

## COUNCIL AGENDA

For

March 6, 2006, 6:30 p.m., Council Chamber

ROLL CALL:

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

ANNOUNCEMENTS:

PUBLIC HEARINGS:

1. Low Income Housing Tax Exemption for Amurcon Corporation
2. Tentative Preliminary Plat Approval for the South Saginaw Homes Phase II Project.
3. City's preliminary submission Statement of Community Development Objectives and projected use of funds for its Community Development Block Grant Program
4. Creating a special assessment district and defraying the expenses for police and fire by special assessment on the property to be especially benefited

PERSONAL APPEARANCES:

(A list will be provided on Monday after 1:30 p.m.)

REMARKS OF COUNCIL:

PETITIONS:

REPORTS FROM BOARDS AND COMMISSIONS AND COMMITTEES:

From the Planning Commission:

1. Recommending tentative approval of the Preliminary Plat of South Saginaw Homes Phase II.

APPOINTMENT OF BOARDS AND COMMISSIONS MEMBERS:

1. Consideration of appointing Dorothy Allen to Saginaw Transit Regional Services with a term to expire 12/31/08.

2. Consideration of appointing Thomas J. Miller II to the Saginaw Community Enrichment Commission with a term to expire June 30, 2009.

REPORTS FROM MANAGER:

A. Management Update

B. Recommended Actions

1. Recommending approval of the Agreement for Public Safety Management Options Analysis with the International City/County Management Association and to allow the City Manager or his designee to execute the Agreement and related documents. The contract has been approved by the City Manager as to substance and the City Attorney as to form. The cost of this study will be \$28,000 and funds are available in the Police Administration Account No. 101 3010 721 8001 (\$14,000) and Fire Administration Account No. 101 3750 751 8001 (\$14,000).
2. Recommending that the Addendum to the Purchase and Development Agreement with Wolgast Corporation be approved subject to approval by the City Manager as to substance and the City Attorney as to form. Further recommend that the City Manager or his designee be authorized to execute all documents necessary.
3. Recommending approval of the lease agreement with the Boys and Girls Club, Inc. (BGC) to lease the Merrill Park Community Center (MPCC) located at 1901 Maple. BGC intends to lease the property for 30 years and has agreed to pay the City \$1.00 annual rent. BGC is responsible for regular custodial tasks regarding maintenance of the facility and intends to renovate MPCC and make repairs. Further, the parties agree to mutually indemnify and hold each other harmless.
4. Recommending that the proposal and agreement from Dixon Engineering, Inc. be accepted and that a purchase order be approved and issued to them in the amount of \$1,730.00 for professional services to be performed. The scope of work for this project includes a maintenance inspection of the backwash tank and an engineering report of findings and recommendations. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Water Treatment Engineering Services Account No. 591 4730 861 8002.
5. Recommending acceptance of the low bid and issuance of a purchase order to Nelson Tank Engineering and Consulting, Inc. in the amount of \$5,700.00 for a Remote Operated Vehicle maintenance inspection and detailed engineering report of findings and recommendations for the west-finished water storage reservoir at the Water Treatment Plant site. This vendor meets all requirements

- of the contract compliance provisions. Funds are available in the Water Treatment Engineering Services Account No. 591 4730 861 8002.
6. Recommending acceptance of the low bid and issuance of a purchase order to Star Crane & Hoist, East, in the amount of \$6,164.00 for the supply and delivery of a three-ton chain hoist to be used by the Water Treatment Plant. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Water Treatment Operation and Maintenance Account No. 591 4730 861 9720.
  7. Recommending acceptance of the quote and issuance of a purchase order to Carrier & Gable, Inc. in the amount of \$55,280.25 for the purchase of traffic signal equipment. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Major Streets Fund Account No. 202 4614 781 8047. MDOT will reimburse the City for the cost of this equipment in accordance with said agreement. Further recommend that a budget amendment be made to the fiscal year 2005-06 budget by increasing the Federal Reimbursement for Construction Projects Revenue Account No. 202 0000 513 5920 by \$64,800.00, and increasing the Major Streets Construction Projects Account No. 202 4614 781 8047 by \$64,800.00.
  8. Recommending approval of a contract with Raftelis Financial Consultants, Inc. in an amount not to exceed \$74,240.00 to conduct a water rate study. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Water Operation and Maintenance Fund Account No. 591 4710 851 8002.
  9. Recommending approval of the Cost Agreement for the Hoyt Avenue Reconstruction project and authorizing the proper city officials to execute agreement on behalf of the City. The total project is estimated to cost \$1,873,000.00 of which Federal funds will pay \$733,978.00 and the City's estimated share is \$1,139,022.00. Funds for the City's share are available in the Sewer Surplus Fund Account No. 576 4840 881 9720 (\$200,000.00), Water Surplus Fund Account No. 577 4740 881 9720 (\$870,000.00) and Major Streets Construction Projects Account No. 202 4614 781 8047 (\$69,022.00).

INTRODUCTION OF ORDINANCES:

1. An Ordinance to amend §72.40, "City Parking Lots Or Areas" of Chapter 72, Parking Regulations" of Title VII, "Traffic Regulations," of the Saginaw Code of Ordinances, O-1.
2. An Ordinance to amend Paragraph (H) of Ordinance O-32 "Low Income Housing Tax Exemption for Tabernacle Missionary Baptist Church" of the Table of Special Ordinances VIII. (Formerly Section §33.47(H), "Low Income Housing Tax

Exemption,” of Chapter 33, “Taxation and Assessment” of Title III, “Administration”) of the City of Saginaw Code of Ordinances, O-1.

CONSIDERATION AND PASSING OF ORDINANCES:

1. An ordinance to add “Low Income Housing Tax Exemption for Amurcon Corporation,” to the Table of Special Ordinances, VIII.

RESOLUTIONS:

1. Declaring the City’s tentative approval of the Preliminary Plat of South Saginaw Homes Phase II.
2. Authorizing participating in the reconstruction work along Hoyt Avenue from Washington Avenue to Genesee Avenue; together with necessary related work.
3. Approving the transfer of ownership of the 2003 Class C Licensed Business, located in escrow at 1418 State Street, Saginaw, MI, from Trips, Inc., Randall L. Frank, Trustee.
4. Approving the transfer of ownership of the 2005 Class C Licensed Business with Dance-Entertainment permit, located at 1742 E. Genesee Avenue, Saginaw, MI, from Bambico, Inc.
5. Approving the transfer of ownership of the 2005 Class C Licensed Business with Dance-Entertainment permit, located at 308 S. Hamilton St., Saginaw, MI, from Klein and Company, Inc.
6. Supporting the Saginaw Fire Department’s three (3) grant applications for fiscal year 2006-07.
7. Confirming the 2006 Single Lot Special Assessment Tax Roll.
8. Approving the creation of the district and the amount for a public safety millage.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Darnell Earley  
Interim City Manager

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Parking Rates and Charges for Parking in City Owned or Operated Off-Street Parking Lots or Areas

**Manager's Recommendation:**

It is recommended that Title VII, Traffic Regulations, Chapter 72, City Parking Lots or Areas, §72.40(2) of the Saginaw Code of Ordinances be amended.

**Justification:**

This amendment is intended to amend subsections A and B of Section 72.40 and to add subsection C. The amendment to Section 72.40(2)(A) is intended to increase parking fees in all of the City's surface parking lots and in its parking ramps located at 220 South Franklin Street and 124 North Hamilton Street. The reason for changing the rate structure is to offset increases in annual expenditures. These expenditures include salaries, general maintenance costs, snow removal and utilities.

The amendment also serves to eliminate Sections 72.40(A)(3) and (4). Section 72.40(A)(3) addresses parking rates and procedures for the payment of parking stamp validation accounts. Section 72.40(A)(4) addresses the parking rate and issuance of one hour parking tokens. The reason for eliminating both sections is that the City of Saginaw no longer uses parking stamp validation accounts or one hour parking tokens.

Also, the amendment is intended to amend subsection B of Section 72.40 to increase the special charge for the after hours release of a motor vehicle from a City-owned parking facility from One Dollar and 00/100 (\$1.00) to Ninety-Eight Dollars and 00/100 (\$98.00). The reason for increasing the special charge for the after

# COUNCIL COMMUNICATION

hours release of a motor vehicle is to offset the cost of an employee's overtime wages to open the parking facility after normal business hours.

Finally, subsection C will be added to Section 72.40. Specifically, this section is added to address additional charges for the reactivation and reissuance of parking permits. Further, it lists the deadline for payment and the consequences if a parking customer does not submit payment by the deadline. The reason for the addition of subsection C is two fold. First, it is intended to offset the additional administrative costs associated with the reactivation of a parking customer's parking permit should a customer's payment be received after the billing due date. Secondly, it is intended to offset additional administrative and material costs related to the replacement of a customer's parking permit due to loss, damage and or theft.

## **Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

Council \_\_\_\_\_ moved that an ordinance introduced on March 6, 2006, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND §72.40, "CITY PARKING LOTS OR AREAS" OF CHAPTER 72, "PARKING REGULATIONS" OF TITLE VII, "TRAFFIC REGULATIONS," OF THE SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

Section 1. §72.40, "City Parking Lots or Areas," of Chapter 72, "Parking Regulations," of Title VII, "Traffic Regulations," of the Saginaw Code of Ordinances, O-1, is hereby amended and shall read as follows:

## § 72.40 CITY PARKING LOTS OR AREAS

(A) *Rates and charges for parking in City-owned or operated off-street parking lots or areas.*

(1) The number and location of the City-owned or operated off-street parking lots, ramps, and areas for which rates and charges for parking are established herein shall be as described and designated on the Parking Lot Map on file in City Clerk's File No. 348-C-7.

(2) Rates for parking motor vehicles in City-owned or City-operated off-street parking lots, ramps, and areas shall be as follows:

<b>PARKING LOT RATES</b>				
<b>Lot No.</b>	<b>Hourly Parking Rate</b>	<b>Maximum Period</b>	<b>Monthly Parking Allowed</b>	<b>Monthly Rate</b>
4	None	None	Yes	\$20.00
10	None	None	Yes	\$30.00
23	Free Parking	1 Hour	Yes	\$30.00
32	Free Parking	90 minute	Yes	\$30.00

# COUNCIL COMMUNICATION

<b>PARKING RAMP 1 ( LOT 9 ) RATES</b>	
Monthly Parking	\$36.00
Weekly (seven (7) consecutive days)	\$15.00
Daily or Convention Pass	\$ 5.00

<b>PARKING RAMP 3 ( LOT 33 ) RATES</b>				
Hourly Parking	Maximum Period	Monthly and Weekly Parking	Weekly Rate (seven (7) consecutive days)	Monthly Rate
Free parking	2 hours	Yes	\$12.00	\$20.00

<b>DESIGNATED SPECIAL EVENT PARKING</b>		
Lot No.	Time	Rate
4	Night, Sundays, and holidays	\$3.00
23	Night, Sundays, and holidays	\$3.00

(B) *Special charge for release of parked vehicle from City off-street area after hours.* Upon the release of a motor vehicle from a City-owned or operated parking lot or area at a time when it is not open for public use, a special charge of ninety-eight dollars (\$98.00) for each occurrence shall be made in lieu of the charges specified in division (A).

(C) *Special charge for reactivation and reissuance.*

(1) If payment is not received by the 10<sup>th</sup> day of the billing quarter, the customer's parking permit will be deactivated and the individual will be charged a fee of twenty dollars (\$20.00) to reactivate the permit.

(2) If a customer requests a replacement permit, the City will charge the individual a fee of five dollar (\$5.00) to reissue the permit.

Section 2: This ordinance shall take effect on March 30, 2006.

Enacted: March 20, 2006.



# COUNCIL COMMUNICATION

Council \_\_\_\_\_ introduced an ordinance entitled and reading as follows:

AN ORDINANCE TO AMEND §72.40, "CITY PARKING LOTS OR AREAS" OF CHAPTER 72, "PARKING REGULATIONS" OF TITLE VII, "TRAFFIC REGULATIONS," OF THE SAGINAW CODE OF ORDINANCES, O-1.

Laid over under the Charter provision.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Purchase Traffic Signal Equipment from Carrier & Gable, Inc.

**Manager's Recommendation:**

I recommend that the quote received from Carrier and Gable, Inc., Farmington Hills, MI be accepted and that a purchase order be approved and issued to them in the amount of \$55,280.25 for the purchase of traffic signal 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 budgeted in the Major Streets Fund Account No. 202-4614-781-8047 (\$55,280.25 - Project No. TS0601). MDOT will reimburse the City for the cost of this equipment in accordance with said cost agreement.

**Justification:**

On February 7, 2006, the City received one quote from Carrier & Gable, Inc., Farmington Hills, MI in the amount of \$55,280.25 for traffic signal equipment for the Traffic Engineering Division of Public Services. The request for quotation was sent to Carrier and Gable, Inc., because they are a sole source supplier of this equipment. This equipment is necessary for traffic signal improvements and modernization at the intersections of Brockway Street and Elm Street, Bay Street and Cooper Avenue, East Genesee Avenue and Walnut Street and Grout Street and West Michigan Avenue. Michigan Department of Transportation (MDOT) agrees to reimburse the City of Saginaw for costs of this traffic signal equipment as per cost agreement, approved by City Council on November 7, 2005. As part of this council communication, I am requesting that a budget amendment be made to the fiscal year 2005/2006 budget, increasing the Federal Reimbursement for Construction Projects Revenue Account No. 202-0000-513-5920 by \$64,800.00, and increasing the Major Streets Construction Projects Account No. 202-4614-781-8047 by \$64,800.00. (Project No. TS0601)

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Cost Agreement (No. 05-5528) for the Hoyt Avenue reconstruction project.

**Manager's Recommendation:**

I recommend that the Cost Agreement (No. 05-5528) be approved and that proper city officials be authorized to execute said agreement on behalf of the City. The cost agreement has been approved by the City Manager as to substance and the City Attorney as to form. A resolution to approve the subject agreement appears under the regular order of business for your consideration.

**Justification:**

Transmitted herewith is a proposed Cost Agreement (City Clerk's File No. \_\_\_\_\_) with the Michigan Department of Transportation (MDOT) for the purpose of fixing the rights and obligations of the parties agreeing to the reconstruction work along Hoyt Avenue from Washington Avenue to Genesee Avenue; including Hot Mix Asphalt (HMA) Paving, watermain replacement, concrete curb and gutter, ADA sidewalk ramps; together with necessary related work. The total project is estimated to cost \$1,873,000.00 of which Federal funds will pay \$733,978.00 and the City's estimated share is \$1,139,022.00. The City of Saginaw is responsible for any cost overruns in excess of \$1,873,000.00.

Funds for the City's share are available in the Sewer Surplus Fund Account No. 576-4840-881-9720 (\$200,000.00), Water Surplus Fund Account No. 577-4740-881-9720 (\$870,000.00) and Major Streets Construction Projects Account No. 202-4614-781-8047 (\$69,022.00). The Project No. is ST 0680.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**Manager's Recommendation:** Approval of the resolution as follows:

Council \_\_\_\_\_ offered and moved adoption of the following resolution:

WHEREAS, the 2006 Assistance to Firefighters Grant Program is run by the Office of Grants and Training, Preparedness Directorate of the U.S. Department of Homeland Security; and

WHEREAS, the Saginaw Fire Department seeks assistance with the submittal of three (3) separate grant applications: (1) The Assistance to Firefighter Grant (AFG), (2) Staffing for Adequate Fire and Emergency Response (SAFER), and (3) Fire Prevention and Firefighter Safety Research and Development (FPS); and

WHEREAS, some cost may be required from the City of Saginaw in the form of matching funds if we are awarded a grant.

NOW, THEREFORE, BE IT RESOLVED, that the Saginaw City Council is in full support of the Saginaw Fire Department's three (3) grant applications for fiscal year 2006-2007.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Chlorine Chain Hoist Purchase

**Manager's Recommendation:**

I recommend that the low bid from Star Crane & Hoist, East, be accepted and that a purchase order be approved and issued to them in the amount of \$6,164.00 for the supply and delivery of a three-ton chain hoist.~~3,719.00.~~

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 items are available in the Water Treatment Operation and Maintenance Account No. 591-4730-861.97-20.

**Justification:**

On January 31, 2006, the City received bids for supply and delivery of a three-ton Chain Hoist with Integral Motor Driven Trolley. The hoist is used to unload and move ton cylinders of chlorine at the Water Treatment Plant. The previous hoist failed and was too costly to repair. The hoist is essential for proper safe handling of chlorine cylinders and for treating water with chlorine disinfectant. Following is a tabulation of the bids received:

	<u>Total Bid</u>
Star Crane & Hoist Inc, East Saginaw, MI	\$6,164.00
Evans Equipment Co, Inc. (Alternate bid) Burton, MI	\$6,247.84
Royal ARC Flat Rock, MI	\$9,655.00
Evans Equipment Co, Inc. Burton, MI	\$11,431.32

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Water Treatment Backwash Tank Inspection

**Manager's Recommendation:**

I recommend that the proposal and agreement from Dixon Engineering, Inc., Lake Odessa, MI be accepted and that a purchase order be approved and issued to them in the amount of \$1,730.00 for professional services to be performed ~~3,719.00~~. This agreement has been 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 are available in the Water Treatment Engineering Services Account No. 591-4730-861.80-02.

**Justification:**

A proposal was solicited and received for professional services to be performed from Dixon Engineering, Inc., an experienced and respected firm. No additional proposals were sought because of Dixon Engineering's experience and knowledge of the structure gained during prior work. Preliminary structural inspection and paint analyses were done on or around October 1991. Construction and inspection engineering services followed during the remedial painting project and a warranty inspection of remedial work completed was done on or about October 1992. The scope of work for this project includes a maintenance inspection of the Backwash Tank and an engineering report of findings and recommendations. The interior and exterior of the backwash tank are due for periodic inspection since the warranty inspection was completed in the fall of 1992. The MDEQ has indicated the need for this inspection in both of its most recent Sanitary Surveys. The Backwash Tank is used to provide water for cleaning of filters used in the water treatment process. The price given represents a 43.5% increase over the warranty inspection completed in the fall of 1992.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Finished Water Reservoir R.O.V. Inspection

**Manager's Recommendation:**

I recommend that the low bid from Nelson Tank Engineering and Consulting, Inc., Lansing, MI, be accepted and that a purchase order be approved and issued to them in the amount of \$5,700.00 for a Remote Operated Vehicle (ROV) maintenance inspection and detailed engineering report of findings and recommendations for the west-finished water storage reservoir at the Water Treatment Plant site.

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 the Water Treatment Engineering Services Account No. 591-4730-861.80-02.

**Justification:**

On February 14, 2006, the City received one bid for professional services to be performed from Nelson Tank Engineering & Consulting, Inc. The scope of work includes a Remote Operated Vehicle (ROV) maintenance inspection and detailed engineering report of findings and recommendations for the west-finished water storage reservoir at the Water Treatment Plant site. The MDEQ requires periodic inspections of finished water storage reservoirs for ongoing analysis of condition and recommendations for repair or replacement if required. The advantage of an ROV inspection is that down time is minimal due to elimination of the need for draining and refill of the reservoir. The MDEQ has agreed that we can alternate between ROV and traditional inspections. Following is a tabulation of the proposal received:

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Liquor License for 1418 State Street

**Manager's Recommendation:**

I recommend approval of the attached Resolution that approves the transfer of ownership of the 2003 Class C licensed business for 1418 State Street.

**Justification:**

Michael Hanley & Associates, LLC, requests a transfer of ownership of the 2003 Class C licensed business, located in escrow from Trips, Inc.; Randall L. Frank, Trustee. The business is located at 1418 State, Saginaw, MI 48602, in the County of Saginaw.

The Saginaw County Health Department, City of Saginaw Fire Prevention, Finance Department and the City Building Inspections Division have approved 1418 State Street.

**Council Action:**

This Council Communication is for informational purposes only to explain the Resolution in the subsequent part of the agenda.



# COUNCIL COMMUNICATION

**Manager's Recommendation:** Approval of the resolution as follows:

Council \_\_\_\_\_ offered and moved adoption of the following resolution:

WHEREAS, on or about November 18, 2005, the City Clerk's Office received a Local Approval Notice from the State of Michigan Liquor Control Commission; and

WHEREAS, said notice advised that Michael Hanley & Associates, LLC had applied to transfer ownership in a 2003 Class C Licensed Business, located in escrow at 1418 State, Saginaw, Michigan, 48602, Saginaw County, from Trips, Inc.; Randall L. Frank, Trustee, and

WHEREAS, the Saginaw County Health Department, City of Saginaw Fire Prevention, Finance Department and the City Building Inspections Division have approved 1418 State Street for this transfer.

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Saginaw by this Resolution does hereby approve the transfer of ownership of the 2003 Class C Licensed Business, located in escrow at 1418 State Street, Saginaw, Michigan, 48602, Saginaw County, from Trips, Inc.; Randall L. Frank, Trustee.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Liquor License for 1742 E. Genesee Ave.

**Manager's Recommendation:**

I recommend approval of the attached Resolution that approves the transfer of ownership of the 2005 Class C licensed business with dance entertainment permit for 1742 E. Genesee Ave.

**Justification:**

Beers Investment, Inc. requests a transfer of ownership of the 2005 Class C licensed business with dance-entertainment permit, located in escrow from Bambico, Inc. The business is located at 1742 E. Genesee Ave., Saginaw, MI 48601, in the County of Saginaw.

The Saginaw County Health Department, City of Saginaw Fire Prevention, Finance Department and the City Building Inspections Division have approved this transfer.

**Council Action:**

This Council Communication is for informational purposes only to explain the Resolution in the subsequent part of the agenda.

# COUNCIL COMMUNICATION

**Manager's Recommendation:** Approval of the resolution as follows:

Council \_\_\_\_\_ offered and moved adoption of the following resolution:

WHEREAS, on or about December 12, 2005, the City Clerk's Office received a Local Approval Notice from the State of Michigan Liquor Control Commission; and

WHEREAS, said notice advised that Beers Investments, Inc. had applied to transfer ownership of a 2005 Class C Licensed Business with Dance-Entertainment Permit, located at 1742 E. Genesee Ave., Saginaw, Michigan, 48601, Saginaw County, from Bambico, Inc.; and

WHEREAS, the Saginaw County Health Department, City of Saginaw Fire Prevention, Finance Department and the City Building Inspections Division have approved 1742 E. Genesee Ave. for this transfer.

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Saginaw by this Resolution does hereby approve the transfer of ownership of the 2005 Class C Licensed Business with Dance-Entertainment permit, located at 1742 E. Genesee Ave., Saginaw, Michigan, 48601, Saginaw County, from Bambico, Inc.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Addendum to Development Agreement/Wolgast Corporation

**Manager's Recommendation:**

I recommend that the Addendum to the Purchase and Development Agreement be approved and that the City Manager or his designee be authorized to execute all documents necessary. This purchase and development agreement addendum is subject to approval 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 for property located in the 3200, 3300, 3400, 3500, and 3600 block of Douglass St. on the southeast side of the City with Wolgast Corporation. The developer wishes to exclude certain property from this agreement as it is not necessary for the development and, therefore, this addendum will only affect the legal description of the original agreement and all other terms of the agreement will remain in effect.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Boys and Girls Club, Inc. Lease Agreement

**Manager's Recommendation:**

I recommend approval of the lease agreement with the Boys and Girls Club, Inc. ("BGC"). The agreement has been approved by the City Manager as to substance and by the City Attorney as to form.

**Justification:**

In late 2005, BGC approached the City with the idea of leasing the Merrill Park Community Center ("MPCC"). The MPCC is located at 1901 Maple. Specifically, BGC intends to lease the property for 30 years. At the end of the lease agreement, it can renew automatically for additional five year periods. BGC agrees to pay the City One Dollar and 00/100 (\$1.00) annual rent. Also, it is responsible for regular custodial tasks regarding maintenance of the facility. Further, the parties agree to mutually indemnify and hold each other harmless.

BGC intends to renovate MPCC and make repairs. In addition, the Saginaw County Commission on Aging ("SCCA") will rent space in the building. The SCCA will operate several senior programs at the MPCC.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Raftelis Financial Consultants, Inc. Contract

**Manager's Recommendation:**

I recommend approval of a contract with Raftelis Financial Consultants, Inc. ("Raftelis") in an amount not to exceed Seventy-Four Thousand, Two Hundred and Forty Dollars (\$74,240) to conduct a water rate study. The contract is approved by me as to substance and is subject to the City Attorney's approval 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 are available in Water Operation and Maintenance Fund Account No. 591-4710-851-80-02.

**Justification:**

The City hired Raftelis to review the water rate study completed by Black & Veatch Corporation and the response to the Black & Veatch rate study completed by Hilton, Farnkopf, & Hobson, LLC. Raftelis has made some specific recommendations regarding the City's water rate structure. A rate study completed by Raftelis will incorporate these recommendations. The current plan is to have new rates calculated by July 1, 2006 with an effective date of October 1, 2006.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Liquor License for 308 S Hamilton

**Manager's Recommendation:**

I recommend approval of the attached Resolution that approves the transfer of ownership of the 2005 Class C licensed business with dance-entertainment permit for 308 S. Hamilton.

**Justification:**

Hartford Management, LLC, requests a transfer of ownership of the 2005 Class C licensed business with dance-entertainment permit from Klein and Company, Inc. The business is located at 308 S Hamilton, Saginaw, MI 48602, in the County of Saginaw.

The Saginaw County Health Department, City of Saginaw Fire Prevention, Finance Department and the City Building Inspections Division have approved 308 S Hamilton.

**Council Action:**

This Council Communication is for informational purposes only to explain the Resolution in the subsequent part of the agenda.

# COUNCIL COMMUNICATION

**Manager's Recommendation:** Approval of the resolution as follows:

Council \_\_\_\_\_ offered and moved adoption of the following resolution:

WHEREAS, on or about November 30, 2005, the City Clerk's Office received a Local Approval Notice from the State of Michigan Liquor Control Commission; and

WHEREAS, said notice advised that Hartford Management, LLC. had applied to transfer ownership in a 2005 Class C Licensed Business with Dance-Entertainment Permit, located at 308 S. Hamilton, Saginaw, Michigan, 48602, Saginaw County, from Klein and Company, Inc.; and

WHEREAS, the Saginaw County Health Department, City of Saginaw Fire Prevention, Finance Department and the City Building Inspections Division have approved 308 S. Hamilton for this transfer.

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Saginaw by this Resolution does hereby approve the transfer of ownership of the 2005 Class C Licensed Business with Dance-Entertainment permit, located at 308 S. Hamilton Street, Saginaw, Michigan, 48602, Saginaw County, from, Klein and Company, Inc.



# COUNCIL COMMUNICATION

**From:** The City Planning Commission

**Subject:** Preliminary plat to subdivide a portion of a 34 acre parcel.

**Planning Commission Recommendation:**

It is recommended that the preliminary plat for the subdivision be approved.

**Justification:**

Transmitted herewith are four copies of the preliminary plat of South Saginaw Homes Phase II Subdivision, located at the northeasterly section of the area bounded by the easterly boundary of the Corporate City Limits (Sheridan Avenue), Conrad Street, South Washington Avenue, and the southerly boundary of the Corporate City Limits. This is the second phase of the development.

The City Council has already granted preliminary approval to the preliminary plat of the initial portion of this development on September 12, 2005.

The Planning Commission held a public hearing and reviewed the preliminary plat on Tuesday, February 28, 2006 at 7:00 p.m. in the Council Chambers at City Hall and all interested persons were heard. Notice of the public hearing was published in the Saginaw News and owners of property within 300 feet of the proposed subdivision were also provided notice of the hearing. After the close of the public comment portion, the Planning Commission by motion recommended approval of the preliminary plat.

The City Planning Commission found that the Miller-Valentine Group is the proprietor of the land proposed for the South Saginaw Homes Phase II. The preliminary plat proposes to construct an additional 42 single family dwellings on lots ranging in size from .14 to .44 acres, establish one new street, Patrick Way, and extend an existing

# COUNCIL COMMUNICATION

street: Scofield Drive. A storm water detention pond will be located at the westerly portion of the parcel along Souderton Drive.

The property is zoned R-3, Multi-Family Residential District. This zone permits the development of single-family dwellings.

The City Engineer has certified that the subdivision can be adequately served with public water and storm and sanitary sewer systems.

The Director of Planning and Economic Development has approved the lot sizes, lot orientation and street layout.

The City Assessor has determined that at present there are no outstanding special assessments against the land proposed to be dedicated for streets.

Consumers Power Company and Ameritech have found that the utility easements as proposed are satisfactory.

The street names have been reviewed and accepted by the Saginaw County Road Commission.

Therefore, it is recommended that the Preliminary Plat of South Saginaw Homes Phase II Subdivision be given tentative approval.

## **Council Action:**

Council \_\_\_\_\_ moved that the report from the Planning be received and filed and that a resolution be adopted approving the preliminary plat to subdivide the 34 acre parcel to be known as South Saginaw Homes Phase II.

# COUNCIL COMMUNICATION

## RESOLUTION FOR THE TENTATIVE APPROVAL OF THE PRELIMINARY PLAT

**Planning Commission Recommendation:** Approval of the resolution as follows:

Council \_\_\_\_\_ offered and moved adoption of the following resolution:

WHEREAS, the City Planning Commission held a public hearing on February 28, 2006 on the tentative approval of the preliminary plat to subdivide a portion of the 34 acres at the northwesterly section of the area bounded by the easterly boundary of the Corporate City Limits (Sheridan Ave.,) Conrad Street, South Washington Ave., and the southerly boundary of the Corporate City Limits, to be known as South Saginaw Homes Phase II and

WHEREAS, after a duly advertised public hearing, the Commission found that the public and private interests would be best served by approving the preliminary plat as requested.

WHEREAS, that the City Council on March 6, 2006 at 6:30 p.m. in the Council Chambers at City Hall held a public hearing to hear any objections to the proposed tentative approval of the preliminary plat to subdivide a portion of the 34 acres at the northwesterly section of the area bounded by the easterly boundary of the Corporate City Limits (Sheridan Ave.,) Conrad Street, South Washington Ave., and the southerly boundary of the Corporate City Limits, in City of Saginaw.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby declares its tentative approval of the preliminary plat to subdivide a portion of the 34 acres at the northwesterly section of the area bounded by the easterly boundary of the Corporate City Limits (Sheridan Ave.,) Conrad Street, South Washington Ave., and the southerly boundary of the Corporate City Limits, in City of Saginaw.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** 2006 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 20, 2006, that the recommendations be approved and the resolution confirming the 2006 Single Lot Special Assessment Tax Roll under the regular order of business be adopted.

**Justification:**

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On February 20, 2006 City Council conducted a public hearing on the Single Lot Special Assessment tax roll for nuisances, i.e. Trash Removal (TR006), Weed Cutting (WC006), Wrecker Service (WS006), Water Connections (WSC06-15), and Sewer Connections (WSF06-15), and Solid Waste Disposal Fee (TRFE);

Notice of the hearing was mailed to approximately 10,126 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.

<b><u>Tax Roll #</u></b>	<b><u>Property</u></b>	<b><u>Property Owner</u></b>	<b><u>Fee Due</u></b>
12 0933 0100	1817 Tausend	Sherry Hardister	\$246.41-WS006

**Objection:** Auto removed from her property belonged to Thomas Lumsden at 3352 Oakwood. Doesn't believe she should be charged.

**Reply:** Ordinance holds the property owner responsible for keeping the property clean of debris and junk vehicles. Vehicle was on her property and she was properly notified to remove the vehicle she did not. The City crews towed it.

**Recommendation:** The charges for wrecker service are valid and are due and payable and should remain on the tax roll.

<b><u>Tax Roll #</u></b>	<b><u>Property</u></b>	<b><u>Property Owner</u></b>	<b><u>Fee Due</u></b>
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# COUNCIL COMMUNICATION

09 0158 00000      921 Weadock      Patrick Williams      \$134.00-TR006

**Objection:** Trash from abandoned house next door to his property is spilling onto his property. He lives in next block. Trash is not coming from his house. He's been trying to keep the neighborhood clean.

**Reply:** Ordinance holds the property owner responsible for keeping the property clean of debris and junk vehicles. Though someone else dumped on his property he is responsible for the cleanup. The owner was properly notified to clean his property. He did not clean it. The City crews cleaned it for him.

**Recommendation:** The charges for trash removal are valid and are due and payable and should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
09 0170 00000	912 Simoneau	Patrick Williams	\$89.00-WC006

**Objection:** Said it did not rain in July. They cut the grass twice that month. City states they cut it. Doesn't believe the property could have been over 9 inches long in July. Wants Council and City employees to visit his property.

**Reply:** Files show 3 lots were inspected on 7/21 and cut on 8/2 and 8//3, charges are valid. Note: The City is no longer obligated under ordinance to give personal notice prior to cutting. The notice is published in The Saginaw News 3 times in the Spring and is posted on SGTV and the City's website. If the property owner allows the grass to grow 9" or higher, the City may cut the grass and invoice the property owner afterwards.

**Recommendation:** The charges for weed cutting are valid and should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
17 0269 00000	720 Jackson	Long Nhu Tran	\$55.00-TRFE

**Objection:** House burned down on the property on April 22, 2005. Called the City and advised them. Should not be charged the Solid Waste Fee.

**Reply:** The house at 720 Jackson was demolished and property is now vacant. The solid waste fee for 2005/20006 will be dismissed. 720 Jackson will also be removed from the rubbish code list

**Recommendation:** The solid waste disposal fee special assessment should be removed from the tax roll.

# COUNCIL COMMUNICATION

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
17 0269 00000	621 S. Fayette	Matisha Castlebarry	\$275.00-TRFE

**Objection:** Has had Waste Management for trash pickup since 2003-2004. Uses a dumpster service. Does not believe she should have to pay the solid waste fee.

**Reply:** Investigation revealed that 621 S. Fayette is listed on the Assessor's records as a commercial property. Because they are a commercial entity they are not obligated by Ordinance to use City rubbish collection services.

**Recommendation:** The solid waste disposal fee special assessment should be removed from the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
19 1511 00000	2252 S. Niagara	Don Miller	\$81.18-WC006

**Objection:** Received a letter that grass was high. His son and grandson went and cut it. Received the bill and called the office and the lady in the office said she'd take care of it. Received another bill and called again and a young man said he'd take care of it. City staff said they could not find the pictures.

**Reply:** Charge was originally dismissed and then it was discovered that the account was double invoiced. Charges should be dismissed.

**Recommendation:** The solid waste disposal fee special assessment should be removed from the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
14 0834 00000	903 W. Genesee	Ryan Rigterink	\$110.00-TRFE \$44.75-TR006 \$79.12-WC006

**Objection:** Three fees being assessed. Does not have trash picked up at his house and should not pay solid waste disposal fee. Had boards out by curb, for pickup, received notice they were too long; cut them up into 24" long pieces and then received the additional fee of \$44.75 in addition to the \$110 Solid waste fee. Also received notice on weed cutting to have cut in 72 hours, which took him to 5 p.m. on the day in question. He came by at 2 or 3 p.m. that day and the grass was already cut.

**Reply:** 903 W. Genesee is listed as a two unit dwelling. If the dwelling has been converted to single unit then he needs to have Building Inspections inspect the dwelling to confirm that the unit is now a single unit. Once Inspections confirms that the unit is a

# COUNCIL COMMUNICATION

single unit dwelling we can then correct his billing for next year. The \$110.00 solid waste fee for this year is valid, due and payable. Ordinance requires all residents to subscribe to City Rubbish Collection Service whether they use it or not. He says he does not use the service but yet he is placing boards out at the curb. Placing boards at the curb indicates that he does use the service. The City does not take building materials (boards), car parts, etc. at curbside pickup. Property owner must dispose of them at a landfill. Owner was properly notified to remove the boards from the curb because the City does not pick up wood/lumber/building materials at the curb. He did not remove the boards as directed. The City removed the boards and charged \$44.75 for services rendered. The \$44.75 charge is valid, due & payable.

With regard to the weed cutting, City does not send notice to cut property, ordinance states that property over 9" tall will be cut by staff without direct notification. Notification is posted in The Saginaw News in March also on SGTV and on City Website. Grass was over 9" tall, City weed abatement staff cut property and invoice was sent to owner. Property was inspected on 6/13/06 and cut on 6/14/06. Pictures and records are available if needed.

**Recommendation:** All single lot assessments should remain on the tax roll.

<b><u>Tax Roll #</u></b>	<b><u>Property</u></b>	<b><u>Property Owner</u></b>	<b><u>Fee Due</u></b>
18 1215 00000	823 S. Porter	Russell Inman	\$55.00-TRFE

**Objection:** Purchased the property September 29, 2005. There is a fee for solid waste disposal. This was paid with last year's summer taxes.

**Reply:** July 2005 tax bill was 2004 trash billing. The current fee is for the period July1, 2005-June 30, 2006. Trash is an annual bill and remains with the property. This was also a private sale, not DNR. \$55 trash bill stands.

**Recommendation:** The solid waste disposal fee special assessment should remain on the tax roll.

<b><u>Tax Roll #</u></b>	<b><u>Property</u></b>	<b><u>Property Owner</u></b>	<b><u>Fee Due</u></b>
10 0206 00000	1411 E. Genesee	Luegene Washington	\$110.00-TRFE

**Objection:** The house used to be an apartment and is now a single house and he has been charged double for the past 3 years for the solid waste disposal fee. Wants the past years rectified also.

**Reply:** 1411 E. Genesee is listed as a two unit dwelling. If the dwelling has been converted to single unit then he needs to have Building Inspections inspect the dwelling to confirm that the unit is now a single unit. Once Inspections confirms that the unit is a

# COUNCIL COMMUNICATION

single unit dwelling we can then correct his billing for next year. The billing for this year will not be adjusted and the billing of previous years will not be adjusted and refunded. The \$110.00 charge is valid, due and payable.

**Recommendation:** The solid waste disposal fee special assessment should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
21 0875D39900	819 Athens	Jimmie Moultrie	\$79.12-WC006 \$122.30-WC006

**Objection:** Bought the property from the DNR in October 2005. The assessments should have been paid by the State of Michigan. Said he paid the back taxes. Should not be responsible for weed cutting.

**Reply:** The Assessor's Office state the special assessments should be removed from the tax roll due to purchase from the DNR.

**Recommendation:** The weed cutting fees should be removed from the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
10 0233 00000	1422 E. Genesee	Jimmie Moultrie	\$85.30-WC006

**Objection:** Bought the property from the DNR in October 2005. The assessments should have been paid by the State of Michigan. Said he paid the back taxes. Should not be responsible for weed cutting.

**Reply:** The Assessor's Office state the special assessments should be removed from the tax roll due to purchase from the DNR.

**Recommendation:** The 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>
12 0122 00000	3257 Glasby	Homes from Heaven	\$44.75-TR006 \$87.36-WC006 \$79.12-WC006 \$55.00-TRFE
01 0506 00000	1009 N. 3 <sup>rd</sup>		\$55.00-TRFE
11 0301 00000	424 Webber		\$107.97-WC006 \$110.00-TRFE



# COUNCIL COMMUNICATION

09 0604 00000	1103 Cornelia	\$107.95-WC006 \$165.00-TRFE
09 0614 0000	1157 Cornelia	\$55.00-TRFE
09 0734 00000	1412 Cornelia	\$79.12-WC006
06 0651 00000	1504 Cherry	\$130.64-WC006 \$55.00-TRFE
02 0152 00000	314 Carlisle	\$79.12-WC006 \$275.00-TRFE
07 0144 00000	423 S. Park	\$79.12-WC006 \$44.75-TR006 \$165.00-TRFE
05 0145 00000	115 N. 13 <sup>th</sup>	\$55.00-TRFE
05 0409 00000	522 N. 9 <sup>th</sup>	Nothing owed.
05 0410 00000	530 N. 9 <sup>th</sup>	Nothing owed.

**Objection:** Provided a letter listing the above addresses. Said the houses have not been occupied in years and acquired some of them from DNR. Believes fees should be waived

**Reply/Recommendation:** The Assessor's Office states the following special assessments should be removed due to purchase at auction: 3257 Glasby (TR006 \$44.75, WC006 \$87.36 and WC006 \$79.12) 424 Webber (WC006 \$107.97), 1103 Cornelia (WC006 \$107.97), 1412 Cornelia (WC006 \$79.12) and 1504 Cherry (WC006 \$130.64).

The remaining Single Lot Assessments (SLA) for the annual trash bill, TRFE, should stand due to the service period of 07/01/05 through 06/31/06.

In addition the following properties were purchased from private owners and the SLA's stay with the property. The SLA's stand: 314 Carlisle, 423 S. Park and 115 N. 13<sup>th</sup>.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
02 0196 00000	538 Potter	Sag. Depot Preservation	\$79.12-WC006 \$79.12-WC006 \$44.75-TR006

# COUNCIL COMMUNICATION

02 0120 00000	716 N. Franklin	Sag. Depot Preservation	\$55.00-TRFE \$79.12-WC006
02 0205 00000	516 Astor	Sag. Depot Preservation	\$79.12-WC006 \$85.30-WC006 \$44.75-TR006
02 0231 00000	628 N. 2 <sup>nd</sup>	Sag. Depot Preservation	\$79.12-WC006 \$79.12-WC006
04 0438 00000	1118 Carroll	Wonderful Life Dev.	\$55.00-TRFE \$79.12-WC006
02 0257 00000	924 Carlisle	Wonderful Life Dev.	\$79.12-WC006 \$81.18-WC006
09 0514 00000	1333 Mott	Wonderful Life Dev.	\$79.12-WC006
14 1437 00000	1615 N. Bond	Wonderful Life Dev.	\$44.75-TR006
01 0204 00000	612 N. 3 <sup>rd</sup>	Wonderful Life Dev.	\$79.12-WC006
01 0186 00000	518 N. 3 <sup>rd</sup>	Wonderful Life Dev.	\$79.12-WC006
09 0234 00000	823 Emerson	Wonderful Life Dev.	\$93.54-WC006
09 0567 00000	1347 Atwater	Wonderful Life Dev.	\$99.73-WC006
09 0568 00000	1341 Atwater	Wonderful Life Dev.	\$79.12-WC006 \$55.00-TRFE
01 0220 00000	609 N. 4 <sup>th</sup>	Wonderful Life Dev.	\$79.12-WC006 \$55.00-TRFE
01 0219 00000	613 N. 4 <sup>th</sup>	Wonderful Life Dev.	\$79.12-WC006 \$165.00-TRFE
08 0170 00000	1128 Brown	Wonderful Life Dev.	\$79.12-WC006 \$110.00-TRFE
10 0437 00000	1433 E. Genesee	Wonderful Life Dev.	\$93.54-WC006 \$165.00-TRFE
09 0442 00000	1421 Atwater	Wonderful Life Dev.	\$55.00-TRFE

3-6-21

# COUNCIL COMMUNICATION

09 0476 00000	1405 Gage	Wonderful Life Dev.	\$55.00-TRFE
07 0468 00000	319 S. Weadock	Wonderful Life Dev.	\$220.00-TRFE
04 0424 00000	457 N. 4 <sup>th</sup>	Wonderful Life Dev.	\$55.00-TRFE
01 0216 00000	627 N. 4 <sup>th</sup>	Wonderful Life Dev.	\$110.00-TRFE

**Objection:** Provided copies of the Single Lot Assessment letters for the above addresses. Said he did not obtain rights to the properties until 11/25/05. Said bills belong to previous owners. Also said grass cutting charges are inflated. Said he turned down the City's request to mow his lawns. Said he purchased the Bavarian Builder's property and mowed the lawns all summer. Said they are empty lots and should have no trash charges. Said City removed furniture from 1405 Gage, which was not his.

**Reply/Recommendation:** The Assessor's Office states the following special assessments should be removed due to purchase at auction: 538 Potter (WC006 \$79.12, WC006 \$79.12 and TR006 \$44.75), 716 N. Franklin (TRFE \$55.00 (demo) and WC006 \$79.12), 516 Astor (WC006 \$79.12, WC006 \$85.30, and TR006 \$44.75), 628 N. 2<sup>nd</sup> (WC006 \$79.12 and WC006 \$79.12), 1118 Carroll St. (TRFE \$55.00 (demo) and WC006 \$79.12), 924 Carlisle (WC006 \$79.12 and WC006 \$81.18), 1333 Mott (WC006 \$79.12), 1615 N. Bond (TR006 \$44.75), 612 N. 3<sup>rd</sup> (WC006 \$79.12), 518 N. 3<sup>rd</sup> (WC006 \$79.12), 823 Emerson (WC006 \$93.54), 1347 Atwater (WC006 \$99.73), 1341 Atwater (WC006 \$79.12), 609 N. 4<sup>th</sup> (WC006 \$79.12), 613 N. 4<sup>th</sup> Ave. (WC006 \$79.12), 1128 Brown (WC006 \$79.12) and 1433 E. Genesee (WC006 \$93.54.)

The remaining sla's for the annual trash bill, TRFE, should stand due to the service period of 07/01/05 through 06/31/06.

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>
10 0619 00000	3137 Ruckle	REW Properties	\$55.00-TRFE

**Objection:** Objects to assessment. States home has been gone for 2 years, burned to the ground and cleaned up by the City. Requests that City checks with Jim Hodges.

**Reply:** House has been demolished. Will make arrangements to have the property removed from the Rubbish Code List and the 2005/2006 Solid Waste Fee dismissed.

**Recommendation:** The solid waste disposal fee special assessment should be removed from the tax roll.

# COUNCIL COMMUNICATION

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
16 0319 00000	922 Cleveland	Julie & Lascesk Seebeck	\$55.00-TRFE

**Objection:** Received information from her bank that Check #5069 was mailed to City on 11/7/05. She believes the City posted the check to her water account.

**Reply:** Treasurer's Office records show this taxpayer paid this bill online and listed her water account number as the account to which the amount should be applied. As such, error is not the fault of Finance and the Solid Waste fee is still due and owing.

**Recommendation:** The solid waste disposal fee special assessment should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
05 0199 00000	233 S. 14 <sup>th</sup>	W.C. McKenna	\$93.54-WC006 \$87.36-WC006

**Objection:** Objects to charges, said he did not receive ample notice to defend.

**Reply:** City does not send notice to cut property, ordinance states that property over 9" tall will be cut by staff without direct notification. Notification is posted in The Saginaw News in March also on SGTV and on City Website. Grass was over 9" tall, City weed abatement staff cut property and invoice was sent to property owner. Inspected on 6/22/2005 and property cut on 6/28/2005 (\$93.54); Inspected on 9/19/05 and property cut on 9/20/05 (\$87.36). Pictures and records are available if needed.

**Recommendation:** The weed cutting fees are due and payable and should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
10 1045 00000	3335 Fulton	Michael Smith	\$5.00-TREF

**Objection:** Objects to late fee; states City took too long to process his check.

**Reply:** Taxpayer paid the Solid Waste Disposal Fee along with his water bill, since the water bill had a later deadline, this fee was applied late. Treasurer's Office states the late fee should be waived.

**Recommendation:** The \$5.00 late fee for the Solid Waste Disposal fee should be removed from the tax roll.

# COUNCIL COMMUNICATION

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
21 3542 00000	2716 Elmwood	Schnelle Thomas	\$55.00-TRFE

**Objection:** Objects to having it applied on her taxes; wants to pay the bill.

**Reply:** City Clerk called taxpayer and advised her to pay before March 6<sup>th</sup>. Also told her she has 60 days to pay this fee from March 6<sup>th</sup> without penalty or interest and if she fails to pay it will be applied as a special assessment against her property.

**Recommendation:** The solid waste disposal fee should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
21 0847 00200	3701 Hess	MMA Financial	\$3,355-TRFE

**Objection:** Objects to amount of fee; States he has 60 structures on the property @ \$50 each would be \$3,000.

**Reply:** Superintendent of Streets and Bridges spoke to MMA Financial with regard to this matter. Review of the lots indicates there are 61 lots, but only 60 lots have dwellings on them. Unit count will be corrected to 60 on the Rubbish Code List and invoice adjusted. The additional \$300, however, are late fees because the solid waste fee was not timely paid ( $\$5 \times 60 = \$300$ ).

**Recommendation:** One \$55.00 Solid Waste Disposal fee should be removed from the tax roll. The remaining solid waste disposal fees should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
19 1638 00000	1500 Stanley	Viola (Charles) & Daniel Riselay	\$44.75-TR006

**Objection:** City gave 3-day notice and didn't give them the 3 days in which to remove the trash.

**Reply:** Notice of Violation was issued, posted and mailed 9-12-05. Notice gives 3 days to correct the problem. Proper procedures as established by ordinance were followed. Owner states he received the notice 9-14-05. City collected trash on 9-15-05. The time line begins on 9-12-05. City not accountable for time delay of the mail. Owner had 3 days September 12,13, and 14 to correct problem. Charges are valid, due and payable.

**Recommendation:** The trash removal fee should remain on the tax roll.

# COUNCIL COMMUNICATION

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>
20 2952 00000	2022 Brenner	Alicia Roby	\$44.75-TR006

**Objection:** Placed entertainment center by the curb, was told to break it up and they did then City picked it up and billed them.

**Reply:** Notice of Violation was issued, posted and mailed 4-20-05. If the entertainment center was placed at the curb in one piece it would have been collected with the normal rubbish pick up as a piece of furniture. Do not know who told owner to break up the entertainment center, but once it was broken up and placed at the curb it became scrap wood and not a piece of furniture. Regardless of what the owner was told the notice issued 4-20-05 gave the owner the opportunity to correct the problem. The City does not take building materials (boards), scrap wood, car parts, etc. at curbside pick. Property owner must dispose of them at a landfill. Owner was properly notified to remove the scrap wood from the curb because the City does not pick up wood/lumber/building materials at the curb. He did not remove the scrap wood as directed. The City removed the wood and charged \$44.75 for services rendered. The \$44.75 charge is valid, due and payable.

**Recommendation:** The 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 1319 00000	1838 W. Michigan	Michael Marr	\$110.00-TRFE

**Objection:** Said the house was a 2 unit, he then was using it as a one unit and he just recently (12/28/05) split the house into a 2 unit again and therefore should not be charged as 2 units for 2005.

**Reply:** Solid waste fee is for service from July 1, 2005 through June 30, 2006.

**Recommendation:** The solid waste disposal fee should remain on the tax roll.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendations of the City Manager be approved.

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# COUNCIL COMMUNICATION

**Manager's Recommendation:** Approval of the resolution as follows:

Council \_\_\_\_\_ offered and moved the adoption of the following resolution:

WHEREAS, the City Council has complied with the requirements of ordinances of the City relative to making special assessments for nuisances - Trash Removal (TR006), Weed Cutting (WC006), Wrecker Service (WS006); Water Connections (WSC06-15), and Sewer Connections (WSF06-15), and Solid Waste Disposal Fee (TRFE); and

BE IT FURTHER RESOLVED, that the Trash Removal Roll No. TR006, be amended by removing the following trash removal assessments: \$44.75 at 3257 Glasby (Tax Roll #12 0122 00000), \$44.75 at 538 S. Potter (Tax Roll #02 0196 00000), \$44.75 at 516 Astor (Tax Roll #02 0205 00000), and \$950.25 at 3261 Sheridan (#12-1042-00000), \$44.75 at 1615 N. Bond (Tax Roll #14 1437 00000); and

BE IT FURTHER RESOLVED, that the Weed Cutting Roll No. WC006, be amended by removing the following weed cutting assessments: \$79.12 and \$122.30 at 819 Athens (Tax Roll #21 0875D 39900), \$85.30 at 1422 E. Genesee (Tax Roll #10 0233 00000), \$81.18 at 2252 S. Niagara (Tax Roll #19 1511 00000), \$107.97 at 424 Webber (Tax Roll #11 0301 00000), \$107.97 at 1103 Cornelia (Tax Roll #09 0604 00000), \$79.12 at 1412 Cornelia (Tax Roll #09 0734 00000), \$130.64 at 1504 Cherry (Tax Roll #06 0651 00000), \$87.36 and \$79.12 at 3257 Glasby (Tax Roll #12 0122 00000), \$79.12 and \$79.12 at 538 Potter (Tax Roll #02 0196 00000) \$79.12 at 716 N. Franklin (Tax Roll # 02 0120 00000), \$79.12 and \$85.30 at 516 Astor (Tax Roll #02 0205 00000), \$79.12 and \$79.12 at 628 N. 2<sup>nd</sup> (Tax Roll #02 0231 00000), \$79.12 at 1118 Carroll (Tax Roll #04 0438 00000), \$79.12 and \$81.18 at 924 Carlisle (Tax Roll #02 0257 00000), \$79.12 at 1333 Mott (Tax

# COUNCIL COMMUNICATION

Roll #09 0514 00000), \$79.12 at 612 N. 3<sup>rd</sup> (Tax Roll #01 0204 00000), \$79.12 at 518 N. 3<sup>rd</sup> (Tax Roll #01 0186 00000), \$93.54 at 823 Emerson (Tax Roll #09 0234 00000), \$99.73 at 1347 Atwater (Tax Roll #09 0567 00000), \$79.12 at 1341 Atwater (Tax Roll #09 0568 00000), \$79.12 at 609 N. 4<sup>th</sup> (Tax Roll #01 0220 00000), \$79.12 at 613 N. 4<sup>th</sup> (Tax Roll #01 0219 00000), \$79.12 at 1128 Brown (Tax Roll #08 0170 00000) and \$93.54 at 1433 E. Genesee (Tax Roll #10 0437 00000); and

BE IT FURTHER RESOLVED, that the Solid Waste Disposal Fee Roll No. TRFE, be amended by removing the following annual solid waste disposal fee assessments: \$55.00 at 720 Jackson (Tax Roll #17-0269-00000), \$275.00 at 621 S. Fayette (17 0269 00000), \$55.00 at 716 N. Franklin (Tax Roll # 02 0120 00000), \$55.00 at 1118 Carroll (Tax Roll #04 0438 00000), \$55.00 at 3137 Ruckle (Tax Roll #10 0619 00000) and \$5.00 at 3335 Fulton (Tax Roll #10 1045 00000) and \$55.00 at 3701 Hess (Tax Roll #21 0847 00200); and

BE IT FURTHER RESOLVED, that a correction of all assessments for late trash 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 roll WSC06-15 is payable in ten annual installments and assessment in rolls TR006, WC006, WS006 and TRFE are payable in one installment; and the rate of interest to be charged on unpaid installments shall be eight (8) percent per annum.



# COUNCIL COMMUNICATION

## RESOLUTION APPROVING THE CREATION OF THE DISTRICT

### AND THE AMOUNT FOR A PUBLIC SAFETY MILLAGE

Council \_\_\_\_\_ offered and moved the adoption of the following resolution:

WHEREAS, the Council of the City of Saginaw, pursuant to the authority granted by Act No. 33 of the Public Acts of 1951, as amended, proposes that a special assessment district be created and an assessment be determined, with the proceeds dedicated to pay for the costs of police and fire protection for the City of Saginaw; and

WHEREAS, a Public Hearing was held on March 6, 2006, on the estimate and on the question of creating a special assessment district and defraying the expenses for police and fire by special assessment on the property to be especially benefited.

NOW, THEREFORE, BE IT RESOLVED, that six (6) mills on the taxable value of all real property in the district (the entire City of Saginaw) is the amount necessary to defray the expenses for police and fire services by special assessment on the property to be especially benefited for a duration of five years.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Amendment of Ordinance for Housing Tax Exemption

**Manager's Recommendation:**

I recommend that Ordinance O-32, Low Income Housing Tax Exemption for Tabernacle Missionary Baptist Church be amended.

**Justification:**

Tabernacle Missionary Baptist Church ("TMBC") has developed a plan to formally subdivide a parcel of land in the northeast area of the City into individual lots and construct single-family homes on those lots. The City has previously enacted a Payment in Lieu of Taxes Ordinance (PILOT) for this project on March 21, 2005. The original language of the PILOT provided that it would last for fifteen years from the commencement of construction. The amended language provides that the PILOT would last fifteen years from the issuance of a certificate of occupancy. The amended language more accurately reflects that preferred by the Michigan State Housing Development Authority (MSHDA). No other provision is changed.

**Council Action:**

This Council Communication is for explanation of the ordinance and requires no separate approval.

# COUNCIL COMMUNICATION

Council \_\_\_\_\_ introduced an amended ordinance entitled and reading as follows:

AN ORDINANCE TO AMEND PARAGRAPH (H) OF ORDINANCE O-32 "LOW INCOME HOUSING TAX EXEMPTION FOR TABERNACLE MISSIONARY BAPTIST CHURCH" OF THE TABLE OF SPECIAL ORDINANCES VIII. (FORMERLY SECTION §33.47(H), "LOW INCOME HOUSING TAX EXEMPTION," OF CHAPTER 33, "TAXATION AND ASSESSMENT" OF TITLE III, "ADMINISTRATION") OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

Laid over under the Charter provision.

# COUNCIL COMMUNICATION

Council \_\_\_\_\_ moved that an ordinance amendment introduced March 6, 2006, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND PARAGRAPH (H) OF ORDINANCE O-32 "LOW INCOME HOUSING TAX EXEMPTION FOR TABERNACLE MISSIONARY BAPTIST CHURCH" OF THE TABLE OF SPECIAL ORDINANCES VIII. (FORMERLY SECTION §33.47(H), "LOW INCOME HOUSING TAX EXEMPTION," OF CHAPTER 33, "TAXATION AND ASSESSMENT" OF TITLE III, "ADMINISTRATION") OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

Section 1. Paragraph (H) of Ordinance O-32, "Low Income Housing Tax Exemption," for Tabernacle Missionary Baptist Church, of the Table of Special Ordinances VIII (formerly Chapter 33, "Taxation and Assessment," of Title III, "Administration,") of the City Of Saginaw Code Of Ordinances, O-1, is amended to read as follows:

## LOW INCOME HOUSING TAX EXEMPTION

(H) *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 fifteen years after a certificate of occupancy is granted. Provided, however, that if construction 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.

Section 2. This ordinance shall become effective March 30, 2006.

Enacted: March 20, 2006.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Two Wheel Drive Pick-Up Truck.

**Manager's Recommendation:**

I recommend approval of the purchase of a two-wheel drive pick-up truck from Draper Chevrolet for \$13,370.08 to be used by the Water and Sewer Division.

This vendor meets all the requirements of the Contract Compliance Provisions, Title1, Chapter 14 §14.35-14.44, of the Saginaw Code of Ordinances.

Funds are available in the Motor Pool Operations Fund Account No. 661-4480-841-9770.

**Justification:**

The Water & Sewer Repair Shop requires a two-wheel drive pick-up truck to replace a vehicle that was involved in an auto accident and damaged beyond repair. Employees use the pick-up truck in their daily operations. Currently, the Division is using a loaner vehicle from another division until a replacement vehicle is purchased.

The City received an insurance settlement for the salvage value of the damaged vehicle from its insurer in the amount of \$10,414.70. An additional \$2,955.38 will be expensed from the Motor Pool Operations Fund to cover the \$13,370.08 purchase price of the new pick-up truck.

On February 28, 2006, the City of Saginaw accepted bids for the two-wheel drive pick-up truck. The bids received are as follows:

Draper Chevrolet Saginaw, MI	\$13,370.08
Graff Chevrolet Bay City, MI	\$13,613.27
Martin Chevrolet Saginaw (Out-City)	\$13,941.00
Whiteside Chevrolet St. Clairesville, OH	\$14,900.00

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Grant Submissions for Community Funds from the Department of Human and Urban Development

**Manager's Recommendation:**

It is recommended that the attached resolutions be approved and that the proper officials be authorized to execute the 2006-07 Community Development Block Grant, HOME and Emergency Shelter Grant Submissions on behalf of the City.

**Justification:**

As a necessary step in obtaining Entitlement Community funds from the Department of Housing and Urban Development, each municipality must formally approve the Grant Submissions process through authorization and resolution.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

## RESOLUTION OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN APPROVING THE HOME PROGRAM SUBMISSION (PROGRAM YEAR 2006-07)

**Manager's Recommendation: Approval of the resolution as follows:**

Council \_\_\_\_\_ offered and moved adoption of the following resolution:

WHEREAS, under the provision of Title II of the National Affordable Housing Act of 1990, as amended, the Secretary of Housing and Urban Development is authorized to make entitlement awards to states and units of general local government that have been designated as a participating jurisdiction to help finance housing programs approved in accordance with the provisions of Title II; and

WHEREAS, The Department of Housing and Urban Development has informed the City of Saginaw that they are entitled to an amount of \$663,601.00 in HOME funds to carry out the 2006-07 year program; and

WHEREAS, the application has been completed in accordance with the provisions of Title II of the National Affordable Housing Act of 1990, as amended, which identified housing programs that would be carried out with the 2006-07 year entitlement funds.

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

1. That the HOME application (City Clerk's File No. \_\_\_\_\_) is hereby approved; and
2. That the City Manager is authorized to file this application with the Department of Housing and Urban Development.

# COUNCIL COMMUNICATION

**RESOLUTION OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN  
APPROVING THE COMPREHENSIVE HOMELESS ASSISTANCE  
PROGRAM EMERGENCY SHELTER GRANT SUBMISSION  
(PROGRAM YEAR 2006-07)**

**Manager's Recommendation: Approval of the resolution as follows:**

Council \_\_\_\_\_ offered and moved adoption of the following resolution:

WHEREAS, under the provisions of the Comprehensive Homeless Assistance Program of 1987, the Secretary of Housing and Urban Development is authorized to make grants to states and units of general government to help finance rehabilitation or conversion of buildings to use as emergency shelters for the homeless and provision of certain operating and social service expenses in conjunction with the emergency shelter for the homeless; and

WHEREAS, The Department of Housing and Urban Development has informed the City of Saginaw that they are entitled to \$109,836.00 in Comprehensive Homeless Assistance Program funds for the above purpose in the 2006-07 year program; and

WHEREAS, The application has been completed in accordance with provisions of the Comprehensive Homeless Assistance Program of 1987, which identified operating activities that could be carried out with the 2006-07 year funds.

NOW THEREFORE BE IT RESOLVED, By the Council of the City of Saginaw:

1. That the Comprehensive Homeless Assistance application (City Clerk's File No. \_\_\_\_\_) is hereby approved; and
2. That the City Manager is authorized to file this application with the Department of Housing and Urban Development.



# COUNCIL COMMUNICATION

## RESOLUTION OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM SUBMISSION (PROGRAM YEAR 2006-07)

**Manager's Recommendation: Approval of the resolution as follows:**

Council \_\_\_\_\_ offered and moved adoption of the following resolution:

WHEREAS, under the provisions of Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of Housing and Urban Development is authorized to make grants to states and units of general local government to help finance community development programs approved in accordance with the provisions of Title I; and

WHEREAS, the Department of Housing and Urban Development has informed the City of Saginaw that they are entitled to an amount of \$2,558,091.00 in Block Grant funds to carry out the 2006-07 year program; and

WHEREAS, the application has been completed in accordance with provisions of Title I of the Housing and Community Development Act of 1974, as amended, which identified housing and community development programs that would be carried out with 2006-07 year entitlement funds.

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

1. That the Community Development Block Grant application (City Clerk's File No. \_\_\_\_\_) is hereby approved; and
2. That the City Manager is authorized to file this application with the Department of Housing and Urban Development.

# COUNCIL COMMUNICATION

## Resolution of Intent to Fund Public Safety Services in Accordance With the Five-Year Plan

Council \_\_\_\_\_ offered and moved the adoption of the following resolution:

WHEREAS, the Council of the City of Saginaw has authorized ballot proposals for a public safety millage; and

WHEREAS, the Council has general authority and discretion to adjust the general fund budget between public safety expenditures and other services, and

WHEREAS, the Council wishes to make a public statement of its commitment to dedicate the funds raised by the public safety millage to preserve public safety services.

NOW, THEREFORE, BE IT RESOLVED that if the public safety millage is passed, the City Council will follow the recommendations of the City Manager to fund public safety services in accordance with the five-year plan presented to Council, including the General Fund contribution to this service.