

Council Agenda

July 2, 2007, 6:30 p.m., Council Chamber

ROLL CALL:

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

April 30, 2007 and May 7, 2007 regular Council meeting and May 14, 2007 special meeting.

ANNOUNCEMENTS:

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

(A list will be provided on Monday)

REMARKS OF COUNCIL:

PETITIONS:

07-13 from Carol Cottrell, Vice-President of Saginaw Area Fireworks, requesting permission for fireworks display on July 4, 2007 at the north end of Ojibway Island.

REPORTS FROM BOARDS AND COMMISSIONS AND COMMITTEES:

From the Planning Commission:

1. Receiving and filing the report from the Planning Commission to vacate the closed Lyon Street subject to a standard easement reservation for public utilities, cable TV and telecommunications.
2. Receiving and filing the report from the Planning Commission to vacate the closed Almira Street subject to a standard easement reservation for public utilities, cable TV and telecommunications.

APPOINTMENT OF BOARDS AND COMMISSIONS MEMBERS:

1. Consideration of reappointing J. Michael Day to the Saginaw Economic Development Corporation with a term to expire June 30, 2010.

REPORTS FROM MANAGER:

Management Update:

Recommended Actions:

1. Recommending approval of the Community Development Block Grant Agreement for 2007-08 and authorizing the proper city officials to execute the same.
2. Recommending approval of the Community Development Block Grant Subgrantee Contracts for 2007-08 and authorizing the proper city officials to execute the same.
3. Recommending approval of the 2007-08 HOME CHDO contract and authorizing the proper city officials to execute the same.
4. Recommending approval of the ESG Grant Agreement for 2007-08 and authorizing the proper city officials to execute the same.
5. Recommending approval of the ESG contracts and authorizing the proper city officials to execute the same.
6. Recommending approval of the 2007-08 HOME Grant Agreement and authorizing the proper city officials to execute the same.
7. Recommending approval of the agreement with New Beginnings of Saginaw County and authorizing the City Manager to execute the same. The Department of Development recently submitted a grant application in conjunction with the State of Michigan Cities of Promise Blight Elimination Program. Participation in this program requires that an effort be made to incorporate a deconstruction component in our demolitions program. New Beginnings of Saginaw County has agreed to assist the City with testing this program. In exchange for providing this service, New Beginnings will keep all salvaged material and will be reimbursed a portion of the cost of providing the service amounting to \$2,000.00. Funds are available in the Demolition/Deconstruction Account No. 101 3863 761 8025.
8. Recommending that the agreement with C & C Schluckebier Farms LLC be approved and authorizing the City Manager to execute the same. The Department of Development has negotiated the sale of 3900 East St., a 55.3 acre parcel of agricultural property located in the southeast side of the City. The property has a State Equalized Value of \$39,463.00 or true cash of \$78,926.00. C & C Schluckebier Farms LLC has offered to purchase the property for \$78,926.00. The Department of Development has reviewed this request to

purchase this property and because the City has no short or long-term plans for this property, recommends it sale.

9. Recommending approval of the request from Sandra Gonzalez for a Specially Designated Merchant License (SDM) located at 1215 Throop, Saginaw, MI, 48602. The City of Saginaw Fire Prevention and the City Building Inspections Division completed the necessary inspections and have approved 1215 Throop for the license.
10. Recommending approval of a two-year Agreement between the City of Saginaw and Child and Family Services to provide an Employee Assistance Program to city employees. This vendor meets all requirements of the contract compliance provisions. Funds are available in the fiscal year 2008 Worker's Compensation Employee Health Services non general fund Account No. 678 1751 701 8001.
11. Recommending that a blanket purchase order be approved and issued to Scott's Tire Company in the amount of \$5,500.00 for patrol and administration tire maintenance of the Police Department's motor vehicle fleet for fiscal year 2008. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Police Department's Operating Services Account No. 101 3014 721 7312.
12. Recommending that a blanket purchase order be approved and issued to Larry's Auto Parts in the amount of \$8,000.00 for parts and supplies for routine maintenance of the Police Department's motor vehicle fleet for fiscal year 2008. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Police Department's Operating Services Account No. 101 3014 721 7312.
13. Recommending acceptance of the low bid and issuance of a purchase order to Hamilton Electric Co. in the amount of \$6,725.00 for the purchase of a variable frequency drive unit for use at the Wastewater Treatment Plant. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Sewer Operation and Maintenance Account No. 590 4830 861 7330.
14. Recommending that the purchase order previously issued to Kessler Environmental Excavating in the amount of \$3,370.00 be increased by \$5,575.25, resulting in a total amount of \$8,945.25 for the cleaning of underground storage tanks. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Sewer Operation and Maintenance Fund Account No. 590 4830 861 8005.
15. Recommending that the Engineering Division be authorized to issue individual purchase orders of varying amounts up to \$28,665.00 for fiscal year 2007-08 and 2008-09 to Professional Services Industries for material testing services. This

vendor meets all requirements of the contract compliance provisions. Funds are budgeted in various operations and project accounts and will be charged as they develop.

16. Recommending acceptance of the low bid and issuance of a purchase order to Stephens Tile in the amount of \$29,320.55 for fiscal year 2008 for an annual supply of PVC pipe and fittings to be used by the Public Services Division. This vendor meets all requirements of the contract compliance provisions. Funds are budgeted in Sewer Operation and Maintenance Fund Account No. 590 4821 861 7330 and will be accounted for through the Water Operation and Maintenance Inventory Account No. 591 0000 171 1130.
17. Recommending acceptance of the low bid and issuance of a purchase order to Etna Supply Company in the amount of \$46,714.38 for an annual supply of brass water pipe fittings for fiscal year 2008. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Water Operations and Maintenance Fund Account No. 591 4721 861 7330 and will be accounted for through Water Operations and Maintenance Inventory Account No. 591 0000 171 1130.
18. Recommending changes and revised fees for Water and Sewer Service Billings and Installations.

INTRODUCTION OF ORDINANCES:

1. An Ordinance to amend Paragraph (B), "Licenses Required" and Subparagraph (3), "Late Payment Penalty", of Paragraph (F), "License Fees," of §110.35 "General Business License" of Chapter 110, "General Provisions" of Title XI "Business Regulations" of the Saginaw Code of Ordinances O-1.
2. An Ordinance to amend §110.99 "Penalty," of Chapter 110, "General Provisions" of Title XI "Business Regulations" of the Saginaw Code of Ordinances O-1.
3. An Ordinance to vacate the closed Lyon Street, located in the City of Saginaw, and to retain therein an easement for Public Utilities, Cable TV and Telecommunications to be added to the Table of Special Ordinances II of the Saginaw Code of Ordinances.
4. An Ordinance to vacate the closed Almira Street, located in the City of Saginaw, and to retain therein an easement for Public Utilities, Cable TV and Telecommunications to be added to the Table of Special Ordinances II of the Saginaw Code of Ordinances.

CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

1. Declaring the City's intent to vacate the closed Lyon Street, Block 74, Smith and Hayden's Addition.
2. Declaring the City's intent to vacate the closed Almira Street, abutting the southerly line of Lots 1 and 7, Block 69, Smith and Hayden's Addition.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS:

Darnell Earley
City Manager

COUNCIL COMMUNICATION

From: The City Manager

Subject: Community Development Block Grant (CDBG) Grant Agreement

Manager's Recommendation:

I recommend that City Council approve the CDBG Grant Agreement for 2007-08 and authorize the proper City officials to execute the same. The grant agreement is subject to the approval of the City Manager as to substance and the City Attorney as to form.

Justification:

The City of Saginaw has received a Grant Agreement for the 2007 year Community Development Block Grant program. The funding agreement is in the amount of \$2,556,090.00. This is the City's entitlement amount approved by the Federal Government.

The activities referred to in the funding agreement include all of the activities listed in the submission and approved by Council on February 5, 2007. A summary of the activities contained in the funding agreement is attached and included in the City Clerk's File No. (_____). The environmental clearances for those projects requiring this step have been completed. The contract is being sent to you now so that it can be reviewed, approved and returned to the Department of Housing and Urban Development.

In accepting the grant agreement, the City agrees to comply with all terms and conditions of the agreement, applicable laws, regulations and all other requirements of DHUD now or hereafter in effect pertaining to the assistance provided. The agreement is for a one-year period that began July 1, 2007 and will terminate June 30, 2008. In

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accepting this grant agreement, the City also agrees that it will comply with standard federal regulations on employment and training of area residents, affirmative action in hiring employees, equal employment opportunity and third-party agreements. These conditions are also made a part of contracts with third parties or subgrantees financed with block grant monies.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Community Development Block Grant (CDBG) Subgrantee Contracts

Manager's Recommendation:

I recommend that City Council approve the CDBG Subgrantee Contracts for 2007-08 and that the proper City officials be authorized to execute the same. The contracts are subject to the approval of the City Manager as to substance and the City Attorney as to form.

Justification:

Transmitted herewith are 15 contracts for housing, economic development and public services to be carried out under the City's 34th year of the Community Development Block Grant (CDBG) Program. The following information outlines the scope of activity and funding level for each of these projects.

1. Home Maintenance Self-Help \$20,000.00.

This project (City Clerk's File No. _____) is sponsored by the County of Saginaw through Michigan State Cooperative Extension Service. It assists low and moderate-income residents to help maintain properties and prevent further deterioration in city neighborhoods. It also provides homebuyer education, financial literacy, and foreclosure counseling.

2. Circle of Love Housing \$30,000.00.

This activity (City Clerk's File No. _____) is sponsored by the Circle of Love Community Development Corporation. It will assist low to moderate income families and individuals by providing educational programs which inform and assist with the following: how to deal with credit issues, credit repair, financial responsibilities, construction, loan application process, down payment assistance program, overall maintenance, safety and upkeep after home purchase.

3. Elderly and Disabled Home Repair \$130,000.00.

This activity (City Clerk's File No. _____) is operated by Saginaw County Community Action Committee (CAC). It will provide onetime home repairs for the elderly and disabled residents in the City who

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could not otherwise afford to make improvements to their home. Pre-inspections will determine which repairs are needed and prioritize them.

4. Hazardous Tree Removal \$5,000.00.

This program (City Clerk's File No. _____) is operated by Global ReLeaf of Michigan. It builds a sense of community and assists in the revitalization of Saginaw's community forest and specifically the Revitalization Area by addressing community safety and quality of life concerns related to trees by finalization of the street tree inventory/analysis within the Area, removal of trees designated as potentially hazardous due to age/condition and replanting.

5. Saginaw Economic Development Corp \$165,000.00.

This program (City Clerk's File No. _____) is operated by the Saginaw Economic Development Corporation. It provides funds to make business loans to credit worthy entrepreneurs and firms that wish to start or expand businesses in the targeted areas. Each business loan is based on the number of jobs to be created and made available for low and moderate-income residents in the City. A total of 4 firms are anticipated to be helped via loans. The budget is comprised of entitlement funds, loan repayments and carryover funds.

6. DDA Development and Redevelopment \$40,000.00.

This activity (City Clerk's File No. _____) is sponsored by the Downtown Development Authority. Its main focus is to bolster economic development within the districts. The district includes what is referred to as the Riverfront District (Michigan Avenue to Center Street, across the Douglass G. Schenck bridge to Washington Avenue to Potter Street). Development activities also take place in the Central Business District (Downtown), the East Genesee Avenue Corridor, Covenant Hospital District, Cathedral District (including St. Mary's Hospital) and Old Town Business District. Acquiring land for future development and preparing properties for redevelopment are key to revitalizing these areas.

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7. Saginaw County – CHAP Coordinator \$6,837.00.

This activity (City Clerk's File No. _____) is sponsored by Saginaw County Consortium of Homeless Assistance Providers, a group of non-profit organizations that provide homeless prevention and intervention services in Saginaw County. It will provide the funds for a part-time coordinator who will be responsible for organizing meetings, grant writing for MSHDA and HUD applications, and provide technical assistance to member programs.

8. Youth Protective Services \$25,632.00.

The Saginaw County Youth Protection Council (YPC) operates this program (City Clerk's File No. _____). It provides intensive long-term social casework intervention for 20 low to moderate-income families whose personal problems have led to degeneration of the family unit. This activity will not be effective until October 1, 2007, when the current contract expires. By approving this contract, City Council will allow the activity staff to begin planning for the 2007-08 year, which begins October 1, 2007.

9. Teen Parent Support \$25,632.00.

The Saginaw County Youth Protection Council (YPC) operates this program (City Clerk's File No. _____). It seeks to provide assistance directed toward high-risk pregnant and parenting females under the age of 20. Teen Parent Support works to: reduce infant mortality and child abuse; delay subsequent pregnancies; and help young mothers work toward self-sufficiency. The activity will serve 55 clients eligible to be assisted with CDBG funds. This activity will not be effective until October 1, 2007, when the current contract expires. By approving this contract, City Council will allow the activity staff to begin planning for the 2007-08 year, which begins October 1, 2007.

10. Teen Intervention \$17,000.00.

This project (City Clerk's File No. _____) is sponsored by the Boys and Girls Club of Saginaw County. It will identify youths showing signs

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of risky or criminal behavior and/or gang activity. Selected youth will be involved in daily Boys and Girls Club activities including support groups and individual help. Individual development plans will be set up and tracked. Teens selected will live in low and moderate-income areas of the City.

11. Urban Scouting \$15,000.00.

This program (City Clerk's File No. _____) is sponsored by Lake Huron Area Council #265 Boy Scouts of America. The program will service 1,500 at-risk youth in grades 1-12 throughout numerous CDBG eligible areas of the City. Youth will be mentored by adults of high character, trained to be self-reliant, assisted in building self-confidence, taught the value of citizen participation and physical and mental development.

12. New Alternatives Youth Service Center \$19,000.00.

This activity (City Clerk's File No. _____) is sponsored by New Alternatives Youth Service Center, Inc. It provides funding for a youth service center, which provides alternative programs and services for inner city youth in the neighborhood strategy areas within low to moderate income areas of the City after school and during the summer. The goal is to provide counseling, support, job training and placement with mentors that serve as role models. Targeted outreach will take place to reach high-risk youth between the ages of 10 and 20.

13. Youth Mentoring \$15,000.00.

This activity (City Clerk's File No. _____) is operated by Big Brothers Big Sisters of Saginaw Bay Area, Inc. It is committed to making a positive difference in the lives of children and youth, primarily through professionally supported one-to-one relationships with mentors who assist them in becoming confident, competent and caring individuals.

14. Quality Time with Dads \$4,000.00.

This activity (City Clerk's File No. _____) is sponsored by First Ward Community Center. This project will assist non-custodial fathers from

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low-income families in the City to develop sustaining relationships with their families and improve the ability of their family to grow and develop. The major goal of this project is to help non-custodial fathers understand the importance of being involved in the lives of their children.

15. Small Business Training \$4,580.00.

This activity (City Clerk's File No. _____) is offered by Saginaw Service Career Paths, Inc. It offers a path that enables economically disadvantaged persons a way out of poverty. This is accomplished by preparing them for entrepreneurship – owning a micro enterprise. Owning one's own business is now seen as a safety net for many.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: HUD HOME Community Housing Development Organization (CHDO) Contract

Manager's Recommendation:

I recommend that City Council approve the 2007-08 HOME CHDO contract and that the proper City officials be authorized to execute the same. The contract is subject to the approval of the City Manger as to substance and the City Attorney as to form.

Justification:

Transmitted herewith is one contract (City Clerk's File No. _____) to provide \$128,416.00 from the Home Investment Partnership program to assist the Circle of Love (COL) Community Development Corporation to construct single family residential homes for sale to low and moderate-income residents in the City of Saginaw.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: HUD Emergency Shelter (ESG) Grant Agreement

Manager's Recommendation:

I recommend that City Council approve the ESG Grant Agreement for 2007-08 and that the proper City officials be authorized to execute the same. The agreement is subject to the approval of the City Manger as to substance and the City Attorney as to form.

Justification:

The City of Saginaw has received a Grant Agreement from the Department of Housing and Urban Development for 2007-08 for the Emergency Shelter grant portion of the Stewart B. McKinney Homeless Assistance Act (City Clerk's File No._____). The funding agreement is in the amount of \$110,323.00. This is the City's entitlement amount approved by the Federal government.

The activities recommended for funding include the three activities listed in the 2007-08 Annual Program part of the Consolidated Plan submission approved by Council on February 5, 2007 as follows:

Of this funding agreement \$40,000.00 is to be used by the Underground Railroad, \$42,836.00 by the Youth Protection Council's Innerlink complex and housing programs, and Safe Haven House emergency shelter will receive \$27,487.00.

The Youth Protection Council's Innerlink contract mentioned above is not effective until October 1, 2007, when the current contract ends. It is being sent to you now to be reviewed and approved to allow Innerlink to continuing its programmed activities.

The grant agreement is being sent to you now so that it can be reviewed, approved, and returned to HUD. This will allow the above activities to continue to help battered women and children that are homeless as well as runaway and homeless youth and homeless adults. The agreement was approved by DHUD in July 2007.

In accepting the grant agreement, the City agrees to comply with all the terms and conditions of the agreement, applicable laws, regulations, and all other requirements of HUD now or hereafter in effect pertaining to the assistance provided.

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Special conditions to this agreement are: the Emergency Shelter Grant funds are to be obligated by 180 days from July 1, 2007, and completely expended by two years from this date. If this is not done, then funds which are not used will become available for reallocation to other communities by DHUD. Compliance with these conditions should not be a problem. In a separate communication, City Council is being asked to approve contracts committing the \$110,323.00 provided by this grant to the Underground Railroad shelter, the Innerlink Shelter Complex and Safe Haven House shelter for the activities described above.

In accepting this grant agreement, the City also agrees that it will comply with Federal regulations pertaining to the Emergency Shelter Grants Program and other applicable laws. These conditions are also made a part of any contracts with third parties or subgrantees financed with Shelter Grant monies.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: HUD Emergency Shelter (ESG) Grant Contracts

Manager's Recommendation:

I recommend that City Council approve the 2007-08 ESG contracts and that the proper City officials be authorized to execute the same. The grant contracts are subject to the approval of the City Manager as to substance and the City Attorney as to form.

Justification:

Transmitted herewith are four contracts (City Clerk's File Nos. _____, _____, _____, _____) to provide \$110,323.00 from the Emergency Shelter grant portion of the Stewart B. McKinney Homeless Assistance Act to three organizations providing shelters and transitional housing for the homeless. These are the Underground Railroad shelter for homeless and abused women and their children, the Youth Protection Council Innerlink Shelter for runaway youth, and Safe Haven shelter for homeless persons and Safe Haven House emergency shelter for homeless persons. The Underground Railroad will receive \$40,000.00 to be used for utilities, property insurance, building maintenance, selected operating costs and furnishings. At the Youth Protection Council, \$42,836.00 is to pay for insurance, utilities, equipment, minor repairs and operating costs at the Innerlink Shelter. At Safe Haven House, \$27,487.00 is to pay for insurance, utilities, and supplies.

Council approved the City's submission to the Department of Housing and Urban Development for these funds on February 5, 2007. The DHUD contract is on tonight's agenda for Council approval.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: HUD HOME Investment Partnership Program Grant Agreement

Manager's Recommendation:

I recommend that City Council approve the 2007-08 HOME Grant Agreement and that the proper City officials be authorized to execute the same. The grant agreement is subject to the approval of the City Manager as to substance and the City Attorney as to form.

Justification:

The City has received a notice of funding and Grant Agreement from DHUD for the 2007-08 HOME Investment Partnership program (City Clerk's File No. _____). The funding agreement is in the amount of \$658,408.00. The City will use \$529,992.00 for a single-family owner-occupied residential grant program for very low-income homeowners. The balance of the funds, in the amount of \$128,416.00, will be used by the Circle of Love (COL) Community Development Corporation. Council selected COL to be the 2007-08 Community Housing Development Organizations (CHDO) during the February 5, 2007 Council meeting.

Council Action:

Council ____ _____ moved that the recommendation of the City Manger be approved.

COUNCIL COMMUNICATION

From: The City Manager

Subject: General Business License Ordinance Amendment

Manager's Recommendation:

It is recommended that Paragraph (B), "License Required," and Subparagraph (3), "Late Payment Penalty," of Paragraph (F), "License Fee," of §110.35, "General Business License," of Chapter 110, "General Provisions", of Title XI, "Business Regulations" of the City of Saginaw Code of Ordinances, O-1, be amended. An Ordinance has been prepared and appears under the regular order of business.

Justification:

On July 25, 2005, City Council adopted the General Business License ordinance, which took effect August 3, 2005. As this was a new ordinance, it was understood at the time, that issues might arise through the implementation process that were not addressed in the ordinance. For instance, the ordinance at Paragraph (B), "License Required," only exempted churches from requiring a license. Since that time, it has been determined other businesses should also be exempt, namely, public libraries, schools (public, parochial and charter, K-12) and government offices and operations.

The ordinance also provides for a late fee for failure to renew at Subparagraph (3), "Late Payment Penalty" of Paragraph (F), "License Fees." The ordinance did not provide, however, for a late fee for failure to initially register, as the City did not foresee this to be a problem at the time. Currently, however, there are over two hundred businesses, which have failed and refuse to obtain a license. As such, the ordinance is being amended to also include a late fee for any business that fails to obtain a license.

Council Action:

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

COUNCIL COMMUNICATION

Council _____ introduced an ordinance entitled and

reading as follows:

AN ORDINANCE TO AMEND PARAGRAPH (B), "LICENSES REQUIRED" AND SUBPARAGRAPH (3), "LATE PAYMENT PENALTY", OF PARAGRAPH (F), "LICENSE FEES," OF §110.35 "GENERAL BUSINESS LICENSE" OF CHAPTER 110, "GENERAL PROVISIONS" OF TITLE XI "BUSINESS REGULATIONS" OF THE SAGINAW CODE OF ORDINANCES O-1.

Laid over under the Charter provision.

COUNCIL COMMUNICATION

Council _____ moved that an ordinance introduced, July 2, 2007, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND PARAGRAPH (B), "LICENSES REQUIRED," AND SUBPARAGRAPH (3), "LATE PAYMENT PENALTY", OF PARAGRAPH (F), "LICENSE FEES," OF §110.35 "GENERAL BUSINESS LICENSE," OF CHAPTER 110, "GENERAL PROVISIONS" OF TITLE XI "BUSINESS REGULATIONS" OF THE SAGINAW CODE OF ORDINANCES O-1.

The City of Saginaw Ordains:

Section 1. Paragraph (B), "License Required," of §110.35, "General Business License," of Chapter 110, "General Provisions", of Title XI, "Business Regulations" of the City of Saginaw Code of Ordinances, O-1, is hereby amended to read as follows:

§ 110.35 GENERAL BUSINESS LICENSE.

(B) *License Required.* All persons who conduct, engage in, maintain, operate, carry on, or manage a business for which a license is not otherwise required under any other provisions of this code shall be required to obtain a general business license for said business. A separate license shall be required for each separate place of business. A business shall include but not be limited to: for profit businesses and not for profit businesses.

Exceptions: Churches

Public Libraries

Schools (Public, Parochial and Charter, K-12)

Government Offices or Operations

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Section 2. Subparagraph (3), "Late Payment Penalty" of Paragraph (F), "License Fees," of §110.35, "General Business License," of Chapter 110, "General Provisions", of Title XI, "Business Regulations" of the City of Saginaw Code of Ordinances, O-1, is hereby amended to read as follows:

§ 110.35 GENERAL BUSINESS LICENSE.

(F) *License Fees.*

(3) Late Payment Penalty: An additional late charge of fifty (50%) percent of the base fee shall be incurred as a result of the following:

(a) Failure to obtain a business license within thirty (30) days from the effective date of the ordinance or any applicable amendment;

(b) Failure to obtain a business license within thirty (30) days of commencement of a business; or

(c) Failure to renew a business license within thirty (30) days of license expiration.

Section 3. That this Ordinance shall take effect on July 26, 2007.

Enacted: July 16, 2007.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Penalty Provision of Business Regulations Ordinance Amendment

Manager's Recommendation:

It is recommended that §110.99, "Penalty," of Chapter 110, "General Provisions", of Title XI, "Business Regulations" of the City of Saginaw Code of Ordinances, O-1, be amended. An Ordinance has been prepared and appears under the regular order of business.

Justification:

The current penalty provision for a violation of Chapter 110, "Business Regulations" is a misdemeanor, which is punishable by a fine of not more than five hundred dollars (\$500) or imprisonment for not more than ninety (90) days, or both. Chapter 110 regulates licensing for the following businesses:

- Building Wreckers
- House Movers and Raisers
- Scrap Material Dealers and Processors
- Pawnbrokers
- Peddlers and Hawkers
- Secondhand Merchants
- Stationary Boiler Operators and Stationary Engineers
- Transient merchants
- Taxicabs &Taxicab Drivers
- Food vendors
- Pool, Billiard, and Smoke Rooms
- Dancing and Dance Halls, Dancing schools and Theaters
- General Business License

It is believed the issuance of a municipal civil infraction would be a more effective enforcement measure for a violation of this Chapter as opposed to charging a business owner with a misdemeanor for failure to register his/her business. It is unlikely a judge would imprison a business owner for this violation and the fine set by the Court might be less than the fine imposed under Chapter 37, "Code Enforcement" of the Saginaw Code of Ordinances, O-1, wherein the fine continues to increase for every subsequent offense, and a separate offense is deemed committed for each day during or on which a violation or noncompliance occurs or continues.

Council Action:

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

COUNCIL COMMUNICATION

Council _____ introduced an ordinance entitled and reading as follows:

AN ORDINANCE TO AMEND §110.99 "PENALTY," OF CHAPTER 110, "GENERAL PROVISIONS" OF TITLE XI "BUSINESS REGULATIONS" OF THE SAGINAW CODE OF ORDINANCES O-1.

Laid over under the Charter provision.

COUNCIL COMMUNICATION

Council _____ moved that an ordinance introduced, July 2, 2007, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND §110.99 "PENALTY," OF CHAPTER 110, "GENERAL PROVISIONS" OF TITLE XI "BUSINESS REGULATIONS" OF THE SAGINAW CODE OF ORDINANCES O-1.

The City of Saginaw Ordains:

Section 1. §110.99, "Penalty," of Chapter 110, "General Provisions", of Title XI, "Business Regulations" of the City of Saginaw Code of Ordinances, O-1, is hereby amended to read as follows:

§ 110.99 PENALTY.

A person who violates any provision of this chapter is responsible for a Class C municipal civil infraction, subject to payment of a civil fine as set forth in Chapter 37 of this Code, plus costs and other sanctions, for each infraction. Repeat offenses shall be subject to increased fines as provided by Chapter 37. Each violation and each day's failure to comply with any provision of the chapter shall constitute a separate violation.

Section 2. That this Ordinance shall take effect on July 26, 2007.

Enacted: July 16, 2007.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Liquor License for 1215 Throop

Manager's Recommendation:

I recommend approval of the request from Sandra Gonzalez requesting a New (SDM) Specially Designated Merchant License located at 1215 Throop, Saginaw, MI 48602, Saginaw County.

Justification:

On or about November 30, 2006, the City received notice from the Michigan Liquor Control Commission of the request from Sandra Gonzalez requesting a New (SDM) Specially Designated Merchant License located at 1215 Throop, Saginaw, MI 48602, Saginaw County.

The City of Saginaw Fire Prevention and the City Building Inspections Division completed the necessary inspections and have approved 1215 Throop for the license 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," 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. Since the necessary requirements have been met by Sandra Gonzalez, I hereby recommend approval of the SDM License for 1215 Throop.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Variable Frequency Drive Replacement

Manager's Recommendation:

I recommend that the low bid received from Hamilton Electric Co. be accepted and that a purchase order be issued to them in the amount of \$6,725.00 for the purchase of a variable frequency drive unit for use at the Wastewater Treatment Plant.

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

Funds for this purchase are available in the Sewer Operation and Maintenance Account No. 590-~~4830-8614~~.73-30.~~05-5311-711-8005~~

Justification:

On June 12, 2007 the City received bids for the purchase of a variable frequency drive unit for one of the Wastewater Treatment Plant's final effluent pumps. This pump is used to pump the treated wastewater into the river when gravity flow is not possible due to high river levels or storm events. This replacement part will take the place of an obsolete flow matcher speed controller. Two bids were received for this equipment.

Following is a tabulation of the bids:

Hamilton Electric Co. Saginaw, MI	\$6,725.00
Lange & Leaman Electric MI Motor Works Saginaw, MI	\$8,550.00

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: 813 Pleasant St. Deconstruction

Manager's Recommendation:

It is recommended that the agreement with New Beginnings of Saginaw County be approved and that the City Manager be authorized to execute the agreement. This agreement is subject to approval by the City Manager as to substance and the City Attorney as to form.

Funds are available in the General Fund Demolition/Deconstruction Account No. 101-3863-761.80-25.

Justification:

The Department of Development recently submitted a grant application in conjunction with the State of Michigan Cities of Promise Blight Elimination Program. Participation in this program requires that an effort be made to incorporate a deconstruction component in our demolitions program. Deconstruction, simply put, means the opposite of construction whereby blighted buildings are removed a piece at a time allowing the salvage of all recyclable and reusable materials. While this component does not have to be a part of this year's grant if awarded the City does need to be prepared to incorporate it in the future, therefore the Department of Development is proposing a PILOT program. New Beginnings of Saginaw County, a Michigan 501(c)(3) nonprofit corporation has agreed to assist the City with testing this program. New Beginnings of Saginaw County operates a prisoner reentry program in conjunction with State of Michigan Department of Corrections and the Saginaw County jail. City staff has selected a building for deconstruction. The building is located at 813 Pleasant

COUNCIL COMMUNICATION

and is owned by the City of Saginaw. New Beginnings will remove the building in its entirety, supervise all workers, and grade the lot upon completion of the project. In exchange for providing this service, New Beginnings will keep all salvaged material and will be reimbursed a portion of the cost of providing the service amounting to \$2,000.00. New Beginnings will maintain adequate liability and workman's compensation insurance.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Sale of 3900 East St.

Manager's Recommendation:

It is recommended that the agreement with C & C Schluckebier Farms LLC be approved and that the City Manager be authorized to execute the agreement. This agreement is subject to approval by the City Manager as to substance and the City Attorney as to form.

Justification:

The Department of Development has negotiated the sale of 3900 East St., a 55.3-acre parcel of agricultural property located in the southeast side of the City. Schluckebier Farms has leased the property from the City of Saginaw for over 30 years and used the property for farming. The property is located in the 100 year floodplain and is zoned R1-A (Agricultural Residential District). The property has become less valuable as farmland because the drainage ditches around the property have not been maintained. In order to effectively farm this land, it requires that it be tilled, all of which has a cost exceeding \$20,000. Schluckebier Farms is reluctant to make this investment because they do not own this property. The property has a State Equalized Value (SEV) of \$39,463.00 or true cash value of \$78,926.00. C & C Schluckebier Farms LLC has offered to purchase the property for \$78,926.00. The City of Saginaw Department of Development has reviewed this request to purchase this property and because the City has no short or long term plans for this property, the Department of Development recommends its sale. Further, because C & C Schluckebier Farms LLC has offered a fair price for the property, and this property has been a part of their farming operation for thirty plus years, competitive bidding was not sought in this case. The Department of Development wishes that the City Council waive this requirement.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Police Pursuit Vehicle Repair Parts

Manager's Recommendation:

I recommend that a blanket purchase order be approved and issued to Larry's Auto Parts in the amount of \$8,000.00 for parts and supplies for routine maintenance of the Police Department's motor vehicle fleet for fiscal year 2008.

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

Funds for this purchase are available in the General Fund Saginaw Police Department Operating Services Account No. 101-3014-721-7312.

Justification:

The Saginaw Police Department's garage serviceperson performs maintenance and repair on the department's fleet utilizing these parts and supplies. These repairs reduce the amount of time the vehicle is out of service and eliminates additional mechanical service charges.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Tires for Police Pursuit Vehicles

Manager's Recommendation:

I recommend that a blanket purchase order be approved and issued to Scott's Tire Company, the State bid supplier, in the amount of \$5,500.00 for patrol and administration tire maintenance of the Police Department's motor vehicle fleet for fiscal year 2008.

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

Funds for this purchase are available in the General Fund Saginaw Police Department Operating Services Account No. 101-3014-721-7312.

Justification:

The Saginaw Police Department's garage serviceperson performs tire replacement and repair on the department's fleet utilizing these tire supplies. Maintaining proper care of tires on the department's motor vehicle fleet is necessary and critical for the safety of the department's personnel.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Annual Supply of P.V.C Pipe and Fittings

Manager's Recommendation:

I recommend that the low bid from Stephens Tile be accepted and that a blanket order be approved and issued to them in the amount of \$29,320.55 for Fiscal Year 2008 for an annual supply of P.V.C. pipe and fittings to be used by the Public Services Division.

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

Funds for this purchase are budgeted in Sewer Operation and Maintenance Fund Account 590-4821-861-7330 and will be accounted for through the Water Operation and Maintenance Inventory Account No. 591-0000-171-1130.

Justification:

On May 2, 2007, The Public Services Department, Right of Way Division, received bids from two vendors for a supply of P.V.C pipe and fittings from July 1, 2007 through June 30, 2008, that will be used in the construction and maintenance of the wastewater collection system. A cost comparison shows a 17% average decrease over the cost during Fiscal Year 2007. Following is a tabulation of bids submitted and reviewed by the Purchasing Committee:

Stephen's Tile Birch Run, MI	\$29,320.55
Etna Supply Wyoming, MI	\$31,109.74

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Annual Supply of Brass Water Pipe Fittings

Manager's Recommendation:

I recommend acceptance of the low bid from Etna Supply Company and that a blanket purchase order be approved and issued to them in the amount of \$46,714.38 for an annual supply of brass water pipe fittings for fiscal year 2008.

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

Funds for this purchase are available in the Water Operations and Maintenance Fund Account No. 591-4721-861-7330 and will be accounted for through Water Operations and Maintenance Inventory Account 591-0000-171-1130.

Justification:

On May 2, 2007, The Public Services Department, Right of Way Division, received bids for an annual supply of brass water parts for the construction and repair of the Water Distribution and Transmission System. The bid is an all or none bid. Cambridge Brass bid 40 of 70 items both years and, therefore, did not meet bid specs. A cost comparison shows a 15% increase over the previous purchase due to market volatility. Following is a tabulation of the bids submitted and reviewed by the Purchasing Committee:

Etna Supply Company	1 st Year	\$46,714.38
Grand Rapids, MI	2 nd Year	No-Bid
Cambridge Brass	1 st Year	\$30,200.78
Ontario, Canada	2 nd Year	\$34,539.86

Council Action:

Council_____ moved that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Cleaning of Underground Storage Tanks

Manager's Recommendation:

I recommend that the purchase order previously issued to Kessler Environmental Excavating in the amount of \$3,370.00 be increased by \$5,575.25, resulting in a total amount of \$8,945.25 for the cleaning of underground storage tanks.

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

Funds are available in the Sewer Operation and Maintenance Fund Account No.

590-~~4830-861-1~~8005. ~~05-5311-711-8005~~

Justification:

Kessler Environmental Excavating cleaned the two (2) underground ferrous sulfate (waste acid) storage tanks at the WWTP on February 28 and March 1, 2007. These tanks are 10' in diameter and 55' in length, with a single access point at the north end of each tank. The original estimation of sediment depth in the tanks was based on levels encountered at the north end of each tank. Sediment amounts in the tanks were more than anticipated, due to the levels being much higher at the south end of each tank. In addition, each tank was found to have a stiffener/baffle at the midpoint, which hampered efforts to remove the sediment. As a result, Kessler Environmental Excavating incurred additional labor and equipment costs. The vendor has provided documentation to the Purchasing Department and the Wastewater Treatment Division to justify the additional costs.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Child and Family Services Employee Assistance Program Agreement

Manager's Recommendation:

I recommend approval of a two year Agreement between the City of Saginaw and Child and Family Services to provide an Employee Assistance Program to City employees. I have approved this Agreement as to substance and the City Attorney as to form.

This vendor meets all the requirements of the Contract Compliance Provisions, Title 1, Chapter 19, §14.35-14.44, of the Saginaw Code of Ordinances.

Funds are available in the fiscal year 2008 Worker's Compensation Employee Health Services non-general fund, Account No. 678-1751-701-80.01.

Justification:

Child and Family Services have provided assistance to City employees since 1995. They have provided excellent services to the City in assisting employees and their family members with personal problems such as job performance issues, emotional problems, substance abuse, financial issues and marital counseling. Staff members have demonstrated their need of this service as seen through increased utilization over the past two years. The agency also provides training seminars for supervisors and employees.

The Agreement cost per year is \$14,168.00 annually. This is a 4.09% reduction from our prior contract amount of \$14,772.00. The decrease is mainly attributable to a reduction in the total number of City employees. Either party can terminate the Agreement providing 30 days notice.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Planning Commission

Subject: Vacation of the Closed Lyon Street

Planning Commission Recommendation:

It is recommended that the closed Lyon Street be vacated subject to a standard easement reservation for public utilities, cable TV and telecommunications.

Justification:

Beagle Construction filed a petition requesting the vacation of the closed Lyon Street, Block 74, Smith and Hayden's Addition, in the City of Saginaw. The petition was referred to the City Planning Commission ("Commission") for investigation and a report with recommendation. The Commission held a public hearing on the request on May 22, 2007 and all interested persons were heard.

From investigation and review of evidence presented at the hearing, the Commission found that the closed Lyon Street has never being used as a formal street. To clear the title for this property, the closed Lyon Street must be officially vacated. Therefore, it is recommended that the closed Lyon Street, Block 74, Smith and Hayden's Addition, in the City of Saginaw be vacated subject to a standard reservation for public utilities, cable TV and telecommunications.

Council Action:

Council _____ moved that the report from the Planning Commission be received and filed and that a resolution be adopted declaring City Council's intention to vacate this closed Street.

COUNCIL COMMUNICATION

RESOLUTION OF INTENT TO VACATE

Planning Commission Recommendation: Approval of the resolution as follows:

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the Planning Commission ("Commission") held a public hearing on May 22, 2007, on a proposal to vacate the closed Lyon Street, Block 74, Smith and Hayden's Addition, in the City of Saginaw; and

WHEREAS, after a duly advertised public hearing, the Commission found that the public and private interest would best be served by the requested vacation of the closed Lyon Street.

NOW, THEREFORE, be it resolved that the City Council of the City of Saginaw hereby declares its intent to vacate the closed Lyon Street, Block 74, Smith and Hayden's Addition.

BE IT FURTHER RESOLVED, that the City Council of the City of Saginaw will meet on July 30, 2007 at 6:30 p.m. in the Council Chamber at City Hall to hear any objections to the proposed closed street vacation.

COUNCIL COMMUNICATION

Council _____ introduced an ordinance entitled and reading as follows:

AN ORDINANCE TO VACATE THE CLOSED LYON STREET, LOCATED IN THE CITY OF SAGINAW, AND TO RETAIN THEREIN AN EASEMENT FOR PUBLIC UTILITIES, CABLE TV AND TELECOMMUNICATIONS TO BE ADDED TO THE TABLE OF SPECIAL ORDINANCES II OF THE SAGINAW CODE OF ORDINANCES.

Laid over under the charter provision.

COUNCIL COMMUNICATION

Council _____ moved that an ordinance introduced July 2, 2007, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO VACATE THE CLOSED LYON STREET LOCATED IN THE CITY OF SAGINAW, AND TO RETAIN THEREIN AN EASEMENT FOR PUBLIC UTILITIES, CABLE TV AND TELECOMMUNICATIONS TO BE ADDED TO THE TABLE OF SPECIAL ORDINANCE II OF THE SAGINAW CODE OF ORDINANCES.

The City of Saginaw Ordains:

Section 1. That the closed Lyon Street, Block 74, Smith and Hayden's Addition, more fully described as:

PARCEL A: PART OF THE SOUTHWEST FRATIONAL $\frac{1}{4}$ OF SECTION 24, TOWN 12 NORTH, RANGE 4 EAST, CITY OF SAGINAW, SAGINAW COUNTY, MICHIGAN, BEING ALL OF LOTS 7 AND 8, BLOCK 74, PART OF LOTS 6 AND 12, BLOCK 69, SMITH AND HAYDEN'S ADDITION, ACCORDING TO THE PLAT THEREOF RECORDED IN LIBER 38, PAGE 123, SAGINAW COUNTY RECORDS, AND PART OF LYON AND HAMILTON STREETS (CLOSED), BEING FURTHER DESCRIBED AS FOLLOWING: COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF JOSEPH CAMPAU FARM, ACCORDING TO THE PLAT THEREOF RECORDED IN LIBER 38, PAGE 133, SAGINAW COUNTY RECORDS, AND THE WESTERLY LINE OF NIAGARA STREET: THENCE S41°45'00"W, 584.19 FEET ALONG SAID WESTERLY LINE OF NIAGARA STREET TO THE POINT OF BEGINNING; THENCE CONTINUE S41°45'00" W, 299.61 FEET; THENCE N48°15'00"W, 438.31 FEET ALONG AN EXISTING FENCE LINE: THENCE N22°06'05"E, 318.13 FEET ALONG A PREVIOUSLY ESTABLISHED LINE TO A POINT 62.15 FEET SOUTHERLY OF SAID SOUTH LINE OF JOSEPH CAMPAU FARM; THENCE S48°15'00"E, 545.28 FEET TO THE POINT OF BEGINNING, CONTAINING 3.38 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY AND ALL EASEMENTS AND/OR RIGHTS OF WAY WHETHER USED, IMPLIED OR OF RECORD.

is hereby vacated.

Section 2. That there is hereby reserved in the street vacated an easement for public utilities, cable TV and telecommunications to the same extent as though said

COUNCIL COMMUNICATION

street had not been vacated and no structure shall hereafter be erected thereon without the prior written consent of the City of Saginaw.

Section 3. The official map of the City of Saginaw is hereby amended accordingly.

Section 4. This ordinance shall take effect on August 9, 2007.

Enacted: July 30, 2007.

COUNCIL COMMUNICATION

From: Planning Commission

Subject: Vacation of the closed Almira Street

Planning Commission Recommendation:

It is recommended that the closed Almira Street be vacated subject to a standard easement reservation for public utilities, cable TV and telecommunications.

Justification:

Beagle Construction filed a petition requesting the vacation of the closed Almira Street, abutting the southerly line of Lots 1 and 7, Block 69, Smith and Hayden's Addition, in the City of Saginaw. The petition was referred to the Planning Commission ("Commission") for investigation and a report with recommendation. The Commission held a public hearing on the request on May 22, 2007 and all interested persons were heard.

The Commission found that the closed Almira Street has never being used as a formal street. To clear the title for this property, the closed Almira Street must be officially vacated. Therefore, it is recommended that the closed Almira Street, abutting the southerly line of Lots 1 and 7, Block 69, Smith and Hayden's Addition, in the City of Saginaw be vacated subject to a standard reservation for public utilities, cable TV and telecommunications.

Council Action:

Council _____ moved that the report from the Planning Commission be received and filed and that a resolution be adopted declaring City Council's intention to vacate this closed street.

COUNCIL COMMUNICATION

RESOLUTION OF INTENT TO VACATE

Planning Commission Recommendation: Approval of the resolution as follows:

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the Planning Commission (“Commission”) held a public hearing on May 22, 2007, on a proposal to vacate the closed Almira Street, abutting the southerly line of Lots 1 and 7, Block 69, Smith and Hayden’s Addition, in the City of Saginaw; and

WHEREAS, after a duly advertised public hearing, the Commission found that the public and private interest would best be served by the requested vacation of the closed Almira Street.

NOW, THEREFORE, be it resolved that the City Council of the City of Saginaw hereby declares its intent to vacate the closed Almira Street, abutting the southerly line of Lots 1 and 7, Block 69, Smith and Hayden’s Addition.

BE IT FURTHER RESOLVED, that the City Council of the City of Saginaw will meet on July 30, 2007 at 6:30 p.m. in the Council Chamber at City Hall to hear any objections to the proposed closed street vacation.

COUNCIL COMMUNICATION

Council _____ introduced an ordinance entitled and reading as follows:

AN ORDINANCE TO VACATE THE CLOSED ALMIRA STREET, LOCATED IN THE CITY OF SAGINAW, AND TO RETAIN THEREIN AN EASEMENT FOR PUBLIC UTILITIES, CABLE TV AND TELECOMMUNICATIONS TO BE ADDED TO THE TABLE OF SPECIAL ORDINANCES II OF THE SAGINAW CODE OF ORDINANCES.

Laid over under the charter provision.

COUNCIL COMMUNICATION

Council _____ moved that an ordinance introduced July 2, 2007, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO VACATE THE CLOSED ALMIRA STREET LOCATED IN THE CITY OF SAGINAW AND TO RETAIN THEREIN AN EASEMENT FOR PUBLIC UTILITIES, CABLE TV AND TELECOMMUNICATIONS TO BE ADDED TO THE TABLE OF SPECIAL ORDINANCE II OF THE SAGINAW CODE OF ORDINANCES.

The City of Saginaw Ordains:

Section 1. That the closed Almira Street abutting the southerly line of Lots 1 and 7, Block 69, Smith and Hayden's Addition, more fully described as:

PARCEL B: PART OF THE SOUTHWEST FRATIONAL $\frac{1}{4}$ OF SECTION 24, TOWN 12 NORTH, RANGE 4 EAST, CITY OF SAGINAW, SAGINAW COUNTY, MICHIGAN, BEING ALL OF LOTS 5,7, 8, 9, 10, 11, PART OF LOTS 1, 2, 3, 4, 6 AND 12, BLOCK 69, SMITH AND HAYDEN'S ADDITION, ACCORDING TO THE PLAT THEREOF RECORDED IN LIBER 38, PAGE 123, SAGINAW COUNTY RECORDS, AND PART OF ALMIRA, LYON AND HAMILTON STREETS (CLOSED), BEING FURTHER DESCRIBED AS FOLLOWING: COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF JOSEPH CAMPAU FARM, ACCORDING TO THE PLAT THEREOF RECORDED IN LIBER 38, PAGE 133, SAGINAW COUNTY RECORDS, AND THE WESTERLY LINE OF NIAGARA STREET: THENCE S41°45'00"W, 883.80 FEET ALONG SAID WESTERLY LINE OF NIAGARA STREET TO THE POINT OF BEGINNING; THENCE CONTINUE S41°45'00" W, 220.30 FEET; THENCE CONTINUE ALONG SAID WESTERLY LINE S53°57'00"W, 1308.18 FEET TO THE CENTERLINE OF SAID AMIRS STREET; THENCE N42°44'11"W, 293.67 FEET ALONG SAID CENTERLINE OF A POINT 95.40 FEET EASTERLY OF THE LINE OF THE M.C.R.R. RIGHT OF WAY (SO-CALLED); THENCE N22°06'05"E, 347.37 FEET ALONG A PREVIOUSLY ESTABLISHED LINE; THENCE S48°15'00"E FEET, RUNNING ALONG AN EXISTING FENCE LINE, TO THE POINT OF BEGINNING, CONTAINING 2.92 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY AND ALL EASEMENTS AND/OR RIGHTS OF WAY WHETHER USED, IMPLIED OR OF RECORD.

is hereby vacated.

COUNCIL COMMUNICATION

Section 2. That there is hereby reserved in the street vacated an easement for public utilities, cable TV and telecommunications to the same extent as though said street had not been vacated and no structure shall hereafter be erected thereon without the prior written consent of the City of Saginaw.

Section 3. The official map of the City of Saginaw is hereby amended accordingly.

Section 4. This ordinance shall take effect on August 9, 2007.

Enacted: July 30, 2007.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Changes and Revised Fees for Rules and Regulations for Water and Sewer Service Billings and Installations

Manager's Recommendation:

The Public Services Department, Right of Way Division have recommended changes for Water and Sewer Service Billings and Installations in the Water and Sewer Bulletins, dated April 4, 2005 issued under the Authority of Sections 52.14(C), Water Contracts, Water Distribution System, 52.19, Regulatory Authority, Water Distribution System of Chapter 52, Water Section 52.37(A), Rules and Regulations, Billings and Collections, Water Charges of Chapter 52, Water, of Title V, Public Works of the Saginaw General Code of Ordinances.

Justification:

Fee and Charges have been revised to more accurately reflect actual costs. Rules have been undated to address customer's needs also.

The proposed charges for damages of frozen meters, generators, outside clocks and touch pads are as follows, 5/8" meter and generator replacement fee has been increased from \$124.00 to \$169.75, 1" meter and generator replacement fee has been increased from \$194.00 to \$282.25, 1-1/2" meter and generator replacement fee has been increased from \$385.50 to \$688.52, and 2" meter and generator replacement fee has been increased from \$749.00 to \$919.75.

The charges for optional meter, meter template and installation have been changed as follows: 5/8" x 3/4" from \$130.25 to \$179.75, 1" meter from \$229.00 to \$301.00, 1-1/2" from \$625.50 to \$776.00 and 2" meter from \$820.00 to \$1,038.50.

COUNCIL COMMUNICATION

Charges for downsizing water meters have changed to downsize 1" meter to 5/8" by 3/4" increases from \$130.25 to \$163.50 and 1-1/2" to 1" from \$229.00 to \$268.25, 2" to 1" from \$229.00 to \$268.25 and 2" to 1-1/2" from \$625.50 \$659.75. Fees for downsizing large disc meters, turbo and compound meters have also increased.

Hydrant meter require a deposit of \$300.00 and customer is subject to commodity charges once the pre-paid amount is used.

The following increases are recommended for Water & Sewer Connections.

Sewer Connections:

6" connection	\$15.00 per lineal ft.
8" connection	\$16.00 per lineal ft.
10" connection	\$18.00 per lineal ft.
12" connection	\$20.00 per lineal ft.
15" connection	\$24.00 per lineal ft.
18" connection	\$29.00 per lineal ft.
21" connection	\$35.00 per lineal ft.
24" connection	\$41.00 per lineal ft.

Water Connections:

3/4" connection	\$10.50 per lineal ft.
1" connection	\$11.50 per lineal ft.
1-1/2" connection	\$13.00 per lineal ft.
2" connection	\$17.00 per lineal ft.
4" connection	\$21.00 per lineal ft.
6" connection	\$25.00 per lineal ft.

COUNCIL COMMUNICATION

8" connection \$29.00 per lineal ft.

10" connection \$34.00 per lineal ft.

12" connection \$39.00 per lineal ft.

Pavements cuts and replacements have increased from \$450.00 to \$550.00.

Attached for the Council's information are the new amended bulletins proposed for adoption, which supersedes Water Series Bulletin No. 3-15, Public Utilities Bulletin No. 3-16, Public Utilities Bulletin 3-17, Public Utilities Bulletin 6-35, Public Utilities Bulletin No. 6-37 and Public Utilities Bulletin 6-20 dated April 4, 2005.

Council Action:

Council_____ moved that the recommendation of the City Manager be approved.

COUNCIL COMMUNICATION

From: The City Manager

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Subject: ~~Printing and Mailing of Water Bills~~ Material Testing Services

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Manager's Recommendation:

~~That I recommend low bid TBF Graphics that a purchase order be issued to them in the amount of \$60,600.00. The Engineering Department be authorized to issue individual purchase orders of varying amounts up to the authorized amount of \$28,665.00 for fiscal year 2007-2008 and for fiscal year 2008-2009 to Professional Services Industries for material testing services.~~

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

~~Funds for these services are budgeted in~~

~~—various operations and project accounts and will be charged as they develop.~~

~~Funds for this service are available in the Sewer Operation and Maintenance Fund Account No. 590-5311-711-8005 (\$30,300.00), and Water Operation and Maintenance Fund Account No. 591-5310-711-8005 (\$30,300.00).~~

Justification:

~~On June 15, 2004, the City received bids for material testing services for the Engineering Division from July 1, 2004 through June 30, 2005 and July 1, 2005 through June 30, 2006. There was a provision for a third year (July 1, 2006 to June 30, 2007) to hold the second year prices and they complied. The company was asked if they would honor the current bid prices for an additional year and they have complied with the request and also to hold the same prices for fiscal year 2008-2009. The testing services are necessary for quality control of major and local streets resurfacing projects and other city projects. Some projects will use Federal funds and the Federal Highway Administration requires that all construction materials be tested during production and placement.~~

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~~On March 11, 2003, the City received bids for printing and mailing of 300,000 water bills per year. The format of the water bills has changed from an 8-1/2 x 11 tri-fold to a 5-1/2 x 4-1/8 postcard. Also, no return envelope will be included with the bills. Following is a tabulation of the bids that were received;~~

~~— TBF Graphics ————— \$60,600.00~~

~~— Saginaw, MI (In-city) —————~~

COUNCIL COMMUNICATION

~~Saturday's Child III, Inc. \$203,000.00~~

~~Saginaw, MI (In-city)~~

~~The proposed cost is a 54% decrease in cost from previous years.~~

Council Action:

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

COUNCIL COMMUNICATION

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

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the City of Saginaw is concerned about the prevalence, misuse and potentially deadly consequences of imitation or facsimile firearms; and

WHEREAS, federal law requires that all such imitation firearms be manufactured and entered into commerce only with a blaze orange marking to easily distinguish them from real and authentic firearms; and

WHEREAS, this orange marking can and has commonly been removed, making the imitation firearm difficult to distinguish from a real weapon, and in some cases leading to tragic results because of such realism; and

WHEREAS, the City of Saginaw, in reviewing the feasibilities for enacting its own ordinance, has investigated and analyzed local ordinances from other Michigan municipalities that have sought to address this problem; and

WHEREAS, the State of Michigan has introduced House Bill 4892 on June 7, 2007 to provide a statewide legislative remedy to this problem, and action upon that bill is expected in the near future; and

WHEREAS, the City of Saginaw wishes to work in conformity and congruence with the State of Michigan in addressing this problem, and maintaining consistency with existing federal statutes on this matter.

NOW THEREFORE, BE IT RESOLVED that the City of Saginaw hereby expresses its strong support for House Bill 4892 and the desire of this city council, that House Bill 4892 be enacted into law as soon as possible.

BE IT FURTHER RESOLVED that the City of Saginaw further urges community support and disdain for the potentially deadly and unlawful use of these firearm replicas.

COUNCIL COMMUNICATION

Manager Recommendation: Approval of the resolution as follows:

CITES OF PROMISE BLIGHT ELIMINATION PROGRAM GRANT ACCEPTANCE

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the City of Saginaw applied to the Michigan State Housing and Development Authority as part of the Governor's Cities of Promise Program for grant assistance to remove blighted buildings within the City of Saginaw in the amount of \$423,000.00; and

WHEREAS, on June 27, 2007, the City of Saginaw was notified that it was successful in securing this grant; and

WHEREAS, the grant agreement provides matching funds for the City of Saginaw's Community Development Block Grant Demolition fund for each building that is demolished in the amount of up to \$3,000.00; now

THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby gratefully accepts the award and all of the provisions of the grant agreement of the Cities of Promise Blight Elimination Program grant award.