

Council Agenda

March 18, 2013 12:00 p.m.
Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Frank Ornelas and Adam Gonzales to accept the Proclamation declaring March 31, 2013 as Cesar Chavez Day.
2. Certificate of Recognition presented to Winnie I. Yeomans Porath, former Queen of the 1957 Hoyt Park Winter Sports Carnival.

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

(A list will be provided on Monday after 1:00 p.m.)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

Management Update:

1. Weed Abatement Presentation by Jeff Klopcic, Director of Technical Services and Phil Karwat, Director of Public Services.
2. Website Presentation by Brandon Duvall, Information Technology Developer.

CONSENT AGENDA:

1. Approve the minutes from February 18, 2013 closed session and the minutes from March 4, 2013 regular council meeting.
2. Approve to consider the 2013 Single Lot Special Assessment Tax Roll responses provided for all objections received prior to the closing of the public hearing held on February 18, 2013 and that the recommendations be approved and Council consider the resolution confirming the tax roll.
3. Approve the amendments to the 2012/2013 Approved Budget to recognize carry forward grant funds from 2012 and any errors, omission, or changes that have occurred during the 2nd quarter.
4. Approve the Development Agreement between the City of Saginaw and Bancroft Project Saginaw LLC and the documents be executed as necessary.

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5. Approve a purchase order to AKT Peerless in the amount of \$12,240 for environmental services associated with the Community Development Block Grant (CDBG).
6. Approve a purchase order to 1st Run Computer Services in the amount of \$3,704 for a Fujitsu color scanner for scanning legal documents.
7. Approve a purchase order to Kustom Signals, Inc., a sole source, in the amount of \$5,900 for twenty (20) in-car camera expense microphones for the Police Department.
8. Approve the User Agreement with Michigan Department of Transportation (MDOT) for the use of their Spatial Reference Network (MSRN).
9. Approve the payment of an additional \$6,950 on purchase order #47981 to Custom Engineering, Inc. for emergency replacement of an additional rooftop heating and air conditioning unit at the Maintenance and Service Division.
10. Adopt the Resolution approving the Agreement with Spicer Group for construction survey staking services for the Ezra Rust Street Road Improvements from the Court Street Bridge to Washington Avenue (M-13).
11. Adopt the Resolution approving the Agreement with Spicer Group for construction survey staking services for the Fordney Street Improvements from Rust Avenue (M-46) to Ezra Rust Street.
12. Approve a purchase order to Hoffman's Power Equipment, Inc., a sole source, in the amount of \$15,332 for a 72" mower for the Water Treatment Division.
13. Approve a purchase order to Lingle Equipment, Inc. in the amount of \$4,700 for a used Forklift Truck for the Wastewater Treatment Plant.

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

INTRODUCTION OF ORDINANCES:

1. An Ordinance to amend § Section 153.750 "Statement of Purpose," § Section 153.573 "Historic District Commission," § Section 153.574 "Procedure for the Review of Plans," and § Section 153.576 "Establishing New Districts and Identifying Historic Resources/Landmarks" of Chapter 153, Zoning Regulations, of Title XV "Land Usage," of the City of Saginaw Code of Ordinance, O-1.

CONSIDERATION AND PASSING OF ORDINANCES:

Council Agenda

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RESOLUTIONS:

1. Adopt the Resolution certifying the 2013 Single Lot Special Assessment Tax Roll.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Darnell Earley
City Manager

PROCLAMATION

WHEREAS, The most important Latino leader in U. S. history, Cesar Chavez, was born March 31, 1927 in Yuma, Arizona to Librado and Juana Chavez; and

WHEREAS, Young Cesar and his family packed up and headed for California following the seasonal work after losing both their farm and store in 1937 as depression intensified and years of drought forced thousands off the land; and

WHEREAS, Cesar attended 38 different schools before dropping out to help support his family ending his formal education after the seventh grade. He absorbed much from the courageous example of his parents as they instilled in him a profound respect for the value of each human person, and a desire to protect that value; and

WHEREAS, The values that Cesar Chavez strove to live out in all his endeavors include: service to others, sacrifice, a preference to help the most needy, determination, non-violence, tolerance, respect for life, celebrating community, knowledge and innovation; and

WHEREAS, Cesar Chavez spent 31 years forging a legacy of service, conviction and principled leadership that served as a beacon for all Americans; and

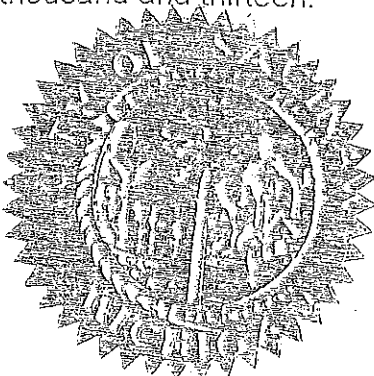
WHEREAS, The strength of his vision and the power of his leadership enabled him to take his struggle directly to the American people. He focused our Nation's attention on the economic and social plight of migrant farm workers and, in the process, taught us how injustice anywhere affects us everywhere;

NOW, THEREFORE, I, Gregory L. Branch, Mayor of the City of Saginaw, hereby proclaim, March 31, 2013 as

"CESAR CHAVEZ DAY"

in the City of Saginaw and call upon the citizens of this community to reflect on and honor the life of this distinguished leader, veteran, and American.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Saginaw to be affixed this 18th day of March in the year of our Lord two thousand and thirteen.



March 18, 2013

Gregory L. Branch, Mayor
Councilpersons

*Dennis Browning, Annie Boensch, Norman Braddock,
Larry Coulouris, Daniel Fitzpatrick, Floyd Kioc,
Amos O'Neal, and Andrew Wendt*

Darnell Earley, City Manager

CERTIFICATE OF RECOGNITION

PRESENTED TO

Winnie I. Yeomans Porath

On behalf of the Saginaw City Council and the citizens of this city, I am proud to honor Winnie Yeomans Porath, a resident of Saginaw for over seventy years and a graduate of Arthur Hill High School. In 1957, Winnie Yeomans was chosen over 17 other contestants as the Queen of the 6th Annual Winter Sports Carnival hosted by Hoyt Park. Her coronation was the highlight of a truly spectacular event, witnessed by nearly 10,000 spectators. Although it has been over 65 years since she has donned the tiara as Winter Sports Queen, Winnie continues to model the grace, poise and beauty that made her esteemed reign as Winter Sports Queen one of the most memorable in the event's history. Winnie is known for her timeless charm and her smile continues to shine as brightly as the crown jewels. Winnie's good works and unassuming goodwill improves the quality of the lives of others. We honor and salute Winnie's accomplishments, beauty and dignity; and present her with this dazzling jeweled crown. Along with her proud friends and loving family, we salute Winnie I. Yeomans Porath as an honored member of the Saginaw community.

Gregory L. Branch, Mayor



Councilpersons

Dennis Browning, Mayor Pro Tem
Annie Boensch, Norman Braddock,
Larry Coulouris, Daniel Fitzpatrick, Floyd
Kloc, Amos O'Neal, and Andrew Wendt



March 18, 2013

Darnell Earley, City Manager

REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, MARCH 4, 2013, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem Dennis Browning offered a prayer and led the pledge of allegiance.

ROLL CALL

Mayor Branch called the meeting to order. Council Members present: Annie Boensch, Norman Braddock, Andrew Wendt, Dennis Browning, Larry Coulouris, Floyd Kloc and Mayor Gregory Branch - 7. Council Members absent: Daniel Fitzpatrick and Amos O'Neal - 2.

ANNOUNCEMENTS

City Clerk Janet Santos stated that the Waste Collection Convenience station is open the second Saturday of every month from 10:00 a.m. to 2:00 p.m. and that the regular City Council meeting on March 18, 2013 will begin at 12:00 (noon) rather than 6:30 p.m. This meeting will be Student Government Day.

Council Member Boensch read a proclamation in honor of the 20th Anniversary of Women of Colors, Inc. The proclamation was accepted by Evelyn McGovern, President and Co-Founder.

PUBLIC HEARINGS

City Clerk Janet Santos announced the public hearing on the Obsolete Property Rehabilitation Certificate at 107 S. Washington Avenue. Mayor Branch called for comments. Tom Miller of Saginaw Future and Luann Stockfleth, Project Manager for Lakeshore Management, spoke in favor of the Certificate. The Mayor called for comment two additional times. No other comments were made.

Moved by Council Member Braddock, seconded by Council Member Coulouris to close the public hearing. 7 ayes, 0 nays, 2 absent. Motion carried.

City Clerk Janet Santos announced the public hearing on the Obsolete Property Rehabilitation Certificate at 100 N. Washington Avenue. Mayor Branch called for comments. Tom Miller of Saginaw Future and Luann Stockfleth, Project Manager for Lakeshore Management, spoke in favor of the Certificate. The Mayor called for comment two additional times. No other comments were made.

Moved by Council Member Braddock, seconded by Council Member Browning to close the public hearing. 7 ayes, 0 nays, 2 absent. Motion carried.

PERSONAL APPEARANCES

The following persons addressed the Council: Saleem Mannan, Tom Mudd and Donald E. Pippins.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Coulouris, Browning, Wendt, Braddock, Boensch and Mayor Branch.

REPORTS FROM CITY MANAGERManagement Update

City Manager Darnell Earley informed Council of the EVIP (CGAP) Grant Award in the amount of \$156,000. The grant funding is to be utilized in the police services merger with the County. The grant acceptance deadline requirement to spend the funds awarded is April 30, 2013.

City Manager Darnell Earley introduced Tim Morales, Deputy City Manager/CFO. Mr. Morales presented information on the Deficit Elimination Plans for Non-General Fund funds as a result of the June 30, 2012 audit. Mr. Morales covered the history of these funds deficits and the reporting requirement of deficit elimination plans.

City Manager Earley addressed Council by citing excerpts from audit reports of other municipalities. Manager Earley stressed the fiscal responsibility and important decisions to be made for FY 2014 Budget that addresses the structural deficit and avoiding an Emergency Financial Manager situation. Issues must be managed proactively while remaining in compliance with the Governmental Accepted Accounting Principles and the State of Michigan's Uniform Budgeting and Accounting Act and provide a sustainable 5-year forecast.

Consent Agenda

1. Approve the minutes of the February 18, 2013 regular council meeting.
2. Receive and file the 2011-2012 Annual Audit of the Saginaw-Midland Municipal Water Supply Corporation.
3. Approve a purchase order to DLT Solutions, Inc. in the amount of \$12,944.26 for the Engineering and GIS Division AutoCAD software maintenance and support renewal.
4. Approve a purchase order to North American Salt Company, Inc. in the amount of \$111,860 for 2,000 tons of back-up salt to be used by the Streets Section of the Right of Way Division.
5. Approve the Professional Services Agreement with Surveying Solutions, Inc. in the amount of \$16,300 to provide construction survey staking for the Michigan Avenue construction project.
6. Adopt the Resolution authorizing sponsors of various community events throughout 2013 the use of amplifying equipment as listed on the Resolution.

7. Approve a purchase order to USABlueBook in the amount of \$2,220.74 for one turbidimeter for the Water Treatment Plant.
8. Approve a purchase order to Blue Dot Solutions, Inc., a sole source, in the amount of \$2,990 for two bar code scanner kits for the Water and Wastewater Treatment Plants.
9. Approve a purchase order to Gerace Construction in the amount of \$142,000 for the rebuilding of one 130' diameter final clarifier for the Wastewater Treatment Plant.
10. Approve the payment to American Instrument Exchange, a sole source, in the amount of \$2,750 for the emergency purchase of a Jenway Genova Spectrophotometer for the Water Department.

Council Action:

Moved by Council Member Coulouris, seconded by Council Member Boensch to approve all consent agenda items 1 through 10 as presented. 7 ayes, 0 nays, 2 absent. Motion carried.

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

Council Member Coulouris reported on the February 28, 2013 Planning Commission meeting. Approval was made on the following projects: the Faucher Dental Building addition and lighting; the Saginaw County Building Authority Pavilion; and the Historic District proposed ordinance amendment.

RESOLUTIONS

Moved by Council Member Kloc, seconded by Council Member Browning to adopt the Resolution to eliminate the fiscal year 2012 Deficit Fund Balance in the Community Development Fund. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Council Member Kloc, seconded by Council Member Braddock to adopt the Resolution to eliminate the fiscal year 2012 Deficit Fund Balance in the Celebration Park Fund. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Council Member Kloc, seconded by Council Member Braddock to adopt the Resolution to eliminate the fiscal year 2012 Deficit Fund Balance in the Local Law Enforcement Fund. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Council Member Kloc, seconded by Braddock to adopt the Resolution authorizing an Obsolete Property Rehabilitation Certificate, located at 107 S. Washington Avenue (Bancroft Building). 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Council Member Kloc, seconded by Council Member Boensch to adopt the Resolution authorizing an Obsolete Property Rehabilitation Certificate, located at 100 N. Washington Avenue (Eddy Building). 7 ayes, 0 nays, 2 absent. Motion carried.

ADJOURNMENT

Moved by Council Member Coulouris, seconded by Council Member Braddock to adjourn the meeting at 7:40 p.m. 7 ayes, 0 nays, 2 absent. Motion carried.

Janet Santos, CMC/MMC
City Clerk

From: Darnell Earley, City Manager
Subject: 2013 Single Lot Special Assessment Tax Roll
Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

It is recommended that Council consideration be given to the responses provided for all objections received prior to the closing of the public hearing held on February 18, 2013 and that the recommendations be approved and Council consider the resolution confirming the 2013 Single Lot Special Assessment Tax Roll.

Justification:

City Council conducted a public hearing on February 18, 2013 on the Single Lot Special Assessment Tax Roll for: Sewer Connections & Replacements (SEW13); Environmental Cleanup (TR013); Weed/Grass Cutting (WC1301, WC1302, WC1303 & WC1304); False Alarms Police (PF13), Environmental Testing (EC131); and Demolitions (DMC131, DMG131). Notice of the hearing was mailed to approximately 1,802 owners of property affected by the assessments as shown on the City Assessor records. These assessments represent fees and expenses incurred by the City for improvements constructed, false alarms, alarm-system registration and for abatement of nuisances of which expenses are charged against individual properties.

The recommendation of the City Manager is based upon review of the appropriate department research and response. A recap of the written objections filed with the City Clerk's Office and the oral objections presented to City Council up to the close of the public hearing is as follows:

Public Hearing comments made on February 18, 2013.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
19 1796 00000	1807 W. Michigan	Richard Hamilton	\$128.58	WC1301

Objection: City doesn't cut this, I do. City cuts others around my lot. I believe City got the wrong address.

Department Reply: Photos reviewed & determined cut may be justified. However, a calculation error was made for the size of property. Reduce cost to \$79.12.

Recommendation: Uphold and reduce the SLSA at \$79.12.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
21 0914 00000	3736 Harold	Lucy Ratcliff	\$79.12	WC1301

Objection: I received a letter so I went over and cut grass myself. Received letter saying I owe \$79, which I don't or it would have showed on my winter taxes. Think vacant property next door is getting mixed up with mine. The \$79 wasn't added to winter taxes so it wasn't cut.

Department Reply: Photos reviewed and cut is justified. Ms. Ratcliff mentioned that she received a letter. There is no letter sent to the citizens. The vacant address is 3736 Harold and per SONAR is owned by Ms. Ratcliff. Properties located on either side of this lot are 3740 and 3732 Harold.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
11 0233 00000	2233 S. Washington	Eva Alaniz	\$75.00	PF13

Objection: Came to City Hall to talk to someone was told must go to meeting or call #. Company is in Colorado and couldn't tell me anything. I feel these are an injustice. Had alarm almost 30 years and sometimes accidentally you push a wrong number, nothing warrants sending a policeman and calling it a false alarm. Also rent house to daughter down the street. While at hospital someone broke into daughter's house and stole a lot of stuff. In July they said there was a false alarm, no false alarms there. Police never come. Objecting to this and that the people collecting are in Colorado when people here need jobs. This bill is an injustice.

Department Reply: Not registered and late fee with false alarm.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
13 0539 00000	2420 N. Carolina	Rick Freeman	\$75.00	PF13

Objection: Shouldn't get charged for something the police are not doing. Been there 3 years and not one police has ever been there for a false alarm.

Department Reply: Not registered and late fee with false alarm.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
18 1169 00000	332 Bullock	Robert J. Ayers	\$75.00	PF13

Objection: Someone opened door on property and set off alarm.

Department Reply: Not registered and late fee with false alarm.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
19 1752 00000	1632 Arthur	Robert J. Ayers	\$44.75	TR013

Objection: Bought this property but never received notice of cleanup. Will pay.

Department Reply: Charges assessed are correct. Notice was sent, cited 10/8/2012, cleaned on 10/11/2012.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
09 0215 00000	811 Simoneau	Keata Little	\$726.06	TR013

Objection: Don't know why I got this. Dad passed away I have house. When alive I took notices to him, he paid the bills. I haven't received any notices and don't know why I have this. He called me when sick saying the City and police were there taking all his stuff. I begged them to let my dad cleanup. They took everything and gave a bill of \$726. Told me to contact Felicia, I left messages and made many calls but was never contacted by her or received any notices.

Department Reply: Charges assessed are correct. Notice was sent, cited on 1/25/2012, cleaned on 2/8/2012.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
18 0707 00000	809 S. Mason	David Shong	\$44.75	TR013

Objection: Already paid for trash cleanup. People throw trash on my property, why should I clean it up.

Department Reply: Charges assessed are correct. Notice was sent, cited 8/7/2012, cleaned on 4/18/2012.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
21 2723 00000	4045 Lamson	Mattie Hill	\$44.75	TR013

Objection: Trash was left by tenants moving out. City took some stuff and said to put rest out next week. We did that but still got a bill.

Department Reply: Charges assessed are correct. Notice was sent, cited 4/11/2012, cleaned on 4/18/2012.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
10 0883 00000	3108 Rust	Katie Ladd	\$425.00	PF13

Objection: Police said they came out to my house a number of occasions, but dates/times they gave I was there and I know my alarm wasn't going off. Other times my daughter was there.

Department Reply: Multiple false alarms in 2011.

Recommendation: The single lot special assessment amount should be removed from the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
21 0875D41200	36 Geneva	Katherine Latimore	\$25.00	PF13

Objection: Last week 3 different times my alarm system went off, no police came. Why are we getting this? Why are we sending money out of state? There are lots of people here that need jobs. We shouldn't have to pay these fees. No policeman came out to my home. This is wrong and very

unfair, something needs to change.

Department Reply: Late fee from 2011.

Recommendation: The single lot special assessment amount should be removed from the tax roll.
Written objections 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>	<u>Code</u>
02 0163 00000	630 N. Jefferson	Carla M. Smith	\$25.00	PF13

Objection: I sold this property 3/20/2008.

Department Reply: Late fee from 2011 not for 2012.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
07 0424 00000	310 S. Jefferson	Tamar Grefe obo Saginaw Choral Society	\$25.00	PF13

Objection: Never owned property in Saginaw. Rented 326 S. Jefferson until 11/2009, but never occupied 310 S. Jefferson Ave.

Department Reply: Late fee from 2011 not for 2012.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
12A0073 00000	1404 Bloomfield	Marilyn Murdock	\$25.00	PF13

Objection: Object to paying this fee as there is no longer an operating alarm system in this home.

Department Reply: Late fee from 2011 not for 2012.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
14 1833 00100	2024 N. Niagara	Gary Schram	\$25.00	PF13

Objection: There have been no false alarms here. I should not have to pay because of all the other idiots who set off false alarms. If we use the alarm service I would have no problem paying a fee.

Department Reply: Late fee from 2011 not for 2012.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
19 1018 00000	2115 Ring	Brown Leasing Company, LLC	\$25.00	PF13

Objection: This system has not been hooked up since 2010, when First Step Daycare moved out.

Department Reply: Late fee from 2011 not for 2012.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
19 2112 00000	1518 S. Michigan	Don R. Sheets	\$25.00	PF13

Objection: The fees would be the responsibility of the tenant who occupied this address at the time of the infraction. Sheets Family Realty is the landlord not the tenant.

Department Reply: Late fee from 2011 not for 2012.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
20 0247 00100	3066 W. Genesee	Michael Washington	\$25.00	PF13

Objection: There was an alarm set off. Upon being called by ADT no further assistance was needed, no police assistance was needed, therefore we don't owe anything.

Department Reply: Late fee from 2011 not for 2012.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
15 0124 00000	615 Miller	Mircea Metes	\$79.12	WC1302

Objection: Left several messages for MaryAnn Garrett but have received no response. This fee was paid on 8/28/2012.

Department Reply: Spoken with Mircea Metes. Verified this has been paid in full.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
08 0241 00000	1002 Howard	Sheila Rogan	\$3,867.15	DMC131

Objection: I talked to several people at City and explained my husband had just passed away and I didn't want the house torn down. He had been working on the house and as soon as my financing came in I was going to do more work. I did not give anyone consent to demolish my home and I wanted to keep it in the family, it was a family heirloom.

Department Reply: The City of Saginaw properly followed its Dangerous Building Ordinance in processing this property as evidenced by the Attorney's review and approval for demolition. The charge should stand.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
13 2348 00000	2632 Eddy	William Omans	\$103.00	DMG131

Objection: I object because this SLSA letter I received dated February 1, 2013 was the first and only document pertaining to the demo of my property including house, privacy fence, deck, landscaped BBQ area and shed, all done without due process. Houses on each side had burned down but this one only received minor damage to the vinyl siding. It was fully up to code. My son had been living in it but was working out of state at the time of the demo. There were definitely mistakes made by the

City in the handling of this matter.

Department Reply: This property was jointly ordered demolished by the Saginaw Fire Marshall and Chief Inspector due to weakened structural integrity caused by a fire on July 10, 2011. This charge should stand.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
13 1167 00000	2411 Davenport	R. Emerson Bonner II	\$79.12	WC1303

Objection: Did not own property at time of cuttings, 6/6 and 9/13/2012. Purchased property 9/21/2012. This is not my responsibility.

Department Reply: Photos reviewed and these cuts are justified.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
21 3015 00000	4015 Wisner	Teijuania Dyson-Siler	\$79.12	WC1301

Objection: I've reviewed the pictures and don't feel like this was a valid cut.

Department Reply: Photos reviewed and this cut is justified.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
21 4040 00100	2712 Hess	David Knights	\$91.48	WC1301
			\$112.09	WC1302

Objection: March 1, 2012 property forfeited to Saginaw County Treasurer for taxes. No longer own property.

Department Reply: Photos reviewed and these cuts are justified.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
08 0228 00000	721 Holden	Antwinette Snow	\$75.00	PF13

Objection: Victim of home burglary in June and August 2011. Police was dispatched to my home by Ace American Alarm, these were not false alarms.

Department Reply: Not registered & late fee with false alarm.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
21 0130 00000	524 S. 22 nd	Leanna Grimes	\$75.00	PF13

Objection: The brother of the owner had an alarm installed and did not have permission to install it, he is now deceased. She is on a fixed income and unable to pay this bill. Objection submitted by Debra Meekins for Ms. Grimes.

Department Reply: Not registered & late fee with false alarm.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
16 0475 00000	1221 Cleveland	John Surfus	\$129.96	TR13
			\$304.88	TR13

Objection: Assessments were from May 2012. Mr. Surfus took ownership in November 2012 and is not responsible for these charges. Objection submitted by Attorney Joseph Luplow for Mr. Surfus.

Department Reply: January 2012 charges (\$129.96) assessed is correct. Assessments follow the property not the owner. May 2012 charges (\$304.88) assessed is correct. Assessments follow the property not the owner.

Recommendation: Both single lot special assessments should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
20 1027 00000	134 S. Carolina	Drew Simonson	\$129.96	TR13

Objection: Didn't receive a notice for Trash Removal/Yard Cleanup prior to it being cleaned. Spoke with someone from Environmental on 2/15/13 and they had no information on the matter.

Department Reply: Charges assessed are correct. Notice was sent, property cited on 12/29/2011, cleaned on 1/4/2012.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
21 4040 00100	2712 Hess	David Knights	\$422.23	TR13
			\$2,267.97	TR13

Objection: March 1, 2012 this property was forfeited to Saginaw County Treasurer for taxes. I no longer own.

Department Reply: The September 6 & 7, 2012 charges (\$422.23) assessed is correct. The April 19 & 27, 2012 charges (\$2,267.97) assessed is correct. City records still show Mr. Knights as property owner.

Recommendation: Both single lot special assessments should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
13 0373 00000	2221 Schaefer	Calvin Gill	\$75.00	PF13

Objection: Had alarm system since purchased home. Have a paid company to monitor monthly. Property taxes cover police/fire/ambulance services. If an actual false alarm then charge me but not for having an alarm system. Had 2 false alarms in 14 years. The Carrollton PD came, not SPD. Not fair to charge \$75 registration for an alarm system.

Department Reply: Not registered & late fee with false alarm.

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

Other items with City Department recommendations submitted to the City Clerk for Council consideration.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
01 8003 04547	77 W. Center	Racer Properties, LLC	\$15.50	EC131

Objection: Not applicable.

Department Reply: Amount will be paid as part of a property settlement between City and RACER.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
14 0033 00000	1447 N. Harrison	Covenant Medical Center, Inc.	\$.30	EC131

Objection: Not applicable.

Department Reply: Data entry error. A credit has been applied to remove the amount.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
Not Applicable	4000 Arthur	Not Applicable	\$77.50	EC131

Objection: Not applicable.

Department Reply: Property is not located within the City limits and cannot be assessed. However, the amount has been paid in full.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
03 0477 00000	505 E. Genesee	City of Saginaw	\$75.00	PF13

Objection: Not applicable.

Department Reply: Letter addressed to Frankenmuth High School in error. This property is owned by City of Saginaw. Charge was applied in error.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
05 0157 00000	1901 Lapeer	Saginaw County Land Bank	\$25.00	PF13
11 1572 00000	2326 Lincoln		\$25.00	PF13

Objection: Not applicable.

Department Reply: The properties were reverted to Saginaw County Treasurer in 2009 and demolished in 2010. The owner of record for both properties is the Saginaw County Land Bank.

Recommendation: Both single lot special assessments should be removed from the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
14 0987 00000	920 Congress	C & P Investments, LLC	\$79.12	WC1301

Objection: Not applicable.

Department Reply: City staff noted in September 2012 that this property should not have been billed. Verified that this was cut by owner and the charges were not removed. Property owner called City staff on or before February 7, 2013 after receiving her SLSA letter showing charges.

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

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
01 0164 00000	1323 Norman	Daniel Mathis	\$25.00	PF13
01 0437 00000	926 N. 3 rd	Ester & Wanda Whitson	\$25.00	PF13
01 0890 00000	1204 N. 8 th	Ken Henderson/Penny Vaughn	\$25.00	PF13
02 0403 00000	322 N. Jefferson	Health Delivery, Inc.	\$25.00	PF13
06 0166 00000	1104 Janes	OHM Specialty Pharmacy LLC	\$25.00	PF13
08 0016 00000	1623 Howard	Tracey Edwards	\$25.00	PF13
08 0681 00000	1305 Owen	Myron Foster	\$25.00	PF13
10 1186 00000	2623 E. Genesee	Robert J. Borden	\$25.00	PF13
11 0679 00000	2201 Owen	St. Casimir Catholic Church	\$25.00	PF13
13 2497 00000	2605 Weiss	Connie Braun, MD PC LLC	\$25.00	PF13
14 0309 00000	1512 N. Clinton	Housing & Urban Development	\$25.00	PF13
14 1284 00000	1726 Stone	Covenant Medical Center, Inc.	\$25.00	PF13
16 0147 00000	220 N. Michigan	Xiu Fang Liu	\$25.00	PF13
18 0053 00000	904 S. Michigan	Michael Ayers	\$25.00	PF13
18 0503 00000	1001 Gratiot	Robert W. Young II	\$25.00	PF13
19 1319 00000	1838 W. Michigan	Shirley Meier	\$25.00	PF13
19 1350 00000	1301 S. Wheeler	S & S Wholesale LC	\$25.00	PF13
20 0186 00000	1411 Court	Hannawa Holdings LLC	\$25.00	PF13
20 0487 00000	719 Thurman	Thomas & Sherry Grobaski II	\$25.00	PF13
20 0137 00000	100 N. Alexander	Charlie & Khawla Haddad I	\$25.00	PF13
21 4071 00000	203 S. 16 th	Mark Walker	\$25.00	PF13

Objection: Not applicable.

Department Reply: Verified that letters were misaddressed and are 2011 charges and not 2012.

Recommendation: The single lot special assessments should be removed from the tax roll.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ that the recommendation on of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: 2012/2013 2nd Quarter Budget Adjustment
Prepared by: Yolanda M. Jones, Office of Management and Budget

Manager's Recommendation:

I recommend that the 2012/2013 Approved Budget for the funds listed below be amended. This adjustment is required to recognize carry forward grant funds from 2012 as well as to recognize any errors, omission, or changes that have occurred during the 2nd quarter.

Justification:

The 2012/2013 annual budget will be adjusted in accordance with Public Act 2 of 1968 Uniform Budgeting and Accounting Act, the City Charter, and the approved 2013 Budget Resolution, which states that the City Manager must provide quarterly budget adjustments to City Council as a result of a budget-to-actual analysis. As a result of the City Manager's 2nd quarter analysis, the below-mentioned budget adjustments take into consideration any errors, omissions, or changes in the funding levels and expenditures approved by City Council as prescribed by the City Charter.

The General Fund (101) should be increased by a net \$6,948 from \$31,882,660 to \$31,889,608. The majority of this increase is due to an increase to the transfer to the Celebration Park Fund in the amount of \$29,438. This transfer is required in accordance with the 2012 Deficit Elimination Plan for the Celebration Park Fund. This increase will be offset by \$29,438 reduction in the Operating Transfer to the Homeland Security – SAFER Grant, which the city did not receive in FY 2013. Another increase to the General Fund will be realized in the Homeland Security Grant Account Number (101-0000-513.58-32) for the Assistance Firefighter Grant (AGF) in the amount of \$6,948. The City received this grant in FY 2012 and is planning to spend the remaining balance in FY 2013 on the purchase of Thermal Image Cameras.

The Community Policing Fund's (260) Crime Technology Division should be increased from \$0 to \$7,332. This amendment reflects the utilization of the remaining balance of the Crime Technology Grant for the installation and purchase of cameras at the Raptor Center and the maintenance of equipment in the facility.

The Department of Justice – Justice Assistance Grant (JAG) Fund (263) should be increased from \$73,719 to \$354,304. This is a \$280,585 increase. The majority of this increase is attributable to revenues received in the current year for expenditures incurred in the previous fiscal year. Additionally, approximately \$43,660 of the increase will be utilized for the 2013 Computer Aided Dispatch payment.

The Community Development Block Grant Fund (275) should be increased by \$293,710. This amendment reflects the acceptance of carryover funds from prior years that will be spent in FY 2013 for street resurfacing projects. Expenditures will be offset by an increase in the Federal Grant/Block Grant Entitlement Account No. (275-0000-513.58-22) by the same amount.

The Celebration Park Fund (508) should be increased by \$49,065. This amendment reflects the adoption of the city council approved Celebration Park Fund Deficit Elimination Plan. This increase will be offset by an increase to the Transfers From Other Funds Account No. (508-0000-691.69-01) by the same amount.

The Water Operations and Maintenance Fund's (591) should be increased from \$22,525,773 to \$22,530,680. This is an increase of \$4,907. This amendment reflects an increase to the Operating Transfer to the Celebration Park Fund Account No. (591-9960-771.87-31) in accordance with the approved 2012 Deficit Elimination Plan for the Celebration Park Fund. An available appropriation of retained earnings will offset the fund's increase.

The Technical Services – Geographical Information System Fund (650) should be increased by \$7,360, from \$564,328 to 571,688. This amendment reflects an increase to the Operating Transfer to the Celebration Park Fund Account No. (650-9960-771.87-31) in accordance with the approved 2012 Deficit Elimination Plan for the Celebration Park Fund. An available appropriation of fund balance will offset this increase.

The Technical Services – Information Service Fund (658) should be increased by \$7,360. This amendment reflects an increase to the Operating Transfer to the Celebration Park Fund Account No. (658-9960-771.87-31) in accordance with the approved 2012 Deficit Elimination Plan for the Celebration Park Fund. An available appropriation of fund balance will offset this fund's increase.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager

Subject: Purchase and Development Agreement with Bancroft Project Saginaw LLC, 131 S. Franklin

Prepared by: Bill Ernat, Interim Director of Community and Economic Development

Manager's Recommendation:

I recommend that the Development Agreement ("Agreement") between the City of Saginaw ("City") and Bancroft Project Saginaw LLC be approved and the documents be executed as necessary. I have approved the Agreement as to substance and the City Attorney has approved as to form.

Justification:

Bancroft Project Saginaw LLC ("Bancroft") is the developer that purchased the Bancroft and Eddy buildings and will redevelop them into market rate apartments with retail on the first floor. They are seeking to purchase the vacant lot located at 131 S. Franklin from the City of Saginaw to utilize as a parking lot for the tenants/visitors of the Bancroft Building located at 107 S. Washington Ave. and the Eddy Building located at 100 N. Washington Ave. They currently own the vacant lot located at 126 S. Washington, which is immediately west of this lot and plan to create a parking lot on both lots. A map of the area is attached for your review, with the above lots identified.

The City's parcel is irregularly shaped and has an approximate area of 12,250 square feet. Bancroft recently purchased the adjoining lot, which is approximately 12,775 square feet in area. The two lots have a combined area of 25,000 square feet and staff has estimated that 77 parking spaces could be created on these lots. The Bancroft and Eddy buildings have 69 on-site parking spaces. With the addition of the proposed parking lot, the parking spaces would be approximately 146. This figure is well below the desired 250 parking spaces. Bancroft is working with the adjacent property owners to acquire additional land for parking to overcome this shortfall.

The development of a parking lot at this location would eliminate several vacant parcels on a highly visible street within the downtown area. These lots are across the street from the Bancroft Building and one (1) block south of the Eddy Building. These lots are key in Bancroft's efforts to create sufficient parking for the two buildings. To make this more feasible to Bancroft, the City would sell the lot for one dollar (\$1.00), upon execution of this Agreement. Should Bancroft accept the offer, the parcel would then be placed back on the active tax rolls and would be maintained by Bancroft.

Bancroft has a 90-day due diligence period to determine whether it will take the property. In that 90-day period, Bancroft will have to purchase title insurance, survey the property. They have the option to complete an environmental assessment of the

property. If they do not terminate the agreement they would accept the property as is without warranty or representation. After transfer of the property Bancroft cannot sell or transfer the property or use it for anything other than operation of a parking lot without the City's prior written consent for five years. After that time, the property can only be sold or ownership of the parcel transferred to a third party provided that the Bancroft and Eddy buildings are part of that transaction. Any other transaction would require City approval.






In exchange for the sale of the land, Bancroft agrees to remediate all environmental conditions, if any, within one year of the effective date of the Agreement, will complete the development of the property with a parking lot within eighteen (18) months of the effective date of the agreement. Failure to comply with any of the above items shall result in the property being returned to the City.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

City of Saginaw

Legend

-  100 N WASHINGTON AVE
-  107 S WASHINGTON AVE
-  126 S WASHINGTON AVE
-  131 S FRANKLIN ST
-  Parcels

TUSCULA

WASHINGTON

N FRANKLIN

100 N
WASHINGTON
AVE

E GENESEE

107 S
WASHINGTON
AVE

S WATER

S WASHINGTON AV

S FRANKLIN

126 S
WASHINGTON
AVE

131 S
FRANKLIN ST

FEDERAL AV

From: Darnell Earley, City Manager

Subject: Environmental Services–Community Development Block Grant (CDBG) Activities

Prepared by: Bill Ernat, Interim Director of Development

Manager’s Recommendation:

I recommend that a Purchase Order be issued for environmental services associated with the Community Development Block Grant (CDBG) with AKT Peerless in the amount of \$ 12,240.

Justification:

The City solicited proposals from firms that provide environmental services and to provide those services for the CDBG program for the City of Saginaw. The scope of work includes phase I and phase II environmental studies, baseline environmental assessments, due care plans, and hazmat surveys for all programs funded with CDBG dollars including but not limited to: rehabilitation, new construction, demolition and land banking of property to foster neighborhood stabilization.

Previously, AKT Peerless provided these services; however, that purchase order expired and a new purchase order was sought. Therefore, CDBG staff sent out Requests for Proposals for an environmental services firm for the CDBG program.

On November 13, 2012, the City received four proposals for environmental services in conjunction with the CDBG Program. The evaluation was done in two phases. The first phase evaluated the proposals based reputation, experience, ability to complete the project, and strategies and approaches to complete the work. The second phase was an evaluation of the costs. Based on the review of the initial ranking, Environmental Testing and Consulting was eliminated. At that time, the remaining three cost proposals were opened.

Below is the breakdown of the initial evaluation ranking and the cost proposals.

ASTI, Brighton, MI	98 points	\$16,650
Environmental Testing and Consulting, Romulus, MI	65 points	
Wilcox Professional Services, Saginaw, MI	93 points	\$12,750
AKT Peerless, Saginaw, MI	98 points	\$12,240

After opening the cost proposals, it was verified that Wilcox Professional Services was no longer in business and only the top two proposals were evaluated. Staff then met with the two remaining companies and upon reaffirming the bid amounts it was

determined that the best-qualified proposal was submitted by AKT Peerless. They are located in Saginaw.

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

Funds for this contract are available in the CDBG Demolitions Account No. 275-6511-761-80.25.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: City Clerk/Attorney Office Color Scanner
Prepared by: Jeff Klopocic, Technical Services Department

Manager's Recommendation:

I recommend that a purchase order be approved and issued to the low bidder 1st Run Computer Services, New York, NY, for a Fujitsu color scanner in the amount of \$3,704 to be used in the City Clerk's Office for scanning legal documents.

Justification:

On March 5, 2013, the City received bids for a Fujitsu color scanner to be utilized in the conversion of historical legal documents to a digital format. Currently, the City retains legal documents in a paper format. This constitutes many challenges for the Clerk's office when researching legal issues. Staff is required to search through thousands of prior cases in order to obtain the necessary documents. Having the documents in a digital format will allow staff to search key words from the computer and retrieve the desired document without leaving their desk. Having the documents in a digital format also provides a backup source in case of misplaced or damaged documents due to fire or water damage. The following is a tabulation of the bids that were received:

	<u>Total</u>
1 st Run Computer Services New York, NY	\$3,704.00
HMB, Inc. Westerville, OH	\$3,737.05
Perimutter Purchasing Power San Diego, CA	\$3,985.00
Hasselbring Clark Company Lansing, MI	\$3,985.00
Tiger Direct, Inc. N. Sioux City, SD	\$4,137.27
Micro Wise Southfield, MI	\$4,315.00

F & E Trading Sumerset, NJ	\$4,355.00
Argos Automation Holly, MI	\$4,395.00
Adorama, Inc New York, NY	\$4,939.00
Premier Business Products Troy, MI	\$4,995.00
Business Services Longboat, FL	\$5,559.98

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

Funds for this Purchase are budgeted and available in the Technical Services, Information Services Capital Outlay, Less Than \$5,000.00, Account No. 658-1738-781.97-05.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: In-Car Camera Expanse Microphones
Prepared by: Sienna Rendon, Community Public Safety - Police

Manager’s Recommendation:

I recommend that a purchase order be issued to Kustom Signals, Inc. of Lenexa, KS, a sole source provider, in the amount of \$5,900 for the purchase of twenty (20) in-car camera expanse microphones to be used by the Police Department.

Justification:

Expanse microphones are audio devices, also known as “body mics,” that are worn by police officers. They record all dialogue and interaction within a certain distance. These twenty (20) devices will serve as replacements and are directly associated with the cameras in Saginaw Police Department vehicles. The City of Saginaw’s Liability Insurance carrier will reimburse the City \$2,000 for the purchase of these microphones. These body mics have been tested and evaluated by Saginaw police officers and have proven to be of much better quality than the body mics currently being used. They are being offered to the department for half of their normal price.

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

Funds for this purchase are available in Community Public Safety - Police Parts & Supplies account no. 101-3514-721.73-30.

Council Action:

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

From: Darnell Earley, City Manager
Subject: MDOT (MSRN) User Agreement – ROW Division
Prepared by: Beth London, Public Services Department

Manager’s Recommendation:

I recommend that the Michigan Department of Transportation’s (MDOT) User Agreement for the use of their Spatial Reference Network (MSRN) be approved. It is further recommended that the Mayor or his designee be authorized to execute this User Agreement on behalf of the City of Saginaw. The User Agreement has been approved by me as to substance and the City Attorney as to form.

Justification:

On February 18, 2013, the City Council approved the purchase of two Leica GS14 MSRN Rover data collectors for the Engineering Section of the Right of Way Division at the MDOT contract price. This equipment will allow the Engineering Section to document the locations and elevations of newly constructed water main and sewers using the Michigan Department of Transportation’s Michigan Spatial Reference Network. This Network sends global positioning information (coordinate data) via satellite to MDOT’s servers in Lansing every one second. This global positioning data will be used by the data collectors as location and elevation reference. This MDOT User Agreement must be executed prior to gaining access to the Michigan Spatial Reference Network. This is a standard form required of all users of the network system.

The User Agreement prohibits the City from disclosing the TCP/IP address, damaging MDOT’s computers or networks, using the information for unauthorized purposes and from portraying itself as an employee of MDOT. The User Agreement also releases MDOT from any responsibility for the data received and used by the City. There are no costs associated with this User Agreement.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Emergency Replacement of Rooftop Furnace & Air Conditioning Units
Prepared by: John Premo, Public Services Department

Manager's Recommendation:

I recommend payment of an additional \$6,950 on purchase order #47981 to Custom Engineering, Inc., Linwood, MI, for the emergency replacement of an additional rooftop heating and air conditioning unit at the Maintenance and Service Division.

Justification:

On January 18, 2013, Consumers Energy was called to the Maintenance and Service Division Offices located at 1701 S. Jefferson Avenue to inspect a gas smell. Once on site, Consumers Energy verified the heating and air conditioning unit was blowing unburned gas into the administrator's office and the conference room. Consumers Energy advised the Maintenance and Service Division to investigate the smell further. Afterwards, A.C. Klopf was contacted and they verified the presence of unburned gases and carbon monoxide buildup inside of these rooms due to a broken heat exchanger on this unit. On February 18, 2013, Council approved repair work on the first unit.

On February 20, 2013, while Spicer Engineering was conducting a roof inspection additional carbon monoxide roof leaks were found on a second HVAC unit that had a broken heat exchanger and (subsequently) was also taken out-of-service. Custom Engineering was previously awarded replacement of the first HVAC that failed, and they were asked to give a quote for replacement of the second HVAC unit. It is in the best interest of the City to accept Custom Engineering second quote to have both HVAC's installed at the same time. This will save on mobilization and crane rental costs.

During renovations 20 years ago, at the Maintenance and Service Division four (4) HVAC's were installed and two (2) of the units have broken heat exchangers and are out-of-service. The most recent HVAC that failed has a 5-ton condensing unit and the cost to replace is \$800 more than the previous 4-ton unit that failed.

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

Funds for this purchase are budgeted in the Water Operations and Maintenance Fund – Maintenance and Service Division's Repairs and Replacements Account No. 591-4721-861.97-20 (\$3,475), and Sewer Operations and Maintenance Fund – Maintenance and Service Division's Repairs and Replacements Account No. 590-4821-861.97-20 (\$3,475).

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Construction Engineering Agreement (No.12-5522/S1) – ROW Division
Prepared by: Beth London, Public Services Department

Manager’s Recommendation:

I recommend that the Construction Engineering Agreement (“Agreement”), Number 12-5522/S1 for construction survey staking with Spicer Group for the Ezra Rust Street Resurfacing project from the Court Street Bridge to Washington Avenue (M-13), be approved. It is further recommended that the Mayor or his designee be authorized to execute this agreement on behalf of the City of Saginaw. The Agreement has been approved by me as to substance and the City Attorney as to form. A resolution to approve the Agreement follows this communication.

Justification:

On January 22, 2013, Council approved a cost agreement with the Michigan Department of Transportation (“MDOT”) for the resurfacing of Ezra Rust Street. This Cost Agreement allows the City to be reimbursed for 80% of the construction engineering costs (up to \$105,000) including construction survey staking, with Federal Surface Transportation Urban Local (STUL) funds. The City is now required to enter into an MDOT Third Party Agreement with an outside firm for construction survey staking services because the City does not have personnel on staff that can perform this work.

On February 15, 2013, the City received four proposals for construction survey staking for the resurfacing of Ezra Rust Street. Selection of the design firm was based on requirements of MDOT. MDOT requires a Quality Based Selection process to be used if the construction engineering services will cost more than \$100,000. A Cost Based Selection process can be used when the construction engineering services costs are less than \$100,000. Following MDOT’s requirements, Spicer Group was selected based on cost alone. The total cost of Spicer’s proposal is \$4,190.49, of which STUL funds will pay \$3,352.39, and the City will pay \$838.10.

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

Funds for the construction survey staking services are budgeted and available in the Major Streets Fund – Streets Projects Division’s Professional Services Account No. 202-4614-781.80-01. The Project Number is ST1003.

Council Action:

Council Member _____ moved, seconded by Council Member _____
that the recommendation of the City Manager be approved.

MDOT Construction Engineering Agreement No. 12-5522/S1

Council Member _____ moved, seconded by Council Member _____ to adopt the following resolution:

WHEREAS: The City has entered into an Agreement with Spicer Group for construction survey staking services for the Ezra Rust Street Road Improvements from the Court Street Bridge to Washington Avenue (M-13).

WHEREAS: On January 22, 2013, Council approved Cost Agreement Number 12-5522 with the Michigan Department of Transportation (“MDOT”), for construction engineering services, for the Ezra Rust Street Improvements from the Court Street Bridge to Washington Avenue (M-13).

WHEREAS: Cost Agreement Number 12-5522 allows the City to be reimbursed with Federal Surface Transportation Urban Local (STUL) funds for 80% of the construction engineering services for the Ezra Rust Street Improvements road construction, with a not to exceed reimbursement amount of \$105,000.

WHEREAS: The City is now required to enter into an MDOT Third Party Agreement with Spicer Group for construction survey staking services.

WHEREAS: The construction staking cost for the Ezra Rust Street Improvements is \$4,190.49 of which STUL funds will pay \$3,352.39 and the City will pay \$838.10.

WHEREAS: Construction Engineering Services Agreement Number 12-5522/S1 has been approved by the City Manager as to substance and the City Attorney as to form.

NOW, THEREFORE, BE IT RESOLVED: that the Council for the City of Saginaw does hereby approve Construction Engineering Services Agreement Number 12-5522/S1 submitted by the Michigan Department of Transportation and that the Mayor or his designee is authorized to execute this agreement on behalf of the City of Saginaw.

Ayes:
Nays:
Absent:
Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on March 18, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk

From: Darnell Earley, City Manager
Subject: Construction Engineering Agreement (No.12-5522/S2) – ROW Division
Prepared by: Beth London, Public Services Department

Manager’s Recommendation:

I recommend that the Construction Engineering Agreement (“Agreement”), Number 12-5522/S2 for construction survey staking with Spicer Group for the Fordney Street Reconstruction project from Rust Avenue (M-46) to Ezra Rust Street, be approved. It is further recommended that the Mayor or his designee be authorized to execute this agreement on behalf of the City of Saginaw. The Agreement has been approved by me as to substance and the City Attorney as to form. A resolution to approve the Agreement follows this communication.

Justification:

On January 22, 2013, Council approved a cost agreement with the Michigan Department of Transportation (“MDOT”) for the reconstruction of Fordney Street. This Cost Agreement allows the City to be reimbursed for 80% of the construction engineering costs (up to \$112,000) including construction survey staking, with Federal Surface Transportation Urban Local (STUL) funds. The City is now required to enter into an MDOT Third Party Agreement with an outside firm for construction survey staking services because the City does not have personnel on staff that can perform this work.

On February 15, 2013, the City received four proposals for construction survey staking for the reconstruction of Fordney Street. Selection of the survey firm was based on requirements of MDOT. MDOT requires a Quality Based Selection process to be used if the construction engineering services will cost more than \$100,000. A Cost Based Selection process can be used when the construction engineering services costs are less than \$100,000. Following MDOT’s requirements, Spicer Group was selected based on cost alone. The total cost of Spicer’s proposal is \$7,741.97, of which STUL funds will pay \$6,193.58, and the City will pay \$1,548.39.

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

Funds for the construction survey staking services are budgeted and available in the Major Streets Fund – Streets Projects Division’s Professional Services Account No. 202-4614-781.80-01. The Project Number is ST1003.

Council Action:

Council Member _____ moved, seconded by Council Member _____
that the recommendation of the City Manager be approved.

MDOT Construction Engineering Agreement No. 12-5522/S2

Council Member _____ moved, seconded by Council Member _____ to adopt the following resolution:

WHEREAS: The City has entered into an Agreement with Spicer Group for construction survey staking services for the Fordney Street Improvements from Rust Avenue (M-46) to Ezra Rust Street.

WHEREAS: On January 22, 2013, Council approved Cost Agreement Number 12-5522 with the Michigan Department of Transportation ("MDOT"), for construction engineering services, for the Fordney Street Improvements from the Rust Avenue (M-46) to Ezra Rust Street.

WHEREAS: Cost Agreement Number 12-5522 allows the City to be reimbursed with Federal Surface Transportation Urban Local (STUL) funds for 80% of the construction engineering services for the Fordney Street Improvements, with a not to exceed reimbursement amount of \$112,000.

WHEREAS: The City is now required to enter into an MDOT Third Party Agreement with Spicer Group for construction survey staking services.

WHEREAS: The construction staking cost for the Fordney Street Improvements is \$7,741.97 of which STUL funds will pay \$6,193.58 and the City will pay \$1,548.39.

WHEREAS: Construction Engineering Services Agreement Number 12-5522/S2 has been approved by the City Manager as to substance and the City Attorney as to form.

NOW, THEREFORE, BE IT RESOLVED: that the Council for the City of Saginaw does hereby approve Construction Engineering Services Agreement Number 12-5522/S2 submitted by the Michigan Department of Transportation and that the Mayor or his designee is authorized to execute this agreement on behalf of the City of Saginaw.

Ayes:
Nays:
Absent:
Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on March 18, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk

From: Darnell Earley, City Manager
Subject: Replacement Mower Purchase
Prepared by: Paul Reinsch, Water and Wastewater

Manager's Recommendation:

I recommend acceptance of "State Bid Pricing" and that a purchase order be approved and issued to Hoffman's Power Equipment, Inc. of Saginaw, a sole source, in the amount of \$15,332 for the purchase of a 72" mower for the Water Treatment Division.

Justification:

On January 7, 2013, the City received a "State Bid" price quote from Hoffman's Power Equipment Inc. for a 2013, Toro 597, model 74269, 72", 27 HP, Diesel, Zero Turn Mower. Hoffman's is the sole local authorized dealer for Toro and also the State Bid Awardee for this type of mower. This mower will be used to replace an existing 1999 Toro 345 72" mower. This replacement mower will improve efficiency due to its maneuverability and increased ground speed. This equipment will be used for the grounds maintenance of the Water Treatment Plant and Booster Pump Stations.

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

Funds for this item are budgeted in the Water Operations and Maintenance Fund, Treatment and Pumping Division's Capital Outlay Maintenance Equipment Account No. 591-4730-861.97-41.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Replacement Forklift Truck
Prepared by: Jeanette Best, Water and Wastewater

Manager's Recommendation:

I recommend that the quote from Lingle Equipment, Inc. of Saginaw be accepted and a purchase order be issued to them in the amount of \$4,700 for the purchase of a used Forklift Truck to be used at the Wastewater Treatment Plant.

Justification:

On February 1 2013, we received a quote from Lingle Equipment, Inc. for a 2003 Nissan LP powered, cushion tire, 8,000 pound lift capacity forklift truck. The Wastewater Treatment Plant currently has a 1998 Nissan forklift with the lift capacity of 4,000 pounds. Much of the equipment at the plant weighs more than the current forklift can handle. To move or work on these heavy pieces of equipment, a large A-Frame must be erected and a chain hoist mechanism is used to lift the item. It then has to be transferred to a cart to be moved for repairs. Moving the large motors for the raw sewage pumps requires us to hire a contractor because their location in the building won't allow erection of the A-Frame. This service costs nearly \$2,000 to remove the motor and then to replace it. Replacing our current forklift with a newer, bigger forklift would allow us to remove the motors ourselves. It would also reduce the necessity of using the A-Frame considerably providing a safer means of moving heavy equipment.

Lingle Equipment has offered to give us a credit of \$4,800 for our old forklift, which they subtracted from the \$9,500 price of the newer truck giving us a final cost of \$4,700. We searched for other similar forklifts and were only able to find one used forklift with comparable specifications. The quote we received from ALTA Equipment Co. for a 2001 Hyster [brand] was \$13,900.

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

Funds for this purchase are budgeted in the Sewer Operations and Maintenance Fund, Sewer Surplus Division's Maintenance Equipment Account No. 590-4840-881.97-40.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Historic District Ordinance Amendment
Prepared by: Planning Commission

Manager's Recommendation:

I recommend the amendment of § Section 153.750 "Statement of Purpose," § Section 153.573 "Historic District Commission," § Section 153.574 "Procedure for the Review of Plans," and § Section 153.576 "Establishing New Districts and Identifying Historic Resources/Landmarks" of Chapter 153, Zoning Regulations, of Title XV "Land Usage," of the City of Saginaw Code of Ordinance, O-1. I have approved the Amended Ordinance as to substance and the City Attorney has approved it to form.

Justification:

The zoning text amendments were requested by the Historic District Commission members to bring the Zoning Regulations in line with State Statutes and Public Act 169. In addition, language was inserted to allow the membership number to vary from nine to seven members. Should the membership vary, the quorum requirements would vary as well, with the quorum being four for seven members and five for eight or nine Commission members. The proposed ordinance amendments also more clearly define the procedure for the application process, the review of plans, and the responsibilities of the Historic District Commission.

The Planning Commission held a public hearing on this request on February 26, 2013, and with a unanimous vote recommended approval of the amendment request. There was no opposition from the public to the requested amendment.

Council Action:

This Council Communication is for explanation purposes of the ordinance to be introduced and enacted according to the City Charter, Section 22, titled, "Ordinances."

Moved by Council Member _____, seconded by Council Member _____ to introduce an Ordinance entitled and reading as follows:

AN ORDINANCE TO AMEND § 153.570 "STATEMENT OF PURPOSE," § 153.573 "HISTORIC DISTRICT COMMISSION," § 153.574 "PROCEDURE FOR THE REVIEW OF PLANS," AND § 153.576 "ESTABLISHING NEW DISTRICTS AND IDENTIFYING HISTORIC RESOURCES/LANDMARKS" OF CHAPTER 153, ZONING REGULATIONS, OF TITLE XV "LAND USAGE," OF THE CITY OF SAGINAW CODE OF ORDINANCE, O-1.

Laid over under the Charter Provision.

AN ORDINANCE TO AMEND § 153.570 "STATEMENT OF PURPOSE," § 153.573 "HISTORIC DISTRICT COMMISSION," § 153.574 "PROCEDURE FOR THE REVIEW OF PLANS," AND § 153.576 "ESTABLISHING NEW DISTRICTS AND IDENTIFYING HISTORIC RESOURCES/LANDMARKS" OF CHAPTER 153, ZONING REGULATIONS, OF TITLE XV "LAND USAGE," OF THE CITY OF SAGINAW CODE OF ORDINANCE, O-1.

The City of Saginaw Ordains:

§ 153.570 STATEMENT OF PURPOSE.

The purpose of this subchapter is to:

- A. Safeguard the heritage of the City by preserving districts in the City which reflect elements of its cultural, social, economic, political, **archaeological, engineering** or architectural history;
- B. Stabilize and improve the property values in such districts;
- C. Foster civic beauty;
- D. Strengthen the local economy;
- E. Promote the use of historic districts for the education, pleasure, and welfare of the citizens of the City.

§ 153.573 HISTORIC DISTRICT COMMISSION.

- A. *Creation of Historic District Commission.* In order to execute the purposes declared in this subchapter, there is hereby created a commission to be called the Saginaw Historic District Commission.
- B. *Membership of Commission.* The Historic District Commission shall consist of **seven (7) to nine (9) members** whose residence is located in the City. Members shall be appointed by the City Council for terms of office of three (3) years, **except that the initial appointments of some of the members shall be for less than three (3) years so that the initial appointments are staggered and that subsequent appointments do not recur at the same time.** Subsequent members shall be appointed for terms of three (3) years as terms expire. Members of the Historic District Commission may be re-appointed after their terms expire. The terms of office of the members shall begin as of the effective date of Ord. D-1914 (March 7, 2002).
- C. *Membership eligibility.*
 - 1. **A majority of the members shall have a clear and demonstrated interest in or knowledge of historic preservation.**
 - 2. All members must have their principal place of residence within the City; removal from the City causes the member's seat to become vacant. All duly organized historic preservation societies within the City shall be requested to submit a list of citizens' names as nominees for any vacancy; at least two (2) members of the Historic District Commission shall be appointed from such nominations. At least one (1) member of the Historic District Commission shall be shall be a graduate of an accredited school of architecture who has two (2) years of architectural experience or who is an architect registered in Michigan, if such person resides in the City and is available for appointment. At least one (1) of the remaining members shall be a property owner who is a

- resident of a Residential Landmark Structure or District and at least one (1) of the remaining members shall be a property owner of a Commercial Landmark or District.
3. A vacancy occurring in the membership of the Historic District Commission for any cause shall be filled **within sixty (60) calendar days** by a person appointed by the City Council for the unexpired or new term.
 4. The members of the Historic District Commission shall serve without compensation.

D. *Duties and powers of the Historic District Commission.*

1. The Historic District Commission shall have the authority to review all work affecting the exterior appearance of a resource in a historic district and shall not consider interior arrangements, nor shall it disapprove applications except in regard to considerations as set forth in § [153.574](#).
2. If an application is for work that will adversely affect the exterior of a resource the Commission considers valuable to local unit, state, or nation, and the Commission determines that the alteration or loss of that resource will adversely affect the public purpose of the local unit, state, or nation, the Commission shall attempt to establish with the owner of the resource an economically feasible plan for preservation of the resource.
3. Work within a historic district shall be permitted through the issuance of a notice to proceed if any of the following conditions prevail and if the proposed work can be demonstrated by finding of the Commission to be necessary to substantially improve or correct any of the following conditions:
 - a. The resource constitutes a hazard to the safety of the public or to the structure's occupants;
 - b. The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances;
 - c. Retaining the resource will cause undue financial hardship to the owner when a governmental action, act of God, or other events beyond the owners control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district have been attempted and exhausted by the owner.
 - d. **Retaining the resource is not in the interest of the majority of the community.**
4. The Historic District Commission shall have the following powers and duties in regard to the identification of Historic Resources:
 - a. To establish basic standards for the selection of sites, buildings, structures, and districts to be placed on the list of potential historic districts;
 - b. To compile and maintain a current list of potential landmarks and districts, such list to include a description setting forth the general characteristics and location thereof, and the reasons for its inclusion in the list;
 - c. To identify specific historical resources/landmarks and districts of historical or cultural value to be preserved and protected under this subchapter after a public hearing of local area occupants and property owners;

- d. To recommend to City Council such historic resources/landmarks and historic districts and the locations and boundaries thereof.

E. *Rules of the Historic District Commission.*

1. The Historic District Commission shall elect from its membership a Chairperson and Vice-Chairperson whose terms of office shall be fixed by the Commission. The Chairperson shall preside over the Commission and shall have the right to vote. The Vice-Chairperson shall, in the case of the absence or disability of the Chairperson, perform the duties of the Chairperson.
2. The Associate Planner, or his or her designee, shall be Secretary. The Secretary shall keep a record of all resolutions, proceedings, and actions of the Historic District Commission and report periodically to the City Council.
3. **The number of members of the Historic District Commission necessary for the transaction of business shall depend upon the overall number of members. If the Historic District Commission has 7 members, a quorum will consist of 4 members; if the Historic District Commission has 8 or 9 members, a quorum will consist of 5 members.** The Historic District Commission shall adopt rules for the transaction of its business which shall provide for the time and place of holding regular meetings. They shall provide for the calling of special meetings by the Chairperson or by at least two (2) members of the Historic District Commission. All meetings of the Historic District Commission shall be open to the public and any person or his or her duly constituted representative shall be entitled to appear and be heard on any matter before it reaches its decision.
4. The Historic District Commission shall keep a record, which shall be open to public view, of its resolutions, proceedings, and actions. The concurring affirmative vote of **a majority of** members shall constitute approval of plans before it for review or for the adoption of any resolution, motion, or other action of the Historic District Commission.
5. The Historic District Commission shall promulgate regulations, guidelines, and standards to enable the Commission and applicants to evaluate proposals. The Historic District Commission can declare certain plan elements described in an application involving minor classes of work and allow for issuance of a certificate of appropriateness by staff. In such case any applicant aggrieved by the decision of the staff shall be entitled to have the application reviewed by the Historic District Commission at its next meeting.
6. The Historic District Commission shall submit an annual report to the Council of the general activities of the Historic District Commission for the preceding year and shall submit such special reports as requested by the City Council.

§ 153.574 PROCEDURE FOR THE REVIEW OF PLANS.

- A. Application for a building permit for work on any resource in an historic district shall be made to the Licensed Inspector (or his designee). It shall be the responsibility of the Licensed Inspector to determine whether the property is in an established historic district and if the resource is a historic resource. **The Licensed Inspector shall immediately refer a complete application and all required supporting materials to the Historic District Commission.**
- B. In reviewing **the application and supporting materials** the Historic District Commission must give the applicant an opportunity to present his or her application **at a regularly scheduled meeting of the Historic District Commission.**

- C. The Historic District Commission shall meet at least once each month in which there are pending applications, said meeting to be at a regularly scheduled day of each month as determined by the Historic District Commission. **The business of the Historic District Commission shall be conducted at a public meeting held in compliance with the Open Meetings Act. Public notice of the time, date, and place of the meeting shall be given in accordance with the Open Meetings Act. A meeting agenda shall be part of the notice and shall include a listing of each permit application to be reviewed or considered by the Historic District Commission.**
- D. The Historic District Commission shall approve or disapprove such plans and if approved shall issue a certificate of **appropriateness** which is to be signed by the Chairperson, attached to the application for a building permit, and immediately transmitted to the Licensed Inspector. The Chairperson shall stamp all prints submitted to the Historic District Commission signifying its approval. **The Historic District Commission shall not issue a certificate of appropriateness unless the applicant has certified in the application that the property where work will be undertaken has, or will have before the proposed project completion date, a fire alarm system or a smoke alarm complying with the requirements of the Stille-DeRossett-Hale Single State Construction Code Act.**
- E. If the Historic District Commission disapproves of such plans, it shall state its reasons for doing so and shall transmit a record of such action and reasons therefore in writing to the Licensed Inspector and to the applicant. The Historic District Commission may advise what it thinks is proper if it disapproves of the plans submitted. The applicant, if he or she so desires, may make modifications to his or her plans and shall have the right to resubmit his or her application at any time after so doing.
- F. The failure of the Historic District Commission to approve or disapprove of such plans within **sixty (60) days from the date the complete application is referred to the Historic District Commission**, unless otherwise mutually agreed upon by the applicant and Historic District Commission, shall be deemed to constitute approval and the Licensed Inspector shall proceed to process the application without regard to a Certificate of Appropriateness.
- G. After the Certificate of Appropriateness has been issued and the building permit granted to the applicant, the Licensed Inspector shall, from time to time, inspect the construction, alteration, or repair approved by such Certificate and shall take such action as is necessary to force compliance with the approved plans.
- H. The Historic District Commission shall have all the powers, duties and authority as conferred upon it by MCL 399.201 - 399.215, as amended. It shall be the duty of the Historic District Commission to review all applications for work affecting the exterior appearance of a resource in an historic district before a permit for such work can be granted. In reviewing the application, the Historic District Commission shall give consideration to:
1. The historical or architectural value and significance of the structure and its relationship to the historic value of the surrounding area;
 2. The relationship of the exterior architectural features of such resource to the rest of the resources and to the surrounding area;
 3. The general compatibility of the exterior design, arrangement, texture, and materials proposed to be used; and
 4. To any other factor, including aesthetic, which it deems pertinent.

§ 153.576 ESTABLISHING NEW DISTRICTS AND IDENTIFYING HISTORIC RESOURCES/LANDMARKS.

- A. *Establishment of new districts and identifying historic resources.* Establishment of new historic districts and historic resources shall be established by ordinance. Before such establishment, the City Council shall appoint a historic district study committee. The committee shall contain a majority of the persons who have clearly demonstrated interest in or knowledge of historic preservation and shall contain representation from one or more duly organized local historic preservation organizations. The committee shall do the following:
1. Conduct a photographic inventory of resources within each proposed historic district following procedures established by the center.
 2. Conduct basic research of each proposed historic district and the historic resource located within that district.
 3. Determine the total number of historic and nonhistoric resources within a proposed historic district and the percentage of historic resources of that total. In evaluating the significance of the historic resources, the committee shall be guided by the selection criteria for evaluation issued by the United States Secretary of the Interior for inclusion of resources in the national register of historic places, as set forth in 36 C.F.R, part 60, and additional criteria in § [153.576\(F\)](#).
 4. Prepare a preliminary historic district study committee report that addresses at a minimum all of the following:
 - a. The charge of the committee;
 - b. The composition of the committee;
 - c. The historic district or districts studied;
 - d. The boundaries for each proposed historic district in writing and on maps;
 - e. The history of each proposed historic district; and
 - f. The significance of each district as a whole, as well as a sufficient number of its individual resources to fully represent the variety of resources found within the district, relative to the evaluation criteria.
 5. Transmit copies of the preliminary report for review and recommendations to the Planning Commission, to the Michigan Historical Center, to the Michigan Historical Commission, and to the State Historic Preservation Review Board.
 6. Make copies of the preliminary report available to the public in compliance with MCL 15.231 - 15.246.
- B. *Notice of public hearing.* Not less than sixty (60) days after transmittal of the preliminary report, the committee shall hold a public hearing in compliance with MCL 15.261 - 15.275. Public notice of the time, date, and place of the hearing shall be given in the manner required by MCL 15.261 - 15.275.
- C. Written notice shall be mailed by first class not less than fourteen (14) calendar days before the hearing to the owners of properties within the proposed historic district, as listed on the tax rolls of the local unit.
- D. After the date of the public hearing, the committee and the City Council shall have not more than one (1) year, unless authorized by the City Council, to take the following actions:

1. The committee shall prepare and submit a final report with its recommendations and the recommendations, if any of the Planning Commission to the City Council. If the recommendation is to establish a historic district or districts, the final report shall include a draft of a proposed ordinance or ordinances.
 2. After receiving a final report that recommends the establishment of a historic or historic districts, the City Council, at its discretion, may introduce and pass or reject an ordinance or ordinances. If City Council passes an ordinance or ordinances establishing one (1) or more historic districts, the City shall file a copy of that ordinance or those ordinances, including the legal description of the property or properties located within the historic district or districts, with the Register of Deeds. The City Council shall not pass an ordinance establishing a contiguous historic district less than sixty (60) days after a majority of the property owners within the proposed district, as listed on the tax rolls of the local unit, have approved the establishment of the historic district pursuant to a written petition.
- E. A writing prepared, owned, used, in the possession of, or retained by the Historic District Study Committee in the performance of an official function shall be made available to the public in compliance with MCL 15.231 - 15.246.
- F. *Historic District Criteria.* A historic district shall not be established unless the resources in the proposed district are at least thirty (30) years old and meet at least one (1) of the following criteria:
1. Historic:
 - a. Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the City, state or nation; or is associated with the life of a person significant in the past; or
 - b. Is the site of a historic event with a significant effect upon society; or
 - c. Exemplifies the cultural, political, economic, social, or historic heritage of the community.
 2. Architecturally worthy:
 - a. Portrays the environment in an era of history characterized by a distinctive architectural style; or
 - b. Embodies those distinguishing characteristics of an architectural or engineering type; or
 - c. Is the work of a designer whose individual work has significantly influenced the development of the community; or
 - d. Is the work of a designer of such prominence that such work gains its value from the designer's reputation; or
 - e. Contains elements of design, detail, materials, or craftsmanship which represent a significant innovation; or
 - f. Contains any architectural type, detail, or other element in danger of becoming extinct; or
 - g. Owing to its unique location or physical characteristics, represents an established and familiar visual feature of a neighborhood or the City.

This ordinance shall become effective April 11, 2013.
Enacted: April 1, 2013.

Yeas:
Nays:
Absent:
Abstain:
Motion Carried.

Gregory L. Branch
Mayor

Janet Santos, CMC/MMC
City Clerk

ORDINANCE DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on April 1, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk

CERTIFYING THE 2013 SINGLE LOT SPECIAL ASSESSMENT TAX ROLL

Moved by Council Member _____, seconded by Council Member _____ to adopt the following resolution:

WHEREAS: the City Council has complied with the requirements of ordinances of the City relative to making special assessments to include: Trash Removal/Yard Cleanup (TR013); Weed/Grass Cutting (WC1301, WC1302, WC1303 & WC1304); False Alarms Police (PF13), Sewer Connections & Replacements (SEW13), Environmental Testing (EC131); and Demolitions (DMC131, DMG131).

NOW THEREFORE BE IT RESOLVED: that the Weed Cutting Roll No. (WC1301, WC1302, WC1303) be amended by removing the following assessments:

\$79.12-WC1301 from 615 Miller (15 0124 00000)
\$79.12-WC1301 from 920 Congress (14 0987 00000); and

BE IT FURTHER RESOLVED: that the Weed Cutting Roll No. (WC1301) be amended by reducing the following assessment:

\$128.58 to \$79.12-WC1301 for 1807 W. Michigan (19 1796 00000); and

BE IT FURTHER RESOLVED: that the False Alarms Police (PF13) be amended by removing the following assessments:

\$25.00-PF13 from 630 N. Jefferson (02 0163 00000)
\$25.00-PF13 from 310 S. Jefferson (07 0424 00000)
\$25.00-PF13 from 1404 Bloomfield Blvd. (12 A0073 00000)
\$25.00-PF13 from 2024 N. Niagara (14 1833 00100)
\$25.00-PF13 from 2115 Ring (19 1018 00000)
\$25.00-PF13 from 1518 S. Michigan (19 2112 00000)
\$25.00-PF13 from 3066 W. Genesee (20 0247 00100)
\$425.00-PF13 from 3108 Rust (10 0883 00000)
\$25.00-PF13 from 36 Geneva (21 0875D41200)
\$75.00-PF13 from 505 E. Genesee (03 0477 00000)
\$25.00-PF13 from 1323 Norman (01 0164 00000)
\$25.00-PF13 from 926 N. 3rd (01 0437 00000)
\$75.00-PF13 from 1630 Farwell (01 0837 00000)
\$25.00-PF13 from 1204 N. 8th (01 0890 00000)
\$25.00-PF13 from 322 N. Jefferson (02 0403 00000)
\$75.00-PF13 from 505 E. Genesee (03 0477 00000)
\$25.00-PF13 from 1901 Lapeer (05 0157 00000)
\$25.00-PF13 from 1104 Janes (06 0166 00000)

\$25.00-PF13 from 1623 Howard (08 0016 00000)
\$25.00-PF13 from 1305 Owen (08 0681 00000)
\$25.00-PF13 from 2623 E. Genesee (10 1186 00000)
\$25.00-OF13 from 2201 Owen (11 1572 00000)
\$25.00-PF13 from 2623 Lincoln (11 1572 00000)
\$25.00-PF13 from 2605 Weiss (13 2497 00000)
\$25.00-PF13 from 1512 N. Clinton (14 0309 00000)
\$25.00-PF13 from 1726 Stone (14 1284 00000)
\$25.00-PF13 from 220 N. Michigan (16 0147 00000)
\$25.00-PF13 from 904 S. Michigan (18 0053 00000)
\$25.00-PF13 from 1001 Gratiot (18 0503 00000)
\$25.00-PF13 from 1838 W. Michigan (19 1319 00000)
\$25.00-PF13 from 1301 S. Wheeler (19 1350 00000)
\$75.00-PF13 from 1411 Court (20 0186 00000)
\$25.00-PF13 from 719 Thurman (20 0487 00000)
\$25.00-PF13 from 100 N. Alexander (20 0137 00000)
\$25.00-PF13 from 203 S. 16th (21 4071 00000); and

BE IT FURTHER RESOLVED: that Environmental Testing No. (EC131) be amended by removing the following assessments:

\$15.50-EC131 from 77 W. Center (01 8003 04547)
\$.30-EC131 from 1447 N. Harrison (14 0033 00000)
\$77.50-EC131 from 4000 Arthur (Outside City Limits); 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 therein 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 all single lot special assessments assessed to properties owned by the Saginaw County Land Bank Authority or the Michigan Land Bank Fast Track Authority shall be removed from the Tax Roll; and

BE IT FURTHER RESOLVED: that each assessment in rolls in SEW13 are payable in ten (10) annual installments, and assessments in rolls TR013, WC1301, WC1302, WC1303, PF13, EC131 are payable in one installment; and the rate of interest to be charged on unpaid installments shall be eight (8) percent per annum.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on March 18, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk