

City of Corunna
Regular Council Meeting
Monday, August 1, 2011

Present: Perdue, Jessen, Sarrazin, Johnson, Haskins, Reichert.

Guests: Merilee Lawson, City Assessor/Planner; Judy Horton; Helen Granger, Bob Bushman, Diane Johnson, Bob & Sharon Morehouse, Donna Kerridge, Justin Horvath, John Aldridge.

The meeting was called to order in the council chambers of Corunna City Hall by Mayor Kerridge at 7:00 p.m.

MINUTES OF THE PREVIOUS REGULAR MEETING: Johnson moved, Perdue seconded, to approve the previous regular meeting minutes dated July 18, 2011 as presented.

Roll call vote:

Yes: Jessen, Sarrazin, Johnson, Haskins, Reichert, Perdue.

No: None.

Motion CARRIED

AGENDA APPROVAL: Johnson moved to approve the agenda with the following additions:

Item #11 will be to consider the bid from Dave Collard for \$1,800 for sidewalk placement at the World War II Monument. Item #12 to consider the purchase of a Ditching Bucket from motor pool

Sarrazin seconded the motion.

Roll call vote:

Yes: Johnson, Haskins, Reichert, Perdue, Jessen, Sarrazin,

No: None.

Motion CARRIED

RESOLUTION APPROVING VENDOR DISBURSEMENTS: Sarrazin moved, Reichert seconded, to approve the vendor disbursements for 7-8-11 through 7-21-11 as presented.

Roll call vote:

Yes: Haskins, Reichert, Perdue, Jessen, Sarrazin, Johnson

No: None.

Motion CARRIED

CALL TO AUDIENCE:

Sharon Morehouse wanted to say that there is an old adage that says you can't judge a book by its cover. But unfortunately ninety percent of the people do. She said this city is in awful disrepair and every corner of it. She said each and every one of the council should be held responsible for it. She said Queen Anne's lace is not an endangered species. You have purchased land and don't have enough people to keep it up. My father was laid to rest during some of your council service. Where did the perpetual monies go? There is another adage do as I say, not as I do. Is it fair that you ask that I and other city residence observe city ordinances, when the city doesn't. Now, the city is making it so I can't sell my home, because you don't keep it up. And now I hear that you may be considering letting chickens be raised in the city. I can't wait until I go to the drop off center and smell the chicken feces. Now maybe you won't call it a leaf drop off, but call it what you will. Each and every one of you need to do something about this city or we will become a repo ourselves.

CONSIDER LOT SPLIT AT 522 N. BRADY STREET: Merilee explained that this has gone to the Planning Commission and was approved. Johnson moved, Sarrazin seconded, to approve the lot split on parent parcel #26-20-006-006, which is Mark Fredrick, 18 feet of the neighboring property at 522 N. Brady Street as presented.

Roll call vote:

Yes: Johnson, Reichert, Perdue, Jessen, Haskins, Sarrazin.

No: None

Motion CARRIED

CONSIDER THE USDA-RD WATER AND SEWER INVOICES: Joe Sawyer advised that this is draw #3 for Pamar Enterprises, job #537.11, work through July 22, 2011. For the sewer system it is \$232,067.51 with well over a million dollar worth of work yet to complete. On the water system it is \$240,231.91 with approximately \$189,000 worth of work yet to finish. So the amount requested for payment in draw #3 is \$472,299.42. We also have two invoices from C2AE for sewer, invoice #53054 totaling \$13,049.81 and for water, invoice #53055 totaling \$31,822.18. Moved by Johnson, seconded by Sarrazin, to approve the invoices from Pamar Enterprises and C2AE as presented.

Roll call vote:

Yes: Haskins, Jessen, Perdue, Sarrazin, Johnson, Reichert.

No: None

Motion CARRIED

7:17 PM ENTER PUBLIC HEARING TO CONSIDER MACHINE TOOL & GEAR IFT APPLICATION:

Johnson moved, Perdue seconded to leave the regular council meeting and enter a public hearing to receive public comments on Machine & Gear IFT application.

Roll call vote:

Yes: Reichert, Perdue, Sarrazin, Haskins, Johnson, Jessen

No: None

Motion CARRIED

Joe Sawyer advised that Machine Tool & Gear has outgrown their facility and purchased another building in Owosso. They have moved some of the old equipment to the Owosso facility and purchased new equipment for the Corunna plant. He introduced General Manager, John Aldridge from Machine Tool and Gear to speak about his facility.

John Aldridge advised that they looked at expanding the Corunna facility, however the most they could add was 20,000 square feet. He said if they had done that, at \$50 a square foot, they would be looking for more space right now. He said on November 30, 2010, they obtained a building in Owosso that has 70,000 square feet and have made some improvements there. He said some of the equipment they are asking for IFT approval on was in storage because they had no place to put it. They are continuing to grow and in January 2010 they employed approximately 200 people. At the present time they have 70 hourly and salaried people working in the Owosso building and 249 in Corunna. In the application they planned to employ 33 people and as of this week those two projects have employed 38 people. He added that they have bid a job that Eaton wants to move from South Korea to Corunna. He thanked the Mayor and City Council for all their support as they continue to grow.

Justin Horvath, CEO Economic Partnership commented that Machine Tool and Gear has had the largest employment recently and have survived the down falls of recently years. He added that another factory in Owosso is bringing back 76 jobs from Mexico and the shoring concept is working. He said he is here in support of Machine Tool and Gear and their facilities.

At 7:26 pm, Sarrazin moved, Johnson seconded, to leave public hearing and go back to regular session.

Roll call vote:

Yes: Reichert, Perdue, Sarrazin, Haskins, Johnson, Jessen

No: None

Motion CARRIED

Johnson moved, Jessen seconded, to approve the IFT application for 12 years to Machine Tool & Gear.

Roll call vote:

Yes: Johnson, Haskins, Jessen, Sarrazin, Reichert, Perdue

No: None

Motion CARRIED

RESOLUTION 080111-01 APPROVAL OF MACHINE TOOL & GEAR IFT APPLICATION

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on February 3, 1997, this City Council by resolution established the Corunna Industrial Development District No. One, as requested by Machine Tool & Gear; and

WHEREAS, Machine Tool & Gear has filed an application for an Industrial Facilities Exemption Certificate with respect to a new facility to be acquired and installed within the Industrial Development No. One; and

WHEREAS, before acting on said application, the City of Corunna held a hearing on August 1, 2011, at Corunna City Hall, 402 N. Shiawassee Street, in the City of Corunna, at 7:15 p.m., at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, installation of new machinery and equipment with a value of approximately \$1,521,065.00 million, had not begun earlier than six (6) months before May 10, 2011, the date of the acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, completion of the facility is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Corunna; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Corunna, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the Corunna City Council of the City of Corunna that:

1. The Corunna City Council finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, **shall not have the effect of substantially impeding the operation of the City of Corunna, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Corunna.**

2. The application of Machine Tool & Gear for an Industrial Facilities Exemption Certificate with respect to a new facility to be acquired and installed on the following described parcel of real property situated within the Corunna Industrial Development District No. One, to wit:

Parcel ID#026-70-039-000

A part of the Southeast ¼ of the Northwest ¼ of Section 21, in Township 7 North, Range 3 East, City of Corunna, Shiawassee County, Michigan, described as beginning on the North and South ¼ line on a point which is 769.05 feet North of the intersection of said ¼ line with the East and West ¼ line of said Section; thence South 88 degrees 37 minutes 00 seconds West 638.96 feet; thence North parallel with the North and South ¼ line 545.55 feet to the North line of said Southeast ¼ of the Northwest ¼ of said Section; thence North 88 degrees 37 minutes 00 seconds East along the 1/8 line 638.96 feet to the North and South ¼ line of said Section, and thence South along the ¼ line 545.55 feet to the point of beginning.

be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of 12 years.

AYES: ALL

NAYS: NONE

RESOLUTION DECLARED ADOPTED.

Nichole Cowdrey – Clerk/Treasurer

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Corunna City Council of the City of Corunna, County of Shiawassee, Michigan, at a regular meeting held on August 1, 2011.

Nichole Cowdrey – Clerk/Treasurer

7:27 PM ENTER PUBLIC HEARING TO CONSIDER AMERICAN PELLET COMPANY IFT APPLICATION:

Johnson moved, Sarrazin seconded, to leave the regular council meeting and enter a public hearing to receive public comments on American Pellet Company IFT application.

Roll call vote:

Yes: Haskins, Sarrazin, Perdue, Johnson, Jessen, Reichert

No: None

Motion CARRIED

Joe Sawyer advised that this is Resolution #080111-02, American Pellet Company is a start-up company producing bio-mass pellets, which are the ones like you use in a pellet burner or corn burner in some cases. Larry Fisher who owns American Recycling in Owosso, who recycles rubber scrap for track and tennis courts applications is the one who purchased the old Strawsine Building. This activity is occurring in the back portion of this facility, which is the industrial portion and is under construction as we speak. The equipment in this application is used equipment and is being brought in from out of state, which also qualifies for IFT. He then referred to Merilee Lawson for further explanation.

She advised that used equipment still qualifies for IFT, however she stated she needed to qualify a lot of the items at the state level and obtain receipts from Randy Woodworth. She stated the only affect it has involving council is how many years he qualifies for. Merilee said an option is to table the application pending review of reconciliation of his receipts. You do not have to act at this meeting, you can table it.

Justin Horvath advised that he felt tabling this application would be an excellent idea. He said they would be having an unveiling soon and with this being a start-up operation, council could tour the facility and see the operation. He said they still have confidence in the business because their successful operation of American Recycling business in Owosso and he felt the pellet part of the business fills in when the rubber recycling business is not going as strong during any particular part of the year.

At 7:37 PM, Sarrazin moved, Reichert seconded, to leave the public hearing and return to regular council session.

Roll call vote:

Yes: Sarrazin, Reichert, Perdue, Haskins, Johnson, Jessen

No: None

Motion CARRIED

Motion by Sarrazin, seconded by Johnson, to table American Pellet IFT application until the August 15, 2011 meeting.

Roll call vote:

Yes: Perdue, Jessen, Sarrazin, Johnson, Reichert, Haskins

No: None

Motion CARRIED

7:38 pm ENTER PUBLIC HEARING TO CONSIDER HOME OCCUPATION ORDINANCE #2011-01:

Johnson moved, Reichert seconded, to leave regular council session and enter into a public hearing for public comments on Home Occupation Ordinance #2011-01.

Roll call vote:

Yes: Jessen, Johnson, Reichert, Sarrazin, Haskins, Perdue

No: None

Motion CARRIED

This ordinance has been under review for over a year and a lot research has been done about how this will fit into the community and what regulation we needed. It was determined that growing and cultivating medical marijuana is a home occupation under the Home Occupation ordinance. Merilee referred to the draft copy of the ordinance before each council member and pointed out the rules.

Bob Moorehouse felt that the Planning Commission spent a lot of time on this ordinance. He said they read numerous other ordinances and felt they did the best that they could do. Everyone felt it was a very thorough ordinance.

At 8:00 pm, Sarrazin moved, Jessen seconded to leave the public hearing and return to regular council session.

Roll call vote:

Yes: Sarrazin, Johnson, Reichert, Perdue, Haskins, Jessen.

No: None

Motion CARRIED

Motion by Reichert, seconded by Sarrazin, to approve the amendments to City of Corunna Ordinance #2011-01, Sec 86-2 and definitions and rules; and an ordinance to amend the code of ordinances, City of Corunna Article X11, Sec 86-345, Home Occupations by adding subsections (7) through (11) of the City of Corunna Code.

Roll call vote:

Yes: Johnson, Reichert, Sarrazin, Jessen, Haskins, Perdue

No: None

Motion CARRIED

ORDINANCE NO. 2011-02

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF CORUNNA, MICHIGAN, CHAPTER 86, ZONING, SECTION 86-2, DEFINITIONS AND RULES BY ADDING THE FOLLOWING:

THE CITY OF CORUNNA, MICHIGAN, ORDAINS:

MARIHUANA, also known as MARIJUANA, and CANNABIS shall have the meaning given to it in Section 7601 of the Michigan Public Health Code, 1978 PAS 368, MCL 333.7106, as is referred to in section 3(d) of The Michigan Medical Marihuana Act, P.A. 2008, Initiated Law, MCL 333.26423(d). Any other term pertaining to marihuana used in this Chapter and not otherwise defined shall have the meaning given to it in the Michigan Medical Marihuana Act

“Primary caregiver” shall have the meaning given to it in Section 7601 of the Michigan Public Health Code, 1978 PAS 368, MCL 333.7106, as is referred to in section 3(g) of The Michigan Medical Marihuana Act, P.A. 2008, Initiated Law, MCL 333.26423(g) which states “a person who is at least 21 years old and who has agreed to assist with a patient’s medical use of marihuana and who has never been convicted of a felony involving illegal drugs”. Any other term pertaining to primary caregiver used in this Chapter and not otherwise defined shall have the meaning given to it in the Michigan Medical Marihuana Act

“Qualifying patient” shall have the meaning given to it in Section 7601 of the Michigan Public Health Code, 1978 PAS 368, MCL 333.7106, as is referred to in section 3(h) of The Michigan Medical Marihuana Act, P.A. 2008, Initiated Law, MCL 333.26423(h) which states “a person who has been diagnosed by a physician as having a debilitating medical condition. Any other term pertaining to a qualifying patient used in this Chapter and not otherwise defined shall have the meaning given to it in the Michigan Medical Marihuana Act

AND AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF CORUNNA, MICHIGAN, ARTICLE XII, COMPREHENSIVE REGULATIONS, SECTION 86-345, HOME OCCUPATIONS, BY ADDING SUBSECTIONS (7) THROUGH (12), OF THE CITY OF CORUNNA CODE.

THE CITY OF CORUNNA, MICHIGAN, ORDAINS:

Sec. 86-345, Home occupations:

Home occupations shall comply with the following:

(1) No article or service shall be sold or offered for sale on the premises, except such as is produced on the premises by such occupation.

(2) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25 percent of the dwelling unit (not counting areas of unfinished attics, attached garages, breezeways, and enclosed and unenclosed porches) shall be used for purposes of the home occupation.

(3) There shall be no change in the outside appearance of the structure or premises, or other visible evidence of the conduct of such home occupation.

(4) The outdoor storage of goods and materials shall be prohibited. No interior display shall be visible from the exterior of a dwelling unit used for purposes of a home occupation.

(5) No more than one home occupation per dwelling unit shall be *permitted over and above the provisions pertaining to medical marihuana under sections eleven (11) and twelve (12) of this chapter.*

(6) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be provided by an off-street area, located other than in a required front yard.

(7) Exterior Alterations. Home occupations shall not require exterior alterations or involve construction features not customary in dwellings or require the use of mechanical or electrical equipment which shall create a nuisance to the adjacent neighborhood.

(8) Interior Alterations. Any permanent structural alterations to the interior of the dwelling unit for purposes of conducting the home occupation which would render it unsuitable for residential use shall be prohibited.

(9) Residency. The operator of the home occupation shall make the dwelling unit within which the home occupation is conducted his/her legal and primary place of residence, where all activities such as sleeping, eating, entertaining and other functions and activities normally associated with home life are conducted.

(10) Hazards or Nuisances. No home occupation shall be permitted which would increase fire and safety hazards, noise, dirt, odor, dust, gas, glare, fumes, vibration or other nuisance elements.

(11) A Medical Marihuana primary caregiver, in compliance with the General Rules of the Michigan Department of Community Health, the Michigan Medical Marihuana Act, P.A. 2008, Initiated Law MCL 333.26423(d) and the requirements of this Chapter, shall be allowed as a home occupation subject to all the requirements of the Chapter (86-345), except #9 (residency). Nothing in this chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with that Act and the General Rules. Also, since Federal law is not affected by that Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting immunity from criminal prosecution under Federal law. The Michigan Medical Marihuana Act does not protect users, caregivers or the owners of properties on which the medical use of marihuana is occurring from Federal prosecution, or from having their property seized by Federal authorities under the Federal Controlled Substances Act. The following requirements for a registered primary caregiver shall apply:

A. The medical use of marihuana shall comply at all times and in all circumstances with the Michigan Medical Marihuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time.

B. A registered primary caregiver must be located outside of a one-thousand (1,000)-foot radius from sites where children are regularly present, specifically: any school such as a public or private pre-school, elementary school, middle school, high school, community college, and all other schools that have different name references but serve students to insure community compliance with Federal "Drug-Free School Zone" requirements. This also includes a child care or day care facility, a church, synagogue, mosque, or other religious temple, a community center, recreational park or area so defined by the governing city, county or township.

C. Not more than one (1) registered primary caregiver shall be permitted to service qualifying patients on a parcel or site and is prohibited within 1,000 feet from another parcel or site at which any other registered primary caregiver or where any other person cultivates marihuana, or assists in the use of marihuana, not including a patient's principal residence which is not used to cultivate marihuana or assist in the use of medical marihuana for persons other than the patient at such residence. Measurements for purposes of this section shall be made from property boundary to property boundary with contiguous parcels under the same ownership being considered as one parcel or site.

D. Customers, Clients, or Patients. No more than two customers, clients, or patients of the primary caregiver shall be on the premises at any one time.

E. Not more than five (5) qualifying patients shall be assisted with the medical use of marihuana within any given calendar week.

F. All medical marihuana shall be contained within the main building in an enclosed, locked facility inaccessible on all sides and equipped with locks or other security devices as reviewed and approved by the City of Corunna Building Official and/ or the City of Corunna Police Department with access to such facility permitted only to the registered primary caregiver or qualifying patient. At no time shall medical marihuana be allowed in any detached accessory buildings or structures located upon the property.

G. Licensure requirements. No cultivation, distribution, and other assistance to patients shall be lawful in this community at a location unless and until such location for such cultivation, distribution, and assistance shall have obtained a license for such location from the City of Corunna. Licensure shall be subject to and in accordance with all provisions and fees as set forth in a license application supplied by the City of Corunna. If the occupant is not the owner of the premises then consent must be obtained from the property owner to ensure the owner's knowledge of the use and or cultivation of medical marijuana on said property and submitted along with the application.

H. All necessary building, electrical, plumbing and mechanical permits shall be obtained for any portion of the residential structure in which electrical wiring, lighting and/or watering devices that support the cultivation, growing or harvesting of marihuana are located.

I. If a room with windows is utilized as a growing location, any lighting method that exceeds usual residential periods between the hours of 11pm to 7am shall employ shielding methods, without alteration to the exterior of the residence, to prevent ambient light spillage that may create a distraction for adjacent residential properties.

J. The portion of the residential structure where energy usage and heat exceeds typical residential use, such as a grow room, and the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Corunna/Caledonia Fire Department to ensure compliance with the Michigan Fire Protection Code.

K. The premises shall be open for inspection upon request by the building Official, the fire department and law enforcement officials for compliance with all applicable laws and rules, without a warrant and without delay, during the stated hours of operation/use and at such other times as anyone is present on the premises.

(12) A Medical Marihuana “qualifying patient”, in compliance with the General Rules of the Michigan Department of Community Health, the Michigan Medical Marihuana Act, P.A. 2008, Initiated Law MCL 333.26423(d) and the requirements of this Chapter, shall be allowed as a home occupation subject to all the requirements of the Chapter 86-345 (1 through 10) and the requirements under this section (12). Nothing in this chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with that Act and the General Rules. Also, since Federal law is not affected by that Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting immunity from criminal prosecution under Federal law. The Michigan Medical Marihuana Act does not protect users, caregivers or the owners of properties on which the medical use of marihuana is occurring from Federal prosecution, or from having their property seized by Federal authorities under the Federal Controlled Substances Act. The following requirements for a “qualifying patient” shall apply:

A. The medical use of marihuana shall comply at all times and in all circumstances with the Michigan Medical Marihuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time.

B. All medical marihuana shall be contained within the main building in an enclosed, locked facility inaccessible on all sides and equipped with locks or other security devices with access to such facility permitted only to the “qualifying patient” and visits by city officials when deemed necessary by provisions of this chapter. At no time shall medical marihuana be allowed in any detached accessory buildings or structures located upon the property.

C. All necessary building, electrical, plumbing and mechanical permits shall be obtained for any portion of the residential structure in which electrical wiring, lighting and/or watering devices that support the cultivation, growing or harvesting of marihuana are located.

D. If a room with windows is utilized as a growing location, any lighting method that exceeds usual residential periods between the hours of 11pm to 7am shall employ shielding methods, without alteration to the exterior of the residence, to prevent ambient light spillage that may create a distraction for adjacent residential properties.

E. The portion of the residential structure where energy usage and heat exceeds typical residential use, such as a grow room, and the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Corunna/Caledonia Fire Department to ensure compliance with the Michigan Fire Protection Code.

SEVERABILITY CLAUSE:

This ordinance and the several sections, sub-sections, clauses and parts thereof are hereby declared to be severable. If any part or clause thereof is declared or adjudged invalid by present of future legislation or court decree, the balance of the ordinance shall not be affected thereby.

CONFLICTING ORDINANCES REPEALED:

All ordinances previously adopted and inconsistent with the provisions of this ordinance are repealed, and in the case of inconsistencies, to the extent of such inconsistencies, are hereby repealed.

COPIES AVAILABLE:

This ordinance may be purchased or inspected in the City Clerk's Office, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m.

This ordinance shall take effect pursuant to the Corunna City Charter, immediately upon publication hereof.

DATE OF PASSAGE: August 1, 2011

DATE OF PUBLICATION: August 10, 2011

EFFECTIVE DATE: August 10, 2011

CITY OF CORUNNA

BY: _____
Charles Kerridge
Its: Mayor

BY: _____
Nichole L. Cowdrey
Its: City Clerk/Treasurer

8:09 PM ENTER PUBLIC HEARING TO CONSIDER ORDINANCE #2011-02 AND HEAR PUBLIC COMMENTS: Johnson moved, Perdue seconded, to leave regular council session and enter public hearing to consider amendments to Ordinance #2011-02, section 86-301.

Roll call vote:

Yes: Reichert, Perdue, Jessen, Haskins, Johnson, Sarrazin

No: None

Motion CARRIED

Joe Sawyer explained that this ordinance is a schedule of regulations on building heights, lot sizes, and setbacks. The changes affected the industrial platted and unplatted land. He then referred to the handout in the packets.

At 8:14 pm, Sarrazin moved, Perdue seconded, to leave the public hearing and return to regular council session.

Roll call vote:

Yes: Perdue, Jessen, Sarrazin, Haskins, Johnson, Reichert

No: None

Motion CARRIED

Motion by Sarrazin, seconded by Jessen, to adopt the amendments to Article XI, schedule of Regulation of Regulations, Ordinance #2011-02 as presented.

Roll call vote:

Yes: Haskins, Reichert, Perdue, Jessen, Sarrazin, Johnson

No: None

Motion CARRIED

ORDINANCE NO. 2011-02

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF CORUNNA, MICHIGAN, CHAPTER 86, ARTICLE XI. SCHEDULE OF REGULATIONS, SECTION 86-301. HEIGHT, BULK, DENSITY AND AREA REQUIREMENTS BY ADDING THE FOLLOWING TO THE SCHEDULE OF REGULATIONS CHART:

THE CITY OF CORUNNA ORDAINS:

ARTICLE XI: SCHEDULE OF REGULATIONS

Sec. 86-301. Height, bulk, density and area requirements:

The following regulations regarding lot sizes, yards, setbacks, building heights and densities, including the regulations contained in the footnotes to the table, apply within the zoning districts indicated. No building shall be erected, nor shall an existing building be altered, enlarged or rebuilt, nor shall any open spaces surrounding any building be encroached upon or reduced in any manner, except in conformity with the regulations established by this section for the district in which such building is located. No portion of a lot used in complying with the provisions of this chapter for yards, courts, lot area or occupancy, in connection with an existing or projected building or structure, shall again be used to qualify or justify any other building or structure existing or intended to exist at the same time.

TABLE INSET:

Zoning District	Minimum Size per Zoning Lot (a)		Maximum Building Height		Maximum Building Lot Coverage (percent)	Minimum Yard Setback Requirements per Zoning Lot (feet) (b)			Minimum Livable Floor Area per Unit (square feet)
	Area (square feet)	Width (feet)	Stories	Feet		Front	Each Side	Rear	
R-C,	43,560	150	2.5	35	15	50	50	50	--

recreation/conservation									
R-A, one-family residential	7,500	75*	2.5	35	25	25 (b)	10 (b), (c)	30 (b)	1,200
R-O, residential/office	7,500	75*	2.5	35	25	25 (b)	10 (b), (c)	30 (b)	1,200
RM, multiple-family residential	20,000	200	2.5	35	25	50 (e)	30 (e), (j)	30 (c)	--
C-1, central business district	--	--	3.0	40	--	(f)	(j)	(h)	--
C-2, service/business	--	--	2.5	35	--	25 (f)	(g), (j), (i)	25 (h), (i)	--
C-3, general business	--	--	3.0	40	--	30 (f)	(g), (j), (i)	25 (h), (i)	--
I, industrial (non-platted)	87,120	150	--	45	--	50 (k)	25 (j), (i)	25 (l), (m)	--
I – industrial (platted lands)	52,500	150	--	45	--	50 (k)	25 (j) (i)	25 (l) (m)	--

* No building shall be erected on a RA or RO zoned lot unless the lot fronts no less than 80 percent of its full width, upon a street or road that has been dedicated to the public.
(Ord. No. 94-06, §§ 1200, 1201, 6-6-94; Ord. No. 07-03, § 1, 11-19-07; Ord. No. 08-05, 9-15-08)

SEVERABILITY CLAUSE:

This ordinance and the several sections, sub-sections, clauses and parts thereof are hereby declared to be severable. If any part or clause thereof is declared or adjudged invalid by present or future legislation or court decree, the balance of the ordinance shall not be affected thereby.

CONFLICTING ORDINANCES REPEALED:

All ordinances previously adopted and inconsistent with the provisions of this ordinance are repealed, and in the case of inconsistencies, to the extent of such inconsistencies, are hereby repealed.

COPIES AVAILABLE:

This ordinance may be purchased or inspected in the City Clerk's Office, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m.

This ordinance shall take effect pursuant to the Corunna City Charter, immediately upon publication hereof.

DATE OF PASSAGE: August 1, 2011

DATE OF PUBLICATION: August 10, 2011

EFFECTIVE DATE: August 10, 2011

Motion CARRIED

Johnson moved, Jessen seconded, to accept the amendments to Ordinance 2011-03 as presented.

Roll call vote:

Yes: Jessen, Johnson, Reichert, Sarrazin, Haskins, Perdue

No: None

Motion CARRIED

ORDINANCE NO. 2011-03

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF CORUNNA, MICHIGAN, ARTICLE II, STREETS, BY ADDING SECTION 70-52, DRIVEWAY GENERAL REQUIREMENTS; SECTION 70-53 RESIDENTIAL DRIVEWAYS; SECTION 70-54 CULVERT AND DRAINAGE REQUIREMENTS; SECTION 70-55 SIGHT DISTANCE AND CLEAR VISION REQUIREMENTS; 70-56 CLEARING OF DIRT, DEBRIS AND OTHER OBSTRUCTIONS FROM CULVERTS AND STORM SEWER CATCH BASINS, OF THE CITY OF CORUNNA CODE.

THE CITY OF CORUNNA, MICHIGAN, ORDAINS:

ARTICLE II: STREETS

SECTION I. SEC. 70-52: DRIVEWAY GENERAL REQUIREMENTS

Any work to be accomplished with the right-of-way of any street, under the jurisdiction of the City of Corunna Department of Public Works requires a permit before commencement of such work. Permits will be issued only on those forms approved by the city. Such permit forms are available at Corunna City Hall, 402 N. Shiawassee Street, Corunna, MI 48817.

Pursuant to Act 200 of the Public Acts of 1969, Section 4 thereof, charges the highway authority with the responsibility to issue driveway permits consistent with the rules promulgated by the highway authority for public safety and in the public interest.

The property owner or his agent shall maintain all driveways and improvements set forth in the permit.

When the type of volume of traffic using an existing driveway changes, because of a change in land use or roadside development to a more intensified classification requiring a redesign to a higher design standard, the owner, organization, or person responsible for operation of the driveway may be required to obtain and correct the driveway or driveways to the standard contained in these rules.

In the event of a failure to comply with the terms and conditions of any permit issued in accordance with these rules or failure to obtain an appropriate permit, the Department of Public Works shall have the right to halt such activity until such time that adequate compliance is made. All costs incurred by the City in correcting the following: 1) a failure to comply with conditions and standards of a permit, 2) a failure to obtain a permit, or 3) defective workmanship or materials, shall be borne by the applicant (or person undertaking the activity).

SECTION II, SEC. 70-53: RESIDENTIAL DRIVEWAYS

Definition

All driveways for the purpose of serving the residents of a single or two-family dwelling shall be deemed to be a residential driveway.

Design Features

No portion of the driveway entrance within the street or highway right-of-way shall have a grade greater than 10 percent (1' vertical in 10' horizontal).

All drives shall enter perpendicular to the existing street or highway.

Typical driveway design features, including geometric, can be found in the appendix. The property owner shall follow these standards unless the Department of Public Works gives approval to do otherwise.

SECTION III, SEC. 70-54: CULVERT AND DRAINAGE REQUIREMENTS

The Department of Public Works or its agents shall determine whether or not a culvert is required and, if required, the size (diameter) and length of the culvert. The property owner shall furnish, install and maintain the culvert so determined including clearing of dirt, debris or other obstructions that may occur over time.

All culvert pipes used shall be of adequate size to carry the anticipated natural flow of the ditch. The culvert size shall be determined by the Department of Public Works. The standard for minimum diameter size shall be 15-inch or larger. A diameter variance may be allowed as determined by the Department of Public Works. In no case shall a diameter less than 12-inches be allowed.

The minimum length of culvert may be determined as the width of the approach over the culvert plus the fore slopes on each side of the approach to the ditch bottom. The maximum fore slope is one (1) on three (3). Minimum length of culvert allowed shall be not less than 30 feet in length. Example: If the ditch is three (3) feet deep, the slope must travel three (3) feet horizontal before it travels one (1) foot vertical (three (3) foot depth x three (3) foot horizontal = nine (9) feet of slope on each side of drive approach).

Culverts shall be installed in line with and on the same grade as the road ditch. Notwithstanding, the Department of Public Works may require that the applicant re-grade the ditch at his or her expense in order to provide adequate cover over the culvert. The cover, or depth of material over the culvert, should be equal to or greater than the diameter of the pipe.

All culverts shall be N-12 dual wall plastic or corrugated metal pipe of the proper gauge corresponding to its diameter, as shown below. Alternate materials may be used as specified on this page.

Diameter	Gauge No.
15" – 24"	16
30" – 36"	14
42" – 54"	12
60" – 72"	10

Other work, such as extending, tiling or filling of ditch will not be allowed without a separate permit from the Department of Public Works.

Use of Alternate Materials

Department of Public Works standards allow the use of corrugated metal or dual wall (N-12) plastic culvert for drainage under driveways. Alternate materials may be used, but applicant must obtain separate approval from the Department of Public Works. A signed application to construct a driveway is not an approval to use such material.

All alternate material will be visually inspected and approved by a Department of Public Works representative before placement to ensure its strength and quality.

For example, if concrete pipe is to be used, it must have no visible defects, be free of all voids and cracks, and the bell and spigot end must not be damaged in any way.

Location

A residential driveway approach shall be located to provide adequate sight distance for exiting and entering movements (see sight distance section). The Department of Public Works reserves the right to reject a location that is not in the best interest of public safety.

All portions of a residential driveway, including the radii, shall be located entirely within the owner's property lines extended at right angles to the centerline of the road. This requirement does not apply to joint driveways (see below).

No portion of a residential driveway, including the radii, shall be located closer than 50 feet to the nearest right-of-way line of an intersecting street, or 15 feet from the edge of the driveway surface to the nearest adjoining property line.

No portion of two residential driveways serving the same property, including the radii, shall be located closer than 50 feet, measured parallel to the centerline of the road.

Number of Driveways

One driveway is allowed for residential property, held in one piece, with frontage less than or equal to 100 feet. One additional residential driveway may be permitted for each 70 feet of frontage in excess of the first 100 feet of frontage.

Two residential driveways may be permitted, in lieu of the above requirement, to serve a circle driveway if the frontage of the property is 100 feet or more.

Joint Driveway (Common Driveway)

When both property owners abutting a common property line agree, they may construct a joint residential driveway, which shall have a minimum width of 20 feet and a maximum width of 30 feet. A joint driveway shall be for two homes and cannot provide access to any additional homes or future building lots. Joint driveways must be approved by the City of Corunna Zoning Department.

SECTION IV, SEC. 70-55: SIGHT DISTANCE AND CLEAR VISION REQUIREMENTS

To provide adequate vision when entering and exiting all drives that adjoin public streets, a two-step process is required. The first is known as a Sight Distance requirement. The second is known as a Clear Vision requirement. All drives must pass these requirements to gain permit approval. These requirements are explained in detail as follows:

SIGHT DISTANCE is determined by looking in each direction from the driveway centerline with an eye height of 3.5 feet and never losing sight of an object at the height of 4.25 feet for a specified distance. These distances are determined according to the posted regulatory speed limit (See Figure 1). All measurements shall be taken from existing roadway surface.

CLEAR VISION is determined by looking in each direction from the driveway centerline with an eye height of 3.5 feet above road surface, 10 feet from edge of traveled street on gravels, and 15 feet on paved roads, for a specific distance. All obstructions within this area shall be removed. Permission to remove obstructions, including trees, on adjoining property must be obtained by applicant from the property owner. Applicant must maintain clear vision area in perpetuity.

Figure 1:

Speed Limit (mph)	Standard (feet)	Minimum Allowed
30 or below	200	200
35	250	225
40	325	275
45	400	325
50	475	400
55	550	450
In the absence of a posted regulatory speed limit, the basic speed law i.e., and maximum (55 mph) shall prevail.		

SECTION V, SEC. 70-56: CLEARING OF DIRT, DEBRIS AND OTHER OBSTRUCTIONS FROM CULVERTS AND STORM SEWER CATCH BASINS

(a) Prohibited deposits of dirt, debris or other obstructions.

Property owners shall deposit dirt, debris or other obstructions from their driveway culvert within their own property. No person shall shovel or push by means of a plow or otherwise cause to be placed or deposited within any ditch or gutter in any public street any dirt, debris or other obstructions removed by him/her, or under his/her direction, from any private property or from any public property abutting any private property owned or occupied by him/her without first obtaining a permit to do so. The existence of any deposit dirt, debris or other obstructions deposited by artificial means within any ditch or gutter in any public street shall be prima facie evidence that the occupant of the abutting property closest thereto placed or deposited the dirt, debris or other obstructions there.

(b) Duty of owner to clear culverts and storm sewer catch basins.

The owner of the property abutting any culver or storm sewer catch basin shall clear and clean dirt, debris or other obstructions of all kinds within 24 hours of the accumulation or placement of dirt, debris or other

obstructions. If the owner fails to remove such dirt, debris or other obstructions within the time limited in this division for the removal of the same, the city may, given 24 hours warning notice, remove or contract for the removal of such dirt, debris or other obstructions. Said warning notice may be either presented to the occupant of the premises or posted on the premises. The cost of removal shall be assessed against the owner of the property.

(c) Clearing by city upon failure of owner to comply.

If any person shall fail to comply with the provisions of section 70-56 (b) by the specified time, the Superintendent of Public Works shall, cause all such dirt, debris or other obstructions to be removed from culverts and storm sewer catch basins of the person not complying with the provisions of this article. The Superintendent of Public Works shall keep an accurate account of all expenses incurred with respect to each parcel of land entered upon in carrying out the provisions of this article and shall make a sworn statement of the account and present it to the City Clerk/Treasurer.

(d) Collection of costs from owner.

Report of dirt, debris or other obstruction removals shall be made promptly to the City Clerk/Treasurer by the Superintendent of Public Works, setting forth the names of the owner of each lot or parcel of which dirt, debris or other obstructions has been removed, together with the expense thereof. Upon receiving such report, the City Clerk/Treasurer shall give notice of such expense to the owner of the premises and demand payment thereof to include an additional \$300.00 to cover the costs of publication, overhead and other expenses to the city clerk/treasurer within 35 days. Such notice shall be given by first class mail sent to the last known address of the owner (as shown on the assessment roll of the city) or by publication. Where payment is not made within such time limit the City Clerk/Treasurer shall spread such amounts charged against the several persons or descriptions of real property chargeable therewith on the next tax roll for the collection of city taxes. The special assessment is subject to review after proper notice has been given as in all other cases of special assessments provided for by law. When confirmed, the assessment shall be a lien upon the lot, lots or premises the same as other special assessments, and the council shall order the City Clerk/Treasurer of the city to spread the amount, together with the penalty, upon the roll as a special assessment upon the lot, lots or premises. The assessment shall be collected in the same manner as other city taxes.

(e) Notice of requirements.

The City Clerk/Treasurer shall on or before January 1 of each year give notice of requirements and provisions of this article by publishing a notice once a week for two successive weeks in a newspaper of general circulation in the city.

SECTION VI: SEVERABILITY CLAUSE:

This ordinance and the several sections, sub-sections, clauses and parts thereof are hereby declared to be severable. If any part or clause thereof is declared or adjudged invalid by present or future legislation or court decree, the balance of the ordinance shall not be affected thereby.

SECTION VII: CONFLICTING ORDINANCES REPEALED:

All ordinances previously adopted and inconsistent with the provisions of this ordinances are repealed, and in the case of inconsistencies, to the extent of such inconsistencies, are hereby repealed.

SECTION VIII: COPIES AVAILABLE

This ordinance may be purchased or inspected in the City Clerk's Office, Monday through Friday, between the hours of 9:30 a.m. and 5:00 p.m.

SECTION IX: EFFECTIVE DATE:

This ordinance shall take effect pursuant to the Corunna City Charter, immediately upon publication hereof.

DATE OF PASSAGE: August 1, 2011

DATE OF PUBLICATION: August 10, 2011

EFFECTIVE DATE: August 10, 2011

CITY OF CORUNNA

BY: _____
Charles Kerridge
Its: Mayor

BY: _____
Nichole L. Cowdrey
Its: City Clerk/Treasurer

STATE OF MICHIGAN)
) ss.
COUNTY OF SHIAWASSEE)

I, Nichole L. Cowdrey, being clerk of the City of Corunna, do hereby certify that the foregoing is a true and accurate copy of the City of Corunna ORDINANCE NO. _____ passed on the ____ day of _____, A.D., 2011. Further, I certify that I caused the same to be published in the Owosso Argus Press newspaper in the City of Owosso, Michigan, within seven (7) days after passage and adoption by the Corunna City Council, Corunna, Michigan.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this _____ day of _____, A.D., 2011.

Nichole L. Cowdrey, City Clerk/Treasurer

CONSIDER CHANGES TO PERSONNEL MANUAL: Joe Sawyer advised that this is some cleanup of wording. The part time employee PTO benefit was converted incorrectly as days instead of hours. He then referred the corrections on the handout in the packet.

Moved by Sarrazin, seconded by Johnson, to accept the changes to the Personnel Manual as presented.

Roll call vote:

Yes: Sarrazin, Johnson, Reichert, Perdue, Haskins

No: Jessen

Motion CARRIED

CONSIDER THE SATA MILLAGE RENEWAL: Joe Sawyer advised that if the millage renewal proposition of 0.25 mills passes it will take it through 2017 and would not be an increase to the city residence. He added that he didn't want to not ask for the renewal because it would cause an interruption of services. An interruption was cause residence to go into a nonparticipating status and they would lose their scheduled rides. If we don't ask for the renewal, it would become a first come, first serve basis on reoccurring lines. Bob Bushman said he felt this was the fairest way to go and there would be no increase. Joe Sawyer said five years ago when this millage was started, it generated \$1,000 more than this renewal will generate.

Moved by Johnson, seconded by Jessen, to accept Resolution # 080111-03, SATA ballot millage.

Roll call vote:

Yes: Johnson, Reichert, Sarrazin, Jessen, Haskins, Perdue

No: None

Motion CARRIED

CONSIDER THE RETIREE HEALTH CARE LETTER: These letters are a follow up to a previous council meeting asking that the letters come back to council to review before being sent out. All of the letters are the same except for the retiree that lives out of state. States control health care and she may have to find a plan there that will work for her. Ned said he will help her in tracking down a carrier. With approval, these letters will go out tomorrow. No motion needed, only review.

CONSIDER THE SIDEWALK REPAIRS AT THE WORLD WAR II MEMORIAL: Joe Sawyer referred to a drawing in the packets of the planned work. The price from Dave Collard was for \$3.00 a square foot for the flat work. It includes the removal of the old cement, preparation of the sight, sand, backfill, and the top soil restoration. Landscaping will be done by volunteers. He estimated 600 square feet of area. Mr. Collard said if this can be approved, he can start tomorrow. Collard currently has the city sidewalk contracts.

Moved by Jessen, seconded by Perdue to award this project to Collards

Roll call vote:

Yes: Reichert, Perdue, Jessen, Sarrazin, Johnson, Haskins

No: None

Motion CARRIED

CONSIDER BIDS FOR THE PURCHASE OF A DITCHING BUCKET: When reviewing our inventory, we are at a deficit trying to maintain the ditches we have and we would like to dig some new ditches, primarily on Dutcher Street. We are currently working with the Drain Commission now to get an easement out to the Corunna surface drain and if that happens in the next few months, we would like to start digging new ditches on Dutcher in the gravel portion. During construction there, they hit a natural spring in the ditch line that bubbles right out of the ground. Now is it more important than ever to get to that surface drain, because it is always wet

there now. Getting the Drain Commission involved is necessary because of the natural flow of water from outside the city, into the city on Dutcher Street. On Walnut and St Mary, that is primarily water shed from inside the city limits. We currently have a small ditching bucket, which is in real bad shape. Tim is asking for a 48 inch, bolt on edge, holding 12.70 cf. To confirm with Tim, who is on vacation, I would recommend an approval of not to exceed a certain amount, perhaps \$2,500 if there are shipping costs.

Moved by Jessen, seconded Reichert, to allow the purchase of a ditching bucket, not to exceed \$2,500.

Roll call vote:

Yes: Jessen, Johnson, Reichert, Perdue, Sarrazin, Haskins

No: None

Motion CARRIED

CALL TO AUDIENCE:

Diane Johnson said at one time a section on top of the World War II monument was loose and she said while replacing the sidewalk, she would like council to consider fixing that also.

Cal Hoover, Market Master for Corunna Farmers Market said it was brought to his attention on Sunday that every market in the area was advertised in the Independent except ours. He said he called the Independent and they couldn't answer why Corunna was not included. He said now he is asking the council why Corunna was not included. He wanted to know if he can put a sign in the back of his pickup truck for advertisement and was upset because the local papers don't seem to know that he has a market running and he wants to know why. He said he has dropped to five vendors now.

Wade Williams said he sells produce at the market and feels like he is being left behind. He said he paid a fee to enter and wanted to know where his fee is being spent. He wanted to know if there could be a sign on M-21 corner. He said it needs more promotion.

Joe Sawyer, Mike Sarrazin and Merilee all said this needs to go back to the committee and DDA with their suggestions on what they want to do.

Judy Horton said she was glad with what you did with the SATA millage because it is too hard to get it back when you lose it. She also said she wanted the market people to know that the Wednesday Independent is not being dropped off in Corunna, only to Owosso.

ROUND TABLE:

Shane Perdue said he has enjoyed the opportunity to be on the council, but regrets that he is moving out of the city.

Arnie Jessen told Shane not to be in too big a hurry.

Mike Sarrazin wanted Sharon Moorehouse to know that he heard her and our city is tore up for more than one reason. He said next year after construction is done, he hoping for a renewed effort. He said we will revisit it then.

Dawn Johnson said she went to the ambulance meeting and said they are doing well. She said the ambulance barn flooded in the heavy rain and she helped clean it up. Dawn said there are continued draining issues there.

Merilee said C2AE has done extensive engineering there and when they purchased the house next door and tore it down, they created their outlet. Merilee said she thought there was a solution for the problem. Arnie said he remembered awarding a bid for someone to clean that out and no one ever showed up. Arnie said he will review past minutes to see if he can find it. Dawn said there is also black mold under the carpet there.

Doug Haskins gave a Fire Board update. He also wanted Bob and Sharon Moorehouse to know that the council purchased a new lawn mower at the last council meeting, so he hopes that will help.

Brad Reichert said he is excited that he is on the Fire Board and not the Ambulance Board.

Chuck Kerridge advised there is going to be a Lupus Walk in McCurdy Park on Saturday at 9:00 am, which is being organized by a high school girl as her senior project. She is hoping to raise \$3,000 to get a facility building where people with Lupus can go.

MOVED BY JESSEN, SECONDED BY JOHNSON TO ADJOURN THE MEETING AT 9:17 AM

Roll call vote:

Yes: Haskins, Reichert, Perdue, Jessen, Sarrazin, Johnson

No: None

Motion CARRIED

