

Council Agenda

April 18, 2011, 6:30 p.m., Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE

ROLL CALL

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

April 4, 2011 regular Council meeting

ANNOUNCEMENTS:

1. Tracy Kapitzke, Ana Trindade and Dalia Smith to accept proclamation designating May as Children's Mental Health Awareness Day.
2. Representative from the City's Green Team to accept proclamation designating April 19, 2011 as Arbor Day in the City of Saginaw.

PUBLIC HEARINGS:

City of Saginaw Five-Year Consolidated Plan and 2011-2012 Annual Action Plan for the Community Development Block Grant Program.

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 appointment of Ana M. Hidalgo to fill a vacancy on the Historic District Commission with a term to expire February 19, 2014.

REPORTS FROM MANAGER:

Management Update:

Recommended Actions:

1. Recommending that payment be made to CPS Human Resource Services of Sacramento, CA in the amount of \$2,312.00 for 147 entry-level law enforcement examinations administered by the Office of Employee Services on March 8, 2011. Funds are budgeted in the General Fund – Employee Services Professional Services Account, No. 101 1725 701 8001.
2. Recommending approval to transfer the property known as 3332 Grant St. to the Saginaw County Land Bank for the purchase price of \$1.00. Further recommend that the City Manager or his designee be authorized to sign any documents to complete this transaction. The Saginaw County Land Bank is working with a neighboring property owner who has been maintaining this lot for years. The Land Bank is willing to assume all costs of transfer including the payment of delinquent taxes. This lot by itself is non-strategic in the City's development and revitalization plans.
3. Recommending approval of the contract with Charter Media for providing advertising to the Neighborhood Stabilization Program 2. The term of the contract is for six months. In addition, Charter will provide the City with a 5% discount because it is prepaying the entire amount of the contract. The total amount of the contract is \$9,650.10. Funds are budgeted in the Neighborhood Stabilization Program Advertising Account, No. 279 6551 761 8008.
4. Recommending that a budget adjustment be completed to increase the Drug Forfeiture Fund's – Fund Equity revenue line item no. 264 0000 680 00 from \$96,147.00 to \$136,917.00, which equates to a \$40,770.00 increase. This increase will be offset by an increase in the Drug Forfeiture's Capital Outlay/Office Equipment line item no. 260 3040 731 9760.
5. Recommending that the blanket purchase order issued to Frontline Services be increased by \$23,700.00 for a total of \$123,700.00. This increase is necessary due to an increase in required repairs for fire department aerial apparatus. Funds are available in the General Fund Fire Apparatus Operations and Maintenance Division's Motor Vehicle Repairs Account, No. 101 3754 751 8042.
6. Recommending approval of the proposed rules and regulations for traffic control, each of which is recommended by the Transportation Committee.
7. Recommending acceptance of the sole bid and issuance of a purchase order to American Cemetery Suppliers in the amount of \$2,646.00 for the purchase of a new Imperial lowering device to be used in burials at Forest Lawn and Oakwood Cemeteries. Funds are available in the General Fund – Cemeteries Operation Division's Capital Outlay/Less than \$5,000 Account, No. 101 1747 821 9705 (\$2,555.00) and General Fund – Cemeteries Operation Division's Other Services/Postage/Freight Account, No. 101 1747 821 8015 (\$91.00).

8. Recommending approval of the agreement with the Saginaw County Land Bank. The City of Saginaw agrees to provide weed-cutting services along with record-keeping and report generation. The Saginaw County Land Bank agrees to pay the City of Saginaw \$60,000.00 for these services. This agreement is subject to the approval of the City Manager as to substance and the City Attorney as to form.
9. Recommending acceptance of the low bid and that a contract be awarded to Tri-Master, Inc. in the amount of \$288,855.80. As part of the American Recovery and Reinvestment Act, the City received \$566,200.00 from the Department of Energy through the Energy Efficiency and Conservation Block (EECB) Grant program. The goal of the EECB is to reduce municipal operating costs, reduce energy usage and create jobs. Payment for these services will come from the \$566,200.00 that the City has been allocated. Further recommend that a budget adjustment be completed to increase the General Fund Revenues – Energy Efficiency Conservation Block Grant Account, No. 101 0000 513 5840 from \$316,677.00 to \$534,874.00 as well as increase the General Fund – Energy Efficiency Conservation Block Grant Division’s Construction Projects Account, No. 101 1790 701 8047 by the same amount.

INTRODUCTION OF ORDINANCES:

1. An Ordinance to add Paragraph (H) to §94.04, “Animals, Birds, and Bees,” of Chapter 94, “Nuisances: Health and Safety,” of Title IX, “General Regulations,” of the City of Saginaw Code of Ordinances, O-1.
2. An Ordinance to add §94.11 - §94.17, “Dangerous Dogs” to Chapter 94, “Nuisances: Health and Safety,” of Title IX, “General Regulations,” of the City of Saginaw Code of Ordinances, O-1.
3. An Ordinance to amend §94.44, Violations, of Chapter 94, “Nuisances, Health and Safety,” of Title IX, “General Regulations,” of the City of Saginaw Code of Ordinances, O-1.

CONSIDERATION AND PASSING 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.

RESOLUTIONS:

1. Appointing the Receiving Boards for the May 3, 2011 Public Safety/Rescind Act 78 General election.
2. Authorizing the service of alcoholic beverages on public property at 630 Gratiot.
3. Approving outdoor service area for Scottish Inn, Inc. located at 630 Gratiot.
4. Abolishing the Baker Perkins Tax Increment Financing Plan and distributing excess revenues.
5. Abolishing the Thompson Saginaw Machine Systems Tax Increment Financing Plan and distributing excess revenues.
6. Abolishing the Saginaw Tool and Die (Mistequay) Tax Increment Financing Plan and distributing excess revenues.
7. Abolishing the Sexton Tax Increment Financing Plan and distributing excess revenues.
8. Abolishing the Thompson Saginaw Ball Screw Tax Increment Financing Plan and distributing excess revenues.
9. Abolishing the Treasure Island Tax Increment Financing Plan and distributing excess revenues.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Motion to go into closed session to consult with its attorney in regard to pending litigation in an employment case.

Darnell Earley
City Manager

COUNCIL COMMUNICATION

From: The City Manager

Subject: Purchase of Entry-Level Law Enforcement Tests

Manager's Recommendation:

I recommend approval of payment to CPS Human Resource Services, Sacramento, CA in the amount of \$2,312.00 for 147 entry-level law enforcement examinations administered by the Office of Employee Services on March 8, 2011.

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 and available in the General Fund – Employee Services – Professional Services Account, No. 101-1725-701.80-01.

Justification:

CPS Human Resource Services specialize in the needs of government and not-for-profit agencies. The City has used this vendor for both entry-level and promotional testing of police and fire candidates for the past 10 years. They provide industry-leading employment testing and assessment services designed to ensure content relevance. Utilization of this vendor provides continuity in our applicant assessment program.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: 3332 Grant St.

Manager's Recommendation:

It is recommended that the City of Saginaw transfer the property known as 3332 Grant St. to the Saginaw county Land Bank for the purchase price of \$1.00 and further that the City Manager or his designee be authorized to sign any documents to complete the transaction.

Justification:

The City of Saginaw currently owns a parcel of land known as 3332 Grant St. The Saginaw County Land Bank is working with a neighboring property owner. This owner has been maintaining this lot for years. The Land Bank is willing to assume all costs of transfer including the payment of delinquent taxes. This lot by itself is non-strategic in the City's development and revitalization plans.

Council Action:

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

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Council _____ offered and moved adoption of the following resolution:

APPOINTMENT OF RECEIVING BOARDS FOR THE MAY 3, 2011 PUBLIC SAFETY/RESCIND ACT 78 GENERAL ELECTION

WHEREAS, a General Election will be held in the City of Saginaw on Tuesday, May 3, 2011; and

WHEREAS, each of the City's twenty-two (22) precincts at the close of the polls, prepare the necessary paperwork to be sealed in specified envelopes, seal the ballots in the ballot box, and deliver the materials to the City Clerk's Office; and

WHEREAS, under Michigan law (MCL 168.679a), the legislative body of a City, by resolution, can authorize the Election Commissioners of the City to appoint receiving boards to accept and open the sealed envelopes and containers for review and verification.

NOW, THEREFORE, BE IT RESOLVED that the Election Commissioners for the City of Saginaw (consisting of the Chief of Police, City Attorney and City Clerk) are hereby authorized to appoint the necessary receiving boards to receive the materials (ballot boxes, poll books, and statement of votes) from the precincts at the close of the polls on Tuesday, May 3, 2011.

BE IT FURTHER RESOLVED that in accordance with MCL 168.679a, each board will consist of an equal number (or as near as possible) of inspectors from each major political party.

BE IT FURTHER RESOLVED that the receiving boards will be authorized to open the sealed envelopes and ballot boxes to verify: (1) that the number of ballots

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issued equals the number of voters in the poll book and statement of votes; (2) confirm that the ballot box has been properly sealed and that nothing other than ballots are contained within; and (3) verify that all necessary documents and have been properly signed by the election inspectors of each precinct.

BE IT FURTHER RESOLVED that the receiving board, with the election inspectors, shall together take the necessary steps to correct any discrepancies, making notation of such correction in the poll book and shall notify the clerk of the board of canvassers of the corrective action taken. Upon review and correction, if necessary, the receiving board shall properly reseal the ballot boxes and envelopes.

COUNCIL COMMUNICATION

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

AUTHORIZING THE SERVICE OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY AT 630 GRATIOT

Council _____ offered and moved adoption of the following resolution:

WHEREAS, Scottish Inn, Inc. requested and was issued a Class II Encroachment Permit from the City Zoning Division for 630 Gratiot to include the installation of a semi-permanent fence in an area on the City's sidewalk on the Harrison Street side of 630 Gratiot; and

WHEREAS, pursuant to §96.45-§96.59, "Encroachments", such Encroachment Permit is to be renewed annually, have routine inspections, require insurance naming the City as additional insured, and may be revoked at any time; and

WHEREAS, the Scottish Inn, Inc. has further requested that it be allowed to serve alcoholic beverages in this fenced area during the hours of operation; and

WHEREAS, the City Council can provide authorization for the service of alcoholic beverages on public property in accordance with §132.01 (C), Chapter 132, Title XII, of the Saginaw Code of Ordinances; and

WHEREAS, §132.01 (c), Chapter 132, Title XIII of the Saginaw Code of Ordinances states that City Council can authorize the service of alcoholic beverages on public property if the vendor provides evidence of all of the following to the satisfaction of the City:

- (1) The precise location where said beverages are to be sold and consumed;
- (2) The date and times for said activities;
- (3) A proper state license for the sale and consumption of alcoholic beverages at the place and times listed in the subsections (1) and (2) above;
- (4) Adequate public liability and property damage insurance for the benefit of the City with a company licensed to sell insurance by the state;
- (5) Such other insurance as the City Council deems adequate for the benefit of the City;

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(6) Adequate personnel to control the premises where the alcoholic beverages are to be sold and consumed; and

(7) Such other reasonable requirements as said City Council deems appropriate.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the service of alcoholic beverages on public property in a fenced area on the City's sidewalk at 630 Gratiot, contingent upon the Scottish Inn, Inc., providing to the City mandatory documents and proofs listed in § 132.01 (c), Chapter 132, Title XIII, of the Saginaw Code of Ordinances and receives approval from the Michigan Liquor Control Commission.

BE IT FURTHER RESOLVED, that all insurance requirements will be set by the City, and all insurance certificates must be reviewed and approved by the City Attorney.

BE IT FURTHER RESOLVED, if Scottish Inn, Inc. does not provide the aforementioned mandatory documents and proofs as itemized in § 132.01 (c), Chapter 132, Title XIII, of the Saginaw Code of Ordinances, it will not be allowed to serve alcoholic beverages in the encroachment area at 630 Gratiot, Saginaw, Michigan during its hours of operation.

It is the consensus of this legislative body that the permit be recommended for issuance.

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

APPROVING OUTDOOR SERVICE AREA FOR SCOTTISH INN, INC.

Council _____ offered and moved adoption of the following resolution:

WHEREAS, on or about October 18, 2010 the City Clerk's Office received a Local Approval Notice from the State of Michigan Liquor Control Commission; and

WHEREAS, the notice is a request from Scottish Inn, Inc. for a new Outdoor Service (1 area) to be held in conjunction with 2010 Class C licensed business, located at 630 Gratiot, Saginaw, MI 48602, Saginaw County; and

WHEREAS, the Saginaw County Health Department, City of Saginaw Fire Prevention and the City Building Inspections Division completed the necessary inspections at 630 Gratiot and the City Police Department has completed its review process and have approved 630 Gratiot for the license transfer as required by Chapter 110, "General Provisions," of Title XI, "Business Regulations" of the Saginaw Code of Ordinances. Under Chapter 111, "Alcoholic Beverages," §111.11, "Application for License," wherein the City Manager is to review all applications and departmental reports and give his recommendation to City Council of his approval or disapproval of the license; and

WHEREAS, a second resolution is to be adopted simultaneously herewith permitting the service of alcoholic beverages on public property at 630 Gratiot.

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Saginaw that the request from Scottish Inn, Inc. for a new Outdoor Service (1 area) to be held in conjunction with 2010 Class C licensed business, located at 630 Gratiot, Saginaw, MI 48602, Saginaw County be considered for approval.

It is the consensus of this legislative body that the application be recommended for issuance.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Purchase of Cemeteries Lowering Device

Manager's Recommendation:

I recommend acceptance of the sole bid and issuance of a purchase order to American Cemetery Suppliers in the amount of \$2,646.00, for the purchase of a new Imperial lowering device, model 5502SK, to be used in burials at Forest Lawn and Oakwood Cemeteries. Sealed bids were requested and opened on March 15, 2011, and only one bid was submitted and received.

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 – Cemeteries Operation Division's Capital Outlay / Less than \$5,000 Account No. 101-1747-821-97.05 (\$2,555.00) and General Fund – Cemeteries Operation Division's Other Services/Postage/Freight Account No. 101-1747-821-80.15 (\$91.00).

Justification:

This is to replace one of three operational lowering devices that are currently used at Forest Lawn and Oakwood Cemeteries. Operations require five (5), two at each location and one as a backup. Currently, lowering devices are kept operating by using parts from other units.

Council Action:

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

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From: The City Manager

Subject: SecureCom, Inc.

Manager's Recommendation:

I recommend that a budget adjustment be completed to increase the Drug Forfeiture Fund's – Fund Equity revenue line item 264-0000-680.00-00 from \$96,147.00 to \$136,917.00, which equates to a \$40,770.00 increase. This increase in revenue will be offset by an increase in the Drug Forfeiture's – Capital Outlay / Office Equipment line item 260-3040-731.97-60.

Justification:

The City is currently implementing Phase One of the Regional Analysis of Police Technology & Operations Reporting (RAPTOR) Project. The RAPTOR initiative is a collaborative effort between Saginaw Police, Saginaw County 911 Authority, community groups and local businesses. The program will be capable of using networked video cameras for monitoring and identification of threats and vulnerabilities, will have the capacity for providing geographical crime mapping technology, and upon completion will provide integration of emergency dispatch software and Shotspotter technology. The overall goals of these efforts are to protect life and increase quality of living for the citizens of the City of Saginaw and our surrounding regions.

This technology request is for additional video surveillance cameras as an extension of our current camera infrastructure funded through the U.S. Department of Justice COPS Technology Grant Program. This is a sole-source vendor due to the existing camera infrastructure compatibility, and our existing contract with SecureCom. This purchase will include the specialized cameras, and any camera-related hardware at a total cost of \$40,770.00

Council Action

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

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From: The City Manager

Subject: Contract with Tri-Master, Inc., C-1606

Manager's Recommendation:

I recommend that the low bid from Tri-Master, Inc., in the amount of \$288,855.80 be accepted and a contract be 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 for this contract are available in the General Fund - Energy Efficiency Block Grant Division's Construction Projects Account, No. 101-1790-701.80-47 fiscal year 2010-11, project number EN1001.

It is also recommended that a budget adjustment be completed to increase the General Fund Revenues – Energy Efficiency Conservation Block Grant Account No. 101-0000-513.58-40 from \$316,677.00 to \$534,874.00 as well as increase the General Fund – Energy Efficiency Conservation Block Grant Division's Construction Projects Account No. 101-1790-701.80-47 by the same amount (\$218,197.00).

Justification:

The Energy Efficiency Retrofit project will utilize funding received through the Department of Energy's Energy Efficiency and Conservation Block Grant to improve the efficiency of several municipal buildings and convert a number of streetlights to energy efficient LED technology. Lighting and heating retrofit activities will take place in City Hall, Public Works, Police Headquarters and Central Fire Station. In addition, minor demolition and construction will be included to add insulation and energy efficient doors in select locations. The activities of this project are identified as low cost / no cost retrofit items as identified in the City's Energy Conservation Strategy.

In April 2009, as part of the American Recovery and Reinvestment Act, the City received \$566,200 from the Department of Energy through the Energy Efficiency and

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Conservation Block Grant program. A portion of those funds were utilized to create an Energy Efficiency Conservation Strategy to identify low cost / no cost energy efficiency improvements that could be implemented at municipals buildings. Another portion of the funds was used to replace the northerly boiler and add a steam system automatic chemical treatment device for City Hall. The goal of the EECBG is to reduce municipal operating costs, reduce energy usage and create jobs. Payment for these services will come from the \$566,200.00 that the City has been allocated.

Following is a tabulation of the bids received:

Tri-Master, Inc. Fenton, MI	\$ 288,850.00 *
Taunt Electric Co. Gladwin, MI	\$ 298,965.78
Helm Electric, Inc. Saginaw, MI	\$ 303,195.54
Clements Electric Bay City, MI	\$ 304,063.00 **
Wm. F Nelson Electric Saginaw, MI (In-City)	\$ 313,108.33
VanHerweg Electric Inc. Freeland, MI	\$ 334,768.00 ***
Ken David Electric Bay City, MI	\$ 335,900.00 ****

- * Correct total \$288,855.80 due to rounding error
- ** Correct total \$304,062.68 due to rounding error
- *** Correct total \$334,768.59 due to rounding error
- **** Correct total \$336,196.53 due to rounding error

Council Action:

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

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From: The City Manager

Subject: Traffic Control Rules & Regulations

Manager's Recommendation:

I recommend that the following proposed rules and regulations for traffic control be approved, each of which is recommended by the Transportation Committee.

1. Abolishment of Parking Regulation, Bay St. (1300 - 1900 block)
All parking regulations on the west side of Bay St., between Court St. and W. Genesee St., are hereby abolished.
2. Establishment of Parking Prohibition, Bay St. (1300 - 1900 block)
No person shall park a vehicle at or behind the curb, on the west side of Bay St., between Court St. and W. Genesee St.
3. Abolishment of Parking Limitation, Lyon St. (600 block)
The parking limitations on the north side of Lyon St., between Gratiot Ave. and S. Harrison St., are hereby abolished.
4. Establishment of Parking Limitation, Lyon St. (600 block)
No person shall park a vehicle for more than 4 hours, between 8 am and 6 pm, on the north side of Lyon St., between Gratiot Ave. and S. Harrison St.
5. Establishment of Stop Sign Control, N. Bond St. at Cooper Ave.
No person driving a vehicle on Cooper Ave. shall enter or cross N. Bond St. without first bringing said vehicle to a complete stop; thereby establishing this intersection as a multi-way stop.
6. Establishment of Stop Control, S. Fayette St. at Waller St.
No person driving a vehicle on Waller St. shall enter or cross S. Fayette St. without first bringing said vehicle to a complete stop.
7. Establishment of Stop Control, Grout St. at Wood St.
No person driving a vehicle on Wood St. shall enter or cross Grout St. without first bringing said vehicle to a complete stop.
8. Establishment of Stop Control, Bullock St. at S. Webster St.

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No person driving a vehicle on S. Webster St. shall enter or cross Bullock St. without first bringing said vehicle to a complete stop.

9. Establishment of Yield Control, Marion St. at Wisner St.

No person driving a vehicle on Wisner St. shall enter or cross Marion St. without first yielding the right-of-way.

10. Establishment of Yield Control, S. Andre St. at Cass St.

No person driving a vehicle on S. Andre St. shall enter or cross Cass St. without first yielding the right-of-way.

11. Establishment of Yield Control, S. Andre St. at Van Buren St.

No person driving a vehicle on Van Buren St. shall enter or cross S. Andre St. without first yielding the right-of-way.

12. Establishment of Yield Control, S. Andre St. at Lyon St.

No person driving a vehicle on S. Andre St. shall enter or cross Lyon St. without first yielding the right-of-way.

13. Establishment of Yield Control, Delaware St. at Irving St.

No person driving a vehicle on Irving St. shall enter or cross Delaware St. without first yielding the right-of-way.

Justification:

These proposed changes in rules and regulations for traffic control are a result of separate parking and traffic studies performed at the request of the public, and the Engineering Division. The City Engineer and the Transportation Committee have approved these changes; they should have a positive impact on the quality and safety of these areas by improving traffic control.

Council Action:

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

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From: The City Manager

Subject: Charter Media Contract

Manager's Recommendation:

I recommend approval of the contract with Charter Media. ("Charter") for providing advertising to the Neighborhood Stabilization Program 2 ("NSP2"). The term of the contract is for six months. In addition, Charter will provide the City with a five (5) percent discount because it is prepaying the entire amount of the contract. The total amount of the contract is \$9,650.10.

The City Manager has approved the Contract as to substance 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 contract.

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 Advertising Account, No. 279-6551-761-8008.

Justification:

The City and Saginaw County Land Bank Authority were the recipients of \$17,369,638.00 in NSP2 grant funds. The purpose of the NSP Program is to stabilize areas that have been significantly affected by foreclosures. The funds are to be used to acquire foreclosed properties, rehab the homes and sell them. In addition, the NSP 2 program provides a financing mechanism for citizens to purchase the newly rehabbed homes. The City intends to sell sixty homes. Five were recently sold. Staff has

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reviewed the various strategies to market the homes and determined that the City should purchase ads on cable. Ads will run on five channels, Lifetime, TBS, Comedy Central, BET and ABC Family. After three months, if staff determines that the ads are not effective, it can terminate the contract and Charter will reimburse it for three months of services.

Council Action:

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

COUNCIL COMMUNICATION

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

**ABOLISHING THE BAKER PERKINS TAX INCREMENT FINANCING PLAN
AND DISTRIBUTING EXCESS REVENUES**

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the City of Saginaw, pursuant to the authority of The Local Development Financing Act, PA 281 of 1986, established a Local Development Finance Authority ("LDFA"); and

WHEREAS, the City of Saginaw created various tax increment financing plans to be administered by the LDFA; and

WHEREAS, one of the tax increment financing plans involved the Baker Perkins development area; and

WHEREAS, the development plan associated with this area has been accomplished and there is no further purpose in capturing tax increments from this area or in continuing the development plan.

NOW, THEREFORE, BE IT RESOLVED, that the City of Saginaw hereby terminates any further tax capture from this district and abolishes this tax increment financing plan; and

BE IT FURTHER RESOLVED, that any remaining excess funds shall revert proportionately to the respective taxing jurisdictions as required by the Act within one year of the date of this resolution.

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

Council _____ offered and moved adoption of the following resolution:

ABOLISHING THE THOMPSON SAGINAW MACHINE SYSTEMS TAX INCREMENT FINANCING PLAN AND DISTRIBUTING EXCESS REVENUES

WHEREAS, the City of Saginaw, pursuant to the authority of The Local Development Financing Act, PA 281 of 1986, established a Local Development Finance Authority ("LDFA"); and

WHEREAS, the City of Saginaw created various tax increment financing plans, to be administered by the LDFA; and

WHEREAS, one of the tax increment financing plans involved the Saginaw Machine Systems development area; and

WHEREAS, the development plan associated with this area has been accomplished and there is no further purpose in capturing tax increments from this area or in continuing the development plan.

NOW, THEREFORE, BE IT RESOLVED, that the City of Saginaw hereby terminates any further tax capture from this district and abolishes this tax increment financing plan; and

BE IT FURTHER RESOLVED, that any remaining excess funds shall revert proportionately to the respective taxing jurisdictions as required by the Act within one year of the date of this resolution.

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

Council _____ offered and moved adoption of the following resolution:

ABOLISHING THE SAGINAW TOOL AND DIE (MISTEQUAY) TAX INCREMENT FINANCING PLAN AND DISTRIBUTING EXCESS REVENUES

WHEREAS, the City of Saginaw, pursuant to the authority of The Local Development Financing Act, PA 281 of 1986, established a Local Development Finance Authority ("LDFA"); and

WHEREAS, the City of Saginaw created various tax increment financing plans, to be administered by the LDFA; and

WHEREAS, one of the tax increment financing plans involved the Saginaw Tool and Die (Mistequay) development area; and

WHEREAS, the development plan associated with this area has been accomplished and there is no further purpose in capturing tax increments from this area or in continuing the development plan.

NOW, THEREFORE, BE IT RESOLVED, that the City of Saginaw hereby terminates any further tax capture from this district and abolishes this tax increment financing plan; and

BE IT FURTHER RESOLVED, that any remaining excess funds shall revert proportionately to the respective taxing jurisdictions as required by the Act within one year of the date of this resolution.

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

Council _____ offered and moved adoption of the following resolution:

ABOLISHING THE SEXTON TAX INCREMENT FINANCING PLAN AND DISTRIBUTING EXCESS REVENUES

WHEREAS, the City of Saginaw, pursuant to the authority of The Local Development Financing Act, PA 281 of 1986, established a Local Development Finance Authority ("LDFA"); and

WHEREAS, the City of Saginaw created various tax increment financing plans, to be administered by the LDFA; and

WHEREAS, one of the tax increment financing plans involved the Sexton development area; and

WHEREAS, the development plan associated with this area has been accomplished and there is no further purpose in capturing tax increments from this area or in continuing the development plan.

NOW, THEREFORE, BE IT RESOLVED, that the City of Saginaw hereby terminates any further tax capture from this district and abolishes this tax increment financing plan; and

BE IT FURTHER RESOLVED, that any remaining excess funds shall revert proportionately to the respective taxing jurisdictions as required by the Act within one year of the date of this resolution.

COUNCIL COMMUNICATION

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

ABOLISHING THE THOMPSON SAGINAW BALL SCREW TAX INCREMENT FINANCING PLAN and DISTRIBUTING EXCESS REVENUES

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the City of Saginaw, pursuant to the authority of The Local Development Financing Act, PA 281 of 1986, established a Local Development Finance Authority ("LDFA"); and

WHEREAS, the City of Saginaw created various tax increment financing plans, to be administered by the LDFA; and

WHEREAS, one of the tax increment financing plans involved the Thompson Saginaw Ball Screw development area; and

WHEREAS, the development plan associated with this area has been accomplished and there is no further purpose in capturing tax increments from this area or in continuing the development plan.

NOW, THEREFORE, BE IT RESOLVED, that the City of Saginaw hereby terminates any further tax capture from this district and abolishes this tax increment financing plan; and

BE IT FURTHER RESOLVED, that any remaining excess funds shall revert proportionately to the respective taxing jurisdictions as required by the Act within one year of the date of this resolution.

COUNCIL COMMUNICATION

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

ABOLISHING THE "TREASURE ISLAND" TAX INCREMENT FINANCING PLAN AND DISTRIBUTING EXCESS REVENUES

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the City of Saginaw, pursuant to the authority of The Local Development Financing Act, PA 281 of 1986, established a Local Development Finance Authority ("LDFA"); and

WHEREAS, the City of Saginaw created various tax increment financing plans, to be administered by the LDFA; and

WHEREAS, one of the tax increment financing plans involved the "Treasure Island" development area; and

WHEREAS, the development plan associated with this area has been accomplished and there is no further purpose in capturing tax increments from this area or in continuing the development plan.

NOW, THEREFORE, BE IT RESOLVED, that the City of Saginaw hereby terminates any further tax capture from this district and abolishes this tax increment financing plan; and

BE IT FURTHER RESOLVED, that any remaining excess funds shall revert proportionately to the respective taxing jurisdictions as required by the Act within one year of the date of this resolution.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Frontline Services Increase

Manager's Recommendation:

I recommend that the blanket purchase order issued to Frontline Services be increased from \$100,000.00 to \$123,700.00 to cover the cost of repairs for fire apparatus.

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

Funds are budgeted in the General Fund Fire Apparatus Operations and Maintenance Division's Motor Vehicle Repairs Account, No. 101-3754-751.80-42.

Justification:

At the beginning of the fiscal year, a blanket purchase order was approved and issued to Frontline Services in the amount of \$100,000.00 for motor vehicle maintenance and repairs. The blanket purchase order is being increased by \$23,700.00 for a total of \$123,700.00 due to an increase in required repairs for aerial apparatus.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Saginaw County Land Bank

Manager's Recommendation:

I recommend that the Agreement with the Saginaw County Land Bank be approved in the amount of \$60,000. This Agreement is subject to approval by the City Manager as to substance and the City Attorney as to form. I further recommend that the City Manager or his designee be authorized to sign the agreement and any other related documents and forms required under 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 for services are available in the General Fund Abatement of Nuisances Division, Operating Services Account, No. 101-7571-841-80.05 (\$20,000.00) Fiscal Year 2011, and in the General Fund Abatement of Nuisances Division, Operating Services Account, No. 101-7571-841-80.05 (\$40,000.00) Fiscal Year 2012.

Justification:

The City of Saginaw contracted with the Saginaw County Land Bank to provide weed-cutting services for vacant properties last year. Based on the successful outcome of this contract, the City would like to continue the weed-cutting services through the Saginaw County Land Bank from May 2, 2011 to October 31, 2011. The City of Saginaw agrees to provide weed-cutting services along with record-keeping and report generation. The County Land Bank agrees to pay the City of Saginaw \$60,000 for these services.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Animals, Birds & Bees Ordinance Amendment

Manager's Recommendation:

It is recommended that Paragraph (H) be added to §94.04, "Animals, Birds and Bees," of Chapter 94, "Nuisances: Health and Safety," of Title IX, "General Regulations" of the Saginaw Code of Ordinances O-1. An Ordinance has been prepared and appears under the regular order of business.

Justification:

In May 2010, Mayor Branch appointed an Ad Hoc Committee to develop an enforceable ordinance to help reduce the issue of unlicensed dogs, dog bites and dog attacks in the City of Saginaw. As part of the process, the Committee also reviewed the City's current "Animals, Birds and Bees" ordinance, which provides general regulations for all animal owners with the City limits. The Committee believed that certain regulations for "Dangerous" Dogs should also apply to all dogs, such as type and use of leashes and confinement conditions. In addition, the Committee recommended there be a limit of three (3) dogs per household over the age of four (4) months. The limit would not apply to those homeowners currently possessing more than three (3) dogs at the time of enactment of the ordinance and to lawful animal care or control facilities, humane societies, rescue groups, certain service and hunting dog breeders, or registered animal foster homes.

Council Action:

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

COUNCIL COMMUNICATION

Council _____ introduced an ordinance entitled and reading as follows:

AN ORDINANCE TO ADD PARAGRAPH (H) to § 94.04, "ANIMALS, BIRDS, AND BEES," OF CHAPTER 94, "NUISANCES: HEALTH AND SAFETY," OF TITLE IX, "GENERAL REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

Laid over under the Charter provision.

COUNCIL COMMUNICATION

Council _____ moved that an ordinance introduced April 18, 2011 entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO ADD PARAGRAPH (H) to § 94.04, "ANIMALS, BIRDS, AND BEES," OF CHAPTER 94, "NUISANCES: HEALTH AND SAFETY," OF TITLE IX, "GENERAL REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

Section 1. Paragraph (H) shall be added to § 94.04, "Animals, Birds, and Bees," of Chapter 94, "Nuisances: Health and Safety," of Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, O-1, and shall read as follows:

(H) In the case of dog(s), the following standards shall apply:

(1) *Leash.* No person shall permit a dog to go outside its kennel, pen, or fenced yard, unless such dog is securely leashed with a leash of adequate strength to restrain the dog. No person shall permit such a dog to be kept on a chain, rope or other type of leash outside its kennel, pen or fenced yard, unless a person is in physical control of the leash. Dogs outside their kennel, pen or fenced yard may not be leashed to inanimate objects such as trees, posts, buildings, etc.

(2) *Confinement.* All dogs shall be securely confined indoors or in a securely enclosed outside structure maintained in such a manner as to effectively prevent the dog(s) from escaping the confines of the enclosure, except when leashed as above provided. Such pen or kennel shall not be constructed to interfere or obstruct access to any metering device provided by the City or other public agencies. All such structures must be adequately lighted and ventilated.

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(3) *Confinement Indoors.* No dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit such building on its own volition.

(4) *Limit on Ownership.* No person shall own, possess, control, or otherwise have charge or custody of more than three (3) dogs over the age of four (4) months at any time regardless of breed. If a person owns, possesses, controls or has custody of more than three (3) dogs at the time of the enactment of this ordinance, that person may maintain such specific dogs, but may not own, possess, control or have custody of any other or additional dog that would raise this number above three (3). This limit does not apply to lawful animal care or control facilities, humane societies, rescue groups, certain service and hunting dog breeders, or registered animal foster homes. A person may not operate a commercial dog breeder or broker operation without first registering with the City Clerk and receiving a business license.

Section 2. This ordinance shall become effective May 19, 2011.

Enacted: May 9, 2011.

COUNCIL COMMUNICATION

Council _____ introduced an ordinance entitled and reading as follows, seconded by Council _____:

AN ORDINANCE TO ADD § 94.11-§ 94.17, "DANGEROUS DOGS" TO CHAPTER 94, "NUISANCES: HEALTH AND SAFETY," OF TITLE IX, "GENERAL REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

Laid over under the Charter provision.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Dangerous Dog Ordinance

Manager's Recommendation:

It is recommended to add §94.11-§94.17, "Dangerous Dogs" to Chapter 94, "Nuisances: Health and Safety," of Title IX, "General Regulations" of the Saginaw Code of Ordinances O-1. An Ordinance has been prepared and appears under the regular order of business.

Justification:

In May 2010, Mayor Branch appointed an Ad Hoc Committee to develop an enforceable ordinance to help reduce the issue of unlicensed dogs, dog bites and dog attacks in the City of Saginaw, which included members of City Council, City staff, Saginaw County Animal Control, U.S. Postal Service and utility providers. Through extensive research in reviewing ordinances developed by cities and communities across the State of Michigan and the United States, the Committee drafted an ordinance that is both effective and enforceable.

The ordinance provides for both a general description for "dangerous dogs," in addition to a "top 5" list consisting of Pit Bull, Rottweiler, German Shepherd, Presa Canario and Alaskan Malamute, and further includes any dog that by physical appearance, temperamental characteristics or behaviors appears to be a mix of any of the breeds listed. Guide/Service Dogs, Law Enforcement Dogs, Veterinarian Offices, Animal Control Centers, Humane Society/Animal Shelter Facilities, Dog Obedience Schools and Pet Shops are excluded from the provisions of the ordinance.

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The ordinance requires all dangerous dogs 4-months or older to be registered with the City Clerk and pay a registration fee of \$20.00. A separate registration is required for each dog. The City Clerk will then issue a license and provide a “Dog on Premises” sign, which the owner shall prominently display on the front of his/her premises visible from the street. The ordinance also provides for certain requirements with regard to leashes and confinement conditions.

Owners will be required to report if their dog or dogs have escaped, attacked a human being or other animal, is sold, given or transferred permanently to another person or address within the City, has died, has an offspring, or permanently leaves the City.

Violations of the ordinance shall be deemed a Class D Municipal Civil Infraction with fines of \$100.00 for the first offense, \$200 for the first repeated offense and \$400.00 for second or any subsequent repeat offense.

Council Action:

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

COUNCIL COMMUNICATION

Council _____ moved that an ordinance introduced April 18, 2011, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO ADD § 94.11-§ 94.17, "DANGEROUS DOGS" TO CHAPTER 94, "NUISANCES: HEALTH AND SAFETY," OF TITLE IX, "GENERAL REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

Section 1. § 94.11-§ 94.17, "Dangerous Dogs" of Chapter 94, "Nuisances: Health and Safety," of Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, O-1, is hereby added to read as follows:

DANGEROUS DOGS

§ 94.11 DEFINITIONS.

For the purposes of this subchapter, the following definitions shall apply. Words used in the present tense include the future, words used in the plural number include the singular number and words in the singular number include the plural number.

DANGEROUS DOG

(A) Any dog with a propensity, tendency, or disposition to attack, to cause injury or to otherwise endanger the safety of human beings or other domestic animals; or

(B) Any dog that attacks, attempts to attack or that, by its actions, gives indication that it is liable to attack a human being or other domestic animal one or more times without provocation; or

(C) Any dog of a breed that appears consistently in the top five (5) of the breeds on credible, analytical listings of "Most Dangerous Dogs" as verified and supplemented by local data and records for Saginaw County. The "list" shall include any dog that by physical appearance could be believed by any reasonable person to have sufficient physical or temperamental characteristics or behaviors to be a "mix" of any of the breeds listed or a "mix" with a non-listed dog where the mixture exhibits the dominant physical appearance of a dog on the list, and any other dog that has the substantial physical characteristics and appearance of those breeds on the list. Such

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list shall be updated annually and available on the City's website and in the City Clerk's Office.

GUIDE/SERVICE DOGS

Any guide dog, signal dog, or other dog individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.

LAW ENFORCEMENT DOG

A dog trained to aid the police, in duties such as tracking, disabling or detaining criminals or detecting controlled substances.

§ 94.12 REGISTRATION.

(A) *Registration Required.* It shall be unlawful to keep, harbor, own, or in any way possess within the corporate limits of the City of Saginaw, any dangerous dog four (4) months of age or older, without first registering the dog with the City Clerk, paying the registration fee of \$20 and obtaining the necessary sign.

(B) *Registration Form.* Registration for Dangerous Dogs shall be made on a form provided by the City Clerk and shall include the following information:

- (1) Name, breed and Saginaw County license number of dog.
- (2) Name, address and phone number of owner.
- (3) Name, address and phone number of landlord/property owner if different from above.
- (4) Detail of any prior attacks or attempted attacks by the dog.

Such registration shall require the signature of the owner of the dangerous dog. A separate registration shall be required for each dog. Upon receipt of a registration application for a dangerous dog, the City Clerk shall issue the applicant a license permitting the applicant to own, harbor or possess the dangerous dog under the terms of this subsection. The owner of the dog must at all times be able to present the license upon request.

§ 94.13 EXCLUSIONS

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The following are excluded from complying with the terms and conditions of this ordinance:

(A) Guide/service and law enforcement dogs, however, the owner of such dog, upon request, must provide pictured identification certifying that the dog was trained by a qualified organization or trainer.

(B) Veterinarian Offices.

(C) Animal Control Centers.

(D) Humane Society and/or Animal Shelter Facilities, provided the dog(s) are securely contained.

(E) Dog obedience schools.

(F) Pet shops.

§ 94.14 STANDARDS.

The keeping of such dog(s), and any other dangerous dog(s), is subject to the following standards:

(A) *Leash.* No person shall permit a dangerous dog to go outside its kennel, pen, or fenced yard, unless such dog is securely leashed with a leash of adequate strength to restrain the dog. No person shall permit such a dog to be kept on a chain, rope or other type of leash outside its kennel, pen or fenced yard, unless a person is in physical control of the leash. Dogs outside their kennel, pen or fenced yard may not be leashed to inanimate objects such as trees, posts, buildings, etc.

(B) *Confinement.* All dangerous dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed as above provided. Such pen, kennel or structure must have secure sides of at least 4' feet in height above ground. All structures used to confine such dogs must be locked with a key or combination lock when such dog(s) are within the structure. Such structure must be constructed and at all times maintained in such a manner as to effectively prevent the dog(s) from escaping the confines of the enclosure. Such pen or kennel shall not be constructed to interfere or obstruct access to any metering device provided by the City or other public agencies. All structures erected to house such dogs must comply with

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all zoning and building regulations of the City. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition.

(C) *Confinement Indoors.* No registered dangerous dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit such building on its own volition.

(D) *Signs.* All owners, keepers or harborers of dangerous dogs within the City shall within five (5) days of registration display one (1) sign provided by the City Clerk at the time of registration, which shall be mounted in a prominent place on the front of the premises visible from the street. The charge for the signs shall be included in the registration fee at no additional cost to the applicant. A fee of ten (\$10.00) dollars shall be incurred by the licensee for the replacement of any sign due to loss or damage.

§ 94.15 REPORTING REQUIREMENTS

All owners, keepers or harborers of dangerous dogs must notify the City Clerk's Office within one (1) business day of the occurrence of any one of the following events:

- (A) The dog(s) have escaped;
- (B) The dog(s) have attacked a human being or other animal;
- (C) The dog(s) have been sold, given or transferred permanently to another person or address within the City;
- (D) The dog(s) have died;
- (E) There has been a birth of an offspring of the dog(s); or
- (F) The dog(s) are permanently leaving the City of Saginaw.

§ 94.16 AUTHORITY TO DEPUTIZE.

The City Manager may deputize and authorize any person of his/her choosing to write and issue citations for violations of this ordinance.

§ 94.17 VIOLATIONS

(A) No person shall violate any law of the State of Michigan nor any rule or regulation adopted by any duly authorized agency of the State of Michigan pertaining to dogs.

(B) *Municipal civil infraction.* A person who violates any provision of the *Dangerous Dogs* provisions is responsible for a Class D municipal civil infraction,

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subject to payment of a civil fine as set forth in § 37.07, plus costs and other sanctions for each infraction. Repeat offenses shall be subject to increased fines as provided by § 37.07. The following is a schedule of fines for a Class D offense:

First Offense: \$100.00

First Repeat Offense: \$200.00

Second or any Subsequent Repeat Offense: \$400.00

Section 2. This ordinance shall become effective May 19, 2011.

Enacted: May 9, 2011.

COUNCIL COMMUNICATION

Council _____ introduced an ordinance entitled and reading as follows:

AN ORDINANCE TO AMEND § 94.44, VIOLATIONS, OF CHAPTER 94, "NUISANCES: HEALTH AND SAFETY," OF TITLE IX, "GENERAL REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

Laid over under the Charter provision.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Nuisances: Health and Safety Ordinance Amendment for Violations

Manager's Recommendation:

It is recommended that §94.44, "Violations," of Chapter 94, "Nuisances: Health and Safety," of Title IX, "General Regulations" of the Saginaw Code of Ordinances O-1. An Ordinance has been prepared and appears under the regular order of business.

Justification:

In May 2010, Mayor Branch appointed an Ad Hoc Committee to develop an enforceable ordinance to help reduce the issue of unlicensed dogs, dog bites and dog attacks in the City of Saginaw. Under the City's "Nuisances: Health and Safety," ordinance (§94.44 "Violations"), any violations are considered a Class C Municipal Civil Infraction. The Committee concluded that violations of the Dangerous Dog ordinance bear a greater threat to the health and safety of City residents and therefore should necessitate higher fines. As such, the Committee recommended that §94.44 be amended to allow violations of the Dangerous Dog Ordinance to be cited as a Class D Municipal Civil Infraction, with fines of \$100.00 for the first offense, \$200 for the first repeated offense and \$400.00 for second or any subsequent repeat offense.

All other violations of the "Nuisances: Health and Safety" ordinance will remain a Class C Municipal Civil Infraction.

Council Action:

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

COUNCIL COMMUNICATION

Council _____ moved that an ordinance introduced April 18, 2011 entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND § 94.44, VIOLATIONS, OF CHAPTER 94, "NUISANCES: HEALTH AND SAFETY," OF TITLE IX, "GENERAL REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

Section 1. § 94.44, "Violations," of Chapter 94, "Nuisances: Health and Safety," of Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, O-1, is hereby amended to read as follows:

§ 94.44 VIOLATIONS.

(A) *Municipal civil infractions.* Unless otherwise noted in this subchapter, any person who violates any provision of this subchapter is responsible for a Class C municipal civil infraction, subject to payment of a civil fine as set forth in Ch. 37, plus costs and other sanctions, for each infraction. Repeat offenses shall be subject to increased fines as provided by Ch. 37.

(B) *Authorized City official.* Unless otherwise noted in this subchapter, the Chief Inspector and the Superintendent of Streets and Bridges and/or their designees are hereby designated as the authorized City officials, as defined by Ch. 37 of this code, to issue municipal civil infraction citations or municipal civil infraction violations notices as provided by Ch. 37.

Section 2. This ordinance shall become effective May 19, 2011.

Enacted: May 9, 2011.