

Council Agenda

January 11, 2010, 6:30 p.m., Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE

ROLL CALL

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

- December 21, 2009 regular council meeting.

ANNOUNCEMENTS:

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

REMARKS OF COUNCIL:

PETITIONS:

REPORTS FROM BOARDS AND COMMISSIONS AND COMMITTEES AND
APPOINTMENT OF BOARD AND COMMISSION MEMBERS:

From the Council Boards and Commission Committee:

1. Consideration of appointing Paul Virciglio to the Saginaw Riverfront Development Commission to fill a vacancy with a term to expire April 1, 2013.

REPORTS FROM MANAGER:

1. Update from Rob Eggers of Spicer Group on the Downtown Development Authority's TIF Plan.
2. Update on the organizational efficiency study by Darnell Earley, City Manager.

Recommended Actions:

1. Recommending approval to send Officer Jeffrey Wenzell and the new police department's dog to K-9 Training scheduled to take place December 21, 2009 – March 18, 2010. The total cost of this training is \$4,520.00. The City of Saginaw received funds from the State of Michigan that are strictly designated for police officer training. The police department would like to utilize part of the funds to send Officer Wenzell and the newly purchased dog to the K-9 Academy Training Facility. Funds are available in

the Criminal Justice Training Account, No. 261 3323 741 8090 (\$3,500.00), Criminal Justice Supplies and Parts Account, No. 261 3323 741 7330 (\$600.00 and Criminal Justice Travel/Meals/Lodging Account No. 261 3323 741 8090 (\$420.00)

2. Recommending that the Purchase and Development Agreement with Wolgast Corporation and Wickes Park Homes be approved and that the City Manager or his designee be authorized to execute all documents necessary. This Purchase and Development Agreement has been approved by the City Manager as to substance and the City Attorney as to form.
3. Recommending that the Agreement with Burns and McDonnell Engineering Company, Inc. be approved in the amount of \$41,100.00 to provide professional consulting services for coordination, development and distribution of the 2009 Regional Consumer Confidence Report (CCR). Terms of the Agreement include development, assembly, printing, mail house services, and postage for the 2009 CCR. The Agreement is subject to the approval of the City Manager as to substance and the City Attorney as to form. Funds are budgeted in the Water Treatment Operations Engineering Services Account, No. 591 4730 861 8002.
4. Recommending that the bid for building materials for the Wastewater Treatment Plant be split and that purchase orders be issued to Lowe's Home Improvement in the amount of \$1,593.60 and Self Serve Lumber in the amount of \$697.94, for a total cost of \$2,291.54. The plant has a seven bay carport that is used for vehicle storage. The rafters in the carport are open and the building materials will be used to enclose the rafters. Funds are budgeted in the Sewer Operation and Maintenance Parts and Supplies Account, No. 590 4830 861 7330.
5. Recommending that payment be made to D. C. Byers Company in the amount of \$13,295.00 for the emergency repair of the north clarifier at the Water Treatment Plant. The work included sealing cracks in the walls and concrete repair. Funds are budgeted in the Water Treatment Plant's General Repairs Account, No. 591 4730 861 8040.

INTRODUCTION OF ORDINANCES:

1. An Ordinance to amend Paragraphs (H) through (K) of §110.26, "Stationary Boiler Operators and Stationary Engineers" and §1, "License Fees" of "Appendix" Fees" of Chapter 110, "General Provisions," of Title XI "Business Regulations," of the Saginaw Code of Ordinances O-1.

CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Darnell Earley
City Manager

COUNCIL COMMUNICATION

From: The City Manager

Subject: Building Materials

Manager's Recommendation:

I recommend that the bid for building materials be split and that purchase orders be issued to Lowe's Home Improvement in the amount of \$1,593.60 and Self Serve Lumber in the amount of \$697.94, for a total cost of \$2,291.54.

These vendors meet all requirements of §14.23, "Vendors", Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing", of Title 1, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for these purchases are budgeted in the Sewer Operation and Maintenance Parts and Supplies, Account No. 590-4830-861.73-30.

Justification:

On December 1, 2009, the City received bids from two vendors for building materials for the Wastewater Treatment Plant. The plant has a seven bay carport that is used for vehicle storage. The rafters in the carport are open and birds nest in them and make a mess in the carport and on the vehicles. This bid is for building materials to enclose the rafters and eliminate nesting sites. The bid was split and the vendor with the lowest cost for each of the six items was selected. The actual bid results were as follows:

	<u>Items Bid</u>	<u>Cost</u>
Lowe's Home Improvement Saginaw, MI	5 of 6	\$2,204.76
Self Serve Lumber Saginaw, MI	6 of 6	\$2,405.74

Council Action

Council _____ moved that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION

From: The City Manager

Subject: K-9 Training

Manager's Recommendation:

I recommend approval to send Officer Jeffery Wenzell and the new Saginaw Police Department dog to K-9 Training scheduled to take place December 21, 2009 – March 18, 2010. The total cost for Officer Wenzell to attend this training is \$4,520.00.

Funds for this training are available in the Criminal Justice Training Account, No. 261-3323-741.80-90 (\$3,500.00), Criminal Justice Supplies and Parts (261-3323-741.73-30 (\$600.00) and Criminal Justice Travel/Meals/Lodging Account No. 261-3323-741.80-91(\$420.00).

Justification:

The City of Saginaw has received funds from the State Of Michigan MCOLES (Michigan Commission of Law Enforcement Standards) that are strictly designated for police officer training. The Saginaw Police Department would like to utilize part of the funds to send Officer Wenzell and the newly purchased dog to the K9 Academy Training Facility.

Council Action:

Council _____ moved that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Burns and McDonnell Engineering Company Inc. Agreement

Manager's Recommendation:

I recommend that the Agreement with Burns and McDonnell Engineering Company, Inc. ("Burns and McDonnell") be approved in the amount of \$41,100.00. Terms of the Agreement include development, assembly, printing, mail house services, and postage for the 2009 Regional Consumer Confidence Report ("CCR"). In addition, Burns and McDonnell has agreed to indemnify the City for all claims resulting from its negligence in performance of the Agreement up to \$2,000,000.00. The Agreement is subject to my approval as to substance and the City Attorney as to form.

This vendor meets all requirements of §14.23, "Vendors", of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing, of "Title 1, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds are budgeted in the Water Treatment Operations Engineering Services, Account Number 591-4730-861-8002.

Justification:

The City received two proposals during the week of November 23, 2009, to provide professional consulting services for coordination, development and distribution of the 2009 CCR. The proposals were received from Tetra Tech Inc. ("Tetra Tech") and Burns and McDonnell. The 1996 amendments to the Safe Drinking Water Act requires the City to provide consumers information about their drinking water and opportunities to get involved in protecting their source water pursuant to a CCR. All community water systems are required to prepare and provide their customers with an annual water quality report or CCR.

Several years ago, the Michigan Department of Environmental Quality District Engineer recommended the use of a regional approach to the report. For the past five years, the City has successfully used this approach to distribute information to customers by distributing the Saginaw Regional Water Quality Report/CCR. Specifically, this approach reduces the expense of production of the report, mailing costs and City staff time. The City will coordinate the development of the CCR with

COUNCIL COMMUNICATION

Burns and McDonnell. The individual communities will sign participation agreements and reimburse the City for their share of the costs. The CCR will be developed and distributed to City customers that elect to participate in the 2009 Regional CCR.

For the past twelve years, the City has worked with Tetra Tech to produce the CCR. Specifically, the City worked with Susan Franklin on this project. She has extensive knowledge regarding the CCR, the City and the municipalities that receive water services from it. In 2009, Ms. Franklin left Tetra Tech and is now employed by Burns and McDonnell. Due to her highly professional approach, her creative, on-going, efforts to reduce costs and great success in coordinating the Regional CCR, staff determined that the proposal from Burns and McDonnell best suited the City's interest. The estimated cost is slightly higher in the Burns and McDonnell quote due to increased estimate of the handling and postage. Both proposals indicate the costs for handling and postage will be based on actual costs and not the estimated cost. Moreover, Burns and McDonnell's cost includes a two-color print option and Tetra Tech's only provides a one-color print option. The recommended quoted cost includes a 1.5 % increase when compared to last year.

The following is a tabulation of the proposals received by the City:

Tetra Tech Inc. Ann Arbor, MI	\$40,500.00
Burns and McDonnell Engineering Co. Inc. Downers Grove, IL	\$41,100.00

Council Action:

Council _____ moved that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION

Council _____ introduced an ordinance entitled and

reading as follows:

AN ORDINANCE TO AMEND PARAGRAPHS (H) THROUGH (K) OF §110.26, "STATIONARY BOILER OPERATORS AND STATIONARY ENGINEERS" AND §1, "LICENSE FEES" OF "APPENDIX: FEES" OF CHAPTER 110, "GENERAL PROVISIONS," OF TITLE XI "BUSINESS REGULATIONS," OF THE SAGINAW CODE OF ORDINANCES O-1.

Laid over under the Charter provision.

COUNCIL COMMUNICATION

Council _____ moved that an ordinance introduced, January 11, 2010, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND PARAGRAPHS (H) THROUGH (K) OF §110.26, "STATIONARY BOILER OPERATORS AND STATIONARY ENGINEERS" AND §1, "LICENSE FEES" OF "APPENDIX: FEES" OF CHAPTER 110, "GENERAL PROVISIONS," OF TITLE XI "BUSINESS REGULATIONS," OF THE SAGINAW CODE OF ORDINANCES O-1.

The City of Saginaw Ordains:

Section 1. Paragraphs (H) through (K) of §110.26, "Stationary Boiler Operators and Stationary Engineers," of Chapter 110, "General Provisions," of Title XI, "Business Regulations," of the Saginaw Code of Ordinances, O-1, are hereby amended to read as follows:

(H) License fees are not graduated, but constant for all skill levels (Fourth Class through First Class).

(I) License holder need only renew highest level license and not those of lower levels previously awarded.

(J) Licenses are renewable on April 30th of each year regardless of the date of issuance, i.e. no proration. Any existing license or renewal thereof may be renewed by mail without reexamination, provided the City receives the renewal fee within sixty (60) days of notice.

(K) The provisions of this section do not apply to steam boilers and other steam generating apparatus installed and used in private dwellings, marine service, railroads or agriculture (mint processing).

COUNCIL COMMUNICATION

Section 2. §1 "License Fees" of "Appendix: Fees" of Chapter 110, "General Provisions", of Title XI, "Business Regulations" of the City of Saginaw Code of Ordinances, O-1, is hereby amended to read as follows:

§ 1. LICENSE FEES.

<i>License for:</i>	<i>License Fee:</i>
Boiler Operators, Stationary.....	\$50.00
Renewal fee	\$50.00
Engineers, Stationary	\$50.00
Renewal fee	\$50.00

Section 2. That this Ordinance shall take effect on February 4, 2010.

Enacted: January 25, 2010.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Stationary Boiler Operators and Stationary Engineers Ordinance Amendments

Manager's Recommendation:

It is recommended that Paragraphs (H) through (K) of §110.26, "Stationary Boiler Operators and Stationary Engineers," and §1 "License Fees" of "Appendix: Fees" of Chapter 110, "General Provisions", of Title XI, "Business Regulations" of the City of Saginaw Code of Ordinances, O-1, be amended. An Ordinance has been prepared and appears under the regular order of business.

Justification:

The City Clerk's Office is in the process of reviewing the City's licensing fees as many license fees have not been reviewed and evaluated since 1995.

Currently, the license fee for Stationary Boiler Operators and Stationary Engineers is \$35.00. The Board of Examiners of Stationary Boiler Operators and Stationary Engineers consists of two members that conduct four-hour examinations for persons seeking a license to operate steam boilers and steam operated machinery, and Saginaw is one of four venues that test in the State of Michigan. The Board of Examiners members are qualified by technical training and/or have had at least ten years actual experience in operating steam boilers and steam actuated machinery. They spend numerous hours conducting and correcting tests, answering questions throughout the year and staying current with the regulations. Since 1995, board members fees were increased from \$45/quarterly to \$75/quarterly.

In addition, a review of the ordinance determined that certain paragraphs with regard to renewing licenses needed to be more clearly defined. Given the foregoing, it is recommended the Stationary Boiler Operators and Stationary Engineers ordinance be amended to clearly define license renewal and the Appendix on Fees be amended to increase the license fee by \$15.00 annually.

Council Action:

This Council Communication is being submitted to explain the ordinance to be introduced in a subsequent portion of the agenda.

COUNCIL COMMUNICATION

From: The City Manager

Subject: WTP Emergency Repair North Clarifier

Manager's Recommendation:

I recommend that payment be made to D.C. Byers Company, Detroit, Michigan, up to the amount of \$13,295.00 for emergency purchase order #40113.

This vendor meets all requirements of §14.23, " Vendors", of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing, of "Title 1, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for this service are budgeted in the Water Treatment General Repairs Account No. 591-4730-861.80-40.

Justification:

On December 29, 2009, an emergency purchase order was issued to D.C. Byers Company, Detroit, Michigan, in the amount of \$13,295.00 for the repair of the north clarifier at the Water Treatment Plant. The work included sealing cracks in the walls and concrete repair. The clarifier is filled with water year round and water has been leaking through the cracks. Because of the leaks, the brick on the exterior of these walls was deteriorating. The clarifiers are drained once a year for inspection and cleaning so the work needed to be done at this time. D.C. Byers Company was chosen based on their experience and the recommendation from Greeley and Hansen; the engineering firm hired by the City of Saginaw for Master Planning and other work for the water system.

Council Action:

Council _____ moved that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Purchase and Development Agreement with Wolgast Corporation and Wickes Park Homes

Manager's Recommendation:

I recommend that the Purchase and Development Agreement with Wolgast Corporation and Wickes Park Homes be approved and that the City Manager or his designee be authorized to execute all documents necessary. This Purchase and Development Agreement has been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

On December 5, 2005, the City of Saginaw entered into a Purchase and Development Agreement with Wolgast Corporation for property located in the 3200, 3300, 3400, 3500, and 3600 block of Douglass St. on the southeast side of the City. A Payment in Lieu of Taxes ("PILOT") ordinance was enacted at the same time. That Agreement has been amended a number of times due to the reduced scope of the project, and the changing nature of the state and federal tax incentives. In the interim, Wolgast Corporation has created Wickes Park Homes Limited Housing Association Partnership to develop this project. In December 2009, the city enacted a revised PILOT to reflect the reduced scope of the project and the newly created developer.

This proposed Purchase and Development Agreement would reflect the new ownership, the reduced scope of the project, and incorporate the various amendments that have been adopted in the intervening years. It would also provide an option for Wolgast Corporation, if circumstances permit, to acquire the balance of the property and construct the remaining houses in the original proposal.

Council Action:

Council_____ moved that the recommendation of the City Manager be approved.