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REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, MARCH 10, 2008, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

Pastor Marvin T. Smith of Mt. Olive Baptist Church offered a prayer and led the pledge of allegiance.

ROLL CALL

Mayor Joyce Seals called the meeting to order. The following Councilpersons were present: Gregory Branch, Larry Coulouris, Daniel Fitzpatrick, Amanda Kitterman-Miller, Amos O'Neal, Bill Scharffe, Paul Virciglio, Andrew Wendt and Mayor Joyce Seals-9.

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS

Councilman Branch moved to approve the minutes from the January 28, 2008 and February 11, 2008 regular Council meetings.

Adopted unanimously.

PERSONAL APPEARANCES

Earl G. Jesse, 310 S. Harrison, spoke on schools' shrinking enrollment and school millages. Said schools take the largest portion of our taxes, nothing left for anyone else including the City.

Rick Jekel, 718 N. Mason, said he had filed complaints with the Clerk's office and hadn't received a response. Also requested minutes from a meeting and received notice a Freedom of Information request had to be filed to get those minutes.

John Acklin, 3122 Fulton, said he hasn't been contacted about the house in the 300 block of Fulton St. that needs to be torn down. Said he has damaged his vehicle from the potholes and City won't fix his car or the potholes, said the City won't do nothing about the potholes.

William Giorgis, 2522 Hess, said he has met with City staff on the towing contract, and thanked Council. Said staff does not want to consider some issues and is being unfair. Asked Council to direct staff to negotiate a professional services contract or franchise contract with Mike's Wrecker Service. Would be willing to appear before a Committee of the Whole to address the issue in greater detail.

Ruben Vasquez, 612 Federal, said the Saginaw Police Officers Association held a news conference that afternoon to notify all citizens about contract negotiations progress. Said negotiations had come to an end. Said they have been willing to negotiate in good faith and are getting nowhere. Asked Council to step up and make things work.

Scott Bickel, 612 Federal, spoke about negotiations for the Police 12-hour schedule. Said now that it is in effect, it works well, crime statistics are down and productivity is up. Said if the City Manager continues to ignore the cost savings brought by their union, make ridiculous counter offers and drag his feet on the 12-hour schedule, members may vote to go back to an 8-hour schedule.

Michael East, 612 Federal, said Police bargaining unit has been without a contract for nearly three years, they understand the City's financial struggles. They have made several offers which have been met with indifference by the City. Recruiting efforts

produced less than 50 applicants including a low number of minorities, and believes it is because of the disparity in pay between Saginaw and other agencies in the state. Asked Council to take an active part in pushing for an equitable resolution to the current contract situation with the Police Officers Association, a fair contract.

Bill Urbanski, 1626 N. Bond, said the Houghton Jones Neighborhood Center wants to turn a vacant lot across from the Center into a garden for the children to grow vegetables. Said he was willing to help them acquire the tools necessary and work with them, has talked with many and has offers for help. Requested the City allow them to use one of the vacant lots and turn it into something positive.

#### REMARKS OF COUNCIL

Councilwoman Kitterman-Miller spoke on the Farm Stand Project Mr. Urbanski mentioned and said it is being worked on. Thanked all speakers, asked Mr. Giorgis to continue to work with the City on the towing contract. Told Police union members she appreciated that they are holding steadfast and continuing to work with the City.

Councilman Coulouris noted Council can't give directives to City employees. Said he doesn't know what he can do about the Police contract but would meet with the Manager and find out the facts.

Councilman Scharffe said the labor bargaining process is important to the City, all of the units not just Police and Fire. Agreed with Councilman Coulouris and said the City Manager is very open to discussions. Assured he would do what he could to bring labor peace to the City of Saginaw. Regarding the Houghton Jones garden project, asked City Attorney Thomas Fancher to look into any liability and direct Council as to whether the City can legally enter this type of arrangement. Thanked all for their support.

Councilman Wendt expressed concern that citizens are speaking on non-City business during Public Appearances and would like to do what's necessary so that it doesn't happen in the future. Said he has seen potholes being filled around the City, there are tons of potholes but staff is working to fill them. Congratulated local school teams who won recent Championships or were in Championship games, they represent the City well. Regarding labor negotiations, said Council only directs the City Manager and asked to go into closed session to discuss labor issues later in the meeting. Told fellow police officers he supports them, noted there are seven contracts to be negotiated, not just police.

Councilman Branch welcomed Councilman Scharffe. Supports the garden project at Houghton Jones. Said he's aware of the sacrifices police officers have made and understand they have the best interest of the City at heart.

Councilman O'Neal said the Saginaw police officers do an exemplary job in the community. Said Council has confidence in the City Manager and management staff, and will do everything possible to rectify the situation. Said their duties had not gone unnoticed, as was said during Public Appearances and that Council supports them whole-heartedly. Said Parishioners on Patrol held a victims forum where the effects of domestic violence were discussed. During that forum it was noted Saginaw has the highest reported cases of domestic violence in the state of Michigan. Thanked Parishioners on Patrol and the panelists participating for bringing information to the public. Said the Northeast Neighborhood Association and Parishioners on Patrol are establishing a relationship and working together on problems in that neighborhood and getting residents involved.

Councilman Fitzpatrick thanked all for attending. Said he had met with Mr. Giorgis who has some good ideas on how the City can be more business-friendly toward local businesses. Asked how the City can institute a vendor-preference approach in the bidding process. Agreed with Councilman Wendt about going into closed session to get information on contract negotiations. Thanked Pastor Smith for his participation in the meeting at short notice and talked about a meeting recently held at his church for Big Brothers and Big Sisters, and his work with the Amachi program, which is an effort to do something about children of incarcerated parents, to stop the trend. Said he is a Big Brother and asked people to step-up and make a difference.

Mayor Seals said that there have been attempts in the past to curtail speakers from speaking on non-City business at the podium, but because of freedom of speech there's not much that can be done. Regarding the vendor preference noted there is a 3% edge for City vendors. *(City Manager confirmed the 3% for in-City vendors. Said he was concerned there's more than just input from the speaker on a fair and open process, and that many vendors would like to tailor a proposal to be something they are guaranteed to win. City has done a lot to work with him, but City can't favor anyone, it must be open and competitive, and as a public entity must stay above reproach to protect the City's interest.) (City Attorney Thomas Fancher addressed the issue of non-City business during Public Appearances, said we can't make people tell us what they want to talk about, and often they are very vague. As a practical matter it's very hard to impose, and ineffective in arrears.)* Said she is supportive of going into closed session to discuss negotiations. Said she definitely supports Houghton Jones and doing everything possible to get flowers and green space out there, it would be a benefit to the neighborhood.

#### REPORTS FROM BOARDS AND COMMISSIONS AND COMMITTEES AND APPOINTMENT OF BOARDS AND COMMISSIONS MEMBERS

##### From the Boards and Commissions Committee:

Councilman Branch requested consideration of reappointing Michael Richard Smith to the Electrical Appeals Board with a term to expire December 31, 2011. Councilman Coulouris moved to approve the appointment.

Adopted unanimously.

Councilman Branch requested consideration of appointing Thomas J. Miller, Sr., to the Saginaw Riverfront Development Commission to fill a vacancy with a term to expire April 1, 2010. Councilman Scharffe moved to approve the appointment.

Adopted unanimously.

Councilman Branch moved to appoint Councilman Daniel Fitzpatrick to the Saginaw County 911 Communications Authority.

Adopted unanimously.

Councilman O'Neal said Cities of Promise met with the Economic Development subcommittee and John Lefer from the State of Michigan to look at priorities, goals and objectives in terms of realigning efforts in the focus area. Cities of Promise is also facilitating meetings to look at the priorities of other subcommittees. Once completed, the

goals and a plan of action will be presented. Recently attended a Region VII on Aging committee meeting where two bills related to keeping health insurance affordable and accessible for senior citizens were discussed. Said if passed the bills will hurt senior citizens by increasing their annual premiums by 30 percent. Neighborhood Stabilization is very active – Rainbow Bread and the American Maintenance buildings are gone or in the process of being demolished. Said eliminating blight was a priority in the City's Strategic Plan and the City surpassed its original target of 100 buildings by 87. The City will continue to maximize its resources.

Councilman Fitzpatrick said it's important when negotiating and working with the Schools that there be open communication. Recent announcements about the merging of Webber Elementary and Middle Schools came as a surprise to members of the City/County/School Liaison Committee. Said committee and commission members need to state things succinctly and wisely, especially when looking to State government for funding. Asked colleagues to be more forthright. Said Councilman O'Neal does a great job on that Committee and does the most communicating of anyone.

Councilman O'Neal noted the Job Fair, which is set-up, coordinated and implemented by the City of Saginaw, Board of Education and Saginaw County Board of Commissioners, would take place on March 11, 2008, at S.V.S.U. Curtiss Hall starting at 8:30 a.m. The next meeting of the City/County/School Liaison Committee would be March 20, at 5:30 p.m., at the Board of Education.

Councilwoman Kitterman-Miller talked about the Clean Up and Beautification Blitz, which is scheduled for May 16, 17 and 18, 2008. Flower Power Project will go forward at that time, there have been many offers of volunteers and sponsorships for the program. Including Spicer Group, the Riverfront Commission, Dow, Habitat for Humanity and Wade-Trim, as well as others. Said the next meeting is March 12, 2008, at 5:15 p.m., in the City Hall Conference Room across from Council Chamber. The Committee would address neighborhood cleanup and urged local churches and neighborhood groups to contact her about projects needed in their neighborhoods. Said this is another piece of the puzzle concerning blight clean up. Addressed a phone message she received, asking that if callers intend to insult her, please leave a phone number so she could respond. Said the "fact" the City was spending \$5,000,000 on flowers that would be dead in two weeks was not true. Said the City is spending almost no money, it's being done by sponsors and volunteers that want to get involved and help the City.

Councilman Virciglio talked about the information meeting of the Crime Prevention Council addressing the youth delinquency problem. Said the Council wished to establish an initiative to become involved with and put their resources behind. Gathered information on the problem and what needed to be done to address the issue. Noted there were two committees, one for violent crime and a legislative committee, to address the issue.

Mayor Seals attended a meeting on the Saginaw Health Plan, which provides two plans related to income levels, as well as plans for small businesses. Urged citizens to contact the Saginaw County Health Department. Asked for more information on the ten people the Governor said should be part of the Cities of Promise. *(City Manager Darnell Earley clarified the original group of individuals was the steering or core group of individuals which keeps the group focused. Committees were created and included members of this core group.)*

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REPORTS FROM CITY MANAGERManagement Update

City Manager Darnell Earley said there would be a closed session regarding contract negotiations and that he was disappointed in the Police union president's declaration of "no more labor piece". Thought the City had done a good job stating their position and maintaining an open door policy to discuss. Said there were two sides to every story and everyone needed to hear both sides before they knew issues. Said he wanted all seven collective bargaining agreements settled more than anyone, and that the union saying the City "doesn't want to settle" is false and untrue. Said meetings had been initiated by the City and had also encouraged dialogue, but the police weren't quite ready so the City moved the meeting to the next week. Said he couldn't recommend something the City would be responsible for after the end of the millage, or that couldn't be paid. Said the Saginaw Police Department was doing a wonderful job, but they've had help from the Michigan State Police, County Sheriff, FBI, and DEA, through collaboration the City started to address the issues of crime. We are now seeing the results of that collaborative effort. Said there was a larger issue than just wages, and that other bargaining units have not had wage increases because the City didn't have the ability to pay. Said the statement that the City is playing games instead of negotiating was simply not true. Reminded Council that a promise had been made to citizens regarding the millage, that the City would restore the Police and Fire Departments if the citizens would trust them for five years. When citizens were asked for that support, 10 police officers had been laid off, when it was passed, 5 of those officers were recalled. Said it was important to have contracts in place for all employees.

City Assessor Lori Brown explained the Property Tax Poverty Exemption Policy. Said the General Property Tax Act allowed a property tax exemption to qualifying individuals for one year. The statute made it mandatory for local units of government to adopt guidelines to follow. Said the City can't choose whether to have a poverty exemption, only how to apply it, and that the poverty guidelines cannot be set lower than the federal guidelines to exclude more people, but could be increased to include more people in the exemption. The City's guidelines currently do not include an asset test, which is required by the statute. Approval of the guidelines assures the exemption will be given on a fair basis and includes the required asset test. Noted that in 2007 there were 33 applications, 19 were approved, and the City lost revenue in the amount of \$1,400 for General Fund, \$800 for Rubbish and \$1,600 for Police and Fire. Ms. Brown noted the guidelines on the City's website would be updated once adopted.

*(Councilman Wendt requested a copy of the presentation.)*

*(City Attorney Thomas Fancher noted the governing body sets guidelines, and makes the information available to the public. The Board of Review must follow those guidelines. If the City wanted to allow more persons to apply, Council, as the governing body, would make those policy changes.)*

Councilman Amos O'Neal talked about the countywide lead initiative, piloted by Pastor Smith of Mt. Olive Baptist Church, Pastor Camel of New Birth Missionary Baptist Church and Pastor Coleman of Coleman Temple. Said lead contributes to brain damage and has also been associated with violent tendencies in individuals. There is a

collaborative grant between St. Mary's, the faith-based communities and Ezekiel. Noted it may interface with Cities of Promise.

Director of Public Services Thomas Darnell gave a presentation and update on pavement maintenance. Explained how potholes and cracks in roads are formed and the problems with filling potholes or cracks during cold months. Reviewed the process for filling potholes and cracks. Explained what it takes to resurface or reconstruct a road and the differences in the two, and then reviewed the lifecycle of pavement. Recommended anyone calling about the street conditions should call the City Clerk's Office.

*(Councilman Branch inquired about implementing weight restrictions. Mr. Darnell noted that by ordinance, the City does have designated truck routes and weight restrictions.)*

*(Councilman O'Neal asked for a departmental long-term plan for street repairs, to include a survey of streets and plan of action with timetable, like those they've done in other areas i.e., blight. City Manager Darnell Earley noted that declining revenues have made it difficult to keep up with the condition of the road infrastructure, which in some cases includes updating everything under the roads as well.)*

Recommended Actions:

Subject: City of Saginaw Property Tax Poverty Exemption Policy

Manager's Recommendation: I recommend that City Council adopt a Property Tax Poverty Exemption Policy establishing guidelines for the grant of poverty exemption from property taxes.

Justification: The State Tax Commission is undertaking a statewide review of poverty exemptions. According to MCL 211.7u, the principal residence of persons who, in the judgment of the board of review, by reason of poverty, are unable to contribute toward the public charges is eligible for exemption in whole or in part from property taxation. Local governing bodies are required to adopt a policy that establishes standards for the local board of review to use when granting an exemption.

The guidelines for the City of Saginaw have been revised to adopt the federal poverty guidelines updated annually by the U.S. Department of Health and Human Services. In addition, an asset test was added to the City of Saginaw's policy as required by statute.

Council Action: Councilman O'Neal moved that the recommendation of the City Manager be approved.

Adopted unanimously.

Subject: Saginaw County Sheriff's Department Transport Agreement

Manager's Recommendation: I recommend approval of an Agreement with the Saginaw County Sheriff's Department ("Sheriff Department") to transport prisoners. The Agreement has been approved as to substance by the City Manager and as to form by the City Attorney.

Funds are available in the Police Department's Investigation Other Services/Professional Services Account No. 101-3013-721.80-01.

Justification: Since 1995, the City has had agreements with the Saginaw County Sheriff's Department to furnish a deputy for the purpose of transporting individuals arrested

by City officers from the jail to the courthouse for arraignment. Prior to 1995, the City employed one person to transport prisoners. In 2001, City Council approved a five-year agreement with a five-year term. In 2006, City Council approved a three-year agreement, which expires June 30, 2008. That agreement was retroactive back to 2005. The new Agreement becomes effective July 1, 2008.

Under the terms of the new Agreement, the County increased its payments from \$31.75 to \$32.40 per transport. The amount of the contract for each fiscal year cannot exceed 5% as negotiated by the parties.

Council Action: Councilman O'Neal moved that the recommendation of the City Manager be approved.

Adopted unanimously.

Subject: Renewal of Symantec Antivirus Software for Lotus Notes

Manager's Recommendation: Transmitted for your approval is a request from the Information Services Department for the renewal of Symantec Antivirus Software maintenance for Lotus Notes. The cost for the renewal of the software maintenance coverage and license fee is \$4,317.96.

I recommend that a purchase order be issued to EDS in the amount of \$4,317.96.

This vendor meets all requirements of the Contract Compliance Provisions, Title 1, Chapter 14, §14.35-14.44, of the Saginaw Code of Ordinances.

Funds for this purchase are budgeted and available in the Information Services Operating Services Account No. 658-1720-711.80-05.

Justification: The City received a proposal for the renewal of licenses and annual maintenance for the City's Email Antivirus software. By participating in the State of Michigan License Agreement with EDS, which is renewable on an annual basis, the City realizes a savings over standard pricing of the software and maintenance. The annual subscription provides support, updates and license coverage.

Council Action: Councilman O'Neal moved that the recommendation of the City Manager be approved.

Adopted unanimously.

Subject: Service Express Hardware Maintenance Renewal

Manager's Recommendation: I recommend that a purchase order be issued to Service Express, Inc. in the amount of \$4,500 as annual payment for hardware maintenance and support services. This support service covers a tape drive unit and six servers, including the City's email server.

This vendor meets all requirements of the Contract Compliance Provisions, Title 1, Chapter 14, §14.35-14.44, of the Saginaw Code of Ordinances.

Funds for this payment were budgeted and are available in the Information Services Operating Services Account No. 658-1720-711.80-05.

Justification: This annual renewal with Service Express, Inc. covers the City for the period of 3/1/2008 thru 2/28/2009 with hardware maintenance and support services for a tape drive unit and several City servers.

Council Action: Councilman O'Neal moved that the recommendation of the City Manager be approved.

Adopted unanimously.

Subject: Office Supplies

Manager's Recommendation: I recommend that the bid from Office Depot be accepted and respective purchase order numbers be approved and issued to them for various office supplies for the remainder of fiscal year 2008 through June 30, 2011, with an optional one (1) year extension for 2012. Although the total annual usage will vary, our citywide volume averages \$94,000.00 a year.

This vendor meets all requirements of the Contract Compliance Provisions, Title 1, Chapter 14, §14.35-14.44, of the Saginaw Code of Ordinances.

Funds for this purchase are budgeted in the various accounts of each department.

Justification: On December 18, 2007, the City received four bids for citywide office supplies. Although the total dollar amount of the bid received from Choice Office Products is lower, they did not bid on 245 of the requested items on the specifications sheet. When the costs for those missing items were replaced by the next low bidders cost (Office Depot), Choice then became the third low bidder. Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

	<u>Total Bid</u>	<u>Cost for 245 Missing Items</u>	<u>Total</u>
Choice Office Products Saginaw, (in-City)	\$82,161.70+	\$16,348.47	\$98,510.17
Office Depot Delray Beach, FL	\$94,995.39		
Staples Novi, MI	\$98,206.60		
Office Max Warren, MI	\$112,456.89		

Council Action: Councilman O'Neal moved that the recommendation of the City Manager be approved.

Adopted unanimously.

Subject: Purchase Order Increase

Manager's Recommendation: I recommend increasing Purchase Order No. 34123 issued to AirGas Great Lakes to \$4,000.00 in order have an adequate supply of propane gas through June 30, 2008.

This vendor meets all requirements of the Contract Compliance Provisions, Title 1, Chapter 14, §14.35 – 14.44, of the Saginaw Code of Ordinances.

Funds for this material are available in the Municipal Streets Routine Maintenance Account Nos. 202-4651-841.73-30 (\$1,050.00) and 203-4651-841.73-30 (\$1,050.00).

Justification: The City's Streets Division has a \$1,900.00 blanket purchase order with AirGas Great Lakes to supply propane gas. Due to increased usage and continual increases in propane prices, the dollar amount of this purchase order is nearly depleted. The propane is used to heat asphalt patching material and joint sealant material needed to maintain the City streets. Based on current usage, it is estimated that we will use an additional \$2,100.00 worth of propane gas through fiscal year 2008.

Council Action: Councilman O'Neal moved that the recommendation of the City Manager be approved.

Adopted unanimously.

Subject: Purchase of Transmitter and Seals for Rosemount Flow Meters

Manager's Recommendation: I recommend acceptance of the quote and issuance of a purchase order to Emerson Instrument and Valve Services Company, Midland, MI in the amount of \$7,295.40 for the purchase of two (2) Rosemount transmitters and four (4) remote seals to be used by the Wastewater Treatment Division.

This vendor meets all requirements of the Contract Compliance Provisions, Title 1, Chapter 14 §14.35-14.44, of the Saginaw Code of Ordinances.

Funds are budgeted in the Wastewater Treatment Division Parts & Supplies Account No. 590-4830-861.73-30.

Justification: On February 20, 2008, the City received a quote for the replacement of two transmitters and four remote seals for two Rosemount flow meters used at the Wastewater Treatment Plant. The flow meters have been in service at the plant for approximately 35 years and the transmitters have failed. These meters are used to balance the flow from the primary treatment process to the secondary treatment process. Emerson Instrument and Valve Services Co. is the distributor and sole source for these replacement parts. The quote is as follows:

Council Action: Councilman O'Neal moved that the recommendation of the City Manager be approved.

Adopted unanimously.

Subject: Dump Truck Purchase

Manager's Recommendation: I recommend that a purchase order be issued to Bill Snethkamp-Fleet in the amount of \$33,279.00 for the purchase of a one-ton dump truck with a plow.

This vendor meets all requirements of State of Michigan Contract Compliance Policy, which supersedes the City of Saginaw's Contract Compliance Provisions, Title 1, Chapter 14, §14.35 – 14.44, of the Saginaw Code of Ordinances.

Funds for this purchase are available in the Garage Vehicle Maintenance Equipment Account No. 661-4480-841.97-70.

Justification: On December 18, 2007, a State bid price was acquired for a one-ton dump truck with a plow for use at the compost site. This dump truck is replacing a 1999 model with 99,000 miles on it. The floorboards are rotted out and it experiences intermittent electrical problems. The new dump truck will be used at the compost site for pickup and delivery of various materials.

Council Action: Councilman O'Neal moved that the recommendation of the City Manager be approved.

Adopted unanimously.

Subject: 2008 Single Lot Special Assessment Tax Roll

Manager's Recommendation: It is recommended that Council consideration be given to the responses provided on the objections received through the public hearing held on February

25, 2008; that the recommendations be approved and the resolution confirming the 2008 Single Lot Special Assessment Tax Roll under the regular order of business be adopted.

Justification: On February 25, 2008 City Council conducted a public hearing on the Single Lot Special Assessment tax roll for Nuisances, i.e. Trash Removal/Yard Cleanup (TR008), Weed/Grass Cutting (WC008) and Wrecker Service/Vehicle Removal (WS008), Water Connections & Replacements (WATTR), Sewer Connections & Replacements (SEWTR), Solid Waste Disposal Annual Fee (TRFE), Environmental Compliance (EC001) and Environmental Fees & Surcharges (EC002);

Notice of the hearing was mailed to approximately 11,739 owners of property affected by the assessments as shown on the City Assessor records. These assessments represent expenses incurred by the City for improvements constructed and for abatement of nuisances, which expenses are charged against individual properties.

The following persons filed objections during the public hearing with the City Council.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
06 0195 00000	414 S. 4 <sup>th</sup>	Rev. Foster Moore (Annette Moore)	\$79.12-WC008

Objection: Rev. Moore disputes the single lot assessment weed-cutting charge. Said he cut the lot himself. Said he maintains the lot next door also at 418 S. 4<sup>th</sup> that is empty and went to auction. Believes the City crew cut the adjacent empty lot and then jumped over and cut his lot. The lot is 15' x 28' and the City said it took 7 minutes to cut.

Department Reply: Under the City's current ordinance on weed abatement, all citizens are notified in the Saginaw News in the spring that grass over 9" is a violation of the ordinance. Individual notices are not required under the ordinance. The City has the authority to cut any grass in violation. City records indicate this property was cut on 5/17/07 due to a violation. City Weed Abatement does have pictures showing the before and after cutting of the weeds/grass.

Recommendation: The single lot assessment weed-cutting fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
01 0511 00000	935 N. 3 <sup>rd</sup>	Rev. Foster Moore (Annette Moore)	\$79.12-WC008

Objection: Rev. Moore disputes the single lot assessment weed-cutting fee. Said he requested proof from Weed Abatement and it only had a "before" picture, not an "after" picture. Said they have tenants that are there and the tenants claim no one from the City ever cut the lot. The lot is 42' x 75' long and the City said it took 4 minutes to cut it.

Department Reply: Under the City's current ordinance on weed abatement, all citizens are notified in the Saginaw News in the spring that grass over 9" is a violation of the ordinance. Individual notices are not required under the ordinance. The City has the authority to cut any grass in violation. City records indicate the property took 4 minutes to cut because it is

flat and no obstructions. The City has an automated process to catalogue photos with work orders, cut time, and other information. Rarely a photo is not on file due to the sun washing out the photograph, busy crews forgetting to take a photo, etc. It is the City's policy not to dismiss a fee due to a missing photograph. The City has a work order system and other checks and balances to ensure cuts happen in a timely and efficient manner.

Recommendation: The single lot assessment weed-cutting fee should remain on the tax roll.

<u>Tax Roll #9i</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
06 0653 00000	416 S. 9 <sup>th</sup>	Rev. Foster Moore	\$79.12-WC008

Objection: Rev. Moore stated this address is kitty-corner from his home at 1415 Cherry. Said the City did not cut this lot because he cut the lot. Has a professional weed whacker because the City tractor could not get up in that lot. Said there were trees piled up on the property and a little doghouse that the tractor would have to get around. Sent him a picture showing that they only cut the front of the lot, which took 7 minutes. Then sent him a threatening letter demanding him to remove tree limbs that were in the back of his property (buried in snow) within 10 days. If he didn't move it in 10 days, the City would move it and charge him \$700. Called and requested whether tree limbs could be placed on the curb and they said no, not until April 1<sup>st</sup>. Believes letter is a retaliation of his other complaints. This property is 6' x 12' and the City said it took 7 minutes to cut.

Department Reply: Under the City's current ordinance on weed abatement, all citizens are notified in the Saginaw News in the spring that grass over 9" is a violation of the ordinance. Individual notices are not required under the ordinance. The City has the authority to cut any grass in violation. The before and after photos on file clearly indicate the front yard was in violation of the ordinance. It was cut on 8/29/2007 and took 7 minutes.

Recommendation: The single lot special assessment for weed cutting should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
14 0802 00000	1929 Benjamin	1115 W. Genesee St.	\$79.12-WC008

Objection: Emad Karumi, President of 1115 W. Genesee Street, Inc. said he no longer owns the property. Sold it 2 years ago.

Department Reply: Under the City's current ordinance on weed abatement, all citizens are notified in the Saginaw News in the spring that grass over 9" is a violation of the ordinance. Individual notices are not required under the ordinance. The City has the authority to cut any grass in violation. City records indicate this property was cut on 9/28/07 due to a violation. Single lot assessments run with the land, not the owner. The City records show 1115 W. Genesee Street, Inc. to be the owner of the property. If the property has changed ownership, the City cannot make this change unless it receives a deed showing transfer of

title.

Recommendation: The single lot assessment weed-cutting fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
06 0019 00000	519 S. 5 <sup>th</sup>	Houghton Jones Neighborhood	\$79.12-WC008

Objection: Christine Jones said in 1994 Houghton Jones inherited this partial lot (40' wide) along with some other property. Due to the size of this lot they have been unable to dispose of it. They cannot even give it away. She thought it would revert to the County, but because they are non-profit they do not pay taxes on the property so it remains in their name. Questioned how Houghton Jones can rid itself of this property. The parcels on each side are vacant so they don't want it.

Department Reply: Under the City's current ordinance on weed abatement, all citizens are notified in the Saginaw News in the spring that grass over 9" is a violation of the ordinance. Individual notices are not required under the ordinance. The City has the authority to cut any grass in violation. City records indicate this property was cut on 5/21/07 due to a violation. Ms. Jones was not disputing the weed-cutting fee. She wanted to know how to dispose of the property. The matter has been referred to the Director of Development.

Recommendation: The single lot assessment weed-cutting fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
21 4147 00400	2618 Hadley	Jeremy Rupinski	\$79.12-WC008

Objection: Said he purchased the property in November 2007. Assumes the weed cutting was performed in the summer of 2007. Does not believe he is responsible because he was not the owner at the time.

Department Reply: Single lot assessments run with the land, not the owner. Owner may seek recovery from the Title Company or prior owner.

Recommendation: The single lot assessment weed-cutting fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
21 4147 00500	2612 Hadley	Jeremy Rupinski	\$79.12-WC008

Objection: Said he purchased the property in November 2007. Assumes the weed cutting was performed in the summer of 2007. Does not believe he is responsible because he was not the owner at the time.

Department Reply: Single lot assessments run with the land, not the owner. Owner may seek recovery from the Title Company or prior owner.

Recommendation: The single lot assessment weed-cutting fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
21 4147 00300	2624 Hadley	Jeremy Rupinski	\$55.00-TRFE

Objection: Is not aware of any disposal taken off the property. Paid for a gondola to take care of any issues at the time.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. It is paid in advance and was due 11/19/07. If not paid by the due date a \$5 late fee is assessed.

Recommendation: The single lot assessment solid waste disposal fee and late fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
18 1078 00000	920 S. Granger	Sue North	\$105.92-WC008

Objection: Was never notified about weed cutting. Tenants were told to cut the grass before they moved in and her tenants did. Questioned why her bill was \$105 and everyone else states their bill was \$79.12.

Department Reply: The City's work order indicates this property took extra time due to the weed whipping required in the back yard. As to the notification, under the City's current ordinance on weed abatement, all citizens are notified in the Saginaw News in the spring that grass over 9" is a violation of the ordinance. Individual notices are not required under the ordinance. The city has the authority to cut any grass in violation.

Recommendation: The single lot assessment weed-cutting fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
20 0333 00000	1401 Birney	David Androl (Mortgage Electronics)	\$55.00-TRFE

Objection: Is no longer the owner of the property and therefore not responsible.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. It is paid in advance and was due 11/19/07. If not paid by the due date a \$5 late fee is assessed. Due to the allowed redemption period, the City's records were modified in February 2008 to reflect Mortgage

Electronics Reg Sys Inc. as the owner of the property. Single lot assessments run with the land, not the owner.

Recommendation: The single lot assessment solid waste disposal fee and late fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
19 0556 00000	705 Wayne	Spencer Webb	\$55.00-TRFE

Objection: Said he just purchased the property in December. Questioned whether the solid waste fee was for 2007 or 2008.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. It is paid in advance and was due 11/19/07. If not paid by the due date a \$5 late fee is assessed. Single lot assessments run with the land, not the owner.

Recommendation: The single lot assessment solid waste disposal fee and late fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
04 0386 00000	1423 Lapeer	Restoration Community Outreach	\$79.12-WC008 \$79.12-WC008 \$55.00-TRFE

Objection: Roma Thurin, on behalf of Restoration Community Outreach, Stated that Restoration Community Outreach no longer owns this property.

Department Reply: The City's records still indicate Restoration Community Outreach as the owner of the property. If the property has changed ownership, the City cannot make this change unless it receives a deed showing transfer of title. Single lot assessments run with the land, not the owner.

Recommendation: The single lot assessment weed-cutting fees and solid waste disposal fee and late fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
01 0334 00000	1116 N. 5 <sup>th</sup>	Restoration Community Outreach	

Objection: Roma Thurin, on behalf of Restoration Community Outreach, Stated that Restoration Community Outreach no longer owns this property.

Department Reply: The City's records still indicate Restoration Community Outreach as the owner of the property. If the property has changed ownership, the City cannot make this change unless it receives a deed showing transfer of title. Single lot assessments run with the land, not the owner, however, the City's records do not show any single lot special assessments owed to this address.

Recommendation: There are no single lot assessments to be removed.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
14 0246B00700	1715 Bro Mor	Richard Doerr	\$5.00-TRFE
20 0970 00000	134 N. Charles (2)	Richard Doerr	\$10.00-TRFE
14 0412 00000	803 N. Bond (3)	Richard Doerr	\$15.00-TRFE
	*1100 Throop		
	*1102 Throop (*Actual address is 803 N. Bond-3 unit.)		

Objection: Stated the original bills for Solid Waste Disposal had an 11/19/07 deadline to pay. Noted the letter he recently received listed a 10/31/07 deadline. Has a copy of his cancelled check for the solid waste disposal fee on all of these properties which was \$300. (6 parcels) Said he made the check out on 11/19/07 and dropped it in the drop box next to the door inside the building. He hand delivered this on the deadline to make sure it arrived timely. He doesn't know when City Hall processed it. He therefore disputes the \$5 late fee on each of these properties (total \$30)

Department Reply: The Treasurer's records indicate customer's payments were processed on 11/20/07 from the drop box batch. Customer's check was dated 11/19/07. Customer states he dropped his payment in the drop box next to the door inside the building. If he put it in the drop box inside the building it would have been in the Treasurer's Office before 4:00 p.m. The Treasurer's Office locks its door at 4 p.m. If customer dropped the check in the outside drop box after 4 p.m., the payment is considered late. SGTV states that payments put in the drop box after 4:00 p.m. will be processed as next day payments.

Recommendation: The single lot assessment solid waste disposal late fees should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
14 0412 00000	1100 Throop (Actual address is 803 N. Bond)	Richard Doerr	\$44.75-TR008

Objection: Said the bill was sent to his address on Bro Mor and the notice was placed on 803 N. Bond (front apartment), but the infraction was at 1100 Throop. Said it was with regard to a tire placed at the curb by a tenant. The notice of violation was sent to him on 10/11/07. He went over to the apartment to rakes leaves and did not find anything on the lawn in front of Bond or Throop. The tenant at 1100 Throop said he had a tire out there and took it away and put it by the porch, which is still there by the porch as of this date. Suspects that the tire came from the garage across the road on Throop owned by a City policeman. Said there is a trash dumpster there now with several tires in it. Kids have been known to take the tires from the garage and roll them down Throop Street. Said he has found several tires in his yard. The infraction he was being sited for was taken care of by his tenant and he should not be responsible for this bill.

Department Reply: The Utilities Field Operation Manager reported a tire was removed from the premises on 11/13/07. Note that the 1100 Throop address is a mailing address only.

The City lists the 3-unit building address as 803 N. Bond.

Recommendation: The single lot assessment trash removal fee should remain on the tax roll.

In addition to those who attended the public hearing, the following written objections were received and filed with the City Clerk for Council consideration.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
01 0309 00000	938 N. 5 <sup>th</sup>	William & Lore Ralph	\$79.12-WC008
			\$79.12-WC008
			\$79.12-WC008

Objection: Owners bought the property off the Internet. Said they intend to let it go to the State because it is costing them more and more every year due to regulations.

Department Reply: City records confirm the work was performed on 5/11/07, 7/17/07 and 9/19/07. Under the City's current ordinance on weed abatement, all citizens are notified in the Saginaw News in the spring that grass over 9" is a violation of the ordinance. Individual notices are not required under the ordinance. The city has the authority to cut any grass in violation.

Recommendation: The single lot assessment weed cutting fees should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
20 0221 00000	132 S. Andre	Sue A. Stevens	\$55.00-TRFE

Objection: Objects to fee because she is on disability and low income and cannot afford fee. Further states she has no solid waste.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. It is paid in advance and was due 11/19/07. If not paid by the due date a \$5 late fee is assessed.

Recommendation: The single lot assessment solid waste disposal fee and late fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
13 1178 00000	2212 Avon	Robert & Trista Stephens	\$44.75-TR008

Objection: Objects to trash removal fee. The notice said they would be given 72 hours to clean up the trash and the City cleaned it up before the 72 hours had lapsed.

Department Reply: The Utilities Field Operation Manager advised the property was posted on (Tuesday) 7/17/07 and cleaned on (Friday) 7/20/07.

Recommendation: The single lot assessment trash removal fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
20 1107 00000	1928 Bay	Maureen McCarty	\$55.00-TRFE

Objection: Mary Brockman wrote objecting o/b/o her mother, Maureen McCarty who passed away 7/28/08. States Chase Bank put house up for public auction on 2/1/08.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. It is paid in advance and was due 11/19/07. If not paid by the due date a \$5 late fee is assessed. Although the property was foreclosed on by JP Morgan Chase Bank, the City's records indicate the owner of the property to be Maureen McCarty because Ms. McCarty's family has until 8/8/08 to redeem the property. Single lot assessments run with the land, not the owner.

Recommendation: The single lot assessment solid waste disposal fee and late fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
14 1249 00000	1712 N. Bond	Theodore Clemens	\$55.00-TRFE \$44.75-TR008

Objection: Objects to fees for trash pickup. States this house has been empty for over 3 years and therefore there has been no trash to pickup.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. It is paid in advance and was due 11/19/07. If not paid by the due date a \$5 late fee is assessed. In addition City records indicate the property was posted on 6/12/07, giving the owner 72 hours to remove. The City crews removed the trash on 6/15/07. As such, the \$44.75 trash removal fee is valid.

Recommendation: The single lot assessment solid waste disposal fee and late fee and trash removal fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
14 1248 00000	1716 N. Bond	Theodore Clemens	\$55.00-TRFE

Objection: Objects to fees for trash pickup. States this house has been empty for over 3 years and therefore there has been no trash to pickup.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. It is paid in advance and was due 11/19/07. If not paid by the due date a \$5 late fee is assessed.

Recommendation: The single lot assessment solid waste disposal fee and late fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
20 2583 00000	216 S. Carolina	Geneva & Theodore Clemens	\$55.00-TRFE

Objection: Ted Clemens objected o/b/o his mother. Stated she was in a car accident and has been living with him since 11/7/06. Didn't believe she should be charged solid waste fee when she hasn't been there.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. It is paid in advance and was due 11/19/07. If not paid by the due date a \$5 late fee is assessed.

Recommendation: The single lot assessment solid waste disposal fee and late fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
19 0734 00000	1118 Division	Debra Murphy	\$5.00-TRFE

Objection: Objects to late fee. Said she wrote her water bill and solid waste fee on the same day. The water bill check posted on 11/9/08, but the solid waste fee was 11/20/08.

Department Reply: Treasurer's records indicate customer's check was dated 11/6/07, but the postmark on the envelope was 11/19/07, which means payment was not in the Treasurer's Office on 11/19/07. The Treasurer's Office has copies of customer's check and customer's original envelope with postmark. City's solid waste bill states City does not honor postmark.

Recommendation: The single lot assessment solid waste late fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
10 0418 00000	1844 E. Genesee	Stephanie Vasquez	\$55.00-TRFE \$44.75-TR008

Objection: Objects to trash fee. Said Waste Management would not pick up trashcans. Was told from a City employee that if it were regular trash, he would take care of it.

Department Reply: The Utilities Field Operation Manager advised the City employee failed to get back to Ms. Vasquez. As such, the \$44.75 trash fee should be removed. (Note: Ms. Vasquez did not dispute the solid waste disposal fee and late fee.)

Recommendation: The single lot assessment \$44.75 trash removal fee should be removed from the tax roll. The single lot assessment solid waste disposal fee and late fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
19 1741 00000	1902 Maple	Citizens Bank Mortgage	\$10.00-TRFE

\$44.75-TR008

Objection: Objects to fees. Said property was transferred to Citizens Bank in Hancock, Michigan on 5/1/07.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. It is paid in advance and was due 11/19/07. If not paid by the due date a \$5 late fee is assessed. Further, trash was removed from 1902 Maple with notice given. Single lot assessments run with the land, not the owner. The City's records list Citizens Bank Mortgage in Lake Zurich, Illinois to be the owner of the property. If the property has changed ownership, the City cannot make this change unless it receives a deed showing transfer of title.

Recommendation: The single lot assessment solid waste late fees should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
18 0050 00000	713 S. Mason	Citizens Bank Mortgage	\$5.00-TRFE

Objection: Objects to fee. Said property was sold at foreclosure sale in 2006 to Citizens Bank in Flint, Michigan.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. It is paid in advance and was due 11/19/07. If not paid by the due date a \$5 late fee is assessed. Single lot assessments run with the land, not the owner. The City's records list Citizens Bank Mortgage in Lake Zurich, Illinois to be the owner of the property. If the property has changed ownership, the City cannot make this change unless it receives a deed showing transfer of title.

Recommendation: The single lot assessment solid waste disposal late fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
14 1059 00000	1811 N. Mason	Equity Trust Co.	\$55.00-TRFE

Objection: Equity Trust sent a letter stating the City's letter did not identify their client. Equity Trust further states the titling should read "Equity Trust Company Custodian, FBO (Clients Name) IRA #####."

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. It is paid in advance and was due 11/19/07. If not paid by the due date a \$5 late fee is assessed. Single lot assessments run with the land, not the owner. The City's records currently list Equity Trust Co. to be the owner of the property. In investigating the matter, the City noted the deed for the property was from Midwest Mortgage Investment to Equity Trust Company FBO Ryan Pant. The City will modify its records accordingly.

Recommendation: The single lot assessment solid waste disposal fee and late fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
13 2832 00000	2291 McEwan	Ron & Jole Chaltraw	\$55.00-TRFE

Objection: Sent bankruptcy papers. Said City was included in bankruptcy discharge. The fee should be passed on to the lending institution.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. It is paid in advance and was due 11/19/07. If not paid by the due date a \$5 late fee is assessed. The City Attorney advised such a fee is not dismissed through bankruptcy. Single lot assessments run with the land, not the owner. In addition, due to the allowed redemption period, the City's records were modified in February 2008 to reflect National City Real Estate Services as the owner of the property.

Recommendation: The single lot assessment solid waste disposal fee and late fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
13 1995 00000	2216 N. Oakley	Eric & Jocelyn Davis	\$55.00-TRFE

Objection: Objects to solid waste disposal fee and late fee. Said they purchased the property 12/5/07. Were not aware previous owners did not pay bill. Is willing to pay their portion (26 days of 2007).

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. It is paid in advance and was due 11/19/07. If not paid by the due date a \$5 late fee is assessed. Single lot assessments run with the land, not the owner.

Recommendation: The single lot assessment solid waste disposal fee and late fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
13 2083 00000	2555 N. Oakley	Lloyd Minor	\$5.00-TRFE

Objection: Lee Minor wrote a letter stating his uncle died 9/26/07. He received the Solid Waste notice late because the first one was returned to the City.

Department Reply: The Deputy Treasurer advised the bill was re-mailed on 11/16/07 after updated information was received from the Water Department. Customer's check was dated 11/19/07 which means not in the Treasurer's Office on due date. Since check was mailed from Sylva, NC, Deputy Treasurer will waive the late fee this time. Future payments must be received by due date to avoid future penalties.

Recommendation: The single lot assessment solid waste disposal late fee should be

removed from the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
18 0231 00000	1902 Ottawa	Gordon Sedwick (Wells Fargo Home Mortgage)	\$55.00-TRFE

Objection: Sent a letter stating the property is now owned by Wells Fargo Home Mortgage.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. It is paid in advance and was due 11/19/07. If not paid by the due date a \$5 late fee is assessed. Single lot assessments run with the land, not the owner. Due to the allowed redemption period on foreclosures, the City's records were modified recently to reflect Wells Fargo Bank NA as the owner of the property.

Recommendation: The single lot assessment solid waste disposal fee and late fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
18 0689 00000	1225 Stephens	Ron & Jolene Chaltraw	\$55.00-TRFE \$44.75-TR008

Objection: Sent bankruptcy papers. Said City was included in bankruptcy discharge. The fee should be passed on to the lending institution.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. It is paid in advance and was due 11/19/07. If not paid by the due date a \$5 late fee is assessed. In addition, after proper notice trash was removed from this property on 11/15/07. The City Attorney advised single lot assessments are not dismissed through bankruptcy. Single lot assessments run with the land, not the owner. Due to the allowed redemption period, the City's records reflect Ron & Jolene Chaltraw as the owner of the property. The records will be modified once the redemption period lapses.

Recommendation: The single lot assessment trash removal fee and solid waste disposal fee and late fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
21 4253 00000	3218 Webber	Ron & Jolene Chaltraw (US Bank National Association)	\$55.00-TRFE

Objection: Sent bankruptcy papers. Said City was included in bankruptcy discharge. The fee should be passed on to the lending institution.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. It is paid in advance and was due 11/19/07. If not paid by the due date a \$5 late fee is assessed. The City Attorney advised

single lot assessments are not dismissed through bankruptcy. Single lot assessments run with the land, not the owner. Due to the allowed redemption period, the City's records were recently modified to reflect US Bank National Association as the owner of the property.

Recommendation: The single lot assessment solid waste disposal fee and late fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
18 0967 00000	722 S. Webster	Daniel Owen (Saginaw County Treasurer)	\$79.12-WC008

Objection: Sent objection. Said Mr. Owen is now divorced and the County owns this property.

Department Reply: Under the City's current ordinance on weed abatement, all citizens are notified in the Saginaw News in the spring that grass over 9" is a violation of the ordinance. Individual notices are not required under the ordinance. The city has the authority to cut any grass in violation. This lot was in violation and was cut by City crews on 9/21/07. Due to the redemption period, the City's records were recently modified to reflect Saginaw County Treasurer as the owner of the property. Single lot assessments run with the land, not the owner.

Recommendation: The single lot assessment weed-cutting fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
18 1024 00000	613 Williams	Team One Credit Union (Maria Lowery)	\$55.00-TRFE

Objection: Stated house was sold on 2/5/08. All taxes were paid at the time of closing with the title insurance company.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. It is paid in advance and was due 11/19/07. If not paid by the due date a \$5 late fee is assessed. Single lot assessments run with the land, not the owner. City records indicate Maria Lowery as the owner of the property effective 2/5/08. New owner may seek recovery from the Title Company or prior owner.

Recommendation: The single lot assessment solid waste disposal fee and late fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
16 0375 00000	1020 Adams	Karen Byrne	\$110.00-TRFE

Objection: Objects to being charged for a 2-unit dwelling on the solid waste disposal fee. Said she lives in one unit and the other has been vacant for some time.



Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. If the property is listed as a 2-unit, the fee is charged to each unit. The fee is paid in advance and was due 11/19/07. If not paid by the due date a \$5 late fee is assessed for each fee owing. Unless the property is converted to a 1-unit and the conversion confirmed by the Inspections Division, it remains as a 2-unit.

Recommendation: The single lot assessment solid waste disposal fees and late fees should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
15 0337 00000	522 N. Porter	Joseph L. Hickmott	\$55.00-TRFE

Objection: Mr. Hickmott paid the single lot assessment solid waste disposal fee, however, objected to the fee stating he is no longer the owner of the property. Also is unhappy with City services.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. It is paid in advance and was due 11/19/07. If not paid by the due date a \$5 late fee is assessed. The City records show Joseph L. Hickmott to be the owner of the property. If the property has changed ownership, the City cannot make this change unless it receives a deed showing transfer of title.

Recommendation: No recommendation necessary. Mr. Hickmott has paid the single lot assessment solid waste disposal fee.

The following persons filed objections by telephone. The single lot assessment letter clearly stated objections must be made in person at the public hearing or in writing. Consideration is being given, however, because they were not informed to put their complaint in writing when they made inquiry.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
20 2895 00000	326 John	Trina Peoples	\$55.00-TRFE

Objection: Ms. Peoples objects to the solid waste disposal late fee. States she purchased the property after the due date.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. City records reflect that Ms. Peoples purchased the property on 7/27/07. The solid waste disposal fee invoices were mailed in October 2007 and due 11/19/07. If the fee is not paid by the due date a \$5 late fee is assessed. Single lot assessments run with the land, not the owner.

Recommendation: The single lot assessment solid waste disposal fee and late fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
18 0753 00000	1720 Allegan	Reggie Wellman	\$55.00-TRFE

Objection: Mr. Wellman said he paid this solid waste disposal fee along with fees for several properties.

Department Reply: Deputy Treasurer advises that payment for the solid waste disposal fee for this address was applied to the wrong property tax account in error. Treasurer's Office will move payment to the correct account and account will be paid in full without penalty.

Recommendation: The single lot assessment solid waste disposal fee and late fee should be removed from the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
06 0457 00000	326 S. 5 <sup>th</sup>	Charlene Powell	\$55.00-TRFE \$223.75-TR008

Objection: Objects to solid waste disposal fee because the property is a vacant lot.

Department Reply: City records indicate the house was destroyed by fire prior to the mailing of the invoices for the solid waste disposal fee. The Utilities Field Operation Manager advised the property is a vacant lot. He confirmed, however, the City crews did remove trash from the property on 11/5/07 after proper notification.

Recommendation: The single lot assessment solid waste disposal fee and late fee should be removed from the tax roll. The \$223.75 trash removal fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
18 0706 00000	1311 Williams	Linda Lemmer	\$55.00-TRFE

Objection: Owner objects to solid waste disposal fee and late fee. States she paid the fee in October.

Department Reply: Ms. Lemmer brought in documentation which proved her payment was credited to another account in error. The payment will be transferred to Ms. Lemmer's account and the penalty will be removed.

Recommendation: The single lot assessment solid waste disposal fee and late fee should be removed from the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
15 0391 00000	813 N. Porter	Michael Richard	\$55.00-TRFE

Objection: Owner objected to the solid waste disposal fee late fee.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. City records indicate that Mr. Richard purchased the property on 9/14/07. The solid waste disposal fee invoices were mailed in October 2007 and due 11/19/07. If the fee is not paid by the due date a \$5 late fee is assessed. Single lot assessments run with the land, not the owner.

Recommendation: The single lot assessment solid waste disposal fee and late fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
08 0285 00000	1111 Howard	Maggie Ross (Tunya Gray)	\$44.75-TR008

Objection: Taxpayer Maggie Ross stated the house has been boarded up. She had evicted and cleaned up the house 3 months prior to the City removing any trash.

Department Reply: The Utilities Field Operation Manager said Ms. Ross was a victim of illegal dumping on her property. Recommended trash removal fee be waived.

Recommendation: The single lot assessment trash removal fee should be removed from the property.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
21 4431 00000	3829 Webber	School District City of Saginaw	\$55.00-TRFE

Objection: Owner objects to solid waste disposal fee because there is no structure on the property.

Department Reply: The Utilities Field Operation Manager reported this is a vacant lot.

Recommendation: The single lot assessment solid waste disposal fee and late fee should be removed from the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
13 0096 00000	2314 N. Charles	Marcy Mann	\$55.00-TRFE

Objection: Owner objects to solid waste disposal late fee. States she purchased the property after the due date.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property in which there is a structure. City records reflect that Ms. Mann purchased the property on 10/11/07. The solid waste disposal fee invoices were mailed in October 2007 and due 11/19/07. If the fee is not paid by the due date a \$5 late fee is assessed. Single lot assessments run with the land, not the owner.

Recommendation: The single lot assessment solid waste disposal fee and late fee should

remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
11 0663 00000	2032 S. Jefferson	Thomas Sowuleski	\$55.00-TRFE

Objection: Owner objects to solid waste disposal fee. Said he is being charged for his lot and the vacant lot next to his.

Department Reply: City records indicate the property at 2032 S. Jefferson is one lot. This is the only property Mr. Sowuleski owns in the City of Saginaw. He was charged one solid waste disposal fee which was due on 11/19/07 and was not paid.

Recommendation: The single lot assessment solid waste disposal fee and late fee should remain on the tax roll.

Council Action: Councilman O'Neal moved that the recommendations of the City Manager be approved.

#### CONSIDERATION AND PASSING OF ORDINANCES

Councilman Coulouris moved that an ordinance introduced February 25, 2008, entitled and reading as follows, be taken up and enacted:

O-68

AN ORDINANCE TO ADD §96.18, "BANNER PETITIONS" TO CHAPTER 96, STREETS AND SIDEWALKS" OF TITLE IX, "GENERAL REGULATIONS," OF THE SAGINAW CODE OF ORDINANCES O-1.

The City of Saginaw Ordains:

Section 1. §96.18, "Banner Petitions," of Chapter 96, "Streets and Sidewalks" of Title IX, "General Regulations" of the Saginaw Code of Ordinances O-1, is hereby added to read as follows:

§ 96.18 BANNER PETITIONS.

(A) *Purpose.* To assist organizations in promoting special events, the City has erected four (4) pairs of poles for the display of banners in the following locations:

- (1) The 500 Block of Court Street.
- (2) 200 Block of West Genesee.
- (3) 300 Block of South Michigan.
- (4) 1000 Block of East Genesee Avenue.

(B) *Petition.* Any organization wishing to display a banner promoting a special event must first complete a Petition for Banner form and provide the following information:

- (1) Location(s) requested.
- (2) Name of Organization.
- (3) Purpose of the Banner.
- (4) Message on the Banner.

(5) Time Period Requested. (Note: May not exceed 30 days)

(6) Petitioner(s)' name and contact information.

Organizations may only request two (2) of the site locations listed in Paragraph (A) for any event. All requests will be considered on a first-come, first-serve basis. The Petition shall be filed with the City Clerk Office, by 12 noon, ten (10) days prior to the City Council meeting in which the petition will be presented to City Council for approval. Petitions will not be accepted prior to six (6) months before the event.

Upon approval of the Banner Petition by City Council, the City Clerk will notify the Petitioner and the Engineering Division. The Engineering Division will contact and instruct Petitioner as to where to deliver the banner. A calendar will be kept by the City Clerk and Engineering Division for each street banner location to insure that there will be no conflicts pertaining to time and location.

(C) *Banner Specifications.* Banners will be provided by the organization and must meet the specifications established by the City Engineering Division, which specifications will be provided to Petitioner at the time of application. Banners will not be displayed to advertise or promote "for profit" businesses.

The City reserves the right to refuse the display of any banner deemed inappropriate and will not be responsible for damage caused to any banner due to the elements or any damages caused by third parties.

(D) *Fee.* Banners will be physically erected and removed by the City Engineering Division at a fee of One Hundred Fifty and 00/100's (\$150.00) Dollars per location payable to the Engineering Division prior to erection.

Section 2. That this Ordinance shall take effect on March 20, 2008.

Enacted: March 10, 2008.

Adopted unanimously.

#### RESOLUTIONS

##### RESOLUTION CONFIRMING THE 2008 SINGLE LOT ASSESSMENT TAX ROLL

Councilman Branch offered and moved adoption of the following resolution:

WHEREAS, the City Council has complied with the requirements of ordinances of the City relative to making special assessments for Nuisances to include Trash Removal/Yard Cleanup (TR008), Weed/Grass Cutting (WC008) and Wrecker Service/Vehicle Removal (WS008), and also for Water Connections & Replacements (WATTR), Sewer Connections & Replacements (SEWTR), Solid Waste Disposal Annual Fee (TRFE), Environmental Compliance (EC001) and Environmental Fees & Surcharges (EC002);

THEREFORE, BE IT RESOLVED, that the Solid Waste Disposal Fee Roll No. (TRFE), be amended by removing the following annual solid waste disposal fee or late fee assessments: \$55.00 at 2555 N. Oakley (Tax Roll No. 13 2083 00000); \$55.00 at 1720 Allegan (Tax Roll No. 18 0753 00000); \$55.00 at 326 S. 5<sup>th</sup> (Tax Roll No. 06 0457 00000); \$55.00 at 1311 Williams (Tax Roll No. 18 0706 00000); and \$55.00 at 3829 Webber (Tax Roll No. 21 4431 00000).

BE IT FURTHER RESOLVED, that the Trash Removal Roll No. (TR008) be amended by removing the following assessments: \$44.75 at 1844 E. Genesee (Tax Roll No. 10 0418 00000) and \$44.75 at 1111 Howard (Tax Roll No. 08 0285 00000).

BE IT FURTHER RESOLVED, that a correction of all assessments for late solid waste disposal fee charge split by a base amount and penalty to be changed to one whole amount; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to transmit immediately said assessment rolls to the City Treasurer for collection of the assessments herein contained together with interest and penalties as provided in the Charter and in Title III, Section 33.29 of the City of Saginaw Code of Ordinances; and

BE IT FURTHER RESOLVED, that each assessment in rolls WATTR and SEWTR, are payable in ten annual installments, and assessments in rolls TR008, WC008, WS008, TRFE, EC001 and EC002 are payable in one installment; and the rate of interest to be charged on unpaid installments shall be eight (8) percent per annum.

Adopted unanimously.

RESOLUTION OF THE COUNCIL OF THE CITY OF SAGINAW APPROVING THE MICHIGAN NATURAL RESOURCES TRUST FUND GRANT REQUEST

Councilman Branch offered and moved adoption of the following resolution:

WHEREAS, the City of Saginaw recognizes that providing a free, water-based recreation activity is an important component for recreation in the City; and

WHEREAS, the proposed improvements are located in the City's defined riverfront area and within the area known as Celebration Square; and

WHEREAS, the proposed project is designed to facilitate play and recreation for all people regardless of physical or mobility limitations or age or finances; and

WHEREAS, the City desires to provide recreational opportunities in close proximity to its existing park system, Celebration Square and within an area that provides access to transportation whether via transit or non-motorized routes; and

WHEREAS, the repurposing of the Andersen Water Park is called for by the City's adopted Recreation Plan and the City's Riverfront Plan; and

WHEREAS, the City of Saginaw is eligible to apply for funding from the Michigan Department of Natural Resources Land and Water Conservation Fund; now

THEREFORE, BE IT RESOLVED, by the Council of the City of Saginaw:

1. The City Manager is authorized to submit an application to the Michigan Natural Resources Trust Fund to make improvements within the area known as Celebration Square as part of a multi-phased project to repurpose the Andersen Water Park by constructing a 4,000 sq. ft. splash park and park pavilion, purchase park furniture and remodel existing buildings with a total project cost of \$750,000.00 and a grant request of \$480,000.00.

2. The City of Saginaw will supply a local match of 36% or \$270,000.00 through earmarked funds, donations and force account labor to cover the remaining cost of the project if the grant is awarded.

Adopted unanimously.

MOTIONS AND MISCELLANEOUS BUSINESS

Councilman Wendt made a motion to go into closed session for an update on the progress of collective bargaining negotiations. Adopted by the following vote:

Ayes: Councilpersons Branch, Coulouris, Fitzpatrick, Kitterman-Miller, O'Neal,

Scharffe, Virciglio, Wendt and Mayor Seals-9.

Nays: 0.

*(Council entered Closed Session at 8:45 p.m.)*

ADJOURNMENT

Upon returning from Closed Session at 9:46 p.m., Councilwoman Kitterman-Miller moved to adjourn the meeting.

Adopted unanimously.

Lynnette A. Hagen  
Deputy City Clerk