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REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, MARCH 23, 2009, AT 12:00 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.  
(STUDENT GOVERNMENT DAY)

PRAYER AND PLEDGE OF ALLEGIANCE

American Legion Post 22 Honor Guard posted the colors, led the pledge of allegiance, offered a prayer and retired the colors.

ROLL CALL

Mayor Joyce Seals called the meeting to order. The following Councilpersons were present: Gregory Branch, Larry Coulouris, Amanda Kitterman-Miller, Amos O'Neal, Bill Scharffe, Paul Virciglio, Andrew Wendt and Mayor Joyce Seals-8.

Absent: Councilman Daniel Fitzpatrick -1.

PERSONAL APPEARANCES

Johnny Sanders, 3420 Grant, mentioned the violence among the City's youth. Provided Council with pictures of store fronts and said if one store is made to comply with signs, all stores should be made to comply.

Sabrina Glover, P.O. Box 14600, complained about a house at 2533 E. Remington that was abandoned and she renovated. Said the tenant received a bill for \$300, which included a \$20 activation fee and \$170 for City equipment. The prior equipment was stolen. Did not feel she should have to pay for equipment that belongs to the City. Requested a copy of the policy.

REMARKS OF COUNCIL

Councilman O'Neal praised the Development Department for the work being done by the SCENIC group and for the demolition process. Commended Chief Cliff for the Shotspotter demo and said he hopes it reduces crime. Mentioned attending a Flint meeting about reducing crime and violence and detailed some of the programs the group was initiating, including a gun buy-back program. Suggested the City partner with this group as a collaborative effort to secure grant funds and maximize resources.

Councilwoman Kitterman-Miller announced upcoming meetings of the Keep Saginaw Beautiful Committee and the blitz planned for May 9-16, 2009. Mentioned some of the partnerships formed with the Keep Saginaw Beautiful Committee in a joint effort to beautify the community. Encouraged Neighborhood groups to contact her about projects they would like to undertake in their area.

Councilman Coulouris noted it was American Legion Post 22's 85<sup>th</sup> year of hosting Student Government Day.

Councilman Scharffe spoke on the issue of vicious dogs. Requested the City explore the anti-tethering of vicious dogs per his conversation with Mark Wachner (formerly of Animal Control). Mark advised that Pit Bulls often attack because they have been put on a tether. Said there had been some success with such an ordinance.

Councilman Virciglio updated Council and the public on the Friends of Hoyt Park Committee. Said the group had applied for its 501(c)(3) status and received a grant from

the Michigan Baseball Association. Gave specifics on projects and activities planned for the Park and those who donated time and money for the park's success.

Councilman Wendt encouraged City Council members to attend the upcoming luncheon for César Chávez.

Councilman Branch mentioned receiving several emails in support of Pit Bulls. Said the world would be a different place if people were as passionate about "at risk" people. He apologized that he may need to leave the meeting early.

Mayor Seals said her son had a Pit Bull which was gentle. Believes the problem is an issue of properly trained and restrained dogs. Noted cars being parked on the corner of Bay & Remington which looked pretty bad. Also reported that between State & Davenport on Bay Road, youth gather there about 9-10 p.m. and hanging out late at night in the Auto Zone parking lot. Spoke on a national effort to look at the reauthorization of the 1950 transportation bill that will sunset in September. Said that cities need to weigh in on the bill so their wishes are met. Spoke briefly on her upcoming birthday party.

*(All Council members present welcomed the students and thanked American Legion Post 22 for their continued support.)*

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

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

Councilman O'Neal moved for consideration of reappointing Sherry A. Desrosiers, Glenn L. Fitkin, Michael F. Gallagher and James A. Stuart to the Saginaw Riverfront Development Commission with a term to expire April 1, 2014, seconded by Councilwoman Kitterman-Miller.

Adopted unanimously.

##### Reports from Boards, Commissions and Committees:

Councilman O'Neal announced the upcoming meeting for the City/County/School Liaison Committee. Said the group would discuss its 2009-2010 goals.

Councilman O'Neal encouraged Council members to attend the upcoming spring conference for Michigan Municipal League Region IV. Advised Council of some of the items to be covered and said it would be a good place for Council to weigh in on matters.

Councilman O'Neal reported Cities of Promise, MSHDA and the Michigan Association of Planning is offering a scholarship for an upcoming Michigan Association of Planning institute. The institute would provide planning tools to transform a community.

Councilman Branch said the tabulation of the City Manager's evaluation was complete and the Committee would review the scores, compile comments and schedule a meeting with the City Manager.

Mayor Seals reported she, the City Manager and Dr. Thorns had a recent conference call with the Governor to discuss the recovery (stimulus) monies the State would receive. Said 90% of the projects submitted to the state were not eligible because they did not meet the criteria, however, road, bridge and drinking water projects would be funded. She mentioned the Metropolitan Planning Organization getting large sums of money. Questioned who was on the MPO for Saginaw and wondered where and when they meet. She also stated Council needs to adopt a resolution on the stimulus project - Federal

Economic Renewal Grant, as to how the money is spent.

#### REPORTS FROM CITY MANAGER

##### Management Update

City Manager Darnell Earley mentioned a recent article in The New York Times on the City's deconstruction program. Commended Dr. Thorns and his staff for their work with the program. Noted there were no costs to rebroadcast Council meetings. Said he would discuss with staff the best time to air the program.

Attorney André Borrello gave an update on the status of the wholesale water contracts.

Kim Mason, Deputy Director of Public Services, presented an overview of the Special Events regulations.

Yolanda Jones, Budget Administrator, reviewed and discussed the Budget to Actuals for December and January.

##### Recommendation Actions

###### Subject: Celebration Park – Budget Adjustment

Manager's Recommendation: I recommend that a budget adjustment be completed for the use of donated monies at Celebration Park.

The Wave Pool Operations Fund – Operating Transfer Out Account No. 587-9660-831.87-01 should be increased from \$0.00 to \$100,000.00. The increase in expenditures will be offset by an increase in the use of Fund Equity Account No. 587-0000-680.00-00 by the same amount.

In addition, Celebration Park - Transfer In from Other Funds Account No. 508-0000-691.69-01 should be increased from \$0.00 to \$100,000.00. To offset the increase in revenues, Professional Services Account No. 508-7580-761.80-01 should be increased the same.

Justification: In FY 2008, the City of Saginaw received a \$100,000.00 donation from Dow Chemical to be used for the Andersen Water Park Repurposing project. In FY 2009, the City established the Celebration Park Fund for that purpose. This council communication makes the donated funds available to be used.

Council Action: Councilman Virciglio moved that the recommendation of the City Manager be approved, seconded by Councilwoman Kitterman-Miller.

Adopted unanimously.

###### Subject: 2009 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 23, 2009; that the recommendations be approved and the resolution confirming the 2009 Single Lot Special Assessment Tax Roll under the regular order of business be adopted.

Justification: On February 23, 2009 City Council conducted a public hearing on the Single Lot Special Assessment tax roll for Nuisances, i.e. Trash Removal/Yard Cleanup (TR009), Weed/Grass Cutting (WC009) and Wrecker Service/Vehicle Removal (WS009), Sewer Connections & Replacements (SEWTR), Solid Waste Disposal Annual Fee (TRFE),

Environmental Compliance (EC001), Environmental Tests/Samples/ Inspections/Adm. Fees (EC091) and Environmental Fees & Surcharges (EC092);

Notice of the hearing was mailed to approximately 12,500 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>
11 0736 00000	2126 Lowell	Mark & Winnie Morris (Alysse Morris Watson-Speaker)	\$79.12-WC009

Objection: Property owner disputes the single lot assessment weed-cutting charge. Said the pictures provided by engineering show the property was not cut on the specified day.

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. City Weed Abatement does have pictures showing the cutting may not have been justified.

Recommendation: The single lot special assessment weed-cutting fee should be removed from the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
001 0699 00000	1352 Myrtle	John & Ethel Kemper (Ruth Kemper- Speaker)	\$44.75-TR009 \$44.75-TR009 \$44.75-TR009 \$44.75-TR009 \$44.75-TR009 \$79.12-WC009 \$79.12-WC009

Objection: Ms. Kemper states no bills were ever received for any of the charges. Said she had a picture of the property taken the day before it was cut one of the times and it did not show a need for the grass to be cut. Asked if in the future she could receive notice before the single lot special assessment notification letter.

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. Regarding the trash removal, the property is posted each time a violation occurs and a letter is sent out before the close of business on the day of violation. City records indicate Ruth Kemper is the taxpayer and the notification letters were sent to Ms. Kemper at her address of record, 1302 Carlisle St.

Recommendation: The single lot special assessment trash removal and weed

cutting fees should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
10 0180 00100	1607 Whittier	Belinda Bullock	\$55.00-TRFE

Objection: Purchased property on October 29, 2008, and never received notice to pay.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure. It is paid in advance and was due on December 1, 2008. If not paid by the due date a \$5 late fee is assessed.

Recommendation: The single lot special 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>
05 0441 00000	617 N. 11th	Justin Cassell	\$89.50-TR009 \$79.12-WC009 \$79.12-WC009

Objection: Was never notified the grass was too high and certain it wasn't over the limit. Asked for pictures showing it was too high. Also regarding the trash removal fee, not sure what the trash removal fee is for or what trash was removed.

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 due to violations. Regarding the trash removal, the owner raked leaves into the gutter in April 2008, which is not allowed.

Recommendation: The single lot special assessment trash removal and weed cutting fees 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>
14 0363 00000	1009 N. Fayette	Michael Neuenfeldt	\$110.00-TRFE

Objection: Said the house burned on June 16, 2008 and was been demolished.

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 December 1, 2008.

Recommendation: Since the structure was demolished, the single lot special 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>
19 0239 00000	1820 Vermont	Carl & Carolyn Maksimowicz	\$44.75-TR009

Objection: Said they never received a letter or pictures regarding the trash picked up. Requested copies of both.

Department Reply: Pictures are on file indicating trash was removed on the day in question.

Recommendation: The single lot special 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>
19 1822 00000	1902 Stanley	Leon & Joan Farrell	\$55.00-TRFE

Objection: The fee was paid on 11/5/2008 and cleared on 11/24/2008.

Department Reply: The City's records indicate the fee was paid on time.

Recommendation: The single lot special 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>
18 0629 00000	413 Alice	Robert & Virginia Hanley	\$5.00-TRFE

Objection: Stated the bill was paid on November 26, 2008, and the check cleared on December 8, 2008

Department Reply: The solid waste disposal fee is an annual fee, paid in advance, and was due on December 1, 2008, but was not received by that date. There is a \$5.00 late fee imposed if not paid on time.

Recommendation: The single lot special 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>
01 0448 00000	909 N. 4 <sup>th</sup>	Larry & Carrie Campbell	\$79.12-WC009

Objection: Said the property was never cut by the City and no notice was received regarding this matter. Said photos taken by the City show adjacent properties, not 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. Pictures on file show the cutting was justified.

Recommendation: The single lot special 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>
15 0182 00000	907 N. Harrison	Ira G. Grant	\$91.48-WC009

Objection: Owner bought the property in August 2008, and the City hasn't cut it since that time. The bill should be sent to the previous owner.

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. Pictures on file show the cutting was justified. 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 special 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 4042A 33400	2500 Hampshire	Una Belle Brown	\$55.00-TRFE

Objection: Ms. Brown stated the fee was paid on January 23, 2009.

Department Reply: The solid waste disposal fee is an annual fee, paid in advance, and was due on December 1, 2008, but was not received by that date. There is a \$5.00 late fee imposed if not paid on time.

Recommendation: If the fee was paid on January 23, 2009, it will no longer be on the tax roll. If the fee was not paid, the single lot special 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>
21 2368 00000	518 S. 16 <sup>th</sup>	Eugene & Mary Franke	\$55.00-TRFE \$44.75-TR009

Objection: The property was sold on a land contract July 2007, and returned on forfeiture on November 7, 2008. The trash removal fee should be paid by the previous owner.

Department Reply: The solid waste disposal fee is an annual fee, paid in advance, and was due on December 1, 2008, but was not received by that date. There is a \$5.00 late fee imposed if not paid on time. With regard to the trash removal fee, single lot assessments run with the land not the owner. Owner may seek recovery from prior owner.

Recommendation: The single lot special 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>
20 2777 00000	2023 N. Morson	Bernard Rapin	\$55.00-TRFE

Objection: Kathryn Putt, power of attorney for Bernard Rapin, said there had been no one living at this address for two years and therefore there was no need for trash pickup. Further, that Mr. Rapin's limited income doesn't allow for extra items such as trash pickup.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure. It is paid in advance and was due December 1, 2008. There is a \$5.00 late fee imposed if not paid on time.

Recommendation: The single lot special 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 0015 00000	1116 N. Granger	Covenant Medical Center	\$55.00-TRFE

Objection: House was demolished in December 2006.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure. There is a \$5.00 late fee imposed if not paid on time.

Recommendation: Since the structure has been demolished, the single lot special 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>
14 0890 00000	1906 Hill	Covenant Medical Center	\$55.00-TRFE

Objection: House was demolished in March 2008.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure. There is a \$5.00 late fee imposed if not paid on time.

Recommendation: Since the structure was demolished, the single lot special 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>
14 1302 00000	1726 Stark	Covenant Medical Center	\$55.00-TRFE

Objection: House was demolished in September 2007.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure. There is a \$5.00 late fee imposed if not paid on time.

Recommendation: Since the structure was demolished, the single lot special 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 1818 00000	836 Pleasant	Main Street Bank	\$110.00-TRFE \$79.12-WC009

Objection: Assessments should be sent to the current owner, Georgeline Nicholas.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure. There is a \$5.00 late fee imposed if not paid on time. City records indicate the property was transferred to Georgeline Nicholas on January 27, 2009. Single lot assessments run with the land, not the owner.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
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17 0011 00000 1321 Lyon Main Street Bank \$55.00-TRFE

Objection: Assessments should be sent to the current owner, Georgeline Nicholas.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure. There is a \$5.00 late fee imposed if not paid on time. City records indicate the property was transferred to Georgeline Nicholas on January 27, 2009. Single lot special assessments run with the land, not the owner.

Recommendation: The single lot special 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 0077 00000	1424 Gratiot	Main Street Bank	\$110.00-TRFE

Objection: Assessments should be sent to the current owner, Georgeline Nicholas.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure. There is a \$5.00 late fee imposed if not paid on time. City records indicate the property was transferred to Georgeline Nicholas on January 27, 2009. Single lot assessments run with the land, not the owner. City records indicate the property was transferred to Georgeline Nicholas on January 27, 2009. Single lot special assessments run with the land, not the owner.

Recommendation: The single lot special 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 0581 00000	2006 Deindorfer	Jerome & Katherine Strasz	\$55.00-TRFE

Objection: Fee was paid and funds disbursed on November 17, 2008.

Department Reply: The solid waste disposal fee was paid on time.

Recommendation: The single lot special 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>
14 1127 00000	1815 Congress	Daniel L. Rice	\$55.00-TRFE

Objection: Fee was sent to City on November 19, 2008, cleared on November 24, 2008.

Department Reply: The solid waste disposal fee was paid on time.

Recommendation: The single lot special 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>
10 1092 00000	3324 Fulton	Saginaw County Community Action Committee	\$55.00-TRFE

Objection: Structure was demolished in 2007.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure. There is a \$5.00 late fee imposed if not paid on time.

Recommendation: Since the structure was demolished, the single lot special 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>
09 0832 00000	1333 Bagley	Joshua B. Bond	\$134.25-TR009 \$268.50-TR009

Objection: This is a vacant lot between the houses at 1339 and 1329 Bagley, maintained by the tenant of 1339 Bagley. One notice to remove trash was received, and the property was cleaned before the notice expiration. Believe being falsely charged with this assessment.

Department Reply: City records indicate the \$268.50 charge was billed incorrectly, however, pictures are on file indicating trash was removed on the other day in question.

Recommendation: The single lot special assessment trash removal fee in the amount of \$268.50 should be removed from the tax roll. The single lot special assessment trash removal fee in the amount of \$134.25 should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
09 0647 00000	1132 Sheridan	Katrina Scott & Donald Hill	\$55.00-TRFE

Objection: Said they own property at 1132 and 1136 Sheridan, the property at 1136 has been vacant for a couple years. Ask the City to remove these fees since it's a vacant lot.

Department Reply: The property at 1136 Sheridan is a vacant lot and was not charged a solid waste disposal fee. The property at 1132 Sheridan is not a vacant lot. The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure, paid in advance and due on December 1, 2008. There is a \$5.00 late fee imposed if not paid on time.

Recommendation: The single lot special 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 0112 00000	1014 Johnson	Paul & Lavonne Bixler	\$55.00-TRFE \$79.12-WC009

Objection: Mr. Bixler passed away in December and family was unaware he was not maintaining properties prior to that time. Will pay fee but request late fee be waived. Misunderstanding on ownership, several times someone mowed the grass, it doesn't take long and doesn't cost the City \$237.26 to mow that small area of grass at 1014 Johnson and the two empty lots (1006 and 1010 Johnson).

Department Reply: The solid waste disposal fee is an annual fee, paid in advance, for trash removal assessed to every property on which there is a structure. There is a \$5.00 late fee imposed if not paid on time. With regard to the weed-cutting fee, 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. pictures are on file for date of cutting and indicate the cutting was justified. Single lot special assessments run with the land, not the owner.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
04 0111 00000	1010 Johnson	Paul & Lavonne Bixler	\$79.12-WC009

Objection: Misunderstanding on ownership, several times someone mowed the grass, it doesn't take long and doesn't cost the City \$237.26 to mow that small area of grass at 1014 Johnson and the two empty lots (1006 and 1010 Johnson).

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. Pictures are on file for date of cutting and indicate the cutting was justified. Single lot special assessments run with the land, not the owner.

Recommendation: The single lot special 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>
04 0110 00000	1006 Johnson	Paul & Lavonne Bixler	\$79.12-WC009

Objection: Misunderstanding on ownership, several times someone mowed the grass, it doesn't take long and doesn't cost the City \$237.26 to mow that small area of grass at 1014 Johnson and the two empty lots (1006 and 1010 Johnson).

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. Pictures are on file for date of cutting and indicate the cutting was justified. Single lot special assessments run with the land, not the owner.

Recommendation: The single lot special 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 0680 00000	1218 Brockway	Bixler Family Trust	\$55.00-TRFE

Objection: Mr. Bixler passed away in December and family was unaware he was not maintaining properties prior to that time. Will pay fee but request late fee be waived.

Department Reply: The solid waste disposal fee is an annual fee, paid in advance,

for trash removal assessed to every property on which there is a structure. There is a \$5.00 late fee imposed if not paid on time.

Recommendation: The single lot special 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>
21 0875D 45000	1341 Casimir	Bixler Family	\$110.00-TRFE \$79.12-WC009

Objection: Mr. Bixler passed away in December and family was unaware he was not maintaining properties prior to that time. Will pay fee but request late fee be waived. The persons buying this property were cleaning it and there were people mowing lawns for Mr. Bixler.

Department Reply: The solid waste disposal fee is an annual fee, paid in advance, for trash removal assessed to every property on which there is a structure. There is a \$5.00 late fee imposed if not paid on time. With regard to the weed-cutting fee, 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. Pictures are on file for date of cutting and indicate the cutting was justified. Single lot special assessments run with the land, not the owner.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
12 1265 00100	3009 S. Jefferson	Bixler Family Trust	\$110.00-TRFE

Objection: Mr. Bixler passed away in December and family was unaware he was not maintaining properties prior to that time. Will pay fee but request late fee be waived.

Department Reply: The solid waste disposal fee is an annual fee, paid in advance, for trash removal assessed to every property on which there is a structure per unit. There is a \$5.00 late fee imposed if not paid on time.

Recommendation: The single lot special 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>
21 4063 00000	102 S. 16 <sup>th</sup>	CSX (Saginaw Bay Southern Railway)	\$120.33-WC009

Objection: Put on the company's grass cutting schedule and confirmed cut by our contractor. We are trying to cut all parcels before they reach City's assessment limit. (Provided list of dates 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. Pictures are on file for date of cutting and indicate the cutting was justified.

Recommendation: The single lot special 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 4062 00000	108 S. 16th	CSX (Saginaw Bay Southern Railway)	\$118.27-WC009

Objection: Put on the company's grass cutting schedule and confirmed cut by our contractor. We are trying to cut all parcels before they reach City's assessment limit. (Provided list of dates 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. Pictures are on file for date of cutting and indicate the cutting was justified.

Recommendation: The single lot special 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 4061 00000	112 S. 16th	CSX (Saginaw Bay Southern Railway)	\$101.79-WC009

Objection: Put on the company's grass cutting schedule and confirmed cut by our contractor. We are trying to cut all parcels before they reach City's assessment limit. (Provided list of dates 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. Pictures are on file for date of cutting and indicate the cutting was justified.

Recommendation: The single lot special 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>
19 0307 00100	1907 Main	Edward Brown	\$55.00-TRFE \$850.75-TR009

Objection: Did not own property at time of assessment and not responsible for the assessments. NOTE: contacted title company, they are sending a check.

Department Reply: The solid waste disposal fee is an annual fee, paid in advance, for trash removal assessed to every property on which there is a structure. There is a \$5.00 late fee imposed if not paid on time. Pictures are on file indicating the trash removal was justified.

Recommendation: If and when the City receives payment from the title company, the single lot special assessment charges will be removed from the tax roll. Otherwise, they will remain on the tax roll because single lot special assessments run with the land, not the owner.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
15 0486 00000	816 N. Mason	Arnold & Wendy Chapman	\$134.25-TR009

Objection: Received letter stating we needed to clean property, we arrived to clean it within the 10 days given, but it was already cleaned. Was told by a City employee that they cleaned the property too early and to disregard the notice. Please remove the assessment.

Department Reply: Owner cleaned property within specified time.

Recommendation: The single lot special assessment trash removal fee should be removed from the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
04 0578 00000	1313 Lapeer	Marva D. Barnett	\$492.25-TR009 \$79.12-WC0009

Objection: Disputing all charges. People in neighborhood have been vandalizing and trashing the property. Also, son maintains the cutting of the property.

Department Reply: Trash Removal was charged to the wrong address. With regard to the weed cutting fee, 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. Pictures are on file for date of cutting and indicate the cutting was justified.

Recommendation: The single lot special assessment trash removal fee should be removed from the tax roll. The single lot special 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>
07 0170 00000	528 S. Warren	James R. Hoover, Sr.	\$44.75-TR009

Objection: Received violation to remove garbage from street after it was missed by the garbage truck. We moved garbage cans to back of house the next Tuesday and put to the curb for pickup on Wednesday. Didn't know there was a time limit. Wish for this to be a warning not a bill.

Department Reply: Pictures are on file indicating the trash removal fee was justified.

Recommendation: The single lot special assessment trash removal fee should remain on 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	\$79.12-WC009

Objection: Yard was not over 9" tall when City violated my property owner's rights and weed whacked my back yard. Feel I should not be forced to pay this unfair and improper bill.

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. Pictures are on file for date of cutting and indicate the cutting was justified.

Recommendation: The single lot special 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 0415 00000	6 Roselawn Ct.	Christiana Bank & Trust Company	\$79.12-WC009

Objection: We have an agent assigned to maintain the property. Talked with City employee who agreed we were billed in error. Please remove assessment.

Department Reply: Pictures on file for date of cutting indicate the cutting may not have been justified.

Recommendation: The single lot special assessment weed-cutting fee should be removed from the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
13 0137 00000	2222 N. Clinton	Brenda D. Mitchell-Abner	\$55.00-TRFE

Objection: Trash removal fee was paid on 11/3/2008 at same time as water bill.

Department Reply: Trash removal fee was paid on time.

Recommendation: The single lot special 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 2614 00000	2287 N. Carolina	Justin Miller	\$79.12-WC009

Objection: I purchased the property in late summer; the charges must have been from before I owned the 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. Pictures on file for date of cutting indicate the cutting was justified. Single lot special assessments run with the land, not the owner. Owner may seek recovery from the Title Company or prior owner.

Recommendation: The single lot special 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>
129 0119 00000	1436 Division	Nathan Kade	\$5.00-TRFE

Objection: Payment sent on 12/1/2008, one day late. Times are tough and I did all I could to make payment on time. I feel this should be taken in to consideration and

request you reconsider this fee.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure, paid in advance and due on December 1, 2008. There is a \$5.00 late fee imposed if not paid on time.

Recommendation: The single lot special 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>
19 0742 00000	1013 Greenwich	Stacy Byce	\$44.75-TR009

Objection: Received bill for removal of trash on property. We removed the trash within the requested 72 hours. Talked with a City employee who agrees we would not have been charged and we shouldn't pay the bill. Ask that assessment be removed.

Department Reply: Billed in error, property was cleaned in allotted time.

Recommendation: The single lot special assessment trash removal fee should be removed from the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
19 1116 00000	1921 Kendrick	Terry & Ann Kalkman	\$55.00-TRFE
			\$44.75-TR009
			\$79.12-WC009
			\$79.12-WC009

Objection: Property surrendered to Bank of America in February 2008. It has been vacant since 2007.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure, paid in advance and due on December 1, 2008. There is a \$5.00 late fee imposed if not paid on time. 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. Pictures are on file for the dates of cutting indicating the cutting was justified. Pictures are also on file indicating the trash removal fee was justified. The City records show Terry B. and Ann Kalkman to be the owners 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 property, not the owner.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
16 0291 00000	821 Ames	Brett Porterfield & Midea Butler	\$165.00-TRFE
			\$44.75-TR009

Objection: This three unit shouldn't be charge \$165 for trash pickup because the waste management truck only makes one stop. We feel the \$55 for a single-family home is

adequate. The \$44.75 for trash removal is not warranted, we always kept the yard clean and well maintained

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure per unit, paid in advance and due on December 1, 2008. There is a \$5.00 late fee imposed if not paid on time. Pictures are on file for the dates of cutting indicating the cutting was justified. Pictures are also on file indicating the trash removal fee was justified.

Recommendation: The single lot special 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 1456 00000	2276 S. Hamilton	Pedro Juan Palomo	\$110.00-TRFE

Objection: This property is no longer a multiple unit property and should only pay for a single unit.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure per unit, paid in advance and due on December 1, 2008. There is a \$5.00 late fee imposed if not paid on time. This property has been converted into a single unit.

Recommendation: The single lot special assessment solid waste disposal fee and late fee should be reduced to \$55.00 on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
20 0538 00000	703 S. Woodbridge	Diana Michalak	\$55.00-TRFE

Objection: This has always been part of her escrow, has never had to pay it before.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure per unit, paid in advance and due on December 1, 2008. There is a \$5.00 late fee imposed if not paid on time. It is a separate invoice and is not part of the property tax bill.

Recommendation: The single lot special 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 2042 00000	1102 State	Brian K. Pavey	\$110.00-TRFE

Objection: This property is a registered single unit property and as such should be assessed a \$55.00 fee per year.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure per unit, paid in advance and due on December 1, 2008. There is a \$5.00 late fee imposed if not paid on time. This property has been converted into a single unit.

Recommendation: The single lot special assessment solid waste disposal fee and late fee should be reduced to \$55.00 on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
06 0480 00100	310 S. 6 <sup>th</sup>	Albert L. Mitchell	\$55.00-TRFE

Objection: Brother (former owner) passed away and it is now mine. Object to the \$5.00 late fee since I didn't know about the fee.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure per unit, paid in advance and due on December 1, 2008. There is a \$5.00 late fee imposed if not paid on time. Single lot special assessments run with the land, not the owner.

Recommendation: The single lot special 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>
05 0581 00000	212 N. 13 <sup>th</sup>	Albert L. Mitchell	\$55.00-TRFE

Objection: Brother (former owner) passed away and it is now mine. Object to the \$5.00 late fee since I didn't know about the fee.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure per unit, paid in advance and due on December 1, 2008. There is a \$5.00 late fee imposed if not paid on time. Single lot special assessments run with the land, not the owner.

Recommendation: The single lot special 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>
06 0484 00000	318 S. 6 <sup>th</sup>	Albert L. Mitchell	\$55.00-TRFE

Objection: Brother (former owner) passed away and it is now mine. Object to the \$5.00 late fee since I didn't know about the fee.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure per unit, paid in advance and due on December 1, 2008. There is a \$5.00 late fee imposed if not paid on time. Single lot special assessments run with the land, not the owner.

Recommendation: The single lot special 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>
06 0486 00000	324 S. 6 <sup>th</sup>	Albert L. Mitchell	\$55.00-TRFE

Objection: Brother (former owner) passed away and it is now mine. Object to the \$5.00 late fee since I didn't know about the fee.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure per unit, paid in advance and due on December 1, 2008. There is a \$5.00 late fee imposed if not paid on time. Single lot

special assessments run with the land, not the owner.

Recommendation: The single lot special 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 0159 00000	1213 Webber	Albert L. Mitchell	\$55.00-TRFE

Objection: Brother (former owner) passed away and it is now mine. Object to the \$5.00 late fee since I didn't know about the fee.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure per unit, paid in advance and due on December 1, 2008. There is a \$5.00 late fee imposed if not paid on time. Single lot special assessments run with the land, not the owner.

Recommendation: The single lot special 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 0229 00000	125 N. 5 <sup>th</sup>	Albert L. Mitchell	\$55.00-TRFE

Objection: Brother (former owner) passed away and it is now mine. Object to the \$5.00 late fee since I didn't know about the fee.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure per unit, paid in advance and due on December 1, 2008. There is a \$5.00 late fee imposed if not paid on time. Single lot special assessments run with the land, not the owner.

Recommendation: The single lot special 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>
09 0506 00000	916 S. Park	Albert L. Mitchell	\$55.00-TRFE

Objection: Brother (former owner) passed away and it is now mine. Object to the \$5.00 late fee since I didn't know about the fee.

Department Reply: The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure per unit, paid in advance and due on December 1, 2008. There is a \$5.00 late fee imposed if not paid on time. Single lot special assessments run with the land, not the owner.

Recommendation: The single lot special 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>
Multiple Properties		Saginaw County Land Bank	

Objection: Received approximately 200 letters indicating SLSA's being charge against properties we own. The Land Bank is exempt from taxes and therefore all

assessments should be removed from the roll.

Department Reply: All single lot special assessment fees assessed to Land Bank Properties should be removed from the tax roll.

Recommendation: The single lot special assessments for all properties owned by the Land Bank should be removed from the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
14 0984 00000	1814 Stone	James A. Salesky	\$44.75-TR009
			\$44.75-TR009
			\$89.50-TR009

Objection: These charges were a result of the previous owner. Since taking possession in July 2008, has made several improvements and brought property up to code. Asks the City to waive all or part of the listed fees.

Department Reply: City records indicate the trash removal fees for \$44.75 and \$89.50 were billed in error, however, pictures are on file indicating the other \$44.75 charge for trash removal was justified.

Recommendation: The single lot special assessments for \$44.75 and \$89.50 should be removed from the tax roll and one charge for trash removal in the amount of \$44.75 should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
10 1012 00000	3021 Fulton	Barbara J. Hill	\$79.12-WC009
			55.00-TRFE

Objection: The WC009 fee and your services are unnecessary. I maintain the yard myself and the back yard is fenced. The house is and has been unoccupied so there's no reason for the TRFE fee.

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. Pictures are on file for the date of cutting indicating the cutting was justified. The solid waste disposal fee is an annual fee for trash removal assessed to every property on which there is a structure per unit, paid in advance and due on December 1, 2008. There is a \$5.00 late fee imposed if not paid on time.

Recommendation: The single lot special assessment weed cutting, 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 0354 00000	2219 S. Michigan	Frederick J. Ziehl	\$79.12-WC009

Objection: Request assessment be removed because pictures show I was not in violation.

Department Reply: Pictures are on file for the date of cutting indicating the cutting may not have been justified.

Recommendation: The single lot special assessment weed-cutting fee should be removed from the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
		Saginaw Powertrain LLC	\$165.00-EC091

Objection: The \$165.00 fee was paid in January 2009.

Department Reply: Fees have been paid.

Recommendation: No action necessary.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
		Hausbeck Pickle Company	\$1,624.04-EC092

Objection: All bills have been paid in full.

Recommendation: Outstanding charges on this out-City property cannot be collected as a single lot special assessment fee.

Council Action: Councilman Virciglio moved that the recommendation of the City Manager be approved, seconded by Councilwoman Kitterman-Miller.

Adopted unanimously.

Subject: I.T.I. Inc. Maintenance Agreements

Manager's Recommendation: I recommend that the phone equipment maintenance agreements with I.T.I., Inc. be approved and that a purchase order be approved and issued to them in the amount of \$12,894.08. It is further recommended that the City Manager or his designee be authorized and directed to execute the maintenance agreements. These agreements were approved by the City Manager as to substance and the City Attorney as to form.

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 are available in Information Services Operating Services Account Number 658-1720-711.80-05.

Justification: These maintenance agreements cover the telephone equipment located at City Hall, Police Department, Public Works Building and Wastewater Treatment Plant for a one-year period from 4-1-09 to 3-31-10. The agreements cover all service under normal wear and tear including parts, labor and travel time. It also offers free user training, no charge for service related software updates, free loaner equipment and 24 hour, 7 day service without paying any after hour premium.

Council Action: Councilman Virciglio moved that the recommendation of the City Manager be approved, seconded by Councilwoman Kitterman-Miller.

Adopted unanimously.

Subject: CORRPRO Companies Inc. Service Agreements

Manager's Recommendation: I recommend that the Agreements with CORRPRO Companies, Inc. (CORRPRO) be approved and that purchase orders be approved and

issued in the amount of \$1,545.00 for fiscal year 2009, \$1,545.00 for fiscal year 2010 and \$1,545.00 for fiscal year 2011 for the Water Treatment Plant and in the amount of \$3,180.00 for fiscal year 2009, \$3,340.00 for fiscal year 2010 and \$3,340.00 for fiscal year 2011 for the Maintenance and Service Division. The Agreements has been approved by me as to substance and the City Attorney as to form.

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 these services are budgeted in the Water Treatment Operations Account No. 591-4730-861-8063 and Maintenance & Service Operations Account No. 591-4721-861-8005.

Justification: Cathodic Protection System (CPS) is a product manufactured by CORRPRO which extends the life of metallic infrastructure. The Water Treatment Division owns a CPS and utilizes it for the ground storage tanks at its booster stations and the filter backwash tank at the Water Treatment Plant. The Maintenance and Service Division owns a CPS and utilizes it with the twin 30's river crossing. CPS requires annual maintenance and inspection to assure proper function. These systems were manufactured and installed by CORRPRO and quotes were sought only from CORRPRO to perform the work associated with these systems. The total amount of the Water Treatment Plant Agreement is \$4,635.00. In addition, the total amount of the Maintenance and Service Division Agreement is \$9,860.00.

Council Action: Councilman Virciglio moved that the recommendation of the City Manager be approved, seconded by Councilwoman Kitterman-Miller.

Adopted unanimously.

Subject: Spicer Group Lot 1 Parking Agreement

Manager's Recommendation: I recommend that the Agreement with the Spicer Group ("Spicer") to lease parking spaces in Municipal Lot Number 1 ("Lot 1") be approved. The Agreement is for a period of one year commencing on May 1, 2009 and expiring on April 30, 2010. It has been approved by me as to substance and the City Attorney as to form.

Justification: Transmitted herewith is a Standard Group Rate Parking Agreement between the City of Saginaw ("City") and Spicer. Under the Agreement, Spicer will pay the City Eight Thousand One Hundred Dollars and 00/100 (\$8,100.00) per quarter to lease one hundred (100) parking spaces in Lot 1, located at 220 South Franklin Street. The total amount of the Agreement is Thirty Two Thousand Four Hundred Dollars and 00/100 (\$32,400.00).

Council Action: Councilman Virciglio moved that the recommendation of the City Manager be approved, seconded by Councilwoman Kitterman-Miller.

Adopted unanimously.

Subject: City Wide Departmental Trash pick up

Manager's Recommendation: I recommend that the bid received from Waste Management of Michigan be accepted and that purchase order to respective departments be issued to them for the total amount of \$2,551.88 through the current fiscal year, \$16,062.00 for fiscal year 2009-10 and \$16,869.60 for fiscal year 2010-11 totaling

\$35,483.48. 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 available in the following accounts: Sewer and Water Operation and Maintenance Fund Operating Services Account Nos. 590-4821-861-80-05 (\$71.00) and 591-4721-861-80-05 (\$71.00), Facilities Operating Services Account No. 101-7575-821-8005 (\$1,974.00), Police Department Operating Services Building Management Account No. 101-3014-721-8005 (\$311.24), Water Operation and Maintenance Fund Operating Services Account No. 591-4730-861-8005 (\$44.64) and Traffic Engineering Operating Services Account No. 101-4621-791-8005 (\$80.00)

Justification: On December 30, 2008, the City received bids for Trash Pick Up Services for various departments through June 30, 2011. The bids received are as follows:

	Through 6/30/09	2009-10	2010-11	TOTAL
Waste Management of Michigan Saginaw, MI	\$2,551.88	\$16,062.00	\$16,869.60	\$35,483.48
Republic Services Montrose, MI	\$2,830.00	\$17,366.04	\$18,255.00	\$38,451.04

Council Action: Councilman Virciglio moved that the recommendation of the City Manager be approved, seconded by Councilwoman Kitterman-Miller.

Adopted unanimously.

Subject: Emergency Purchase of Traffic Signal Equipment

Manager's Recommendation: I recommend that the quote received from Carrier and Gable, Farmington Hills, MI, be accepted and that a purchase order be approved and issued to them in the amount of \$3,585.00 for the emergency purchase of traffic signal equipment. Carrier and Gable is a sole supplier for this equipment.

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 equipment are available in the Traffic Engineering Parts and Supplies Account No. 202-4621-791-7330.

Justification: On February 15, 2009, a traffic accident occurred in the City of Saginaw, which caused significant damage to the traffic signal equipment at the intersection of S. Michigan and Vermont streets. An emergency purchase order was obtained from the Purchasing Division for the equipment needed to repair this intersection. Police reports were obtained, and claims are being filed with the involved insurance carrier to recover the City of Saginaw's expenses for these repairs.

Council Action: Councilman Virciglio moved that the recommendation of the City Manager be approved, seconded by Councilwoman Kitterman-Miller.

Adopted unanimously.

Subject: WTP Interim Chemical Feed Improvements To Disinfection System

Manager's Recommendation: I recommend that the low bid from Pumford Construction, Inc., in the amount of \$1,024,500.00 be accepted and a contract awarded

them in that amount; that contract documents forwarded herein (City Clerk's File A-7939), which have been signed by the contractor, be approved, and that the proper City officials be authorized and directed to execute the same on behalf of the City. The contract is subject to approval by me as to substance and the City Attorney as to form.

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 these services are available in the Water Bond Construction Project Account No. 598-4741-881.80-47.

Justification: On March 10, 2009, the City received bids for the Water Treatment Plant Interim Chemical Feed Improvements To Disinfection System. The project includes conversion of the disinfection systems to sodium hypochlorite feed from gaseous chlorine, removal of deteriorated patched steel pipe, no longer in use, and which poses threat to the raw water supply, and installation of chemical mixing apparatus for improvement of chemical dispersion. These interim improvements are necessary to improve overall safety in the disinfection system, secure a threat to the raw water delivery piping, and improve efficiency and effectiveness of chemical application at the Water Treatment Facilities.

Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

Pumford Construction Saginaw, MI	\$1,024,500.00
RCL Construction Sanford, MI	\$1,056,500.00
Serenus Johnson Bay City, MI	\$1,078,000.00
Sorensen Gross Flint, MI	\$1,141,000.00

Council Action: Councilman Virciglio moved that the recommendation of the City Manager be approved, seconded by Councilwoman Kitterman-Miller.

Adopted unanimously.

All City Manager recommendations to this point were adopted by general consent. The following was considered after discussion.

Subject: Purchase Order Increase

Manager's Recommendation: I recommend increasing purchase order #37304 issued to Saginaw Asphalt by \$20,000 for the additional purchase of cold patch material.

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 service are available in the State Trunk-line Routine Maintenance Account No. 202-4691-841.73-40.

Justification: Saginaw Asphalt provides cold patch material for the repair of potholes on City streets. Many potholes tend to form in cold weather after a period of snow and ice is followed by a thaw. Due to the amount of City crews patching and the large number of potholes, the original purchase order amount has been expended. It is necessary to increase the purchase order to continue patching potholes for the remainder of the fiscal year 2009.

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

Adopted unanimously.

*(At 1:40 p.m., Councilman Branch excused himself from the meeting.)*

CONSIDERATION AND PASSING OF ORDINANCES

Councilman O'Neal moved that an ordinance introduced March 9, 2009, entitled and reading as follows, be taken up and enacted, seconded by Councilwoman Kitterman-Miller:

O-78

AN ORDINANCE TO ADD "LOW INCOME HOUSING TAX EXEMPTION FOR SAGINAW SHELTER FOR THE HOMELESS NON PROFIT HOUSING CORPORATION," TO THE TABLE OF SPECIAL ORDINANCES, VIII.

The City of Saginaw ordains:

Section 1. "Low Income Housing Tax Exemption for Saginaw Shelter for the Homeless Non Profit Housing Corporation," is hereby added to the Table of Special Ordinances VIII, of the City Of Saginaw Code Of Ordinances, O-1, and shall read as follows:

LOW INCOME HOUSING TAX EXEMPTION

This ordinance shall provide for a service charge in lieu of taxes for an existing scattered site single family dwelling project for persons of low income to be financed or assisted pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended.

(A) *Preamble.*

It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for its citizens of low income and to encourage the development of such housing by providing for a service charge to be paid in lieu of property taxes in accordance with the State Housing Development Authority Act of 1966 (1966 PA 346, as amended; MCL Section 125.1401 et seq.). The City is authorized by this Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this Act at any amount it chooses, not to exceed the taxes that would be paid but for this Act. It is further acknowledged that such housing for persons of low income is a public necessity, and as the City will be benefited and improved by such housing, the encouragement of the same by providing certain real estate tax exemption for such housing is a valid public purpose; further, that the continuance of the provisions of this Ordinance for tax exemption and the service charge in lieu of taxes during the period contemplated in this Ordinance are essential to the determination of economic feasibility of housing developments which are constructed or renovated and financed in reliance on such tax exemption.

The City acknowledges that for Saginaw Shelter for the Homeless Non Profit Housing Corporation ("Owner") proposes, after renovation by Habitat for Humanity, to acquire a scattered site single family rental development. The City further acknowledges that Owner has offered, and subject to receipt of a repayable grant and/or Mortgage Loan

from the Michigan State Housing Development Authority, after repair and renovation by Habitat for Humanity, to acquire, own and operate one or more Housing Developments on certain property located in the City of Saginaw, County of Saginaw, State of Michigan described on Exhibit A, which is kept on file with the City Clerk, the keeper of records for the City of Saginaw, and is incorporated herein by reference to serve persons of low income; that each Housing Development shall be maintained on a part of the property described on Exhibit A owned by Owner, a non profit housing corporation formed in accordance with the laws of the State of Michigan for the sole purpose of owning and operating that Housing Development; that the Owner of each phase on which a Housing Development exists or is constructed shall pay to the City on account of such Housing Development an annual service charge for public services in lieu of all taxes; and that the provisions of this Ordinance are intended to establish such annual service charge in lieu of taxes for each Housing Development operated on any portion of the property described on Exhibit A that complies with and satisfies the provisions of this Ordinance.

(B) *Definitions.*

(1) Act means the State Housing Development Authority Act, being Public Act 346 of 1966 of the State of Michigan, as amended.

(2) Annual Shelter Rents means the total collections during an agreed annual period from all occupants of a Housing Development representing rent or occupancy charges, exclusive of charges for gas, electricity, water and sanitary sewer service, or other utilities furnished to the occupants.

(3) Authority means the Michigan State Housing Development Authority.

(4) Code means the U.S. Internal Revenue Code of 1986, as the same may be amended from time to time (or any corresponding provisions of any successor law).

(5) Contract Rents are as defined by the U.S. Department of Housing and Urban Development in regulations promulgated pursuant to the U.S. Housing Act of 1937, as amended.

(6) Housing Development means a development which contains a significant element of housing for Persons of Low Income and such elements of other housing, commercial, recreational, industrial, communal, and educational facilities as the Authority determines to improve the quality of the development as it relates to housing for Persons of Low Income.

(7) Low Income Housing Tax Credits means tax credits allocated by the Authority to a Housing Development pursuant to Section 42 of the Code.

(8) Mortgage Loan means a loan to be made by the Authority to the Sponsor for the acquisition, renovation and/or permanent financing of the Housing Development.

(9) Persons of Low Income means low income persons or families as defined in Section 15(a)(7) of the Act.

(10) Sponsor means for Saginaw Shelter for the Homeless Non Profit Housing Corporation or person(s) or entities, formed or to be formed, which have applied to the Authority for a Mortgage Loan to finance a Housing Development and/or Low Income Housing Tax Credits.

(11) Utilities mean gas, electricity, water and sanitary sewer service, or other utilities furnished to the occupants and paid by the Housing Development.

(C) *Class of Housing Developments.*

It is hereby determined that the class of Housing Development to and for which the tax exemption shall apply and for which a service charge shall be paid in lieu of such real property taxes pursuant to this Ordinance shall be scattered site single family units, which are financed or assisted pursuant to the Act and which are constructed or maintained upon the real property described on Exhibit A. It is further determined that a Housing Development for which a site plan has been submitted by a Sponsor and approved by the City, is of this class, so long as the same complies with the provisions of this Ordinance.

(D) *Establishment of Annual Service Charge.*

A Housing Development and the real property forming a part of Exhibit A on which it has been constructed shall be exempt from all property taxes from and after the date hereof. The City, acknowledging that the Sponsor and the Owner have established or will establish the economic feasibility of the Housing Development in reliance upon the enactment and continuing effect of this Ordinance and the qualification of the Housing Development for exemption from all property taxes and a payment in lieu of taxes as established in this Ordinance, and in consideration of the Sponsor's proposal, subject to receipt of a Mortgage Loan or an allocation of Low Income Housing Tax Credits from the Authority to acquire, renovate, own, and operate the Housing Development, hereby agrees to accept payment of an annual service charge for public services in lieu of all property taxes for the Housing Development. The annual service charge shall be eight (8.0%) percent of Annual Shelter Rents.

(E) *Contractual Effect of Ordinance.*

Notwithstanding the provisions of Section 15(a)(5) of the Act to the contrary, a contract between the City and each Sponsor and Owner, with the Authority as a third-party beneficiary thereunder, to provide tax exemption and accept payments in lieu of taxes as previously described is effectuated by enactment of this Ordinance. The City Manager and the City Clerk shall be and hereby are authorized to execute any and all contracts, which may be required by the Authority for the purpose of effectuating and executing the provisions of this section.

(F) *Payment of Service Charge.*

The service charge in lieu of taxes as determined under the Ordinance shall be payable in the same manner as general property taxes are payable to the City except that the annual payment shall be paid on or before the first (1<sup>st</sup>) day of August of each year. Prior to the first day of June of each year, the Sponsor or Owner shall submit to the City a copy of its certified audit as submitted to the Authority in order for the City to verify the payment to be made hereunder.

(G) *Duration.*

This Ordinance shall remain in effect as to each Housing Development and shall not terminate so long as the property is subject to a Mortgage Loan, tax credit regulations under Section 42 of the Code, or the Authority has any interest in the property not to exceed 40 years after the date that the Owner acquires the Housing Development. Provided, however, that if renovation of a Housing Development does not commence within five years from the effective date of this Ordinance, that Housing Development shall not qualify for exemption hereunder.

(H) *Severability.*

The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of the Ordinance as a whole or any section or provision of this Ordinance other than the section or provision so declared to be unconstitutional or invalid. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 2. This ordinance shall become effective April 2, 2009.

Enacted: March 23, 2009.

Adopted unanimously.

EXHIBIT A

Low income Housing Tax Exemption for Saginaw Shelter for the Homeless Non Profit Housing Corporation

1519 DELAWARE

LOT 4, EXC. N20FT, BLK. 86, PENOYER FARM

1625 JOHNSON

LOT 5, BLK.1, HENRY REICHENBACHS SUBDIVISION OF W. ½ OF OUT LOT 51, GLASBY & GALLAGHERS ADDITION

416 S. 7<sup>TH</sup>

S. 15 FT OF LOT 3, LOT 4, N 13FT OF LOT 5, NEWTONS SUBDIVISION OF OUT LOT 16, GLASBY, GALLAGHER AND LITTLE'S ADDITION

515 S. 11<sup>TH</sup>

LOT 3 ON S 11<sup>TH</sup> ST, OUTLOT 21, WM. LLOYDS SUBDIVISION OF OUTLOT 21 AND EAST FOUR FIFTHS OF OUT LOT 20 GLASBY GALLAGHER & LITTLES ADDITION

429 S. 10<sup>TH</sup>

LOT 16 EXC. S 11FT, LOT 17 EXC N 49FT, BLK 15, SMITH, JONES, GLASBY AND LITTLES ADDITION COMB FOR 2001

RESOLUTIONS

Subject: Liquor License for 3504 State Street

Manager's Recommendation: I recommend approval of the request to transfer ownership of 2008 Class C Licensed Business with Dance-Entertainment Permit, located in escrow at 3504 State, Saginaw, MI 48602, Saginaw County, from Colleen Marie Crawford and Peter Angelo Crawford to Salvi, Incorporated.

Justification: On or about December 12, 2008, the City received notice from the Michigan Liquor Control Commission of the request to transfer ownership of 2008 Class C

Licensed Business with Dance-Entertainment Permit, located in escrow at 3504 State, Saginaw, MI 48602, Saginaw County, from Colleen Marie Crawford and Peter Angelo Crawford to Salvi, Incorporated.

The Saginaw County Health Department, City of Saginaw Fire Prevention and the City Building Inspections Division completed the necessary inspections and have approved 3504 State Street for the license transfer as required by Chapter 110, "General Provisions," of Title XI, "Business Regulations" of the Saginaw Code of Ordinances. Under Chapter 111, "Alcoholic Beverages," §111.11, "Application for License," wherein the City Manager is to review all applications and departmental reports and give his recommendation to City Council of his approval or disapproval of the license. Since the necessary requirements have been met by Salvi Incorporated, I hereby recommend approval of the 2008 Class C license transfer with dance permit, from Colleen Marie Crawford and Peter Angelo Crawford, located at 3504 State, Saginaw, MI 48602, Saginaw County.

**Council Action:** This Council Communication is for explanation purposes only of the Resolution to be adopted.

RESOLUTION TRANSFERRING 2008 CLASS C LIQUOR LICENSE WITH  
DANCE ENTERTAINMENT PERMIT AT 3504 STATE STREET

Councilman Coulouris offered and moved adoption of the following resolution, seconded by Councilman Virciglio:

WHEREAS, on or about December 12, 2008, the City Clerk's Office received a Local Approval Notice from the State of Michigan Liquor Control Commission; and

WHEREAS, said notice of the request to transfer ownership of 2008 Class C Licensed Business with Dance-Entertainment Permit, located in escrow at 3504 State, Saginaw, MI 48602, Saginaw County, from Colleen Marie Crawford and Peter Angelo Crawford to Salvi, Incorporated; and

WHEREAS, the Saginaw County Health Department, City of Saginaw Fire Prevention and the City Building Inspections Division have approved 3504 State for this transfer.

NOW, THEREFORE, BE IT RESOLVED, that request to transfer ownership of 2008 Class C Licensed Business with Dance-Entertainment Permit, located in escrow at 3504 State, Saginaw, MI 48602, Saginaw County, from Colleen Marie Crawford and Peter Angelo Crawford to Salvi, Incorporated be considered for approval.

It is the consensus of this legislative body that the application be recommended for issuance.

Adopted unanimously.

RESOLUTION CONFIRMING THE 2009 SINGLE LOT ASSESSMENT TAX ROLL

Councilman O'Neal offered and moved the adoption of the following resolution, seconded by Councilwoman Kitterman-Miller:

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 (TR009), Weed/Grass Cutting (WC009) and Wrecker Service/Vehicle Removal (WS009), and also for Sewer Connections & Replacements (SEWTR), Solid Waste Disposal Annual Fee (TRFE), Environmental Compliance (EC001),

Environmental Tests/Samples/Inspections/Adm. Fees (EC091) and Environmental Fees & Surcharges (EC092);

NOW 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: \$110.00 at 1009 N. Fayette (Tax Roll No. 14 0363 00000); \$55.00 at 1902 Stanley (Tax Roll No. 19 1822 00000); \$55.00 at 1116 N. Granger (Tax Roll No. 14 0015 00000); \$55.00 at 1906 Hill St. (Tax Roll No. 14 0890 00000); \$55.00 at 1726 Stark St. (Tax Roll No. 14 1302 00000); \$55.00 at 2006 Deindorfer (Tax Roll No. 13 0581 00000); \$55.00 at 1815 Congress (Tax Roll No. 14 1127 00000); \$55.00 at 3324 Fulton (Tax Roll No. 10 1092 00000); \$55.00 at 2222 N. Clinton (Tax Roll No. 13 0137 00000); \$55.00 at 2276 S. Hamilton (Tax Roll No. 19 1456 00000); and \$55.00 at 1102 State (Tax Roll No. 13 2042 00000).

BE IT FURTHER RESOLVED, that the Trash Removal Roll No. (TR009) be amended by removing the following assessments: \$268.50 at 1333 Bagley (Tax Roll No. 09 0832 00000); \$134.25 at 816 N. Mason (Tax Roll No. 15 0486 00000); \$492.25 at 1313 Lapeer (Tax Roll No. 04 0578 00000); \$44.75 at 1013 Greenwich (Tax Roll No. 19 0742 00000); and \$134.25 at 1814 Stone (Tax Roll No. 14 0984 00000).

BE IT FURTHER RESOLVED, that the Weed Cutting Roll No. (WC009) be amended by removing the following assessments: \$79.12 at 2126 Lowell (Tax Roll No. 11 0736 00000), \$79.12 at 6 Roselawn Ct. (Tax Roll No. 18 0415 00000) and \$79.12 at 2219 S. Michigan (Tax Roll No. 19 0354 00000).

BE IT FURTHER RESOLVED that all single lot special assessments assessed to properties owned by the Saginaw County Land Bank Authority or the Michigan Land Bank Fast Track Authority shall be removed from the Tax Roll.

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 in SEWTR are payable in ten annual installments, and assessments in rolls TR009, WC009, WS009, TRFE, EC001, EC091 and EC092 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.

#### ADJOURNMENT

At 1:42 p.m. Councilman Coulouris moved to adjourn the meeting, seconded by Councilwoman Kitterman-Miller.

Adopted unanimously.

Diane M. Herman

City Clerk