

Council Agenda

February 25, 2008, 6:30 p.m., Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE

ROLL CALL:

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

November 19, 2007, December 3, 2007, December 17, 2007, and December 27, 2007 regular Council meetings, January 4, 2008 and January 5, 2008 (Special Strategic Planning Sessions), January 7, 2008 and January 14, regular Council meetings.

PUBLIC HEARINGS:

1. Single Lot Special Assessments Tax Roll

ANNOUNCEMENTS:

PERSONAL APPEARANCES:

(A list will be provided on Monday)

REMARKS OF COUNCIL:

PETITIONS:

REPORTS FROM BOARDS AND COMMISSIONS AND COMMITTEES:

APPOINTMENTS OF BOARDS AND COMMISSION MEMBERS:

1. Consideration of reappointing Abraham Allen to the Downtown Development Authority with a term to expire December 31, 2012.

REPORTS FROM MANAGER:

Management Update:

Recommended Actions:

1. Recommending that two residential rehabilitation loans be written off the balance sheet, as they have been deemed uncollectible. The total amount to be written off is \$16,534.00.
2. Recommending that Council waive the potential conflict of interest present and allow the firm of Braun, Kendrick, Finkbeiner, PLC to represent the City of Saginaw in its negotiation with General Motors and Delphi Corporation with regard to the disposition of a section of sewer.
3. Recommending acceptance of the quote and issuance of a purchase order to Powell Fabrication in the amount of \$2,433.00 for the purchase of replacement parts for the gaseous chlorine supply system for the Water Treatment Plant. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Water Treatment Parts and Supplies Account No. 591 4730 861 7330.
4. Recommending that a purchase order be approved and issued to Compro in the amount of \$3,180.00 for the annual evaluation of the cathodic protection system on the twin 30" steel river crossing water mains. Compro is the sole source for this service and installed the existing system last year. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Water Distribution Operations Other Services / Operating Services Account No. 591 4721 861 8005.
5. Recommending increasing Purchase Order No. 34535 with AirGas Great Lakes to \$3,800.00 in order to have an adequate supply of welding gas through June 30, 2008. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Motor Equipment Parts and Supplies Account No. 661 4480 841 7330.
6. Recommending acceptance of the low bid and issuance of a purchase order to Fox Scientific in the amount of \$3,857.45 for the purchase of laboratory supplies to be used by the Wastewater Treatment Plant. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Sewer Operation and Maintenance Laboratory Supplies Account No. 590 4830 861 7309.
7. Recommending that Purchase Order No. 35675 issued to R & R Ready Mix, Inc. be approved in the amount of \$4,781.25 for the emergency purchase of ice control sand. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Major Street Winter Maintenance Fund Streets and Road Materials Account No. 202 4655 841 7340.

8. Recommending that payment be made to Walker Process Equipment in an amount not to exceed \$6,000.00 for the emergency inspection of sedimentation basin sludge handling equipment. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Water Treatment Professional Services Account No. 591 4730 861 8001.
9. Recommending approval of payment to Bendzinski & Co., Municipal Finance Advisors in an amount not to exceed \$30,000.00 for providing financial advisory services. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Water Administration Professional Services Account No. 591 4710 851 8001.
10. Recommending approval of the proposed rules and regulations for traffic control.
11. Recommending that Purchase Order No. 35515 issued to Engel's Auto Body be increased to \$6,877.83 to cover the deductible and repair costs of a police vehicle damaged in an accident. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Police Department's Building Maintenance Division Motor Vehicle Repairs Account No. 101 3014 721 8042.

INTRODUCTION OF ORDINANCES:

1. An Ordinance to add §96.18, "Banner Petitions" to Chapter 96, "Streets and Sidewalks" of title IX, "General Regulations," of the Saginaw Code of Ordinances O-1.

CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS:

Darnell Earley
City Manager

COUNCIL COMMUNICATION

From: The City Manager

Subject: Welding Gas

Manager's Recommendation:

I recommend increasing purchase order #34535 with AirGas Great Lakes to \$3,800.00 in order to have an adequate supply of welding gas through June 30, 2008.

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

Funds for this material are available in the Motor Equipment Parts and Supplies Account No. 661-4480-841-7330.

Justification:

The City's Motor Equipment Section has a \$1,900.00 per year blanket purchase order with AirGas Great Lakes to supply welding gas for the motor equipment. Due to increased usage and continual increases in price, the dollar amount of this purchase order is nearly depleted. Based on current usage, it is estimated that we will use an additional \$1,900.00 worth of welding gas for the remainder of fiscal year 2008.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Emergency Purchase

Manager's Recommendation:

I recommend that purchase order #35675 issued to R & R Ready Mix, Inc. be approved in the amount of \$4,781.25 for the emergency purchase of ice control sand.

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

Funds for this material are available in the Major Street Winter Maintenance Fund Streets and Road Materials Account No. 202-4655-841-7340.

Justification:

The Right of Way Division received a quote from R & R Ready Mix, Inc. of \$21.25 per ton for an emergency purchase of ice control sand, which is treated with calcium chloride to control icing on City streets. The City keeps a limited supply of ice control sand on hand. Due to the recent storm, it was necessary to acquire an additional 225 tons of this material. When winter temperatures reach single digits, rock salt is largely ineffective in controlling icy road conditions. The ice control sand is used on bridge decks and major street intersections to provide de-icing and traction on the icy roadways. R & R is the sole source in the area for this material at the present time.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Write off of two CDBG residential rehabilitation loans.

Manager's Recommendation:

It is recommended that the two residential rehabilitation loans presented be written off the balance sheet, as they have been deemed uncollectible. The total amount to be written off is \$16,534.

Justification:

The residential lending program is run by the Department of Development. Low interest loans are made to low and moderate-income individuals for housing rehabilitation in designated CDBG program areas. Regular mortgage loans are established and liens are placed against the properties. If monthly obligations are not met, staff follows normal collection procedures, including client notification and credit bureau reporting, which could result in foreclosure. Staff uses outside attorneys for more aggressive collection effort. Loan number one has a principal balance of \$4,391, interest and penalty charges of \$1,926. The last payment was made December 29, 2004. The parties on this loan have both deceased and no estate was established. Loan number two has a principal balance of \$8,705, interest and penalty charges of \$1,812.00. The last payment was made October 15, 2004. The party to this loan is unable to be located. Both properties were placed on the Dangerous Buildings list and permission from HUD has been requested to demolish them.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Laboratory Supplies Purchase

Manager's Recommendation:

I recommend that the low bid received from Fox Scientific be accepted and that a purchase order be issued to them in the amount of \$3,857.45 for the purchase of laboratory supplies to be used by the Wastewater Treatment Plant.

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 Sewer Operation and Maintenance Laboratory Supplies Account No. 590-4830-861-7309.

Justification:

On January 29, 2008, the City received bids for the purchase of various supplies for the Wastewater Treatment Plant Laboratory. These supplies include chemicals, pipets, glass fiber and sterilized filters, and other equipment necessary for testing the treated water before it is discharged to the river. This testing is required by the Wastewater Treatment Plant's National Pollutant Discharge Elimination System Permit. Following is a tabulation of the bids received:

Fox Scientific Alvarado, TX	\$3,857.45
Fisher Scientific Pittsburgh, PA	\$4,143.84
Jade Scientific Canton, MI	\$4,707.71

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

Laid over under the Charter provision.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Banner Petitions Ordinance

Manager's Recommendation:

It is recommended that §96.18, "Banner Petitions," be added to Chapter 96, "Streets and Sidewalks" of Title IX, "General Regulations" of the Saginaw Code of Ordinances O-1. An Ordinance has been prepared and appears under the regular order of business.

Justification:

In 1985, the City installed four pairs of poles to be used solely for the display of banners for organizations, 500 block of Court Street, 200 block of West Genesee Avenue, 300 block of South Michigan Avenue and 1000 block of East Genesee Avenue. At that time a policy was developed defining guidelines for the display of banners. Since that time, organizations have made requests to the City by way of petition to have banners hung promoting a special event. Once City Council approves, the banners are physically erected and removed by the City Engineering Division at a fee, which covers the City's costs. In the past year, the City Clerk's Office received a Banner Petition from a local business, requesting the City promote the business. This was the first time for such a request, and in reviewing the matter, it was determined this was never the intent for the policy and would not be a good practice for the City to begin. Since the City has no formal "policy" book, it is in the best interest of the City to adopt an ordinance setting forth the guidelines for the display of banners.

Council Action:

This Council Communication is for explanation purposes only of the ordinance to be introduced.

COUNCIL COMMUNICATION

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

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

The City of Saginaw Ordains:

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

§ 96.18 BANNER PETITIONS.

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

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

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

- (1) Location(s) requested.
- (2) Name of Organization.
- (3) Purpose of the Banner.
- (4) Message on the Banner.
- (5) Time Period Requested. (Note: May not exceed 30 days)

COUNCIL COMMUNICATION

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

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

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

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

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

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

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

Enacted: March 10, 2008.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Purchase Order Increase

Manager's Recommendation:

I recommend increasing Purchase Order #35515, issued to Engel's Auto Body of Saginaw, to \$6,877.83 to cover the deductible and repair costs of a police vehicle damaged in an accident.

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

Funds are available in Police Department's Building Maintenance Division Motor Vehicle Repairs Account No. 101-3014-721-8042.

Justification:

On January 28, 2008 City Council approved the acceptance of two checks from the Amerisure Insurance Company, which were issued to cover repair costs and a settlement loss for two police department vehicles involved in an accident. Engel's Auto Body performed the repairs on one of the vehicles in December of 2007 at a total cost of \$5,877.83. Purchase Order #35515 was issued to cover the \$1,000.00 deductible charge. Increasing the purchase order to a total of \$6,877.83 will cover the deductible and the repair costs.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Chlorine Supply Monel Hose and Fittings

Manager's Recommendation:

I recommend that the quote from Powell Fabrication in St. Louis, MI be accepted and that a purchase order be approved and issued to them in the amount of \$2,433.00 for chlorine supply monel hose and fittings.

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 work are available in the Water Treatment Parts and Supplies Account No. 591-4730-861-7330.

Justification:

A quote for supply of replacement parts for the Water Treatment Plant (WTP) gaseous chlorine supply system was received in the amount of \$2,433.00 on 2-06-08. Periodic replacement of these parts is required by the WTP Process Safety Management Plan. The MIOSHA Process Safety Management Plan of Highly Hazardous Chemicals Standard requires the plan. The gaseous chlorine system supplies chlorine to the chlorinators. The chlorinators are used to apply chlorine to the raw water supplied to the plant, which disinfects and protects the potable water supply from bacterial contamination.

Powell Fabrication is a sole source distributor in the area for this type of monel chlorine hose.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Emergency Inspection Sedimentation Basin Sludge Handling Equipment

Manager's Recommendation:

I recommend that payment be made to Walker Process Equipment, Chicago, Illinois, in an amount not to exceed \$6,000.00 for the emergency inspection of sedimentation basin sludge handling 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 work are available in the Water Treatment Professional Services Account No. 591-4730-861-8001.

Justification:

Emergency purchase order number 35647 was issued to Walker Process Equipment in the amount of \$6,000.00. The work includes an on-site inspections and recommendations for repair and adjustment of sludge handling equipment in the sedimentation basins.

During this year's annual inspection and cleaning of the sedimentation basins, there were discoveries made in the condition of the equipment that were of serious concern as to current configuration and installation of equipment. The function and placement of gears were not as indicated in the original paper work. Unusual wear was discovered in portions of the equipment. The equipment was originally installed in the 1940's. We wanted to make sure corrections made to the equipment were proper. We also wanted to know how long the existing equipment would last before complete replacement was necessary. This equipment removes sludge created in the water

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treatment process and is critical to that process. The purchase order allows for a second on-site inspection, in the event further problems are found during the inspection and cleaning of the other half of the settling basins.

Walker Process Equipment was chosen because they are the manufacturers of the sludge handling equipment.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Bendzinski & Co. Municipal Finance Advisors

Manager's Recommendation:

I recommend approval of payment to Bendzinski & Co., Municipal Finance Advisors ("Bendzinski"), in an amount not to exceed \$30,000.00 for providing financial advisory services.

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 Water Administration Professional Services Account Number 591-4710-851-8001.

Justification:

The City is entering into a Financial Advisory Service Agreement with Bendzinski for the issuance of Water System Revenue Bonds in the amount of \$11,500,000.00 for improvements to the Water Treatment Plant and water distribution system. Fees for these services will not exceed \$30,000.00.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Waiving a Potential Conflict of Interest

Manager's Recommendation:

I recommend that the Council waive the potential conflict of interest present and allow the law firm of Braun, Kendrick, Finkbeiner, P.L.C. to represent the City of Saginaw in its negotiation with General Motors and Delphi Corporation with regard to the disposition of a section of sewer.

Justification:

The City of Saginaw has been negotiating with General Motors and Delphi Corporation with regard to disconnecting or closing a section of sewer line that contains contamination. This will involve several issues about the best way to proceed and also comply with state law.

The City of Saginaw has previously retained attorney Glenn L. Fitkin of the local law firm of Braun, Kendrick, Finkbeiner, P.L.C., in this area of law and wishes to use his services for this project, as well. That firm has represented General Motors and Delphi Corporation on other issues and have obtained their waiver to represent the City on this matter. No adverse effects are expected, but Braun, Kendrick, Finkbeiner, P.L.C. is obligated by ethical considerations to obtain the City's authorization prior to proceeding.

Braun, Kendrick, Finkbeiner, P.L.C. requests that City Council confirm the City of Saginaw's waiver of the potential conflict of interest in this matter.

Council Actions

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Annual Evaluation of Twin 30" Steel River Crossings

Manager's Recommendation:

I recommend that a purchase order be issued to Compro in the amount of \$3,180.00 for the annual evaluation of the cathodic protection system on the twin 30" steel river crossings.

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

Funds for this purchase are available in the Water Distribution Operations Other Services / Operating Services Account No. 591-4721-861-8005.

Justification:

We received a proposal from Compro to evaluate the cathodic protection system (corrosion control protection) on the twin 30" river crossing water mains. Compro is a sole source for this service and installed the existing system last year. The annual evaluations are necessary to ensure the cathodic protection system stays in working condition.

Council Action:

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