

Council Agenda
April 15, 2013 6:30 p.m.
Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Saginaw County Bar Association to receive Proclamation designating May 2, 2013 as "Law Day."

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

(A list will be provided following submittal deadline.)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

Management Update:

1. Update on Fiscal Year 2014 City Manager's Proposed Budget.

CONSENT AGENDA:

1. Approve the minutes from April 1, 2013 regular council meeting.
2. Approve Petition 13-02 for Saginaw African Festival Committee to erect banner located at Court Street and East Genesee Avenue from July 9 through August 9, 2013 to promote the Saginaw African Cultural Festival Weekend.
3. Approve Petition 13-03 for Saginaw County Bar Association to erect banner located at Court Street from April 4 through May 4, 2013 to promote Saginaw "Law Day."
4. Approve Petition 13-04 for Saginaw County Community Mental Health Authority to erect banner located at Court Street and West Genesee Avenue from May 7 through May 31, 2013 to promote May as "Mental Health Month."
5. Approve the First Contract Amendment with Saginaw Habitat for Humanity for additional Community Housing Development Organization activities to increase the amount of the agreement by \$152,546 and extend the term of the agreement to end on June 30, 2014.

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6. Approve the FY 2013 budget adjustment of the Drug Forfeiture Fund's Forfeited Property/Federal account no. 264-0000-544.65-20 by \$29,101 for the purchase of the DeskOfficer Online Reporting System (DORS) for the Police Department. This increase in revenues will be offset by an increase to the Drug Forfeiture Fund's Computer Software account no. 264-3040-731.72-25.
7. Approve a purchase order to Coplogic, Inc., a sole source, for \$18,500 for the DeskOfficer Online Reporting System (DORS) for the Police Department.
8. Approve to increase purchase order #46702 to Douglass Safety Systems, a sole source, in the amount of \$2,000 for the purchase of ISI SCBA parts for the Fire Department.
9. Approve a purchase order to Douglass Safety Systems, a sole source provider, for \$8,790 for one ISG Thermal Imaging Camera and three ISG Truck Mount Chargers for the Fire Department.
10. Approve a purchase order to York Repair for \$3,165 to refurbish the high service pump #5 motor at the Water Treatment Plant.
11. Approve a purchase order to F. B. Wright Co. for \$2,804 for packing materials to repack pumps and valves at the Wastewater Treatment Plant and the Remote Treatment Facilities.
12. Approve a purchase order to Waterworks Systems & Equipment for \$4,264.58 for bearings and parts to rebuild a final clarifier gearbox at the Wastewater Treatment Plant.
13. Approve the contract agreement with Cusack's Masonry Restoration, Inc. for \$49,200 for selective masonry rehabilitation work at City Hall.
14. Approve a purchase order to Beyer Roofing Company, Inc. for \$54,453 for the replacement of the rubber membrane on the City Hall roof.
15. Approve a purchase order to Central Cleaning Systems for \$4,970 for a stationary power washer for the Streets Section of the Right of Way Division.
16. Approve a purchase order to Detroit Diamond Drilling, Inc. for \$2,965 for five chain saws for the Streets Section of the Right of Way Division.
17. Approve a purchase order to Hoffman's Power Equipment for \$27,838 for two Zero-Turn mowers for the Facilities and Motor Pool Division.
18. Approve the Ojibway Island User Agreement with Union Civica Mexicana.

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19. Approve the revised Cemeteries Rules and Regulations regarding the operations and use schedule of rates and charges.
20. Adopt the Resolution authorizing the City to seek Local Bridge Program Funds for preventative maintenance and scour countermeasures on the Holland Avenue and Center Avenue Bridges and for preventative maintenance on the Johnson Street Bridge over the Saginaw River, for FY 2017 and FY 2018.
21. Adopt the Resolution authorizing the use of amplifying equipment for Children's Mental Health Awareness Day to be held on May 9, 2013 at City Hall and Ojibway Island from 4:30 p.m. to 6:30 p.m.

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

INTRODUCTION OF ORDINANCES:

1. An Ordinance to amend § 52.31 "Deposit," Of Chapter 52, Water, of Title V, "Public Works," of the City of Saginaw Code of Ordinance, O-1.

CONSIDERATION AND PASSING OF ORDINANCES:

1. An Ordinance to amend § 153.750 "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.

RESOLUTIONS:

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

1. Mayor's report and recommendation on Citizen's Advisory Committee.
2. Motion to go into closed session to discuss pending litigation per MCL 15.268 Section 8.

Darnell Earley
City Manager

CITY OF SAGINAW PROCLAMATION

WHEREAS, The American Justice system is charged with upholding and protecting the rights, as well as the freedom and justice of all Americans; and

WHEREAS, Congress issued a joint resolution in 1961 declaring May 1 Law Day; which is a national day to recognize and celebrate our justice system and the rule of law; and

WHEREAS, The Law Day 2013 theme, “Realizing the Dream: Equality for All” provides an opportunity to highlight the crucial role of our courts and to foster a better understanding of the judiciary; and

WHEREAS, Law Day allows all citizens to recognize and honor the contributions of the lawyers, judges, and law enforcement agencies and individuals in our community for the responsibilities they bear to commitment of the rule of law;

NOW THEREFORE BE IT RESOLVED, I, Greg Branch, Mayor of the City of Saginaw, do hereby proclaim Thursday, May 2, 2013, as

“LAW DAY”

in the City of Saginaw and call upon the people of the City of Saginaw to acknowledge the importance of our legal and judicial systems with appropriate ceremonies and activities, in support of this observance. I further encourage schools, businesses, media, religious institutions, civic and service organizations to join members of the bar and bench in commemorating Law Day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Saginaw to be affixed this 15th day of April in the year two thousand thirteen.



April 15, 2013

**Greg 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*

Darnell Earley, City Manager

REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, APRIL 1, 2013, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

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

ROLL CALL

Mayor Branch called the meeting to order. Council Members present: Annie Boensch, Dennis Browning, Larry Coulouris, Floyd Kloc, Amos O'Neal and Mayor Gregory Branch - 6. Council Members absent: Norman Braddock, Andrew Wendt and Daniel Fitzpatrick - 3.

ANNOUNCEMENTS

City Clerk Janet Santos announced that the Waste Collection Convenience station is open the second Saturday of every month from 10:00 a.m. to 2:00 p.m.

Mayor Branch read and presented a proclamation to honor the 50th anniversary of Mershon Chapter of Trout, Unlimited. Mershon Chapter Board Member Jim Lewis accepted the proclamation and thanked Council for the honor and recognition.

PERSONAL APPEARANCES

The following persons addressed the Council: Johnny Sanders, Ronald Thoms, Mike Hagen, Richard Massey, Levante Carrington and Mark Oberschmidt.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Browning, Boensch, Kloc, O'Neal, Coulouris and Mayor Branch.

REPORTS FROM CITY MANAGER

Management Update

There were no reports from the City Manager.

City Clerk Janet Santos informed Council that consent agenda item #4 was removed for further review and consideration for approval is not requested at this time.

Consent Agenda

1. Approve the minutes from March 18, 2013 regular council meeting.
2. Approve the Settlement Agreement and Release of all Claims between Shirley Rice and the City of Saginaw and authorize the Mayor or his designee to execute this Settlement and Release on behalf of the City of Saginaw.
3. Approve the Recovery Agreement with the Saginaw Housing Commission and the United States Department of Housing and Urban Development (HUD).
4. **REMOVED:** *Approve the Development Agreement with Bancroft Project Saginaw LLC.*

5. Approve the Third Contract Amendment with Spence Brothers to provide construction management services for one year for Neighborhood Stabilization Program assisted projects.
6. Approve the Letter of Agreement amending the Land Lease Agreement with AT&T.
7. Approve the budget adjustment to increase the Public Works Building Fund – Sale of Junk Account from \$0.00 to \$1,104 for scrap metal sale to Rifkin Salvage Company which totals a \$1,104 increase. This increase will be offset by an increase in the Public Works Building Fund – Public Works Building Division’s Capital Account for the same amount.

Council Action:

Moved by Council Member O’Neal, seconded by Council Member Boensch to approve consent agenda items 1 through 3, 5 and 7 as presented. 6 ayes, 0 nays, 3 absent. Motion carried.

Moved by Council Member Coulouris, seconded by Mayor Pro Tem Browning to approve consent agenda item 6 as presented. 6 ayes, 0 nays, 3 absent. Motion carried.

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

Moved by Council Member Boensch, seconded by Mayor Pro Tem Browning to appoint Leslie D. Tincknell to the Saginaw Riverfront Development Commission with a term to expire April 1, 2018. 6 ayes, 0 nays, 3 absent. Motion carried.

Council Member Boensch reported that the Foreclosure Ordinance Committee will meet Tuesday, April 2, 2013 at City Hall at 9:00 a.m.

Council Member Coulouris reported that the Planning Commission met on March 26, 2013 and approved the following projects: Team One drive-thru and Merrill Technologies parking lot.

Council Member Kloc reported that the Land Bank Authority met on March 19, 2013 and that 111 properties have been sold in the period of September 2011 through March 2013. The majorities of the properties are in the City and have returned to the City’s tax roll.

INTRODUCTION OF ORDINANCES

Moved by Council Member Coulouris, seconded by Mayor Pro Tem Browning to introduce an Ordinance to amend § 153.750 “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.

6 ayes, 0 nays, 3 absent. Motion carried. Mayor Branch announced that the ordinance is laid over under Charter provision.

ADJOURNMENT

Moved by Mayor Pro Tem Browning, seconded by Council Member Kloc to adjourn the meeting at 7:17 p.m. 6 ayes, 0 nays, 3 absent. Motion carried.

Janet Santos, CMC/MMC
City Clerk

Petition for Banner

RECEIVED
CITY CLERK
CITY OF SAGINAW

APR - 2 2013

PETITION # 13-02

PLEASE NOTE: PETITION WILL NOT BE ACCEPTED PRIOR TO SIX (6) MONTHS BEFORE YOUR EVENT.

TO SAGINAW CITY COUNCIL:

We, the undersigned, do hereby petition your Honorable Body to give favorable consideration to the erection of a banner at not more than two (2) of the locations listed below. We are aware of the \$150.00 banner fee and understand that the fee must be paid to the Department of Engineering prior to hanging the banner. (Note: Fee set by Resolution of Council at a regularly scheduled meeting held 6/7/04.)

- 500 Block of Court Street
- 200 Block of West Genesee
- 300 Block of South Michigan
- 1000 Block of East Genesee Avenue

For: Saginaw African Cultural Festival
(Organization)

Advertisement for the Festival
Purpose of Banner

45th Saginaw African Cultural Festival
MESSAGE ON BANNER

Time Period Requested July 9, 2013 to August 9, 2013
(Not to exceed 30 days)

PETITIONERS

Saginaw African Festival
Demmitt

NAME, ADDRESS AND TELEPHONE NUMBER OF CONTACT PERSON:

NAME Charles W. McNeil PHONE 989-753-7340

ADDRESS: 4038 Harold - Saginaw, MI 48601

-----FOR OFFICE USE ONLY-----

DATE APPROVED BY COUNCIL: _____

CITY CLERK

Petition for Banner

Fax 759-1447

PLEASE NOTE: PETITION WILL NOT BE ACCEPTED PRIOR TO SIX (6) MONTHS BEFORE YOUR EVENT.

TO SAGINAW CITY COUNCIL:

We, the undersigned, do hereby petition your Honorable Body to give favorable consideration to the erection of a banner at not more than two (2) of the locations listed below. We are aware of the \$150.00 banner fee and understand that the fee must be paid to the Department of Engineering prior to hanging the banner. (Note: Fee set by Resolution of Council at a regularly scheduled meeting held 6/7/04.)

4/5/2013

- 500 Block of Court Street
- 200 Block of West Genesee
- 300 Block of South Michigan
- 1000 Block of East Genesee Avenue

PETITION #13-03

For: SAGINAW COUNTY BAR ASSOCIATION
(Organization)

Purpose of Banner: PROMOTE "LAW DAY" STUDENT ACTIVITIES COURT
at

MESSAGE ON BANNER: Promote County Wide Law Day for
cell County Wide High School Law Day Programs
DAY

Time Period Requested: 4/4/2013 to 5/4/2013
(Not to exceed 30 days)

PETITIONERS

Jennifer M. Jones P-39910 Kelli Scosme Rec. Dir.
M. J. Sommers (P-30221)

NAME, ADDRESS AND TELEPHONE NUMBER OF CONTACT PERSON:

NAME: TIMOTHY M. LYNCH PHONE: 1-989-792-9340
ADDRESS: 2475 Midland Rd Saginaw MI 48603

-----FOR OFFICE USE ONLY-----

DATE APPROVED BY COUNCIL: _____

CITY CLERK

Petition for Banner

RECEIVED
CITY CLERK
CITY OF SAGINAW

APR - 9 2013

PLEASE NOTE: PETITION WILL NOT BE ACCEPTED PRIOR TO SIX (6) MONTHS BEFORE YOUR EVENT.

TO SAGINAW CITY COUNCIL:

We, the undersigned, do hereby petition your Honorable Body to give favorable consideration to the erection of a banner at **not more than two (2)** of the locations listed below. We are aware of the \$150.00 banner fee and understand that the fee must be paid to the Department of Engineering prior to hanging the banner. (Note: Fee set by Resolution of Council at a regularly scheduled meeting held 6/7/04.)

#13-04

- 500 Block of Court Street
- 200 Block of West Genesee
- 300 Block of South Michigan
- 1000 Block of East Genesee Avenue

For: Saginaw County Community Mental Health Authority (SCCMHA)
(Organization)

Promote May as Mental Health Month
Purpose of Banner

MESSAGE ON BANNER May is Mental Health Month

Time Period Requested: 5.7.13 to 5.31.13
(Not to exceed 30 days)

PETITIONERS

Sandra M. Lindsey SCCMHA CEO *Sandra M. Lindsey*

NAME, ADDRESS AND TELEPHONE NUMBER OF CONTACT PERSON:

NAME Tim Ninemire PHONE (989) 797-3467

ADDRESS: 500 Hancock Saginaw, MI 48602

-----FOR OFFICE USE ONLY-----

DATE APPROVED BY COUNCIL: _____

CITY CLERK

From: Darnell Earley, City Manager

Subject: Saginaw Habitat for Humanity HOME Subrecipient First Contract Amendment

Prepared by: M. Allen, Department of Community & Economic Development

Manager's Recommendation:

I recommend approval of the First Contract Amendment ("Amendment") with Saginaw Habitat for Humanity ("Habitat") for additional Community Housing Development Organization ("CHDO") activities. The Amendment will increase the original amount of the agreement by \$152,546. In addition, the Amendment will extend the term of the original agreement by one (1) year. As a result, the term ends on June 30, 2014. I have approved the Amendment as to substance and the City Attorney as to form. In addition, it is recommended that City Council authorize the Mayor and/or his designee to sign the Amendment.

Justification:

On September 10, 2012, City Council approved the CHDO subrecipient agreement with Habitat. The original agreement awarded only current year funds in the amount of \$70,118. Pursuant to the terms of the original agreement, Habitat's CHDO services include the purchasing materials and rehabilitating homes.

At this time, staff recommends that Habitat's original agreement be amended to include program income dollars of \$152,546 from the sale of previous homes. The funds will be recycled into their current program. As a result, the Amendment will increase the amount of the original agreement to an amount not to exceed \$222,664. Furthermore, the Amendment extends the term of the Agreement by one year, so that Habitat has sufficient time to expend the funds.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Budget Adjustment –DeskOfficer Reporting System (DORS)
Set-up and Annual User Fee

Prepared by: Sienna Rendon, Community Public Safety – Police

Manager’s Recommendation:

It is recommended that a budget adjustment be completed to increase the Drug Forfeiture Fund's Forfeited Property/Federal Account No. 264-0000-544.65-20 from \$32,360 to \$61,461, which equates to a \$29,101 increase. The increase in revenues will be offset by an increase for the same amount in the Drug Forfeiture Fund's Computer Software Account No. 264-3040-731.73-25.

Justification:

This budget adjustment is necessary for the purchase of the DeskOfficer Online Reporting System (DORS) from Coplogic, Inc. for annual usage and implementation as well as the support, maintenance, software, and training associated with it.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Coplogic, Inc. DeskOfficer Online Reporting System (DORS)
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager’s Recommendation:

I recommend that a purchase order be issued and approved to Coplogic, Inc. of San Ramon, CA, in the amount of \$18,500 for the purchase of the DeskOfficer Online Reporting System (DORS) annual unlimited usage and maintenance fee of \$7,000 and the implementation, software, and training fee of \$11,500. Coplogic, Inc. is a sole source provider.

Justification:

Coplogic's DeskOfficer Online Reporting System enables agencies to collect reports from citizens online so that you can reallocate patrol and detective resources to better meet the needs of the community. It generates an incredible savings in time and resources to proactively face crime trends.

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 the Police Drug Forfeiture Fund’s Computer Software Account No. 264-3040-731.73-25.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Douglass Safety Systems Blanket Purchase Order Increase
Prepared by: Sienna Rendon, Fire Administration

Manager's Recommendation:

I recommend that blanket purchase order # 46702 issued to Douglass Safety Systems LLC, of Sanford, MI, be increased by \$2,000, for a total of \$6,700 to cover anticipated ISI parts purchases for the Saginaw Fire Department.

Justification:

Purchase order #46702 issued to Douglass Safety Systems was approved by Council on July 18, 2012. The Saginaw Fire Department is requesting an increase to the blanket purchase order to cover costs related to ISI Self Contained Breathing Apparatus (SCBA) parts due to repairs necessitated by increased incidents of fire and hazmat responses. Douglass Safety Systems is a sole source provider.

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 Community Public Safety - Fire Suppression Parts and Supplies account no. 101-3551-751.73-30.

Council Action:

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

From: Darnell Earley, City Manager
Subject: ISG Thermal Imaging Camera & Truck Mount Chargers
Prepared by: Sienna Rendon, Community Public Safety – Fire

Manager’s Recommendation:

I recommend that a purchase order be approved and issued to Douglass Safety Systems of Sanford, MI, a sole source provider, in the amount of \$8,790 for one (1) ISG Thermal Imaging Camera and three (3) ISG Truck Mount Chargers. Funding for this camera and rig chargers is through FEMA, Assistance to Firefighters Grant Act, in the amount of \$8,790.

Justification:

Battery replacement and repair costs due to their age, coupled with their outdated technology and increasing unreliability prompted the Community Public Safety – Fire to seek replacements. Over the last two years, extensive field tests were conducted on numerous different thermal camera models. The ISG Elite XR has proven to be the best fit for the City’s needs. Douglass Safety Systems is the sole provider for this purchase.

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 Community Public Safety Capital Outlay/Maintenance Equipment Account No. 101-3551-751.97-41.

Council Action:

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

From: Darnell Earley, City Manager
Subject: High Service #5 Pump Motor Refurbishment
Prepared by: Paul Reinsch, Water and Wastewater

Manager's Recommendation:

I recommend that the low bid from York Repair of Bay City, MI be accepted and that a purchase order be issued to them in the amount of \$3,165 for refurbishment of high service pump #5 motor at the Water Treatment Plant.

Justification:

Bids were received on April 2, 2013 for the inspection and refurbishment of high service pump #5 motor (HSP #5). The motor is 500 horse power and 2400 volt. The work includes inspection, cleaning, baking and re-insulating windings, bearing replacement, painting, re-assembly and testing. The motor has been in service since December 13, 1977. HSP #5 is currently out of service while we wait for various pump parts, in need of replacement, to be manufactured. While the pump is out of service, plant staff decided to perform preventive maintenance on the motor as well. Following is a tabulation of bids received:

York Repair, Inc. Bay City, MI	\$3,165.00
Hamilton Electric, Co. Saginaw, MI	\$4,925.00
Bay United Motors, Inc. Bay City, MI	\$5,195.00
Northline Industrial, Inc. Redford, MI	\$5,428.57
Lange and Leaman Electric Saginaw, MI	\$6,488.00

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

Funds for this service are available in the Water Operation and Maintenance Fund, Treatment and Pumping Division's General Repairs Account No. 591-4730-861.80-40.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Purchase of Packing for Pumps and Valves
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the low bid from F. B. Wright Co. be accepted and that a purchase order be issued to them in the amount of \$2,804 for various sizes of packing used to repack pumps and valves at the Wastewater Treatment Plant and the Remote Treatment Facilities.

Justification:

The Wastewater Treatment Plant and Remote Treatment Facilities have numerous pumps and valves which require repacking on a regular basis. Bids for various sizes and grades of packing were opened on March 12, 2013 and F.B. Wright Co. was the low bidder. This packing will be kept in supply and used as needed. Following is a summary of the bids received:

F. B. Wright Co. Saginaw, MI	\$2,804.00
Gaddis Inc. Hilton Head, SC	\$2,868.20
USA Bluebook Waukegan, IL	\$4,226.58
Exotic Automation & Supply Freeland, MI	\$4,513.75

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 available in the Sewer Operation and Maintenance Fund, Treatment and Pumping Division's and Remote Facilities Division's Parts and Supplies Account No. 590-4830-861.73-30 (\$1,402) and 590-4835-861.73-30 (\$1,402).

Council Action:

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

From: Darnell Earley, City Manager
Subject: Final Clarifier Gearbox Parts
Prepared by: Brian Baldwin, Water and Wastewater

Manager’s Recommendation:

I recommend that the low bid from Waterworks Systems & Equipment be accepted and that a purchase order be issued to them in the amount of \$4,264.58 for the purchase of the bearings and parts needed to rebuild a final clarifier gearbox at the Wastewater Treatment Plant.

Justification:

Council recently approved the funds needed to rebuild a second final clarifier mechanism. This will be the fifth out of six final clarifier mechanisms to be rebuilt. During this rebuild it is necessary for the contractor to remove the gearbox. We have been rebuilding the gearboxes during this time because the cost for parts is less than the cost of crane services for gearbox removal would be if we waited. On March 26th sealed bid were opened for the parts to rebuild one clarifier gearbox. There were three bidders, one of whom was disqualified. Following is a summary of the bids received:

Waterworks Systems & Equipment Inc. Lakeland, MI	\$4,264.58
Applied Industrial Technologies Saginaw, MI (out city)	\$4,338.48

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 available in the Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Parts and Supplies Account No. 590-4830-861.73-30.

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 Hall Masonry Rehabilitation – Facilities Maintenance Division
Prepared by: Bruce Caradine, Public Services Department

Manager’s Recommendation:

I recommend that the City accept the low bid from Cusack’s Masonry Restoration, Inc. of Hubbardston, Michigan, and that a contract be awarded to them in the amount of \$49,200. The contract has been approved by me as to substance and the City Attorney as to form.

Justification:

On March 12, 2013, the City received seven (7) qualified bids for selective masonry rehabilitation work on the City Hall building in an effort to reduce or eliminate water infiltration at the roof level. It has been deemed necessary to repair masonry at the parapet walls and the main roof in conjunction with the roof repairs. The successful masonry restoration contractor will repair parapet walls as described in the specifications prepared by John Meyer a Fellow in the American Institute of Architect. Repairs are limited to the roof masonry parapet walls from the top of the stone lintel at second floor windows and include stone copings. Restoration is to include both faces of the parapet walls and interior wythes where masonry is found to be deteriorated.

Cusack’s Masonry Restoration, Inc. has over twenty (20) years of masonry rehabilitation experience on historical buildings. This project is labor intensive and the City bid specifications required a minimum of ten (10) years of related contract work experience.

The following is a tabulation of the bids received:

Cusack’s Masonry Restoration, Inc. Hubbardston, MI	\$49,200
M One Limited, Inc. Detroit, MI	\$54,645
Bornor Restoration, Inc. Lansing, MI	\$63,030
Northern Restoration Waterproof Systems Grawn, MI	\$68,715
National Restoration, Inc. Milford, MI	\$69,000

RAM Construction Services Livonia, MI	\$78,600
D.C. Byers Company Flint, MI	\$94,827

Cusack's Masonry Restoration, Inc. 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 General Fund – City Manager Division's Repairs and Replacement Account No. 101-1710-701.97-20 (\$5,000), General Fund – Building and Grounds Maintenance Division's Repairs and Replacement Account No. 101-7575-821.97-20 (\$38,400), General Fund – Parking Division's Repairs and Replacements Account No. 101-3868-761.97-20 (\$5,800).

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 Hall Roof Replacement
Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend that the low quote for the replacement of the rubber membrane on the roof at City Hall from Beyer Roofing Company, Inc., of Saginaw be approved and a purchase order be issued to them in the amount of \$54,453 for fiscal year 2013.

Justification:

On November 14, 2012, three (3) quotes were received for the replacement of the existing rubber membrane on the roof of City Hall. The existing 12,000 square feet rubber membrane was installed in 1990 and has experienced extensive damage, failures, and is in need of replacement. The poor condition of the existing rubber membrane is allowing water to penetrate into the roof of City Hall and is causing extensive damage to the drywall and air quality. The existing rubber membrane has exceeded its life expectancy of 15 to 20 years and has surpassed its twenty (20) year warranty, which expired on January 17, 2011. Beyer Roofing Company, Inc. submitted the lowest quote to remove the existing rubber membrane and replace with a new Duro-Last rubber membrane system. Beyer Roofing will also remove and replace any existing insulation that is damaged and requires replacement. The new Duro-Last membrane will have a two (2) year warranty to repair any defective workmanship and a fifteen (15) year warranty on materials and labor.

The following is a tabulation of the quotes received:

Beyer Roofing Co., Inc. Saginaw, MI (in city)	\$54,453
Valley Roofing Co., Inc. Bay City, MI (out city)	\$62,967
Mid-Michigan Roofing Saginaw, MI (in city)	\$98,456

Beyer Roofing Company 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 Community Public Safety –Inspections Division's Professional Services Account No. 101-3865-761.80-01 (\$32,500); Technical Services - GIS Division's Professional Services Account No. 650-1738-781.80-

01(\$5,000); Technical Services – Information Services Division’s Professional Services Account No. 658-1720-711.80-01 (\$5,000); Clean Energy Coalition Fund – Clean Energy Coalition Division’s Professional Services Account No. 230-1795-701.80-01 (\$4,047); Sewer Operations & Maintenance Fund – FS Customer Accounting Division’s Professional Services Account No. 590-5311-711.80-01 (\$3,953); and Water Operations & Maintenance Fund – FS Customer Accounting Division’s Professional Services Account No. 591-5310-711.80-01 (\$3,953).

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 of Power Washer – ROW Division
Prepared by: Beth D. London, Public Services Department

Manager’s Recommendation:

I recommend that the low bid from Central Cleaning Systems of Saginaw be accepted and that a purchase order be approved and issued to them in the amount of \$4,970 for the purchase of a stationary power washer.

Justification:

On March 12, 2013, bids were received to replace the Streets Section of the Right of Way Division’s stationary power washer. Currently, the Streets Section and the Facilities Division share the use of a stationary power washer to clean equipment after use. Cleaning the salt from salt trucks, and the mower blades after mowing prolongs the life of the equipment. The power washer is also used by the Facilities Division to wash trash containers.

The existing power washer is 15 years old, and is beginning to experience increased down time and repair costs. The power washer is currently not operational, and requires the installation of a new heating coil at an estimated cost of \$3,500. Repair of the existing power washer is not cost effective because of the increasing number or repairs required and the cost of the new heating coil. The following is a tabulation of the bids received to replace this equipment:

Central Cleaning Systems Saginaw, MI (out city)	\$4,970
Norkan, Inc. Warren, MI (out city)	\$7,396

Central Cleaning Systems 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 available in the Major Streets Fund Winter Maintenance Division’s Capital Outlay Less Than \$5,000 Account No. 202-4655-841.97-05.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Purchase of Chain Saws – ROW Division
Prepared by: Beth D. London, Public Services Department

Manager’s Recommendation:

I recommend that the low bid from Detroit Diamond Drilling, Inc., be accepted and that a purchase order be approved and issued to them in the amount of \$2,965 for the purchase of five chain saws.

Justification:

On March 12, 2013, the City received bids for two trim chain saws, two medium chain saws and one large chain saw. The Streets Section of the Right of Way Division has been aggressively removing trees located within the City Right of Way that have been damaged by the emerald ash borer and become hazardous. Existing chain saws need to be upgraded and replaced in order to keep up with the growing tree removal demand. The following is a tabulation of the bids received:

Detroit Diamond Drilling, Inc. Detroit, MI (out city)	\$2,965.00
Wohlfeil Hardware and Tool Saginaw, MI (out city)	\$2,996.00
Tri County Equipment Saginaw, MI (out city)	\$3,877.00
Begick Nursery & Garden Center Bay City, MI (out city)	\$4,053.56

Detroit Diamond Drilling, Inc. 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 available in the Major Streets Fund Routine Maintenance Division’s Parts and Supplies Account No. 202-4651-841.73-30.

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 of Exmark Mowers – Facilities Division
Prepared by: Bruce Caradine, Public Services Department

Manager’s Recommendation:

I recommend that a purchase order be approved and issued to Hoffman’s Power Equipment, Saginaw, MI at the State bid price in the amount of \$27,838 for the purchase of two (2) Zero-Turn mowers.

Justification:

On March 22, 2013, a State bid was received for the Facilities and Motor Pool Division to purchase two (2) mowers that are needed in the Public Services Department to cut public right of ways, parks, and properties in violation of the City Noxious Weed Ordinance. The existing mower equipment is approximately 9 years old and is beginning to experience increased down town and repair costs. Based on the demonstrations, it was determined that the Exmark model would best meet the needs for these services. The Facilities and Motor Pool Divisions both feel it is in the best interest of the City to purchase these types of mowers. Funds received from the Saginaw County Lank Bank are being used for this purchase.

Hoffman’s Power Equipment 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 available in the General Fund – Abatement of Nuisances Division’s Maintenance Equipment Account No. 101-7571-841-97.41.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Union Civica Mexicana Ojibway Island User Agreement
Prepared by: Phillip Karwat, Public Services Department

Manager's Recommendation:

I recommend approval of the Ojibway Island User Agreement (Agreement) between the City of Saginaw (City) and Union Civica Mexicana (UCM). The Agreement is approved by me as to substance and the City Attorney as to form.

Justification:

On May 4, 2013, UCM will host its annual Cinco De Mayo festival on Ojibway Island (Ojibway). UCM will pay the City a flat fee of \$700, for the rental of Ojibway, due and payable 14 days before the event. The parties have further agreed that UCM will pay the City a flat service fee of \$1,000 based on ticket sales for the event. Payment for this fee must be remitted to the City, fourteen (14) days after the event.

UCM has agreed to carry and name the City as an additional insured on its commercial general liability insurance policy, indemnify the City against any potential claims arising from the event, and otherwise comply with all applicable laws, rules and ordinances.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Proposed Increase to Cemetery Rates and Charges
Prepared By: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend approval of the revised Cemeteries Rules and Regulations regarding the increase to schedule of rates and charges for the operation and use of municipal cemeteries.

Justification:

The attached revised copy of the Cemeteries Series Bulletin No. 9-40/9-41 shows the current and proposed new rates. Since 2008, Cemeteries rates have not been increased. The proposed increases are highlighted on the attached Bulletin and affect the following:

- Grave prices for lots permitting upright markers and monuments (increase 6%)
- Grave prices for lots permitting flush markers
 - Single Grave (increase 12.5%)
 - Child Grave (increase 18.75%)
 - Infant Grave (increase 25%)
 - Cremains Grave (increase 12.5%)
 - Right of Second Burial (increase 29%)
- Grave opening and closing prices
 - Adult, indigent and veteran (increase 3%)
 - Infant (increase 54%)
 - Child w/vault (increase 7%)
 - Saturday After 12:00 PM (increase 100%)
- Disinterment w/Re-interment at a City of Saginaw Cemetery
 - Adult (increase 7%)
 - Child (increase 6%)
 - Infant (increase 10%)
 - Cremains (increase (7%)

- Disinterment Only – Removal to Another Cemetery
 - Adult (increase 9%)
 - Child (increase 7%)
 - Infant (increase 9%)
 - Cremains (increase (7%))

To allow the Cemeteries Division enough time to notify citizens and give them an opportunity to make arrangements for loved ones, it is recommended that the proposed increases of rates and charges become effective as of June 1, 2013.

Council Action:

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

RULES AND REGULATIONS

SCHEDULE OF RATES AND CHARGES FOR OPERATION AND USE OF MUNICIPAL CEMETERIES

SECTION 1: Lot and Grave Price. The schedule of prices for operation and use of lots and single graves in municipal cemeteries shall be as follows:

	<u>EXISTING</u>	<u>PROPOSED</u>
• Lots Permitting Upright Markers and Monuments	\$850.00 per space	\$900.00
Flush Marker Sections		
• Single Grave.....	\$700.00 per space	\$800.00
• Child Grave.....	\$325.00 per space	\$400.00
• Infant Grave.....	\$225.00 per space	\$300.00
• Cremains Grave.....	\$350.00 per space	\$400.00
• Veterans Grave (Resident of Saginaw County).....	\$ 00.00 per space	\$ 50.00
• Indigent Grave (Resident of Saginaw County).....	\$ 25.00 per space	\$ 25.00
• Right of Second Burial.....	\$300.00 per space	\$425.00
• Cremains Grave Section 18.....	\$400.00	\$425.00

SECTION 2: Interment Charges.

Opening and Closing (Vault Setting Included) with Optional Use of Chapel

• Adult (Grave opening in excess of 60 inches).....	\$800.00	\$825.00
• Indigent (Adults buried at public expense).....	\$800.00	\$825.00
• Veteran (Grave opening in excess of 60 inches).....	\$800.00	\$825.00
• Child (Grave opening less than 36 inches).....	\$250.00 w/o vault	\$250.00 w/o vault
• Child (Grave opening less than 36 inches).....	\$325.00	\$350.00
• Infant (Grave opening less than 36 inches).....	\$150.00	\$325.00
• Complete Interment Services at a Private Vault.....	\$500.00 (Min)	\$500.00 (Min)
• Interment or Entombment of Cremains.....	\$200.00	\$325.00
• Vault Setting Only.....	\$125.00	\$125.00
• Opening and Closing Only will be the proposed price(s) above minus the vault setting only fee.		

Graveside Services (Additional Charge):

• Use of Tent and Full Graveside Trim.....	\$300.00	\$300.00
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Weekday and Saturday Burials (Additional Charge):

• Mon-Fri Burial after 3:30 PM.....	\$200.00	\$200.00
• Saturday Burial before 12:00 Noon.....	\$400.00	\$400.00
• Saturday Additional Fee after 12:00 Noon.....	\$100.00 per Hr	\$200.00 per Hr

Holiday Burials (Additional Charge):

• Holiday Burials before 12:00 Noon.....	\$500.00	\$500.00
• Holiday Additional Fee after 12:00 Noon.....	\$100.00	\$100.00 per Hr

SECTION 2: Interment Charges Continued.

Holiday Burials (Additional Charge):

- **Holidays Include Only the Following Listed:**
Dr. Martin Luther King's Birthday *Good Friday* *Veteran's Day*
Friday Following Thanksgiving Day *Christmas Eve*
- **No Burials are Performed on the Following Holidays:**
New Year's Day *Memorial Day* *Fourth of July*
Labor Day *Thanksgiving Day* *Christmas Day*

	<u>EXISTING</u>	<u>PROPOSED</u>
Late Funeral Orders (Additional Charge):		
• Less than 24 hours notice.....	\$ 50.00	\$ 50.00

SECTION 3: Disinterment Charges.

Disinterment w/ Reinterment in a City of Saginaw Cemetery:

- | | | |
|-----------------|-----------|-----------|
| • Adult..... | \$1750.00 | \$1875.00 |
| • Child..... | \$ 700.00 | \$ 745.00 |
| • Infant..... | \$ 500.00 | \$ 550.00 |
| • Cremains..... | \$ 350.00 | \$ 375.00 |

Disinterment ONLY – For Removal to Another Cemetery:

- | | | |
|-----------------|-----------|-----------|
| • Adult..... | \$1250.00 | \$1375.00 |
| • Child..... | \$ 650.00 | \$ 700.00 |
| • Infant..... | \$ 425.00 | \$ 450.00 |
| • Cremains..... | \$ 300.00 | \$ 325.00 |

SECTION 4: Miscellaneous Service Charges.

Marker and Monument Installation Charges:

- | | | |
|---|----------------|----------------|
| • Marker and Monument Installation..... | \$.55 sq. in. | \$.55 sq. in. |
| • Minimum Charge (2'x1' or less)..... | \$ 165.00 | \$ 165.00 |

Marker and Monument Resetting Charges:

- | | | |
|---|-----------|-----------|
| • Flush Marker (Minimum Charge)..... | \$ 60.00 | \$ 60.00 |
| • Upright Markers (Minimum Charge)..... | \$ 85.00 | \$ 85.00 |
| • Monuments (Minimum Charge)..... | \$ 115.00 | \$ 115.00 |
| • Burial Rights Transfer Fee..... | \$ 50.00 | \$ 50.00 |
| • Work Permit..... | \$ 10.00 | \$ 10.00 |
| • Install Vase..... | \$ 10.00 | \$ 10.00 |

Marker and Monument Cleaning Charges:

- | | | |
|---|-----------|-----------|
| • Marker Cleaning (Single Flush Granite)..... | \$ 45.00 | \$ 45.00 |
| • Marker Cleaning (Double Upright Granite)..... | \$ 70.00 | \$ 70.00 |
| • Monuments (Minimum Charge)..... | \$ 100.00 | \$ 100.00 |

SECTION 5: Effective Date.

The effective date of this regulation shall be June 1, 2013.
This regulation supersedes Cemeteries Series Bulletin No. 9-40.

From: Darnell Earley, City Manager
Subject: Application for Local Bridge Program Funds – ROW Division
Prepared by: Beth D. London, Public Services Department

Manager’s Recommendation:

I recommend that the City of Saginaw actively seek Local Bridge Program Funds for preventative maintenance and scour countermeasures on the Holland Avenue and Center Avenue Bridges and preventative maintenance on the Johnson Street Bridge over the Saginaw River, for FY 2017 and FY 2018. The application amount for each bridge varies and is based on the needs of each individual bridge.

The Michigan Department of Transportation (MDOT) requires as part of the Local Bridge Program Fund 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. A resolution for approval follows this communication.

Justification:

The Local Bridge Program was enacted in 2004 and is the federal legislation that provides funds for local agency bridges. 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 funding limitations, the applications are evaluated by MDOT and ranked against these criteria.

Per the MDOT Local Bridge Program Guidelines, the total number of applications from any local agency is limited to five (5). The preventative maintenance and scour countermeasures 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 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.

Funds for the City’s share will be made available in FY 2017 and FY 2018 Major Streets Fund – Bridge Projects Division’s Construction Projects Account No. 202-4616-781.80-47. The City of Saginaw will be responsible for design and construction engineering costs.

Council Action:

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

TO SEEK LOCAL BRIDGE PROGRAM FUNDS FOR FY 2017 AND FY 2018

Council Member _____ moved, seconded by Council Member _____ to adopt 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 scour corrective action and preventative maintenance for the, Holland Avenue and Center Street Bridges over the Saginaw River and preventative maintenance for the Johnson Street Bridge has been determined by recent engineering and bridge inspection reports done by the City's structural 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 FY 2017 and FY 2018 is May 1, 2013; and

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

NOW, THEREFORE, BE IT RESOLVED, that the City of Saginaw is actively seeking Local Bridge Program Funds for scour corrective action and preventative maintenance as needed for the Johnson Street, Holland Avenue and Center Street Bridges over the Saginaw River, and is willing to participate in project cost and implementation.

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 April 15, 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: Authorization for the Saginaw MAX System of Care to Use Amplifying Equipment during their Event

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend approval of the Resolution authorizing the use of amplifying equipment for the Children's Mental Health Awareness Day event to be held on May 9, 2013. The event will start in the front of City Hall and end at Ojibway Island between the hours of 4:30 p.m. to 6:30 p.m.

Justification:

On April 2, 2012, the Saginaw MAX System of Care submitted a Special Event application to celebrate Children's Mental Health Awareness Day on May 9, 2013. They requested permission to use amplifying equipment during the event.

This is a new event, therefore it was not included on the annual Resolution #2013-011 approved by Council on March 4, 2013

In accordance with Title IX, "General Regulations" of Chapter 99, "Special Event," §99.21, "Use of Sound Amplifying Equipment," if an event sponsor intends to use sound amplifying equipment, the event sponsor is required to obtain approval from City Council.

Council Action:

This Council Communication is for explanation purposes only of the Resolution to be adopted.

**TO AUTHORIZE
THE SAGINAW MAX SYSTEM OF CARE
TO USE AMPLIFYING EQUIPMENT
MAY 9, 2013 AT CITY HALL AND OJIBWAY ISLAND**

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

WHEREAS, the Saginaw MAX System of Care plans to celebrate Children’s Mental Health Awareness Day on May 9, 2013; and

WHEREAS, the Saginaw MAX System of Care has requested permission to use amplifying equipment between the hours of 4:30 p.m. and 6:30 p.m.; and

WHEREAS, City Council can provide authorization for the use of amplifying equipment on public property.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment during the Children’s Mental Health Awareness Day to be held on May 9, 2013 between the hours of 4:30 p.m. and 6:30 p.m. at City Hall and Ojibway Island.

- 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 April 15, 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: Water Ordinance Amendment
Prepared by: Joseph Finazzi, Fiscal Services

Manager's Recommendation:

I recommend the amendment of § 52.31 "Deposit," of Chapter 52, Water, of Title V, "Public Works," 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 as to form.

Justification:

During discussions with BS&A, our new software vendor, City staff was informed that it is not common practice for local municipalities to pay interest on water deposits. BS&A services over 400 clients in Michigan and only 2 of them pay interest on deposits. Furthermore the City of Saginaw does not earn the same percent of interest that is paid out to the customer.

Proposed Ordinance reflects the amendments to the current § 52.31 of Chapter 52.

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 § 52.31 "DEPOSIT," OF CHAPTER 52, WATER, OF TITLE V, "PUBLIC WORKS," OF THE CITY OF SAGINAW CODE OF ORDINANCE, O-1.

Laid over under the Charter Provision.

Council Member _____ moved, seconded by Council Member _____ that an ordinance introduced on April 15, 2013, be taken up and enacted, entitled and reading as follows:

O- _____

AN ORDINANCE TO AMEND § 52.31 "DEPOSIT," OF CHAPTER 52, WATER, OF TITLE V, "PUBLIC WORKS," OF THE CITY OF SAGINAW CODE OF ORDINANCE, O-1.

The City of Saginaw Ordains:

§ 52.31 DEPOSIT.

Before any premises may be served with water or sewage disposal service, the person contracting shall deposit with the City Treasurer a reasonable amount of money as determined by the Director of Finance to guarantee payment for any indebtedness arising out of said servicing of the premises. Provided, that no deposit shall be required for service to a single-family residence from a person who has had City water or sewage disposal service previously for a period of two (2) years and has at all times paid for all such services promptly, nor shall a deposit be required if the Director of Finance finds that the applicant has a satisfactory credit rating. In no case where a deposit is required shall the deposit be less than one hundred dollars (\$100.00). ~~Interest, not compounded, shall accrue annually at the one-year personal CD interest rate (primary bank for City funds on first business day in January) when the deposit is closed out.~~ Said deposit and accrued interest will be refunded upon request at the end of any twenty-four (24) month period during which charges are paid and the service is terminated. ~~No interest shall be paid on deposit in effect less than six (6) months.~~

This ordinance shall become effective May 16, 2013.

Enacted: May 6, 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 May 6, 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

Council Member _____ moved, seconded by Council Member _____ that an ordinance introduced on April 1, 2013, be taken up and enacted, entitled and reading as follows:

O-_____

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 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 Chief Inspector (or his designee). It shall be the responsibility of the Chief Inspector to determine whether the property is in an established historic district and if the resource is a historic resource. The Chief 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 Chief 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 Chief 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 Chief 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 Chief 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 25, 2013.

Enacted: April 15, 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 15, 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