

OWOSSO CITY COUNCIL

JULY 16, 2007

7:31 P.M.

PRESIDING OFFICER: MAYOR LINDA L. ROBERTSON

OPENING PRAYER: PASTOR CAL EMERSON
NORTHGATE WESLEYAN CHURCH

PLEDGE OF ALLEGIANCE: MAYOR LINDA L. ROBERTSON

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

ABSENT: None.

APPROVE AGENDA

Motion by Councilperson Harvey to approve the agenda as presented with Consent Item #1
Boards and Commissions Appointments moving to Item of Business #6.

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

APPROVAL OF THE MINUTES OF REGULAR MEETING OF JULY 2, 2007

Motion by Councilperson Bruff to approve the Minutes of the Regular Meeting of July 2, 2007 as
presented.

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

SPECIAL PRESENTATION

PRESENTATION OF PINS TO ROTARY EXCHANGE STUDENTS

Rotary president Gregg Guetschow and Youth Exchange Program Coordinator Jackie Bucsi gave
a brief overview of the Exchange Program, introduced Hanna Jousala, exchange student from
Finland, and presented City of Owosso lapel pins to outbound Rotary Exchange Students Claire
Algozin and Neil Pirochta.

PUBLIC HEARINGS

**WESTOWN CORRIDOR IMPROVEMENT AUTHORITY ESTABLISHMENT AND ORDINANCE
AMENDMENT**

The public hearing was conducted to receive citizen comment regarding proposed amendment to
Chapter 11, *Community Development*, Article III, Corridor Improvement Authority, Sections 11-55
through 11-65 of the Code of Ordinances of the City of Owosso, as it relates to the establishment
of a Westown Corridor Improvement Authority.

Director of Community Development Philip B. Hathaway explained the purpose of the authority,
noted the changes from the first reading, noted the boundaries of the proposed authority and
detailed the action required to set things in motion.

The following people addressed the Council:

Shelva Cebulski, 1243 Marion Street, inquired if the authority boundaries included the old
Vaungarde property at 1000 Bradley. It was indicated it was not eligible for inclusion.

Dorothy Meyers, 637 North Saginaw Street, inquired whether residential properties on M-21 and
M-52 would be included and if the authority helps primarily commercial projects. It was indicated
the residences would be included if they front a State highway and it helps primarily commercial
and public type projects.

Ed Brush, 1116 North Ball Street inquired as to whether St. Paul's Catholic Church was included.
It was indicated it was included.

Mark Lamphere, Westown property owner, detailed the advantages of establishing an authority.

Jim Civile, 403 West Oliver Street, inquired whether businesses included in the authority
boundaries would be taxed similar to the DDA. It was replied they would not.

Burton Fox, 216 East Oliver Street, commented on his desire to see the area improved through
the authority.

It was indicated Council could wait 60 days to take action if they chose.

WHEREAS, the City Council, after due and legal notice, has met and everyone having been heard, motion by Mayor Pro-Tem Owen that the following ordinance be adopted:

ORDINANCE NO. 686

AN ORDINANCE TO ADD CHAPTER 11, COMMUNITY DEVELOPMENT, ARTICLE III, *CORRIDOR IMPROVEMENT AUTHORITY*, SECTIONS 55-65 OF THE CODE OF ORDINANCES OF THE CITY OF OWOSSO, MICHIGAN, REGARDING THE ESTABLISHMENT OF A CORRIDOR IMPROVEMENT AUTHORITY

THE CITY OF OWOSSO ORDAINS:

Section 1. That, Chapter 11, Community Development, Article III, *Corridor Improvement Authority*, Sections 55-65 of the Code of Ordinances of the City of Owosso, Michigan shall be and the same is hereby added to read as follows:

Article III, Corridor Improvement Authority

Sec. 11.55. Purpose and Intent

The City Council (the "Council") of the city is strongly committed to the revitalization and redevelopment of commercial properties that have historically developed along the city's major arterial roadways ("commercial corridors"). The Council believes that revitalization and redevelopment of existing commercial corridors in maturing communities is preferable to the negative effects associated with the continual consumption of vacant land for commercial purposes in growth communities.

There presently exist within the city a number of commercial corridors which could greatly benefit from the new Corridor Improvement Authority Act, Act 280 of PA 2005 (the "Act"), through analysis, short and long-term planning, construction, renovation, repair, remodeling, rehabilitation, restoration, preservation and reconstruction of buildings and facilities. Tax incremental financing is one of many tools available to finance these activities under the Act.

The Council, having heard and considered testimony regarding the public need and potential benefits that are to be realized through the Act; and, having determined that it is necessary for the best interests of the public to redevelop and promote economic growth within commercial corridors; resolves to proceed with the creation and provide for the operation of a corridor improvement authority ("authority") within the City pursuant to and in accordance with the provisions of the Act.

Sec. 11.56. Title.

This Division shall be known as "The City of Owosso Corridor Improvement Authority Ordinance."

Sec. 11.57. Creation of Authority.

There is created pursuant to the Act a corridor improvement authority for the city. The authority shall be known and exercise its powers under the name "Corridor Improvement Authority of the City of Owosso." The authority shall possess all of the powers provided within this Division and the Act. The enumeration of a power in this Division or in the Act shall not be construed as a limitation upon the general powers of the authority.

Sec. 11.58. Board.

Except as otherwise provided in the Act, the authority shall be under the supervision and control of a seven member Board consisting of the Mayor or his or her designee and six members appointed by the Mayor, subject to approval by the Council. Not less than a majority of the members shall be persons having an ownership or business interest in property located in the development area. At least one of the members shall be a resident of the development area or of an area within one-half mile of any part of the development area. The Board shall elect a chairperson from among its members.

Of the members first appointed, two members shall be appointed for a term of one year, two members for a term of two years, one member for a term of three years, and one member for a term of four years. After the initial appointment, each member shall serve for a term of four years. Before assuming the duties of office, a member shall qualify by taking and subscribing to the constitutional oath of office. A member shall hold office until the member's successor is appointed. An appointment to fill a vacancy shall be made by the Mayor for the unexpired term only. After having been given notice and an opportunity to be heard, a member of the Board may be removed for cause by the Council.

Members of the Board shall serve without compensation, but shall be reimbursed for actual and necessary expenses.

Sec.11.59. Designation of Development Area.

The authority shall exercise its powers within the "Development Area," designated as the real property particularly described in Exhibit A and as depicted in the map on Exhibit B attached to The City of Owosso Corridor Improvement Authority Ordinance and made a part hereof, subject to such amendments as may be made in accordance with this Division and the Act.

Sec. 11.60. Open Meetings Act.

The proceedings and rules of procedure of the Board are subject to the open meetings act, Act 267 of PA 1976, MCL 15.261 to 15.275, as amended. The Board shall adopt rules governing its procedure and the holding of regular meetings, subject to the approval of the Council. Special meetings may be held if called in the manner provided in the approved rules of procedure.

Sec. 11.61. Freedom of Information Act.

A writing prepared, owned, used, in the possession of, or retained by the Board in the performance of an official function is subject to the freedom of information act, Act 442 of PA 1976, MCL 15.231 to 15.246, as amended. All expense items of the authority shall be publicized monthly and the financial records shall always be open to the public.

Sec. 11.62. Director's Bond.

In the event the Board elects to employ a director as authorized by Section 9(1) of the Act, the director, before entering upon the duties of office, shall, in addition to any other requirements of law, post a bond in the penal sum of \$10,000.00, payable to the authority for the use and benefit of the authority, which shall be approved by the Board and filed with the city clerk. The premium on the bond furnished by the director shall be considered an operating expense of the authority, payable from funds available to the authority for expenses of operation.

Sec. 11.63. Filing Ordinance with Secretary of State.

The City of Owosso Corridor Improvement Authority Ordinance and any amendments shall be filed with the Secretary of State promptly after adoption.

Sec. 11.64. Approval of Budget.

The Board shall prepare annually a budget and shall submit it to the Council for approval. The Board shall not adopt a budget for any fiscal year until the Council has approved the budget.

Sec. 11.65. Termination.

Upon completion of its purposes for which it was organized, the authority shall be dissolved by ordinance of the Council. The property and assets of the authority remaining after the satisfaction of the obligations of the authority shall revert to the city.

EXHIBIT A

WESTOWN CORRIDOR IMPROVEMENT DISTRICT

ROLL #	LEGAL DESC.	ADDRESS
050-537-000-044	SEC 14 COM ON NE COR MAIN & ELLIOTT STS N 132' E 66' S 132' W TO BEG	1318 W. MAIN
050-537-000-043	SEC 14 COM 66' E OF NE COR MAIN & ELLIOTT STS N 132' E TO AARR R/W SE'LY TO N LN OF MAIN ST W TO BEG (EX E 170' BEING 170' ON MAIN ST)	1314 W MAIN
050-537-000-042	SEC 14 COM ON N LN OF MAIN ST ON W LN OF AARR R/W W 170' N 141' E 45' SE'LY ALG RR 189'4" TO BEG	1302 W MAIN
050-537-000-041	SEC 14 COM 340' W & 112' N OF SE COR OF SEC TH W 226' TO AARR N W'LY ALG RR 231' E PAR WITH MAIN ST 405' S'LY 175' TO BEG	W. MAIN
050-537-000-040	PRT OF SEC 14 T7N R2E DESCR AS BEG ON N LN MAIN ST 322' W OF SE COR OF SD SEC, N 106' M/L, W 245' TO AARR, S 41'E TO N LN MAIN ST, E ALNG MAIN ST R/W TO POB	1232 W MAIN
050-537-000-038	COMM ON THE N LN OF MAIN ST 178' W OF E LN SEC 14 TH N 11' TO POB TH CONT N'LY 273' TH W'LY 136' TH S'LY ALG CENTER LN CHIPMAN CRK SEWER 174.5' TO A PT 106' N & PAR W/N LN MAIN STREET TH E'LY ALG SD LN 18.80' TH S 106' TH E'LY TO POB	1216 W MAIN
050-537-000-037	COMM 21' W OF SE COR SEC 14 TH N 03*08' 32" E 20.17' TO POB TH N'LY 266.83' TH W 157' TH S'LY 273' TH E'LY 150' TH NE'LY 12.84' TO POB	1200 W MAIN

050-113-015-002	LOT 1 (EX S 36') BLK 15 CITY ASSESSORS PLAT 3	1301 W MAIN
050-113-014-004	LOTS 7 & 12 & 13 (EXC S 15' OF LOT 13),ALSO EXC COM AT SW COR OF SD LOT 13,N'LY 15' ALONG W LN OF SD LOT- E'LY 60' PARALLEL WITH S LN OF SD LOT 13 TO POB; N'LY 9.5', E'LY 105' M/L TO E LN SD LOT 13', S'LY 14' M/L ALNG E LN OF SD LOT 13 TO A PT WHICH IS 15' N'LY OF THE SE COR OF SD LOT 13, W'LY 105' M/L TO POB. ALSO EXC, BEG AT A POINT THAT IS S01*27'20"W, ON W LN OF BLK 14. 303.10' FROM NW COR OF SAID BLK 14, TH S89*54'00"E, 49.26', TH S01*29'18"W, 23.09', TH S89*17'03"E, 1.60', TH S01*29'18"W, 60.99', TH N88*42'05"W, 50.81' TO W LN OF BLK 14, TH N01*27'20"E, 84.75' TO POB. ASSESSOR'S PLAT NO. 3.	1231 W MAIN
050-113-014-014	A PART OF LOTS 12 & 13, BLK 14, CITY ASSESSOR'S PLAT NO. 3; BEG AT A POINT THAT IS S01*27'20"W, ON W LN OF BLK 14. 303.10' FROM NW COR OF SAID BLK 14, TH S89*54'00"E, 49.26', TH S01*29'18"W, 23.09', TH S89*17'03"E, 1.60', TH S01*29'18"W, 60.99', TH N88*42'05"W, 50.81' TO W LN OF BLK 14, TH N01*27'20"E, 84.75' TO POB. .098 ACRES M/L. SUBJECT TO ESMT FOR INGRESS AND EGRESS.	201 ROBBINS
050-113-014-003	LOT 6 & W 6' OF LOT 5 ALSO LOT 8 (EX E 238' THEREOF) & N 16' LOT 9 (EX E 238' THEREOF) CITY ASSESSORS PLAT 3 BLK 14	1221 W MAIN
050-113-014-002	W 4' LOT 3, LOT 4 & E 9' LOT 5 BLK 14 CITY ASSESSORS PLAT 3	1217 W MAIN
050-113-014-001	LOT 1 2 & E 57' LOT 3 BLK 14 CITY ASSESSORS PLAT NO 3 EXC BEG AT PT ON N LN LOT 1 WHICH IS 10' W OF NE COR SD LOT TH E 10' TH S 90' TH NWSTLY TO POB ALSO EXC PT OF LOT 1 BEG AT A PT N LOT LN 20' W OF NE LOT CORNER TH E 20' TH S ALG E LOT LN 20' TH NWSTLY TO POB	1203 W. MAIN
050-113-014-005	E 238' OF LOT 8 & N 16' OF E 238' OF LOT 9 BLK 14	114 S. CHIPMAN
050-113-014-013	RR R-O-W MAIN ST TO CHIPMAN ST IN BLK 14 CITY ASSESSOR'S PLAT NO. 3	RR
050-660-017-001	LOTS 1 2 3 16 17 & 18 OF BLK 17 ALSO LOT 2 & 3 OF BLK 16 & THE VACATED PORTION OF STATE ST N OF MAIN ST PART OF A L & B O WILLAMS ADD EXC COM AT SW COR LOT 2 TH N 154' TH E 11' TH SW'LY TO POB WHICH IS 2.44' N OF SW COR SD LOT INCL 1/2 CLSD ALLEY	100-128 N. CHIPMAN
050-660-017-005	LOTS 11 12 13 14 & 15 (EX W'LY 10' OF LOT 15 & THE S 11' OF LOTS 11 12 13 & 14 ALSO EX BEG AT A PT ON W LINE OF LOT 15 WHICH IS 30' N OF SW COR OF SD LOT 15 SELY TO A POINT ON S LINE OF SD LOT 14 WHICH IS 7' E OF THE SW COR OF SD LOT 14 THE POB) BLK 17 A L & B O WILLIAMS ADD INCL 1/2 CLSD ALLEY 6'	1120 W. MAIN
050-660-017-004	LOTS 9 10 BLK 17 A L & B O WILLIAMS ADD INCL 1/2 CLSD ALLEY 6' EXC THE S 11' THEREOF	1110 W MAIN
050-660-017-003	LOTS 6 7 8 BLK 17 A L & B O WILLIAMS ADD INCL 1/2 CLSD ALLEY 6' (EXC THE S 11' THEREOF)	1108 W MAIN
050-660-016-001	LOT 1 BLK 16 A L & B O WILLIAMS ADD EXC BEG AT SW COR SD LOT TH E ALG LOT LN 44' TH NW'LY TO A PT 2.44' N OF SW COR TH S TO POB	1008 W. MAIN
050-100-001-003	LOTS 2 3 & 6 BLK A MARY A CHIPMANS ADD EXC AT A PT ON N LN LOT 2 WHICH IS 10' FROM NW COR LOT 2 TH W 10' TH S ON W LN 10' TH NE'LY TO POB	1119 W. MAIN
050-100-001-001	LOT 1 & N 16' OF E 82.5' & W 49.5' OF LOT 4 BLK A MARY A CHIPMANS ADD	1107 W MAIN
050-100-001-002	S 50' OF E 82.5' LOT 4 BLK A MARY A CHIPMANS ADD	108 STATE
050-050-000-021	W 1/3 LOT 11 ERASTUS BARNES ADD	1017 W MAIN
050-050-000-020	W 22' OF E 44' LOT 11 ERASTUS BARNES ADD	1015 W MAIN
050-050-000-019	E 1/3 LOT 11 ERASTUS BARNES ADD	1013 W MAIN
050-050-000-018	W 1/3 OF LOT 10 ERASTUS BARNES ADD	1011 W MAIN
050-050-000-017	E 1/2 OF W 2/3 OF LOT 10 ERASTUS BARNES ADD	1009 W MAIN

050-050-000-048	LOTS 8, 9, 14, 15, 16, E 1/3 LOT 10, E 22' OF N 1/2 LOT 13, E 4' LOT 17, & OUTLOT 1, ERASTUS BARNES' ADD; ALSO, E 172', BLK 1, GEORGE THOMAS ADD; ALSO, PART OF NW 1/4, SEC 24, T7N, R2E, CITY OF OWOSSO, ALSO PART OF LOT 3, BLK 13, CITY ASSESSORS PLAT NO. 3, BEG S89°42'09"E, 204.64' FROM NW COR LOT 11, ERASTUS BARNES' ADD; TH CON S89°42'09"E, 32.12', TH ON A CURVE TO RIGHT HAVING RADIUS OF 2080.00', A CENTRAL ANGLE OF 12°02'38" & CHORD BEARING S14°46'44"E, 436.42', TH S11°41'48"E, 118.76', TH S09°39'38"E, 101.54', TH S27°59'16"E, 158.33', TH S32°47'59"E, 92.63', TH ON A CURVE TO LEFT HAVING RADIUS OF 503.51', A CENTRAL ANGLE OF 34°21'11" AND A CHORD BEARING S50°29'23"E, 297.39', TH S82°41'11"W, 123.95', TH ON A CURVE TO RIGHT HAVING RADIUS OF 2948.54', A CENTRAL ANGLE OF 08°04'02" AND A CHORD BEARING S86°43'12"W, 414.81' TO WESTERLY ROW OF TSBY RAILROAD, TH ON SAID ROW LN ON CURVE TO THE LEFT HAVING RADIUS OF 1382.90', A CENTRAL ANGLE OF 46°11'30" & A CHORD BEARING N00°04'28"W, 1084.94' TO POB.	1005 W MAIN
050-050-000-013	W 86 1/2' OF LOT 7 (EX S 12') ERASTUS BARNES ADD	919 W MAIN
050-050-000-012	E 2' OF LOT 7 & W 36' LOT 6 INCL VACATED ALLEY IN S 12' THEREOF OF ERASTUS BARNES ADD	911 W MAIN
050-050-000-011	E 30' LOT 6 ERASTUS BARNES ADD	907 W MAIN
050-050-000-010	W 1/3 LOT 5 ERASTUS BARNES ADD	905 W MAIN
050-050-000-009	E 2/3 LOT 5 ERASTUS BARNES ADD	901 W MAIN
050-660-015-009	LOT 14 (EX E 4') & S 1/2 OF VAC ALLEY A L & BO WILLIAMS ADD BLK 15	916 W. MAIN
050-660-015-008	LOTS 9 10 & E 4' LOT 14 BLK 15 A L & B O WILLIAMS ADD	912-14 W. MAIN
050-660-015-007	LOT 8 BLK 15 A L & B O WILLIAMS ADD	910 W. MAIN
050-660-015-006	LOT 7 BLK 15 A L & B O WILLIAMS ADD	908 W. MAIN
050-660-015-005	LOT 5 & 6 BLK 15 A L & B O WILLIAMS ADD	904 W. MAIN
050-660-015-004	LOT 4 BLK 15 AL & BO WILLIAMS ADD	902 W. MAIN
050-660-015-003	LOT 3 BLK 15 AL & BO WILLIAMS ADD	900 W. MAIN
050-050-000-046	PENN CENTRAL RR R/W THRU ERASTUS BARNES ADD FR LYNN TO W MAIN ST; EXCEPT, PART OF LOT 3, BLK 13, CITY ASSESSORS PLAT NO. 3, BEG S89°42'09"E, 204.64' FROM NW COR LOT 11, ERASTUS BARNES' ADD; TH CON S89°42'09"E, 32.12', TH ON A CURVE TO RIGHT HAVING RADIUS OF 2080.00', A CENTRAL ANGLE OF 12°02'38" & CHORD BEARING S14°46'44"E, 436.42', TH S11°41'48"E, 118.76', TH S09°39'38"E, 101.54', TH S27°59'16"E, 158.33', TH S32°47'59"E, 92.63', TH ON A CURVE TO LEFT HAVING RADIUS OF 503.51', A CENTRAL ANGLE OF 34°21'11" AND A CHORD BEARING S50°29'23"E, 297.39', TH S82°41'11"W, 123.95', TH ON A CURVE TO RIGHT HAVING RADIUS OF 2948.54', A CENTRAL ANGLE OF 08°04'02" AND A CHORD BEARING S86°43'12"W, 414.81' TO WESTERLY ROW OF TSBY RAILROAD, TH ON SAID ROW LN ON CURVE TO THE LEFT HAVING RADIUS OF 1382.90', A CENTRAL ANGLE OF 46°11'30" & A CHORD BEARING N00°04'28"W, 1084.94' TO POB.	RR
050-050-000-046 (cont.)		RR
050-660-014-004	LOT 3 BLK 14 A L & B O WILLIAMS ADD	800 W. MAIN
050-660-014-005	LOTS 4 5 6 7 BLK 14 AL & BO WILLIAMS ADD	802-806 W. MAIN
050-660-014-006	LOTS 8 & 9 BLK 14 A L & B O WILLIAMS ADD	810 W. MAIN
050-660-014-007	LOT 10 BLK 14 A L & B O WILLIAMS ADD	814 W. MAIN
050-660-014-008	LOT 11 BLK 14 AL & BO WILLIAMS ADD	816 W. MAIN
050-660-014-009	LOT 12 BLK 14 A L & B O WILLIAMS ADD	818 W. MAIN
050-660-014-010	LOT 13 BLK 14 A L & B O WILLIAMS ADD	820 W. MAIN
050-660-014-011	S 1/2 LOT 14 BLK 14 A L & B O WILLIAMS ADD	822 W. MAIN
050-660-014-012	N 1/2 LOT 14 BLK 14 A L & B O WILLIAMS ADD	104 N. LANSING
050-050-000-008	LOT 4 ERASTUS BARNES ADD (EXC S 16' THEREOF)	819 W. MAIN
050-050-000-007	W 22' LOT 3 ERASTUS BARNES ADD (EXC S 16' THEREOF)	817 W. MAIN
050-050-000-006	W 22' OF E 44' LOT 3 ERASTUS BARNES ADD (EXC S 16' THEREOF)	815 W. MAIN
050-050-000-005	E 22' LOT 3 ERASTUS BARNES ADDN EXC S 16' THEREOF ALSO E 24' LOT 30 ERASTUS BARNES ADDN	813 W. MAIN

050-050-000-004	W 1/3 LOT 2 ERASTUS BARNES ADD (EXC S 16' THEREOF)	811 W. MAIN
050-050-000-003	W 22' OF E 44' OF LOT 2 ERASTUS BARNES ADD (EXC S 16' THEREOF)	809 W. MAIN
050-050-000-002	E 22' OF LOT 2 ERASTUS BARNES ADD (EXC S 16' THEREOF)	807 W. MAIN
050-050-000-047	W 1/2 LOT 31 ERASTUS BARNES ADD	S. CEDAR STREET
050-050-000-001	LOT 1 (EX S 11.3' THEREOF) ERASTUS BARNES ADD	801 W. MAIN
050-050-000-038	E 1/2 LOT 31 ERASTUS BARNES ADD INCLUDING 1/2 CLOSED ALLEY	114 S. CEDAR
050-660-018-017	N 148.5' LOT 5 BLK 18 A L & B O WILLIAMS ADD	737 W. MAIN
050-660-018-014	COM AT NW COR LOT 4 BLK 18 A L & B O WILLIAMS ADD TH S 150' E 65' N 150' W 65' ALSO BEG AT NE COR SD DESC S 121' E 10' N 121' W 10' TO POB FOR USE AS ALLEY (JOINT OWNERSHIP ON SD 10')	731 W. MAIN
050-660-018-012	PRT OF LOT 4 BLK 18 A L & B O WILLIAMS ADD DESCR AS COM AT NE COR LOT 4, S 156' W 43', N 156', E TO POB (EXC BEG AT THE NW COR LOT 4, S 150', E 65', N 150', W 65' TO POB)	727 W. MAIN
050-660-018-009	N 170' OF LOT 3 BLK 18 OF A L & B O WILLIAMS ADD	723 W. MAIN
050-660-018-005	N 148' OF E 66' LOT 1, N 132' OF W 66' LOT 1, N 1/2 LOT 2 AND N 16.50' OF E 33' OF S 1/2 LOT 2 ALL IN BLK 18 A L & B O WILLIAMS ADD TO CITY	705-707 W. MAIN
050-660-013-004	LOT 12 BLK 13 A L & B O WILLIAMS ADDN	114 N. CEDAR
050-660-013-007	LOTS 13 & 14 BLK 13 A L & B O WILLIAMS ADD	738 W. MAIN
050-660-013-002	LOT 9 BLK 13 A L & B O WILLIAMS ADD	728 W. MAIN
050-660-013-001	LOTS 1 THRU 8 BLK 13 A L & B O WILLIAMS ADD	702 W. MAIN
050-660-013-003	LOTS 10 & 11, BLK 13 A L & B O WILLIAMS ADDN	BRADLEY ST
050-120-007-004	S 72' OF LOT 3 BLK 7 LUCY L COMSTOCKS ADD	616 W. MAIN
050-120-007-006	LOT 4 BLK 7 LUCY L COMSTOCKS ADD	612 W. MAIN
050-120-007-009	LOT 7 BLK 7 LUCY L COMSTOCKS ADD	606 W. MAIN
050-120-007-010	LOT 8 BLK 7 LUCY L COMSTOCKS ADD	602 W. MAIN
050-660-019-008	BLK 19 AL & BO WILLIAMS ADD EXC SW COR 66' E & W BY 132' N & S ALSO SE COR 132' W & E BY 66' N & S	601 W. MAIN
050-660-019-011	W 49.5' OF S 1/2 OF S E 1/4 BLK 19 A L & B O WILLIAMS ADD	610 CLINTON
050-660-020-008	LOTS 4, 5, 6, 7 AND N 9' OF W 11' LOT 3 BLK 20 A L & B O WILLIAMS ADD	513 W. MAIN
050-660-020-001	LOTS 1 2 & 3 EXC N 91' OF W 42' OF LOT 2 BLK 20 AL & BO WILLIAMS ADD	501 W. MAIN
050-660-020-003	W 42' OF N 91' LOT 2 BLK 20 A L & B O WILLIAMS ADD	511 W. MAIN
050-660-021-002	W 41' OF LOT 1 BLK 21 A L & B O WILLIAMS ADD	511 CLINTON
050-660-021-001	E 91' LOT 1 BLK 21 A L & B O WILLIAMS ADD	202 S. SHIAWASSEE
050-660-021-003	LOT 2 BLK 21 A L & B O WILLIAMS ADD	206 S. SHIAWASSEE
050-660-021-004	N 23' LOT 3 BLK 21 A L & B O WILLIAMS ADD	210 S. SHIAWASSEE
050-660-021-005	LOT 3 (EX N 23') BLK 21 A L & B O WILLIAMS ADD	214 S. SHIAWASSEE
050-660-021-006	E 1/2 LOT 4 BLK 21 A L & B O WILLIAMS ADD	502 GENESEE
050-660-021-007	W 1/2 LOT 4 BLK 21 A L & B O WILLIAMS ADD	508 GENESEE
050-660-025-002	W 35' LOT 1 BLK 25 A L & B O WILLIAMS ADD	509 GENESEE
050-660-021-008	LOTS 5-10 BLK 21 & LOTS 6 7 10 BLK 25 A L & B O WILLIAMS ADD & ABUTTING CLSD GENESEE ST	211 S. ELM
050-120-008-003	LOTS 2 3 7 8 9 & S 85' LOT 6 BLK 8 LUCY L COMSTOCKS ADD	520 W. MAIN
050-120-008-008	LOTS 5 & 10 BLK 8 LUCY L COMSTOCKS ADD	500 W. MAIN
050-120-008-004	LOT 4 BLK 8 LUCY COMSTOCKS ADD	507 BRADLEY
050-660-025-001	LOT 1 BLK 25 (EX W 35') A L & B O WILLIAMS ADD	302 S. SHIAWASSEE
050-660-025-003	LOT 2 BLK 25 A L & B O WILLIAMS AD	308-310 S. SHIAWASSEE
050-660-025-004	LOT 3 BLK 25 A L & B O WILLIAMS ADD INCLUDING 1/2 CLOSED ALLEY	314 S. SHIAWASSEE
050-660-025-005	LOT 4 (EX COM S W COR LOT 4 TH E 40' N'WSTLY TO A PT 33' N OF SW COR LOT 4 S 33' TO BEG BLK 25 A L & B O WILLIAMS ADD INCLUDING 1/2 CLOSED ALLEY	318 S. SHIAWASSEE

hearing and considering objections to the proposed vacation and discontinuance of the following portions of the public street in said City; and all objections of such proposed actions 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 said City the following street situated in the City of Owosso, County of Shiawassee, State of Michigan, be and the same is hereby vacated, discontinued and abolished, said portions of said street being more particularly described as follows, to wit:

That portion of Elm Street lying between Lots 11 & 12, Block 26 and Lots 1 & 2, Block 27, A.L. & B.O. Williams Addition to the City of Owosso, Shiawassee County, Michigan, and

further that the City does hereby retain the utility easements of record and reserves an easement therein for public utility purposes with full rights of ingress and egress for construction, maintenance, and repairs within the right-of-way of said street vacated hereby.

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

Motion supported by Mayor Pro-Tem Owen.

Roll Call Vote.

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

NAYS: None.

SPECIAL ASSESSMENT DISTRICT NO. 2007-08 Cass Street from Cedar Street to Shiawassee Street

The Public Hearing was conducted to receive citizen comment regarding authorization of Resolution No. 5 for Special Assessment District No. 2007-08, for Cass Street from Cedar Street to Shiawassee Street (M-52) for street reconstruction.

There were no public comments.

The following preamble and resolution were offered by Councilperson Harvey and supported by Councilperson Cline:

RESOLUTION NO. 38-2007

WHEREAS, the City Council has met, after due and legal notice, and reviewed the special assessment roll prepared for the purpose of defraying the special assessment district's share of the following described public improvement: Cass Street from Cedar Street to Shiawassee Street (M-52) for street reconstruction, and

WHEREAS, there being no one to be heard and after carefully reviewing said special assessment roll the Council deems said special assessment roll to be fair, just and equitable and that each of the assessments contained thereon results in the special assessment being in accordance with the benefits to be derived by the parcel of land assessed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll as prepared by the City Assessor in the amount of \$13,335.00 is hereby confirmed and shall be known as Special Assessment Roll No. 2007-08.
2. Said special assessment roll shall be divided into ten (10) equal annual installments, the first of which shall be due and payable on September 1, 2007, and the subsequent installments shall be due on September 1st of each and every year thereafter. Payment of the amount of the special assessment may be made in full without interest or penalty by December 1, 2007.
3. The installments of the special assessment rolls shall bear interest at the rate of 6% per annum; provided, however, if the bonds are issued in anticipation of said special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to 1% above the average rate of interest borne by said bonds. Such interest shall commence on December 1, 2007 and shall be paid annually on each installment due date.
4. Said special assessment roll shall be placed on file in the office of the City Clerk who shall attach his warrant to a certified copy thereof within ten (10) days commanding the Assessor to spread the various sums shown thereon as directed by the City Council.

Roll Call Vote.

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

NAYS: None.

CITIZEN COMMENTS AND QUESTIONS

Gary Martenis, 705 Lingle Avenue, commented on his experience observing SATA operations and his desire for Council to continue its financial support for SATA.

Nancy Cadieux, 118 ½ North Lansing Street, commented on her use of SATA services and her fear that she would not be able to afford rates if Council does not continue its financial support for SATA.

Jo Paluche, 1299 South Shiawassee Street, Bldg G, commented on her use of SATA services.

Shelva Cebulski, 1243 Marion Street, commented on the flags flying from the cranes at the Oliver Street bridge construction site.

County Commissioner Dan Stewart indicated there was no action at the County due to the fact the meeting was cancelled.

Betty Coon, 1204 Palmer Avenue, commended Councilperson Cline for his work on the SATA Board.

Tracy Nash, 106 North Washington Street, commented on her feeling the fire and police departments performed poorly during the recent apartment fire.

Garry Gasek, 602 North Dewey, commented on his feeling the fire department performed poorly during the recent apartment fire.

Shelly Ochodnicky, 494 Hintz Road, described how she discovered her nephew was killed in the fire and her hopes that everyone support the police in their investigation to find who started the fire.

Stephanie Ashenden, 106 North Washington Street, commented on her feelings the police did not help her during the fire.

Scott Diffin, 218 North Byron Road, Lennon indicated his daughter was recovering at Hurley Hospital from the fire and was doing better, he also indicated he felt helpless during the situation.

Burton Fox, 216 East Oliver Street, commented on his feeling the police and fire departments did a fine job during the fire and that the City needs to learn as much as possible from the experience.

The 30 minute time limit was reached.

Motion by Councilperson Harvey to extend the Citizen Comment and Question period by 15 minutes.

Motion supported by Councilperson Cline

Roll Call Vote.

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

NAYS: None.

The Citizen Comment and Question period was extended by 15 minutes.

Carolyn Skodak, 106 North Washington Street, commented on her desire for more training for the firefighters and how "unbelievably scary" her experience was during the apartment fire.

Samantha Bandt, 106 North Washington Street, commented on her desire for more training for the firefighters and her experience during the apartment fire.

Public Safety Director Compeau responded to claims the fire department was slow in responding to the fire, he indicated he was proud of their performance, and all available resources would be dedicated to investigate the crime.

Mayor Robertson commented on re-establishing the rental inspection program and her trust in the fire department.

Councilperson Bruff inquired as to whether gas and electricity had to be shut off before fighting the fire.

Fire Chief Bradley indicated power had to be shut off because electrical lines presented a danger to the aerial truck and prevented it from accessing the back of the building entirely.

Public Safety Director Compeau went on to say that hard work saved the entire block from burning down.

Councilperson Cline inquired as to why an evacuation alarm sounded during the fire. It was replied the roof mounted heating and cooling units began to fall through and presented a danger to fire fighters.

There was general discussion regarding leads in the crime, requests for information on the fire, techniques for fighting fires, the apartments being brought up to code in 2005, fire doors that may have been left open, and the hard work of the firefighters during the fire.

CONSENT AGENDA

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

Traffic Control Order No. 1193. Authorized Traffic Control Order No. 1193 adding a handicap parking space on the north side of the 100 block of Mason Street (first space west of Washington Street).

Warrant No. 346. Accepted Warrant No. 346 as follows:

Vendor	Description	Fund	Amount
Brown & Stewart, PC	Professional Services covering the period of June 13, 2007 to July 11, 2007	General	\$13,396.26
Shiawassee Family YMCA	Management Services for Holman Pool covering the period of June 19, 2007 to June 30, 2007	General	\$7,950.00

Motion supported by Councilperson Horvath.

Roll Call Vote.

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

NAYS: None.

ITEMS OF BUSINESS

CROSSING GUARD VACANCIES

Public Safety Director Michael T. Compeau informed Council that State law requires the City to provide crossing guards during the school year.

Motion by Councilperson Bruff to authorize the hire of 3 new and 3 substitute crossing guards to fill vacancies.

Motion supported by Councilperson Cline.

Roll Call Vote.

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

NAYS: None.

CHARTER AMENDMENT PROPOSAL – PLANNING COMMISSION

Motion by Mayor Pro-Tem Owen to submit the following Amendment to the Charter of the City of Owosso for approval of the voters at the November 6, 2007 General Election provided it meets with approval by the Michigan Governor’s Office and Michigan Attorney General’s Office and to adopt the following Statement of Purpose and Charter Amendment Question:

Motion supported by Councilperson Bruff.

Councilperson Horvath suggested information be distributed to citizens in the monthly water billing. It was also suggested information be placed on the City website.

Mayor Pro-Tem Owen moved to amend his motion to include the words “and require that it be established by City Ordinance.” to the Charter Amendment Question as follows:

Section 7.14(a) of the City of Owosso Charter which provides for the City Planning Commission as follows:

(a) The council shall provide for and maintain a City Planning Commission which shall possess all of the powers and perform the functions of planning commissions as set forth in Act No. 285, P.A., 1931 (MCL 125.31 et seq., MSA 5.2991 et seq.), as amended. The members of the Planning Commission shall be the Mayor; a member of the council other than the Mayor, to be designated by the Council; three administrative officers of the city and a representative of the public school system in the city, to be designated by the Mayor; and six persons who are not officers or employees of the city, having the qualifications of elective officers set forth in this charter and representing in so far as is possible different professions or occupations, to be appointed by the Mayor, subject to the confirmation of the council. The six appointive members of the commission shall serve for terms of three years. The council shall arrange the terms of such members as were serving on the city’s Planning Commission on the effective date of this charter, and others appointed to fill the six members required by this section, so that the terms of two such members will expire in each year. The terms of the public school representative member shall be for two years, ending on the first day of July in even numbered years. Administrative officer members shall serve at the pleasure of the Mayor. All members, except the Mayor, may be removed from the Commission by the council as provided in Section 3 of Act No. 285, P.A. 1931 (MCL 125.33, MSA 5.2993), as amended.

shall be amended to read:

(a) The council shall provide for and maintain a City Planning commission which shall possess all of the powers and perform the functions of planning commissions as set forth in Act No. 285, P.A., 1931 as amended or as provided for in its successor legislation. The membership and term of office of the planning commissioners shall be established by city ordinance and comply with Act No. 285, P.A. 1931, as amended or as provided for in its successor legislation.

STATEMENT OF PURPOSE

This Amendment would require that the powers and composition of the City Planning Commission correspond with State law and require that it be established by City Ordinance.

CHARTER AMENDMENT QUESTION

Shall the City of Owosso Charter Section 7.14(a) be amended to require that the powers and composition of the City Planning Commission correspond with State law and require that it be established by City Ordinance?

Councilperson Bruff supported the amended motion.

Roll Call Vote.

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

NAYS: None.

CHARTER AMENDMENT PROPOSAL – TRANSIT SYSTEM

Mayor Robertson detailed the proposed Charter amendment for members of the audience.

There was general discussion regarding the SATA millage that was submitted to voters in 2004.

Motion by Councilperson Bruff to submit the following Amendment to the Charter of the City of Owosso for approval of the voters at the November 6, 2007 General Election provided it meets with approval by the Michigan Governor’s Office and Michigan Attorney General’s Office and to adopt the following Statement of Purpose and Charter Amendment Question:

There being no Section 3.2(8) in the current Owosso City Charter, a new Section 3.2(8) shall be added to read:

Section 3.2 Permitted and Other Powers.

Under authority of Act No. 279 of the Public Acts of 1909 (MCL 117.1 et seq., MSA 5.2071 et seq.), as amended, and other provisions of law, the power of the city shall include, but shall not be limited to, the following, which so far as possible shall be exercised by general ordinance provisions: . . .

- (8) For the acquisition by construction, condemnation or purchase and for the ownership, equipment, possession, leasing, operation, maintenance and finance of a public transit system. For negotiating, executing and performing contracts with any other municipality or municipalities, duly authorized and empowered to that end, with reference to the construction, equipment, operation, maintenance and management of a public transit system and facilities, and for the financing of any obligations, assumed under or imposed by any such contract.

STATEMENT OF PURPOSE

This Amendment would allow the City of Owosso to own, operate and finance public transit systems and enter into agreements with other municipalities to own, operate and finance public transit systems.

CHARTER AMENDMENT QUESTION

Shall the City of Owosso Charter, Section 3.2(8), be added to allow the City of Owosso to own, operate and finance public transit systems and enter into agreements with other municipalities to own, operate and finance public transit systems?

Motion supported by Councilperson Harvey.

Roll Call Vote.

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

NAYS: None.

SATA FUNDING PROPOSAL

Interim City Manager Larry D. Cook introduced the proposed millage question and indicated it was only one possible option as a funding source for SATA. He further indicated other communities involved in SATA would be considering similar proposals.

There was discussion regarding when the millage would go into effect, its cost to the average homeowner, asking for more than is currently needed to allow for changes in State and Federal funding, the margin by which the previous SATA millage passed, how the decision was reached to credit the City for half of the amount of in-kind services it provides, and the conflict of the desire to support public transportation yet having concerns over the way it is operated.

Motion by Councilperson Bruff to adopt the following resolution to place a millage proposal on the November 6, 2007 General Election ballot to support the provision of public transportation in the City:

**RESOLUTION NO. 39-2007
PUBLIC TRANSPORTATION MILLAGE PROPOSAL**

WHEREAS, on October 1, 1999, the City of Owosso entered into an agreement with other Shiawassee County units of government through which the Shiawassee Area Transportation Agency was formed for the purposes of providing demand-response public transportation services in areas of Shiawassee County including the City of Owosso; and

WHEREAS, since its inception, the Shiawassee Area Transportation Agency has been able to finance the provision of transportation services through a combination of federal and state grants, in-kind contributions, user fees and contracted service revenues; and

WHEREAS, the Owosso City Council believes that it is desirable to provide for the future of public transportation available to City residents by authorizing the levy of a millage for that purpose; and

WHEREAS, the Michigan Constitution of 1963 requires that the levy of a new millage be authorized by a vote of the electorate;

NOW, THEREFORE, BE IT RESOLVED, that the following proposal be certified to the County Clerk and submitted to the electors in the City of Owosso at the November 6, 2007 city election:

**NEW ADDITIONAL MILLAGE PROPOSAL
(PUBLIC TRANSPORTATION MILLAGE)**

This proposal requests the authorization for the levy of a new additional millage for the purpose of supporting the provision of public transportation services in the City of Owosso. This millage would be disbursed to the Shiawassee Area Transportation Agency and used to defray the expenses of existing transportation services and expansion of those services in the future. It authorized by the voters, it is estimated that the levy of the entire millage would generate \$69,000 the first year.

Shall a new additional millage for public transportation services be levied in an amount not to exceed .25 mill (\$.25 per \$1,000 of taxable valuation) annually for a period of five years?

YES _____

NO _____

Motion supported by Councilperson Cline.

Roll Call Vote.

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

NAYS: None.

SATA CONTRIBUTION

There was discussion whether the decision to contribute to SATA for the 2008-2009 fiscal year would take away the voters' opportunity to decide whether to fund the system. It was noted that if Council failed to decide by September 1, 2007 the City would be considered a nonparticipating entity and rates for riders would almost double.

Motion by Councilperson Cline to approve the SATA contribution in the amount of \$23,797.73 for the 2008-2009 fiscal year.

Motion supported by Councilperson Bruff.

Roll Call Vote.

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

NAYS: None.

BOARDS AND COMMISSIONS APPOINTMENTS

There was discussion regarding the number of reappointments and getting new people involved in City Boards and Commissions. It was suggested that openings could be placed on the City website and all Council members recruit potential board members.

Motion by Mayor Pro-Tem Owen to approve the following Mayoral appointments:

Name	Board/Commission	Term Expires
Barbara Bucsi*	Downtown Development Authority	06-30-2011
Linda Moiles-Foster	Downtown Development Authority	06-30-2011
Elizabeth Frasier*	Zoning Board of Appeals	06-30-2010
David Vaughn*	LDFFA/Brownfield Authority	06-30-2011

*Denotes a reappointment

Motion supported by Councilperson Horvath.

Roll Call Vote.

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

NAYS: None.

FIFTH MONDAY MEETING

Motion by Mayor Pro-Tem Owen to cancel the fifth Monday meeting originally scheduled for July 30, 2007.

Motion supported by Councilperson Harvey.

Roll Call Vote.

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

NAYS: None.

COMMUNICATIONS

Michigan Municipal League. Fall conference announcement.

John F. Archer, Building Official. June 2007 Building Department Report.

John F. Archer, Building Official. June 2007 Code Violations Report.

John F. Archer, Building Official. June 6, 2007 Condemnation Hearing Minutes.

John F. Archer, Building Official. July 11, 2007 Building Board of Appeals Minutes.

Michael T. Compeau, Public Safety Director. June 2007 Police Department Report.

Michael T. Compeau, Public Safety Director. June 2007 Fire Department Report.

In regard to the Condemnation Hearing Minutes, Councilperson Cline requested photos of the condemned houses prior to considering approval for demolition. It was noted a video could be provided and the houses would be considered separately by Council for demolition authorization but would be put out for bid together in order to solicit a better bid price.

CITIZEN COMMENTS AND QUESTIONS

Kevin M. Brown, 217 Curwood Castle Drive, relayed his personal experience with fire and pointed out that people recall and remember different things in those types of situations.

Burton Fox, 216 East Oliver Street, commended Fire Chief Bradley for his actions the day of the fire and indicated he was reserving two days on his cable TV show in October to cover issues and candidates on the November ballot.

Shelva Cebulski, 1243 Marion Street, inquired if the fire department had an air mattress to rescue people in tall buildings.

Bryan Fitch, 1470 Jackson Drive, thanked staff for answers to questions he posed during the last council meeting and indicated he was interested in being on the Planning Commission.

Betty Coon, 1204 Palmer Avenue, inquired about the proposed Charter amendments, her appreciation for what Fire Chief Bradley had to say about the fire and her upcoming 50th class reunion.

Gary Martenis, 705 Lingle Avenue, thanked Council for approving SATA funding.

Eddie Urban, 601 Glenwood Avenue, thanked Councilperson Cline for trying to save the City money and his desire for a fast arrest in the apartment fire arson case.

Community Director Hathaway explained the purpose of the Planning Commission charter amendment was to establish the commission as a citizen based governing body.

ADJOURNMENT

Motion by Councilperson Harvey for adjournment at 9:55 p.m.

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

Linda L. Robertson, Mayor

Amy K. Kohagen, City Clerk