

## Council Agenda

April 4, 2011, 6:30 p.m., Council Chamber

**PLEASE NOTE:** There will be a Committee of the Whole meeting today beginning at 5:00 p.m. in the Council Chamber for review of the Dangerous Dog Ordinance.

### PRAYER AND PLEDGE OF ALLEGIANCE

### ROLL CALL

### CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

March 21, 2011 regular Council meeting

### ANNOUNCEMENTS:

### PUBLIC HEARINGS:

1. The proposed Urban Cooperation Agreement and First Amendment between the City of Saginaw and Taymouth Township for revenue sharing component of the Water Service Agreement.

### PERSONAL APPEARANCES:

### REMARKS OF COUNCIL:

### PETITIONS:

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

#### From the Boards and Commissions Committee:

1. Recommending reappointment of Emil Louis Ognisanti to the City Board of Canvassers with a term to expire December 31, 2014.

### REPORTS FROM MANAGER:

#### Management Update:

1. Review of compliance with the Governor's revenue sharing initiative by Darnell Earley, City Manager.
2. Discussion on the repeal of Act 78 by Darnell Earley, City Manager.

3. Review of contract extension with Plante Moran for controller services by Tim Morales, Assistant City Manager for Administrative Services.

Recommended Actions:

1. Recommending approval of the Agreement with Saginaw County Community Action Committee, Inc. (CAC) for housing and credit counseling services for the Neighborhood Stabilization Program 2. HUD regulations require that all approved homebuyers take eight (8) hours of housing counseling. CAC's hourly rate is \$75.00. The total amount of a homebuyer's counseling session is \$600.00. Further recommend that the Director of Development and/or his designee be authorized to sign the agreement. Funds are budgeted in the Neighborhood Stabilization Program Professional Services Account, No. 279 6551 761 8001.
2. Recommending that the professional services contracted signed June 19, 2008, with Plante & Moran be extended for a period of six months for a cost of \$117,500.00, which is 50% of the current annual fee, and that the City Manager or his designee be authorized to execute this and any related document. Funds are available in the Fiscal Services – Controller's Division Professional Services Account, No. 101 1741 711 8001.
3. Recommending approval of the Urban Cooperation Agreement with Taymouth Township and the First Amendment to that Agreement. This agreement is a revenue sharing component of the Water Service Agreement between the two communities, to be executed on the same date. The Water Service Agreement requires the Taymouth Township to make payments to the City resulting from new residential, commercial, industrial and manufacturing developments within the township. The Taymouth Township Board of Trustees has approved the Urban Cooperation Agreement.
4. Recommending approval of a water service agreement between the City of Saginaw and Taymouth Township for the provision of treated water. The City of Saginaw has water treatment and transmission facilities, which it uses to supply potable water services to various wholesale customers, including Taymouth Township. Taymouth Township requires a secure source of water service into the future to assist development in its municipality. The Taymouth Township Board of Trustees has approved the Agreement.
5. Recommending approval of the Wholesale Water Agreement between the Saginaw Midland Water Supply Corporation and the Saginaw Chippewa Indian Tribe of Michigan.
6. Recommending acceptance of the low bid and issuance of a purchase order to Airgas in the amount of \$2,348.66 for the supply and delivery of five (5) polyethylene containment decks for use on the storage floor at the Water

Treatment Plant. Funds are budgeted in the Water Operations and Maintenance Fund – Treatment and Pumping Division’s Capital Outlay/Less than \$5,000 Account, No. 591 5730 861 9705.

7. Recommending acceptance of the low bid and issuance of a purchase order to Geisler Company in the amount of \$2,645.00 for the supply and delivery of a spill containment deck with an integral scale for use by the Water Treatment Plant. Funds are budgeted in the Water Operations and Maintenance Fund – Treatment and Pumping Division’s Capital Outlay/Less than \$5,000.00 Account, No. 591 4730 861 9705.
8. Recommending acceptance of the sole bid and issuance of a purchase order to Hamlett Engineering Sales Company in the amount of \$17,801.00 for a replacement diversion gate for the Wastewater Treatment Plant. Funds are budgeted in the Sewer Operations and Maintenance Fund – Treatment and Pumping Division’s Repairs and Replacement Account, No. 590 4830 861 9720.
9. Recommending that the easement agreement with Consumers Energy be approved. The easement agreement has been approved by the City Manager as to substance and the City Attorney as to form.
10. Recommending acceptance of the low bid and award of a contract to Brock & Associates, Inc. in the amount of \$33,810.00 for the Gratiot Road Pump Station awning, which is needed to cover the generators at the pump station to improve the site for maintenance and safety. Hemlock Semiconductor will be reimbursing the City of Saginaw for the cost of this project. Funds are budgeted in the Water Operation and Maintenance Fund – Surplus Division’s Repairs and Replacements Account, No. 591 4740 881 9720.
11. Recommending acceptance of the low bid and award of a contract to Allen Contracting Service, Inc. in the amount of \$34,447.25 for the 2010-2011 Community Development Block Grant (CDBG) Sidewalk Ramps. Work includes the installation of approximately 20 ADA compliance sidewalk ramps in various locations within the City of Saginaw. Funds are available in the CDBG Fund – Special Projects Division’s Construction Projects Account, No. 275 6511 761 8330 (\$32,725.00), and Major Streets Fund – Streets Projects Division’s Construction Projects Account, No. 202 4614 781 8047 (\$1,722.25).
12. Recommending acceptance of the low bid and award of a contract to Black Jack Asphalt in the amount of \$46,906.65 for the removal and replacement of approximately 13,500 square feet of defective sidewalk in various locations within the City of Saginaw. Funds are available in the Major Streets Fund – Streets Projects Division’s Construction Projects Account, No. 202 4614 781 8047.

INTRODUCTION OF ORDINANCES:

1. An Ordinance to amend Paragraph (D) of §51.02 "Installations," and Paragraph B, C of §51.03, "Privately Constructed Sewers" of Chapter 51, "Sewers" of Title V "Public Works" of the Saginaw Code of Ordinances O-1.
2. An Ordinance to amend Paragraph (A) of §96.01, "Sidewalk Construction and Repair" of Chapter 96, "Streets and Sidewalks" of Title IX "General Regulations" of the Saginaw Code of Ordinances O-1.
3. An Ordinance to amend Paragraph (D) of §52.11, "Installations," and Paragraphs (A), (B) & (C) of §52.12, Chapter 52, "Water" of Title V "Public Works" of the Saginaw Code of Ordinances O-1.
4. An Ordinance to amend Paragraph (A) of §96.27, "Cuts in Existing Curbs" of Chapter 96, "Streets and Sidewalks," of Title IX "General Regulations" of the Saginaw Code of Ordinances O-1.
5. An Ordinance to amend Paragraph (A) of §96.03, "Excavations" of Chapter 96, "Streets and Sidewalks" of Title IX "General Regulations" of the Saginaw Code of Ordinances O-1.
6. An Ordinance to amend Paragraphs (B) & (C) §96.04, "Obstruction: Permits, Barricades and Lights" of Chapter 96, "Streets and Sidewalks" of Title IX "General Regulations" of the City of Saginaw Code of Ordinances O-1.

CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

1. Authorizing the City of Saginaw to actively seek Local Bridge Program Funds for the rehabilitation/reconstruction of the Norman Street Bridge over Veterans Memorial Parkway and for scour corrective action and preventative maintenance as needed for the Johnson Street, Genesee Avenue, Holland Avenue and Center Street Bridges over the Saginaw River, and participation in its implementation.
2. Establishing Uniform Transfer Provision.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Darnell Earley  
City Manager

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Diversion Gate

**Manager's Recommendation:**

I recommend that the sole bid from Hamlett Engineering Sales Company (HESCO) be accepted and a purchase order be issued to them in the amount of \$17,801.00 for a replacement diversion gate for the Wastewater Treatment Plant.

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

Funds for this purchase are budgeted in the Sewer Operations and Maintenance Fund -Treatment and Pumping Division's Repairs and Replacements Account, No. 590-4830-861.97-20.

**Justification:**

On March 8, 2011, sealed bids were opened for a replacement diversion gate for the Wastewater Treatment Plant's influent channel. There are three diversion gates that direct the influent flow through the four influent channels. These gates are part of the original 1950 construction. In 2009 one of these gates failed and had to be replaced. At that time it was discovered that the remaining two gates would also require replacement. Funds were budgeted to replace one gate this year and the final gate replacement will be budgeted for next year. Hamlett Engineering Sales Company of Warren, MI, the manufacturer's representative for Rodney Hunt, the original manufacturer, submitted the sole bid of \$17,801.00.

**Council Action**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Taymouth Township Urban Cooperation Agreement and First Amendment

**Manager's Recommendation:**

I recommend approval of the Urban Cooperation Agreement with Taymouth Township ("Township") and the First Amendment to that Agreement. This Agreement is a revenue sharing component of the Water Service Agreement between the two communities, to be executed on the same date. These Agreements have been approved by the City Manager as to substance and the City Attorney as to form.

**Justification:**

The Water Service Agreement requires the Township to make payments to the City resulting from new residential, commercial, industrial and manufacturing developments within the Township. These requirements are set forth in the Urban Cooperation Agreement, which will result in payments to the City of Saginaw \$2,000.00 per new connection for each residential unit (inclusive of a 3% cumulative annual increase) and from \$5,000.00 to \$40,000.00 for connections resulting from new non-residential developments. As is the case with the Water Agreement, the initial fifteen (15) year term of this Agreement automatically renews for an additional fifteen (15) years, unless either party notifies the other of its desire to terminate. The Taymouth Township Board of Trustees has approved the Urban Cooperation Agreement.

**Council Action:**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Approval of Water Service Agreement with Taymouth Township

**Manager's Recommendation:**

I recommend Council approve a water service agreement between the City of Saginaw and the Township of Taymouth for the provision of treated water. The Agreement has been approved by the City Manager as to substance and the City Attorney as to form.

**Justification:**

The City of Saginaw has water treatment and transmission facilities, which it uses to supply potable water services to various wholesale customers, including the Township of Taymouth. The Township of Taymouth requires a secure source of water service into the future to assist development in its municipality. The City requires a customer commitment so that it can develop and construct the correct infrastructure to supply water. The City of Saginaw and the Township of Taymouth have negotiated a fifteen (15) year agreement to provide water services with a fifteen (15) year renewal unless either party elects to terminate. The Township of Taymouth has already approved the Agreement.

**Council Action:**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Extension of the Plante & Moran contract to provide the duties of the Controller's Office

**Manager's Recommendation:**

I recommend that the professional services contract, signed June 19, 2008, with Plante & Moran (P&M) be extended for a period of six months in the amount of \$117,500, which is fifty percent of the current annual fee, and that the City Manager or his designee be authorized to execute this and any related documents. The contract has been approved by the City Manager as to substance and the City Attorney as to form.

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

Funds are available in the General Fund – Fiscal Services – Controller Division Professional Services Account, No. 101-1741-711-80-01.

**Justification:**

The current contract with P&M to provide the duties of the Controller's Office ends on June 30, 2011. Since contracting with P&M, the City has been able to resolve numerous accounting issues including a major accounts receivable dispute. Additionally, the Department of Fiscal Services has been able to reconcile bank records in a timely manner, complete audits on time without additional fees, and submit a comprehensive annual financial report (CAFR) for the first time in several years.



# COUNCIL COMMUNICATION

The end of the current agreement coincides with the end of the City's fiscal year. The fiscal year end procedures require a great deal of detailed work as well as coordinated efforts between the Controller's Office, purchasing, accounts payable, budget, and other City departments. Further, according to requirements established by the State of Michigan, the annual audit must be submitted within six months of the close of the fiscal year. So that the City may close the fiscal year as efficiently as possible and meet state requirements for audit submission, it is requested that the contract be extended to December 31, 2011.

Prior to the expiration of this extension, the city will request proposals for providing Controller's Office services from several firms to obtain comprehensive services at a competitive fee. Additionally, the city management team will speak with union personnel to receive their recommendations and proposals if applicable.

**Council Action:**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Saginaw County Community Action Committee Inc. Housing and Credit Counseling Services Agreement

**Manager's Recommendation:**

I recommend approval of the Agreement with Saginaw County Community Action Committee Inc. ("CAC") for housing and credit counseling services for the Neighborhood Stabilization Program 2 ("NSP2"). HUD regulations require that all approved homebuyers take eight hours of housing counseling. CAC's hourly rate is \$75.00. The total amount of a homebuyer's counseling session is \$600.00.

The Agreement has been approved as to substance by the City Manager and the City Attorney as to form. It is further recommended that the Director of Development and/or his designee be authorized to sign the Agreement.

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

Funds are budgeted in the Neighborhood Stabilization Program Professional Services Account, No. 279-6551-761-8001

**Justification:**

Requests for Qualifications ("RFQ") were issued to obtain housing and credit counseling services for the NSP 2 program. HUD regulations require that all approved homebuyers take eight hours of housing counseling. Currently, the NSP2 Program employs an individual that provides housing and credit counseling. However, staff determined that a vendor should be hired to serve as a backup, on an as-needed basis.

# COUNCIL COMMUNICATION

The RFQ included a scoring section. The scoring criteria contained several factors including, but not limited to, capacity to perform counseling within a certain number of days, years of experience and certifications. After a thorough review of the responses and final tabulation of the scores, staff determined that the Agreement should be awarded to CAC. Prospective homebuyers that require long term credit counseling will be referred to CAC. However, the City is not responsible for paying CAC credit counseling fees for those individuals.

**Council Action:**

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

# COUNCIL COMMUNICATION

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

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

## **RESOLUTION ESTABLISHING UNIFORM TRANSFER PROVISION**

WHEREAS, the City of Saginaw is a participating municipality in the Municipal Employees' Retirement System of Michigan ("MERS"); and

WHEREAS, the Standard MERS Transfer Rules became effective in August 2007; and

WHEREAS, under the Standard Rules, all transferees to a new division are covered under the active employee plan in the new division; where the defined benefit plan in the new division is closed to entrants, the accrued defined benefit (based on benefits, service and wages as of transfer date) of transferees is frozen as of transfer date; and

WHEREAS, pursuant to Retirement Board action on November 10, 2010, the employing municipality will be allowed, on a one-time irrevocable and uniform basis, to adopt for all of its MERS divisions (present and future) an alternate policy which allows all transferred employees an individual choice at the time of transfer to either be placed in: (1) the division's open plan, **or** (2) the closed plan if it is the same plan type, provided there are active employees remaining in the plan type; and

WHEREAS, this alternate transfer provision applies to transferred employees only; rehired employees will continue to be enrolled into the active plan; now

THEREFORE, BE IT RESOLVED, that effective March 21, 2011, the City Council of the City of Saginaw adopts this Resolution for all present and future employee divisions requiring that all transferred employees shall be given the individual choice to either be placed in the open plan or the closed division if it is the same plan type (in the division from which the employee is transferred) provided there are active employees remaining in the closed plan type.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Sewer Ordinance Amendment

**Manager's Recommendation:**

It is recommended that Paragraph (D) of §51.02, and Paragraph B, C of §51.03, Chapter 51, "Sewers", of Title V, "Public works" of the City of Saginaw Code of Ordinances, O-1, be amended.

**Justification:**

The City Engineer is in the process of reviewing fees charged for certain services provided by the Engineering Division. The fees established for installation have not been increased since 2001.

Currently the fee for a sewer extension is \$20.00. This fee no longer covers the cost of such inspections. Given the foregoing, it is recommended that the City increase its fee to forty-five dollars (\$45.00) to cover its cost.

Remove the wording 'or Utility Manager for Field operations' from §51.02 Installation Paragraph D, and §51.03 Paragraph A, B; also replace Chief Inspector in §51.03, Paragraph C with City Engineer.

**Council Action:**

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

# COUNCIL COMMUNICATION

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

AN ORDINANCE TO AMEND PARAGRAPH (D) OF §51.02, "INSTALLATIONS", AND PARAGRAPH B, C OF §51.03, "PRIVATELY CONSTRUCTED SEWERS" OF CHAPTER 51, "SEWERS" OF TITLE V "PUBLIC WORKS" OF THE SAGINAW CODE OF ORDINANCES O-1.

Laid over under the Charter provision.

# COUNCIL COMMUNICATION

Council \_\_\_\_\_ moved that an ordinance introduced, April 4, 2011, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND PARAGRAPH (D) OF §51.02, "INSTALLATIONS", and PARAGRAPH B, C OF §51.03 "PRIVATELY CONSTRUCTED SEWERS", OF CHAPTER 51, "SEWER" OF TITLE V, "PUBLIC WORKS" OF THE CITY OF SAGINAW CODE OF ORDINANCES O-1.

The City of Saginaw Ordains:

Section 1. Paragraph (D) of §51.02, "Installations", and Paragraph B, C of §51.03, "Privately Constructed Sewers", Chapter 51, "Sewers", of Title V, "Public Works" of the City of Saginaw Code of Ordinances, O-1, is hereby amended to read as follows:

## **§51.02 INSTALLATIONS**

(D) No person shall install a sewer extension without first obtaining a written permit from the city Engineer. The fee for such permit shall be forty-five dollars (\$45.00).

## **§51.03 PRIVATELY CONSTRUCTED SEWERS**

(B) No person shall install any sewer connection to any private sewer main which will be served directly or indirectly by the City sewerage system without first obtaining a written permit from the City Engineer. The fee for such permit shall be forty-five dollars (\$45.00).

(C) No person shall install any sewer extension from a connection of any private sewer main which will be served directly or indirectly by the City sewerage system without first obtaining a written permit from the City Engineer. The fee for such permit shall be forty-five dollars (\$45.00).

Section 2. That this Ordinance shall take effect on April 28, 2011.

Enacted: April 18, 2011.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Sidewalk Construction and Repair Ordinance Amendment

**Manager's Recommendation:**

It is recommended that Paragraph (A) of § 96.01, "Sidewalk Construction and Repair," of Chapter 96, "Streets and Sidewalks", of Title IX, "General Regulations" of the City of Saginaw Code of Ordinances, O-1, be amended.

**Justification:**

The City's ordinance for "Sidewalk Construction and Repair" in the public right-of-way requires a person to obtain a written permit from the City Engineer, which must be displayed on the construction site. Upon the completion of construction, the City Engineer, or his designee, must inspect the work to confirm it meets the established sidewalk specifications. The ordinance presently states, "The City Manager is hereby empowered, subject to the approval of the Council, to establish a fee for such permit." Currently the City has not charged for these permits, however, the City Engineer requests a fee of \$20.00 be established to assist in defraying the cost of this inspection. As in other City ordinances, it is best practice that the fee established be inserted in the ordinance to better notify the general public. As such, I recommend the language in the ordinance be changed to establish a fee of \$20 for this permit.

**Council Action:**

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



# COUNCIL COMMUNICATION

Council \_\_\_\_\_ moved that an ordinance introduced, April 4, 2011, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND PARAGRAPH (A) OF § 96.01, "SIDEWALK CONSTRUCTION AND REPAIR" OF CHAPTER 96, "STREETS AND SIDEWALKS" OF TITLE IX "GENERAL REGULATIONS" OF THE SAGINAW CODE OF ORDINANCES O-1.

The City of Saginaw Ordains:

Section 1. Paragraph (A) of § 96.01, "Sidewalk Construction and Repair," of Chapter 96, "Streets and Sidewalks", of Title IX, "General Regulations" of the City of Saginaw Code of Ordinances, O-1, is hereby amended to read as follows:

## **§ 96.01 SIDEWALK CONSTRUCTION AND REPAIR**

(A) No person shall construct or repair any sidewalk in the public right-of-way except in accordance with the line, grade, slope, and specifications established by the City Engineer, nor without first obtaining a written permit from the City Engineer. Said written permit shall be prominently displayed on the construction site. Said person shall at all times comply with the requirements of § 96.04(C). The fee for such permit shall be twenty dollars (\$20.00)

Section 3. That this Ordinance shall take effect on April 28, 2011.

Enacted: April 18, 2011.

# COUNCIL COMMUNICATION

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

AN ORDINANCE TO AMEND PARAGRAPH (A) OF § 96.01, "SIDEWALK CONSTRUCTION AND REPAIR" OF CHAPTER 96, "STREETS AND SIDEWALKS" OF TITLE IX "GENERAL REGULATIONS" OF THE SAGINAW CODE OF ORDINANCES O-1.

Laid over under the Charter provision.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Water Ordinance Amendment

**Manager's Recommendation:**

It is recommended that Paragraph (D) of §52.11, "Installations", and Paragraph (A), (B) & (C) of §52.12, "Privately Constructed Water Distribution Systems," of Chapter 52, "Water", of Title V, "Public Works" of the City of Saginaw Code of Ordinances, O-1, be amended. Paragraph (E) has been added to the ordinance §52.11.

**Justification:**

The City Engineer is in the process of reviewing fees charged for certain services provided by the Engineering Division. The fees established for Water Extensions have not been increased since 2001.

Currently the fee for water extensions is \$20.00. This fee no longer covers the cost of such inspections. Given the foregoing, it is recommended that the City increase its fee to forty-five dollars (\$45.00) to cover its cost.

Adding a new permit for inspection of any work done at the water meter only, the fee for such permit shall be twenty dollars (\$20.00).

**Council Action:**

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

# COUNCIL COMMUNICATION

Council \_\_\_\_\_ moved that an ordinance introduced, April 4, 2011, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND PARAGRAPH (D) OF §52.11, "INSTALLATIONS", AND PARAGRAPH (A), (B) & (C) OF §52.12, OF CHAPTER 52, "WATER" OF TITLE V "PUBLIC WORKS" OF THE CITY OF SAGINAW CODE OF ORDINANCES O-1.

The City of Saginaw Ordains:

Section 1. Paragraph (D) of §52.11, "Installations", and Paragraphs (A), (B) & (C) of §52.12, Chapter 52, "Water", of Title V, "Public Works" of the City of Saginaw Code of Ordinances, O-1, is hereby amended to read as follows:

## **§ 52.11 INSTALLATIONS**

- (D) No person shall install a water extension without first obtaining a written permit from the City Engineer. The fee for such permit shall be forty-five dollars \$45.00.
- (E) No person shall work at the water meter without first obtaining a written permit from the City Engineer. The fee for such permit shall be forty-five dollars \$20.00.

## **§ 52.12 PRIVATELY CONSTRUCTED WATER DISTRIBUTION SYSTEM**

- (A) No person shall construct any private water main which will be served directly or indirectly by the City water distribution system without first obtaining a written permit from the City Engineer. The fee for such permit shall be one dollar (\$1.00) per lineal foot of such water main and in no case shall any such fee be less than one hundred dollars (\$100.00).
- (B) No person shall install any water connection to any private water main

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which will be served directly or indirectly by the City water distribution system without first obtaining a written permit from the City Engineer. The fee for such permit shall be forty-five (\$45.00).

(C) No person shall install any water extension from a water connection of any private water main which will be served directly or indirectly by the City water distribution system without first obtaining a written permit from the City Engineer. The fee for such permit shall be forty-five dollars (\$45.00).

Section 2. That this Ordinance shall take effect on April 28, 2011.

Enacted: April 18, 2011.

# COUNCIL COMMUNICATION

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

AN ORDINANCE TO AMEND PARAGRAPH (D) OF §52.11, "INSTALLATIONS", AND PARAGRAPHS (A), (B) & (C) OF §52.12, CHAPTER 52, "WATER" OF TITLE V "PUBLIC WORKS" OF THE SAGINAW CODE OF ORDINANCES O-1.

Laid over under the Charter provision.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Easement Agreement with Consumers Energy

**Manager's Recommendation:**

I recommend that the easement agreement with Consumers Energy be approved. The easement agreement has been approved by the City Manager as to substance and the City Attorney as to form.

**Justification:**

The City received a request from Consumers Energy ("Consumers") for an easement for installing underground electric lines, cables, conduits, wires, conductors, subsurface junction vaults, surface mounted transformers and enclosures and other equipment for transmitting and distributing electrical energy and communications signals located at 172 & 190 Davenport Avenue and 2606 Carrollton Street. Consumers is requesting the easement for this work so that power can be provided to the new signs that were installed in conjunction with the I-675 Project. In addition, Consumers will repair blacktop and/or concrete and grade and reseed the areas that it disturbs in exercising its rights under the agreement.

**Council Action:**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Contract with Brock & Associates Inc., C-1603

**Manager's Recommendation:**

I recommend that the low bid from Brock & Associates Inc., in the amount of \$33,810.00 be accepted and a contract awarded to them in that amount. Contract documents forwarded herein, (City Clerk's File \_\_\_\_\_) have been signed by the contractor. The contract is subject to approval by the City Manager as to substance and the City Attorney as to form.

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

Funds are budgeted in the Water Operation and Maintenance Fund – Surplus Division's Repairs and Replacements Account, No. 591-4740-881.97-20 (\$33,810.00), fiscal year 2010-11, project number WT 1001.

**Justification:**

On March 22, 2011, the City received bids for the Gratiot Road Pump Station Awning. This awning is needed to cover the generators at the pump station to improve the site for maintenance and safety. Hemlock Semiconductor will be reimbursing the City of Saginaw for one hundred percent (100%) of the cost of this project.

Following is a tabulation of the proposals received:

Brock & Associates Inc. Novi, MI	\$ 44,382.00 *
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\* *Correct total is actually \$33,810.00 due to addition errors.*



# COUNCIL COMMUNICATION

RCL Construction Co. Inc. Sanford, MI	\$ 34,741.00
Oak Construction Corp. Flushing, MI	\$ 42,600.00
Wobig Construction Co. Inc. Saginaw, MI (in-city)	\$ 45,657.00
Gerace Construction Co. Inc. Midland, MI	\$ 45,800.00
Pumpford Construction, Inc. Saginaw, MI (out-city)	\$ 55,300.00

## **Council Action**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Contract with Black Jack Asphalt, C-1604

**Manager's Recommendation:**

I recommend that the low bid from Black Jack Asphalt in the amount of \$46,906.65 be accepted and a contract awarded them in that amount be approved. Contract documents forwarded herein (City Clerk's File \_\_\_\_\_), have been signed by the contractor. The contract is subject to approval by me as to substance and the City Attorney as to form.

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

Funds for this contract are available in the Major Streets Fund - Streets Projects Division's Construction Projects Account Number 202-4614-781.80-47 (\$46,906.65), in fiscal year July 2010-11, project number SW1101.

**Justification:**

On March 22, 2011, the City received bids for the 2010-2011 Sidewalk Replacement. The work includes the removal and replacement of approximately 13,500 square feet defective sidewalk in various locations within the City of Saginaw.

Public Act 51 of 1951 created the Michigan transportation fund (MTF). Revenues collected through highway user fees, state motor fuel taxes, vehicle registration taxes and other miscellaneous related automobile taxes are deposited into the MTF. These funds are then distributed throughout the State to various governmental organizations, including the City of Saginaw.

# COUNCIL COMMUNICATION

The City of Saginaw on average annually receives between four and five million dollars of MTF Funds. In order to continue to receive these funds and stay in compliance with ACT 51 requirements the City of Saginaw must expend at a minimum 1% of its MTF monies annually on non-motorized improvements. Sidewalk construction and repair is considered as a non-motorized improvement. Therefore, this contract will keep the City of Saginaw compliant with this Act.

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

Black Jack Asphalt Burt, MI	\$ 46,906.65
Allen Contracting Services Saginaw, (Out-City)	\$ 49,241.95
Hilario Martinez dba Tri-City Contracting Saginaw, MI (Out-City)	\$ 49,738.25
Wobig Construction Saginaw, MI (In-City)	\$ 56,830.70
Bill Tuff Construction Carrollton, MI	\$ 92,803.00 *

\* Correct total \$92,797.01 due to rounding error.

## **Council Action:**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Contract with Allen Contracting Service, Inc., C-1605

**Manager's Recommendation:**

I recommend that the low bid from Allen Contracting Service, Inc. in the amount of \$34,447.25 be accepted and a contract awarded them in that amount be approved. Contract documents forwarded herein (City Clerk's File \_\_\_\_\_), have been signed by the contractor. The contract is subject to approval by me as to substance and the City Attorney as to form.

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

Funds for this contract are available in the Community Development Block Grant Fund - Special Projects Division's Construction Projects Account Number 275-6511-761-83.30 (\$32,725.00), and Major Streets Fund - Streets Projects Division's Construction Projects Account Number 202-4614-781.80-47 (\$1,722.25), in fiscal year July 2010-11, project number 11H088.

**Justification:**

On March 22, 2010, the City received bids for the 2010-2011 CDBG Sidewalk Ramps. Work includes the installation of approximately twenty (20) ADA compliant sidewalk ramps in various locations within the City of Saginaw.

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

# COUNCIL COMMUNICATION

Allen Contracting \$ 34,447.25  
Saginaw, MI (Out-City)

Geiersbach Construction \$ 39,718.25  
St. Charles, MI

Wobig Construction \$ 43,098.93  
Saginaw, MI (In-City)

**Council Action:**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Wholesale Water Agreement Between the Saginaw Midland Municipal Water Supply Corporation and the Saginaw Chippewa Indian Tribe of Michigan

**Manager's Recommendation:**

I recommend approval of the Wholesale Water Agreement between the Saginaw Midland Municipal Water Supply Corporation and the Saginaw Chippewa Indian Tribe of Michigan and that the City Manager or his designee be authorized to execute it and any related documents.

**Justification:**

The Saginaw Midland Municipal Water Supply Corporation was formed in 1946 for the purpose of constructing, operating, controlling and managing a raw water system financed by the two cities. The corporation has the production capacity to provide raw water to other customers for an agreed time and in agreed quantities. The corporation has agreed to sell raw water to the Saginaw Chippewa Tribe at its Saganing Community located in Standish Township. We feel that this is well within the limited scope of the purpose of the corporation.

This contract is for a period of forty (40) years. Estimated annual consumption is five million, five hundred thousand gallons per year, increasing to one hundred and forty six million gallons per year. The agreement between Saginaw and Midland, signed in 1946, requires that any contract to sell water in quantities greater than five hundred thousand gallons per month be approved by the governing bodies of Saginaw and Midland.

**Council Action**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Water Treatment Plant Polymer Containment and Scale Purchase

**Manager's Recommendation:**

I recommend that the low bid from Geisler Co. be accepted and a purchase order be approved and issued to them in the amount of \$2,645.00 for the supply and delivery of a spill containment deck for use by the Water Treatment Plant.

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 Water Operations and Maintenance Fund – Treatment and Pumping Division's Capital Outlay/Less than \$5,000 Account No. 591-4730-861.97-05.

**Justification:**

On February 8, 2011, the City received five bids for the supply and delivery of a spill containment deck with an integral scale. The spill containment is for two polymer barrels contained in 55-gallon drums located on the treatment floor at the Water Treatment Plant. A spill from one of the barrels could pose a significant slip hazard. Polymer is used as a coagulant aid to help control the turbidity of the treated water. The scale will allow for more accurate recording and monitoring of the polymer feed. There is no price comparison available for this purchase. Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

	<u>Total Bid</u>
Geisler Co. Redford, MI	\$2,645.00

# COUNCIL COMMUNICATION

RS Technical Services Lowell, MI	\$4,847.92
Apex Pinnacle Port Crane, NY	\$5,021.18
Scaleton Industries Milford, MI	\$5,156.00
Macomb Group Midland, MI	\$5,846.00

**Council Action:**

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



# COUNCIL COMMUNICATION

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

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

WHEREAS, The Local Bridge Program Fund provides funding for repair, preventative maintenance and rehabilitation of local bridges; and

WHEREAS, a need for rehabilitation/reconstruction of the Norman Street Bridge over Veterans Memorial Parkway and for scour corrective action and preventative maintenance as needed for the Johnson Street, Genesee Avenue, Holland Avenue and Center Street Bridges over the Saginaw River has been determined and has been indicated in recent engineering and bridge inspection reports by it's bridge consultant, Spicer Group; and

WHEREAS, the cost of such rehabilitation has yet to be determined, and will be once engineering estimates are prepared; and

WHEREAS, the deadline for submission of new funding applications for the State of Michigan and Federal Local Bridge Program for fiscal year 2014 is May 1, 2011; and

WHEREAS, the application will be prepared and reviewed for the purpose of procuring State and Federal Local Bridge Program Funds for such rehabilitation; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Saginaw is actively seeking Local Bridge Program Funds for the rehabilitation/reconstruction of the Norman Street Bridge over Veterans Memorial Parkway and for scour corrective action and preventative maintenance as needed for the Johnson Street, Genesee Avenue, Holland Avenue and Center Street Bridges over the Saginaw River, and is willing to participate in its implementation.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Application for Local Bridge Program Funds for fiscal year 2014.

**Manager' Recommendation:**

I recommend that the City of Saginaw actively seek Local Bridge Program Funds for the rehabilitation/reconstruction of the Norman Street Bridge over Veterans Memorial Parkway and for scour corrective action and preventative maintenance as needed for the Johnson Street, Genesee Avenue, Holland Avenue and Center Street Bridges over the Saginaw River. The application amount for each bridge will vary and will be based on the needs of each individual bridge. If approved, funds for the City's share will be made available in FY 2014/2015 Major Streets Fund – Bridge Projects Division's Construction Projects Account No. 202-4616-781-8047. The City of Saginaw will be responsible for design and construction engineering costs.

The Michigan Department of Transportation (MDOT) requires as part of the application process, that a resolution be adopted by City Council indicating that the application has been reviewed and that the City is actively seeking these funds for the projects as stated above. This resolution appears under the regular order of business.

**Justification:**

Per the MDOT Local Bridge Program Guidelines, the total number of applications from any local agency is limited to five (5). The preventative maintenance, structure rehabilitation and replacement, and approach costs may be eligible for a maximum of 95 percent participation from federal and/or state funds. The right-of-way, design engineering and construction engineering costs are not eligible for Local Bridge Program funds. Per the

# COUNCIL COMMUNICATION

City of Saginaw's most recent bi-annual bridge inspection reports, it is apparent that all of the City of Saginaw's six (6) vehicular bridges are in need of preventative maintenance and some need scour corrective action. The Norman Street Bridge over Veterans Memorial Parkway was constructed in 1971 and has deteriorated to a point where it now needs rehabilitation or reconstruction. The remainder of the bridges are in need of preventative maintenance to avoid needing premature reconstruction. The Local Bridge Program was enacted in 2004 and is the federal legislation that provides funds for bridges. The MDOT has called for project applications from eligible communities who wish to participate in this program. The applications have to meet certain criteria and because of fund limitations, the applications are evaluated by MDOT and ranked against these criteria. As projects of this magnitude require substantial lead time to start of work, it is recommended that staff be directed to submit an application for funding no later than May 1, 2011 in order to qualify for consideration in the State's fiscal year 2014 funding program.

## **Council Action**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Water Treatment Plant Polyethylene Containment Deck Purchase

**Manager's Recommendation:**

I recommend that the low bid from Airgas be accepted and a purchase order be approved and issued to them in the amount of \$2,348.66 for the supply and delivery of five (5) polyethylene containment decks for use at the Water Treatment Plant.

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 Water Operations and Maintenance Fund – Treatment and Pumping Division's Capital Outlay/Less than \$5,000 Account No. 591-4730-861.97-05.

**Justification:**

On February 8, 2011, the City received two bids for the supply and delivery of five polyethylene containment decks. The containment decks are for use on the storage floor at the Water Treatment Plant where 55-gallons drums of polymer, copper sulfate and other chemicals are stored. Each deck can have eight barrels placed on it. There is no price comparison available for this purchase. Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

Airgas Saginaw, MI	\$2,348.66
New Pig Corporation Tipton, PA	\$2,553.87

**Council Action:**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Cuts In Existing Curbs Ordinance Amendment

**Manager's Recommendation:**

It is recommended that Paragraph (A) of §96.27, "Cuts in Existing Curbs," of Chapter 96, "Streets and Sidewalks", of Title IX, "General Regulations" of the City of Saginaw Code of Ordinances, O-1, be amended.

**Justification:**

The City Engineer is in the process of reviewing fees charged for certain services provided by the Engineering Division. The fees established for 'Cuts in Existing Curbs' have not been increased since 2001.

Currently, the fee for 'cuts in existing curbs' is \$15.00. This fee no longer covers the cost of such inspections. Given the foregoing, it is recommended that the City increase the fee to \$25.00 to cover its cost.

Remove the wording 'Division of Permits and Inspections' from §96.27, Cuts in Existing Curbs, Paragraph (A), and replace with Engineering Division.

**Council Action:**

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

# COUNCIL COMMUNICATION

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

AN ORDINANCE TO AMEND PARAGRAPH (A) OF § 96.27, "CUTS IN EXISTING CURBS" OF CHAPTER 96, "STREETS AND SIDEWALKS", OF TITLE IX "GENERAL REGULATIONS" OF THE SAGINAW CODE OF ORDINANCES O-1.

Laid over under the Charter provision.

# COUNCIL COMMUNICATION

Council \_\_\_\_\_ moved that an ordinance introduced, April 4, 2011, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND PARAGRAPH (A) OF § 96.27, "CUTS IN EXISTING CURBS" OF CHAPTER 96, "STREETS AND SIDEWALKS", OF TITLE IX "GENERAL REGULATIONS" OF THE SAGINAW CODE OF ORDINANCES O-1.

The City of Saginaw Ordains:

Section 1. Paragraph (A) of § 96.27, "Cuts in Existing Curbs," of Chapter 96, of Title IX, "General Regulations" of the City of Saginaw Code of Ordinances, O-1, is hereby amended to read as follows:

## **§ 96.27 CUTS IN EXISTING CURBS**

- (A) No opening in or through any existing curb of any street or alley shall be made without first obtaining a written permit from the City Engineer. Application for such permit shall be made through the Engineering Division and the fee therefore shall be twenty-five dollars (\$25.00).
- (B) Before any such permit be issued, the applicant therefore may be required to furnish a bond deemed adequate by the City Engineer and conditioned upon the prompt completion of the work in accordance with the plans and specifications and restoration of the street.

Section 2. That this Ordinance shall take effect on April 28, 2011.

Enacted: April 18, 2011.

# COUNCIL COMMUNICATION

Council \_\_\_\_\_ moved that an ordinance introduced, April 4, 2011, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND PARAGRAPH (A) OF §96.03, "EXCAVATIONS" OF CHAPTER 96, "STREETS AND SIDEWALKS" OF TITLE IX "GENERAL REGULATIONS" OF THE SAGINAW CODE OF ORDINANCES O-1.

The City of Saginaw Ordains:

Section 1. Paragraph (A) of § 96.03, "Excavations," of Chapter 96, "Streets and Sidewalks", of Title IX, "General Regulations" of the City of Saginaw Code of Ordinances, O-1, is hereby amended to read as follows:

## **§ 96.03 EXCAVATIONS**

(A) Streets, cuts and excavations;

(1) No person shall make any excavation or opening in or under any street, alley or public place without first obtaining a written permit from the Director of Public Services. The fee for such permit shall be thirty dollars (\$30.00).

(2) Before any such permit is issued, the applicant therefor may be required to furnish a bond deemed adequate by the Director of Public Services, which bond shall become available in the payment of any damage to public or private property and the payment for any personal injury resulting from said excavation or opening or any work in connection therewith.

(3) The Director of Public Services may, if the public safety requires



# COUNCIL COMMUNICATION

immediate action, grant permission to make a necessary street cut or excavation, provided that a permit shall be obtained on the following business day and the provisions of this section shall be complied with.

(4) No person shall make any opening or excavation in or under a paved street or alley within a period of five (5) years after the completion of any paving or resurfacing thereof. If the public safety requires immediate action, the Director of Public Services may suspend the operation of this provision.

(5) Whenever the Council shall determine that the paving or resurfacing of any street or alley, or part thereof, is necessary, the Director of Public Services shall, not less than fifteen (15) days prior to commencement of construction, serve notice upon all public utilities requiring time to install all necessary underground work.

(6) The City Manager is hereby empowered, subject to approval by the Council, to make such additional rules and regulations pertaining to the making of excavations or openings in any street, alley, or public places as are necessary to protect property or the safety or welfare of the public, and no person shall fail to comply with any such rules or regulations.

Section 2. That this Ordinance shall take effect on April 28, 2011.

Enacted: April 18, 2011.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Excavations Ordinance Amendment

**Manager's Recommendation:**

It is recommended that Paragraph (A) of §96.03, "Excavations", of Chapter 96, "Streets and Sidewalks", of Title IX, "General Regulations" of the City of Saginaw Code of Ordinances, O-1, be amended. An Ordinance has been prepared and appears under the regular order of business.

**Justification:**

The City Engineer is in the process of reviewing fees charged for certain services provided by the Engineering Division. The fee established for Excavation has not been increased since 2001.

Currently the fee for Excavation is \$15.00. This fee no longer covers the cost of such inspections. Given the foregoing, it is recommended that the City increase its fee to thirty dollars (\$30.00) to cover its cost.

And in Paragraph (A) of §96.03, Sections 1, 2, 3, 4 & 5, replace Director of Public Works with Director of Public Services.

**Council Action:**

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

# COUNCIL COMMUNICATION

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

AN ORDINANCE TO AMEND PARAGRAPH (A) OF § 96.03, "EXCAVATIONS" OF CHAPTER 96, "STREETS AND SIDEWALKS" OF TITLE IX "GENERAL REGULATIONS" OF THE SAGINAW CODE OF ORDINANCES O-1.

Laid over under the Charter provision.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Obstruction: Permits, Barricades and Lights Ordinance Amendment

**Manager's Recommendation:**

It is recommended that Paragraph (B) & (C) of §96.04, "Obstruction: Permits, Barricades and Lights", of Chapter 96, "Streets and Sidewalks", of Title IX, "General Regulations" of the City of Saginaw Code of Ordinances, O-1, be amended. An Ordinance has been prepared and appears under the regular order of business.

**Justification:**

The City Engineer is in the process of reviewing fees charged for certain services provided by the Engineering Division. The fees established for Obstruction: Permits, Barricades and Lights has not been increased since 2001.

Currently the fee for Obstruction: Permits, Barricades and Lights is \$15.00. This fee no longer covers the cost of such inspections. Given the foregoing, it is recommended that the City increase its fee to twenty-five \$25.00 to cover its cost.

In Paragraph [C] remove, City of Saginaw Administrative Guidelines Manual of Traffic Controls for Highway Maintenance operations, and replace with, Michigan Manual of Uniform Traffic Control Devices (MMUTCD).

**Council Action:**

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

# COUNCIL COMMUNICATION

Council \_\_\_\_\_ moved that an ordinance introduced, April 4, 2011, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND PARAGRAPHS (B) & (C) OF §96.04, "OBSTRUCTION: PERMITS, BARRICADES & LIGHTS" OF CHAPTER 96, "STREETS AND SIDEWALKS" OF TITLE IX "GENERAL REGULATIONS" OF THE CITY OF SAGINAW CODE OF ORDINANCES O-1.

The City of Saginaw Ordains:

Section 1. Paragraphs (B) & (C) of §96.04, "Obstruction: Permits, Barricades and Lights", of Chapter 96, "Streets and Sidewalks", of Title IX, "General Regulations" of the City of Saginaw Code of Ordinances, O-1, is hereby amended to read as follows:

**§ 96.04 OBSTRUCTION: PERMITS, BARRICADES AND LIGHTS**

(B) The applicant thereof shall pay for each such permit the sum of Twenty-five dollars (\$25.00).

(C) It shall be the duty of all persons doing construction, excavation, or repair work, storing materials or equipment within a public street or alley, or obstructing any such public street or alley by the construction, demolition, repair, alteration, maintenance of an adjoining building or structure, or otherwise, to place or cause to be placed such barriers, fences, or railings as are necessary to give the public using said street or alley notice of the presence of such work or such material or equipment in the public right-of-way; and at evening twilight on each day, said person doing said work shall place or cause to be placed, suitable and sufficient yellow warning lights around said work or material and keep them illuminated during the night. Such illumination shall be in accordance with the Michigan Manual of Uniform Traffic Control Devices (MUTCD)

Section 2. That this Ordinance shall take effect on April 28, 2011.

Enacted: April 18, 2011.

# COUNCIL COMMUNICATION

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

AN ORDINANCE TO AMEND PARAGRAPHS (B) & (C) OF § 96.04, "OBSTRUCTION: PERMITS, BARRICADES AND LIGHTS" OF CHAPTER 96, "STREETS AND SIDEWALKS" OF TITLE IX "GENERAL REGULATIONS" OF THE CITY OF SAGINAW CODE OF ORDINANCES O-1.

Laid over under the Charter provision.