence south 2.80', thence northeasterly 119.50' to the point of beg
inning.
[Parcel #78-050-660-022-005-00]
- 312-317 S. Elm Street A L & B O Williams Subdivision of Outlots 6 & 7, being Lots 16 & 17
including the west 1/2 of the adjacent vacated Howell Street, Except the
west 7 feet of Lot 16, Block 23, Also Lots 1 thru 8 including the adjacent
north 20 feet of the vacated Cass Street and the west 1/2 of Elm and
east 1/2 of Howell Streets, Except part of Lot 1 described as beginning
7.68 feet west of the Northeast corner of said Lot 1, west 119.47 feet,
south 2.8 feet, thence northeasterly 119.5 feet to the point of beginning,
Block 24; Also Lots 5, 8 and 9, including the West 1/2 of the vacated
alley adjacent to Lot 5 and part of Lot 4 described as beginning at the
southwest corner of Lot 4, east 40 feet, northwesterly to a point 33 feet
North of the Southwest corner of Lot 4, south to beginning, including the
East 1/2 of the vacated alley adjacent to this part of Lot 4, Also including

the North 20 feet adjacent to the vacated Cass Street and East 1/2 of the vacated adjacent South Elm Street, all in A L & B O Williams Addition. [Parcel #78-050-660-024-002-00]
229 S Cedar Street Lots 10 Through 15 & the West 7' of Lot 16, Block 23 of A L & B O Williams Addition [Parcel #78-050-660-023-015-00],

and;

WHEREAS, the City Council finds that the proposed zone is consistent with the City's master plan, as amended and the neighborhood preservation and economic development goals of the City, and;

WHEREAS, the City Council has adopted a statement of the City's goals, objectives and policies relative to the maintenance, preservation, improvement and development of housing for all persons regardless of income level living within the proposed enterprise zone; and;

WHEREAS, the City of Owosso has an adopted a property maintenance code and rental inspection ordinance that permits inspections of all dwelling units in the City, and;

WHEREAS, not less than 60 days for the passage of a resolution designating a neighborhood enterprise zone, the City Clerk has given written notice to the Assessor and to the governing body of each taxing unit that levies an ad valorem property tax in the proposed neighborhood enterprise zone district, and;

WHEREAS, the City Assessor has furnished the City Council with the amount of the true cash value of the property located within the proposed zone, and it has been determined that the total acreage of the zones designated and proposed under Public Act 147 of 1992 as amended, in the City does not exceed 15% of the acreage of the total acreage contained within the boundaries of the City, and;

WHEREAS, the City Council conducted a public hearing on September 18, 2006 to hear public comment on the proposed zone, with said comments recorded as a matter of public record and found supportive of the establishment of the neighborhood enterprise zone,

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Owosso designates a neighborhood enterprise zone as prescribed in Public Act 147 of 1992, as amended, for the above described premises, with said zone to be described as "NEZ-1" and directs the City Clerk to notify the State Tax Commission of the adoption of this resolution.

Motion supported by Councilperson Horvath.

Roll Call Vote.

AYES: Councilpersons Horvath, Cline, Harvey, Mayor Pro-Tem Owen, Councilpersons Ford, Bruff, and Mayor Robertson.

NAYS: None.

DOWNTOWN DEVELOPMENT AUTHORITY AMENDMENT RESOLUTION

Motion by Councilperson Ford to adopt the following resolution and ordinance amendments to amend the Downtown Development Authority boundary:

Resolution No. 13-2006 Amendments to the DDA District Boundary, and The DDA Development Plan/Tax Increment Financing Plan

WHEREAS, the City Council of the City of Owosso, through the authority prescribed in PA 197, of 1975, as amended, State of Michigan statutes, may adopt plans and plan amendments to enact improvement projects within the Downtown Development Authority Development Area District, and;

WHEREAS, the City of Owosso desires the addition of four parcels to the District Boundary and their inclusion into the Development Plan and Tax Increment Financing Plan of the Owosso Downtown Development Authority, and;

WHEREAS, public notice requirements were made to the general public, to downtown property owners, to the taxing jurisdictions, and to 20 public posting places in the downtown at least 20 days prior but not greater than 40 days prior to a public hearing on the matter, and

WHEREAS, other local taxing jurisdictions were encouraged to meet with the City concerning the impact of the plan and these meetings were conducted during the hearing notice period, and;

WHEREAS, a public hearing was conducted on September 18, 2006 to hear public comments, and;

WHEREAS, the effort to gain appointments to the development area citizens council resulted in an insufficient interest to serve from downtown residents, and;

WHEREAS, the addition of the four parcels does not adversely affect the development plan and tax increment plan for the Owosso Downtown Development Authority, and;

WHEREAS, the Authority and Plans retain the ability to meet the financing obligations of the sub-contract of lease terms with the City of Owosso, and;

WHEREAS, the plan's proposed method of financing the development plan is feasible and the Authority has the ability to arrange the financing, and;

WHEREAS, the boundary amendments are reasonable and necessary to carry out the purposes of the Public Act forming downtown development authorities, and;

WHEREAS, the development plan remains in reasonable accord with the 1969 master plan of the City, and;

WHEREAS, public services, such as fire and police protection and utilities, are or will remain adequate to service the project area, and;

WHEREAS, the resolution below shall incorporate and adopt the published first reading amendment to Section 11-46 and 11-16 of the City Code of the City of Owosso, and;

WHEREAS, no changes in zoning, streets, street levels, intersection and utilities are affected through this amendment;

NOW THEREFORE BE IT RESOLVED, it is the finding of the City Council of the City of Owosso that the District boundary and the development plan and tax increment plans, as proposed for amendment, continue to serve a public purpose, and;

FURTHERMORE BE IT RESOLVED, that the adoption of this resolution incorporates adoption of the following ordinance amendments to the Owosso City Code, Section 11-16 and Section 11-46:

ORDINANCE NO. 682
COMMUNITY DEVELOPMENT

AN ORDINANCE TO AMEND CHAPTER 11, *COMMUNITY DEVELOPMENT*, ARTICLE II, *DOWNTOWN DEVELOPMENT*, DIVISION 1, *GENERALLY*, SECTION 11-16, *BOUNDARIES DESIGNATED*, OF THE CODE OF ORDINANCES OF THE CITY OF OWOSSO, MICHIGAN.

THE CITY OF OWOSSO ORDAINS:

Section 1. That Chapter 11, *Community Development*, Article II, *Downtown Development*, Division 1, *Generally*, Section 11-16, *Boundaries Designated*, of the Code of Ordinances of the City of Owosso, Michigan is hereby amended by adding sections 11-16 (19) through 11-16 (22) to read as follows:

Pursuant to the requirements of Act No. 197 of the Public Acts of Michigan of 1975 (MCL 125.1651 et seq., MSA 5.3010(1) et seq.), as amended, the boundaries of the downtown district shall be amended to include:

- (1) Beginning at the north line of Main Street and the Shiawassee River; thence northwesterly along the east bank of the Shiawassee River to a point 478.50' west of the west line of Water Street; thence north to the north line of Williams Street; thence east 57.75'; thence south 198'; thence east 277'; thence north 62'; thence east 143.8' to the west line of Water Street; thence north to the north line of Williams Street; thence east to the west line of Ball Street; thence north to the north line of Lot 5 Block 5 of the Original Plat of the City of Owosso. Thence east to the east line of Washington Street; thence south to the north line of Lot 8 Block 6 of the Original Plat of the city; thence east along the north line of Lot 8 to the west line of Lot 6 Block 6 of the Original Plat of the City of Owosso. Thence north to the north line of said Lot 6; thence east to the east line of Park Street; thence south to the north line of Lot 10 Block 10 of the Original Plat of the City of Owosso. Thence east to the center line of Lot 9 in said block; thence south 48 feet; thence east to the east line of Saginaw Street; thence south to the north line of Main Street; thence east to the east line of Hickory Street; thence south to the Shiawassee River; thence northwesterly along the north line of the Shiawassee River to the point of beginning. Also,
- (2) Beginning at a point which is the southeast corner of Lot 12 Block 2 of A. L. Williams Addition to the village; thence traveling northerly along the Shiawassee River to a point which is the northwest corner of Lot 7 Block 2 of Lucy L. Comstock's Addition; thence southerly along the west line of Lot 7 and continuing south along the west line of Block 6 to a point 132' north of the southwest corner of Block 6 of said addition; thence westerly along the south line of Lots 2 and 4 of Block 9 of said addition to a point which is the

southwest corner of Lot 2 Block 9 of said addition; thence southerly along the east line of Shiawassee Street to the southwest corner of Lot 15, Woodards Subdivision, of Block 1 of A. L. Williams Addition to the village; thence easterly to the point of beginning, City of Owosso, Shiawassee County, Michigan. And,

- (3) Commencing 70' south of the northeast corner of Block 38; thence west 143.8'; thence south 62'; thence west 334.7'; thence south to the Shiawassee River; thence southeasterly to a point 6" north of the point where the north line of Exchange Street, if extended westerly, would intersect the east bank of said river; thence on a line parallel with the north line of Exchange Street so extended to a point 126' west of the west line of Water Street; thence north 2'; thence easterly on a line parallel with the north line of Exchange Street so extended 38'; thence south 2'6" to the north line of Exchange Street so extended; thence east on the west line of Exchange Street so extended 88' to the west line of Water Street; thence north to the beginning, Block 38 Original Plat, Village (now City) of Owosso, Shiawassee County, Michigan. And,
- (4) All the area bounded by Exchange, Hickory, East Main and Saginaw Streets.
Also,
- (5) Commencing on the south line of Main Street and 33' east of the northwest corner of Section 19, Township 7 North, Range 3 East; thence east 132', south 132', west 66', north 50', west 66', north 82' to the point of beginning.
- (6) Commencing on the south line of Main Street (M-21) 231' east of the northwest corner of Section 19; thence east 148.5', south 132', west 148.5', north 132' to the point of beginning, Section 19, Township 7 North, Range 2 East, City of Owosso.
- (7) The south 1/2 Lot, East Dewey and Stewart's Addition.
- (8) The north 34' of Lots 17 and 18; also the south 20' of Lot 9, Outlot 6 of A. L. and B. O. Williams Subdivision of Outlots 6 and 7.
- (9) The south 98' of Lots 17 and 18; Outlot 6 of A. L. and B. O. Williams Subdivision of Outlots 6 and 7.
- (10) Lot 9 (except the south 20'), Outlot 6 of A. L. and B. O. Williams Subdivision of Outlots 6 and 7.
- (11) Section 19, commencing on the south line of Main Street 165' east of the northwest corner Section 19, south 132', east 66', north 132', west to the beginning.
- (12) Lots 1 through 8, Block 12 and all of Block 8, A L. Williams Addition, including closed streets and alleys.
- (13) Lots 2 and 3, Block 20, A. L. Williams Addition to City of Owosso.
- (14) Lot 6, Block 20, A. L. Williams Addition.
- (15) Lot 7, Block 20 of A. L. Williams Addition (except triangular piece extending from northwest corner Lot 7; thence south 23', easterly 66.5' to a point on the north line of Lot 7; thence 71.5' northwesterly to the beginning).
- (16) Lots 11 and 12, Block 20, A. L. Williams Addition.
- (17) Commencing at the intersection of the center line, GTWRR track east line, Washington Street; thence northerly 72' ± along the street line to the point of beginning; thence easterly 139'; thence northerly 96' parallel west of said street line; thence westerly 139'; thence southerly 96' on the east line of Washington Street to the point of beginning (13,344 square feet), A. L. Williams Addition to the Village of Owosso.
- (18) Commencing at the intersection of the center line, GTWRR track and the east line of Washington Street; thence northerly 168' ± along the street line to the point of beginning; thence northerly 39' to the southerly bank of the Shiawassee River; thence easterly 144'; thence southerly 39' parallel west of said street line; thence westerly 142' ± to the east line of Washington Street to the point of beginning, A. L. Williams Addition to the Village of Owosso.
- (19) Part of A. L. Williams Addition to the City of Owosso, Williams and Lyons Addition to the city, Louisa Merell's Addition to the Village (now City) of Owosso and J.L. Wright's Addition to the City, all in Section 24, Township 7N, Range 2E, City of Owosso and Section 19, T7N, R3E, City of Owosso, Shiawassee County, Michigan, described as beginning at a point on the East line of Washington Street which is N01°04'16"E 178.33' from the southwest quarter of Reserve #8 of said A.L. Williams Addition to the City; thence N88°58'17"E 58.87'; thence S87°29'00"E 141.47'; thence S80°59'30"E 208.51'; thence N79°53'15"E 249.61'; thence N84°44'04"E 98.81'; thence S83°12'46"E 107.12';

thence S69°48'57"E 185.83'; thence S87°18'35"E 285.30'; thence S80°22'21"E 184.20'; thence N78°09'52"E 88.58'; thence S86°52'31"E 65.28'; thence S73°37'20"E 230.94'; thence S72°36'38"E 136.78'; thence S56°07'29"E 85.61'; thence S54°32'48"E 156.92'; thence S43°19'04"E 100.70'; thence S36°46'08"E 53.67'; thence S39°18'45"E 84.17'; thence S23°55'42"E 93.89'; thence S20°30'21 "E 98.80'; thence S30°45'56"E 89.82'; thence S30°03'46"E 94.95'; thence S40°48'33"E 87.92'; thence S58°16'37"E 179.85'; thence S70°38'55"E 75.50' to the westerly line of Oakwood Avenue; thence Northwesterly to the water's edge of the Shiawassee River; thence Northwesterly along said water's edge to the east line of Washington Street; thence southerly along said east line to the Point of Beginning. (3,214.43 lineal feet), EXCEPT the above described lands lying within a parcel of land commencing at the intersection of the center line GTWRR track and the east line of Washington Street; thence northerly 168 feet +/- along the street line to the point of beginning, thence 39 feet to the southerly bank of the Shiawassee River, thence easterly 144 feet, thence southerly 39 feet parallel west of said street line, thence westerly 142 feet +/- to the east line of Washington Street to the point of beginning, A L. Williams Addition to the Village (now City) of Owosso.

- (20) All street Right-of-Way within the area described as beginning at the northeast corner of the intersection of Hickory Street right-of-way and the Jerome Street Right-of-Way, proceeding easterly to the East line of Oakwood Street, thence southerly to the south bank of the water's edge of the Shiawassee River, thence easterly along said water's edge to the West line of Oakwood Street.
- (21) That Portion of Land South of Jerome Street and north of the Shiawassee River, East of the Extended Park Street and West of the West Line of Stafford, Gardner, & Trankles Addition to the City of Owosso, Shiawassee County, Michigan, EXCEPT that section west of the intersection of the east line of Hickory Street extended south to the south bank at the water's edge of the Shiawassee River.
- (22) Lot 74 of Stafford, Gardner and Trankles Central Addition to the City of Owosso, Shiawassee County, Michigan

And that the remainder of the DDA boundaries remain unchanged.

Section 2. This Ordinance shall take effect December 10, 2006.

Section 3. 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.

ORDINANCE NO. 683
COMMUNITY DEVELOPMENT

AN ORDINANCE TO AMEND CHAPTER 11, *COMMUNITY DEVELOPMENT*, ARTICLE II, *DOWNTOWN DEVELOPMENT*, DIVISION 3, *DOWNTOWN DEVELOPMENT PLAN*, SECTION 11-46, *DEFINITIONS*, OF THE CODE OF ORDINANCES OF THE CITY OF OWOSSO, MICHIGAN.

THE CITY OF OWOSSO ORDAINS:

Section 1. That Chapter 11, *Community Development*, Article II, *Downtown Development*, Division 3, *Downtown Development Plan*, Section 11-46, *Definitions*, of the Code of Ordinances of the City of Owosso, Michigan is hereby amended to read as follows:

Section 11-46. *Definitions*.

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

Base year assessment roll means the base year assessment roll prepared by the city assessor in accordance with section 11-49.

Captured assessed value means the amount in anyone (1) year by which the current assessed value as finally equalized of all taxable property in the development area exceeds the initial assessed value.

Development area means the area legally described in Exhibit G of the development plan dated September, 1984, as amended on April 15, 2002, December 15, 2003, and November 20, 2006 and which is hereby made a part of this division.

Development fund means the downtown development authority development fund established pursuant to section 11-51.

Development plan means the tax increment financing and development plan for the city dated September, 1984, as amended, and as transmitted to the council by the downtown

development authority for public hearing, copies of which are on file in the office of the City Clerk.

Downtown development authority means the city downtown development authority.

Initial assessed value means the most recently assessed value as finally equalized of all the taxable property within the boundaries of the development area on November 5, 1984.

Taxing jurisdiction shall mean each unit of government levying an ad valorem property tax on property in the development area.

Section 2. This Ordinance shall take effect December 10, 2006.

Section 3. 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.

Motion supported by Councilperson Bruff.

Roll Call Vote.

AYES: Councilpersons Harvey, Bruff, Ford, Mayor Pro-Tem Owen, Councilpersons Horvath, Cline, and Mayor Robertson.

NAYS: None.

EXECUTIVE SESSION

Motion by Mayor Pro-Tem Owen to authorize holding executive session at conclusion of regular business for the purpose of discussing real property acquisition.

Motion supported by Councilperson Bruff.

Roll Call Vote.

AYES: Mayor Pro-Tem Owen, Councilpersons Ford, Harvey, Cline, Horvath, Bruff, and Mayor Robertson.

NAYS: None.

CHANGE ORDER

There was general discussion regarding holding companies to their bids and inquiries regarding the installation of the Bentley Park sidewalk.

Motion by Councilperson Horvath to authorize a Change Order to the contract with Spartan Asphalt for the paving of the Library parking lot in the amount of \$839.55 more than originally approved.

Motion supported by Mayor Pro-Tem Owen.

Roll Call Vote.

AYES: Councilpersons Horvath, Cline, Ford, Harvey, Bruff, Mayor Pro-Tem Owen, and Mayor Robertson.

NAYS: None.

COMMUNICATIONS

N. J. Friel. Letter regarding conditions at 434 Corunna Avenue.

Richard C. Williams, Finance Director. October 2006 Revenue & Expenditure Comparison Report.

John F. Archer, Building Official. October 2006 Building Department Report.

John F. Archer, Building Official. October 2006 Code Violations Report.

Michael T. Compeau, Public Safety Director. October 2006 Police Department Report.

Michael T. Compeau, Public Safety Director. October 2006 Fire Department Report.

There was general discussion regarding the nature of the business that uses the buses located in the parking lot at 434 Corunna Avenue. Building Official John Archer reported the buses would be removed by the owner within the week. Mayor Robertson requested Council be kept apprised of the situation.

CITIZEN COMMENTS AND QUESTIONS

Joni Forster, 1221 Adams Street, commented on the need to focus on community.

Burton Fox, 216 East Oliver Street, inquired as to the status of the purchase of a new aerial fire truck.

Public Safety Director Michael T. Compeau commented that research on the new aerial truck is complete and a bid should be awarded soon.

Ed Urban, 601 Glenwood Avenue, inquired as to the status of the light project in Westtown and the need to be careful around school buses.

Building Official John F. Archer commented on his recent inspection of the Gould House garage and the estimated quantity of materials needed to repair it.

**RECESSED TO EXECUTIVE SESSION AT 8:23 PM
RETURNED FROM EXECUTIVE SESSION AT 8:44PM**

APPROVE EXECUTIVE SESSION MINUTES – NOVEMBER 6, 2006

Motion by Councilperson Ford to approve the November 6, 2006 Executive Session Minutes as presented.

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

PURCHASE AGREEMENT

Motion by Councilperson Horvath to authorize staff to draft a purchase agreement for the former Vaungarde site located at 1000 Beehler Street with the following conditions:

- The current owner pays all back taxes.
- The current owner provides Phase I and II environmental studies.
- The City forgives the current owners of the \$88,000 charge for clean-up after the fire.
- The City agrees to reimburse the current owner for the costs associated with the Phase I and II environmental studies through the Brownfield Plan after the City has recouped the \$88,000 for emergency clean-up of the site.

Motion supported by Councilperson Ford.

Roll Call Vote.

AYES: Councilpersons Horvath, Harvey, Ford, Bruff, Mayor Pro-Tem Owen,
Councilperson Cline, and Mayor Robertson.

NAYS: None.

ADJOURNMENT

Motion by Councilperson Bruff for adjournment at 8:45 p.m.

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

Linda L. Robertson, Mayor

Amy K. Kohagen, City Clerk