

Council Agenda

August 5, 2013 6:30 p.m.
Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Charles McNair to accept proclamation declaring August 9–11, 2013 as “Saginaw African Cultural Festival Weekend.”

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

(A list will be provided following submittal deadline.)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

Management Update:

CONSENT AGENDA:

1. Approve the July 15, 2013 regular council meeting minutes.
2. Approve Petition 13-09 from Pulse 3 Foundation to erect banner located at Court Street from August 9 through September 9, 2013 to promote “Run for Your Heart” Race.
3. Approve the appointment of Grace DeLeon as officer delegate and Dennis Jordan as alternate officer delegate, and Andy Gwizdala as employee delegate and Mike Hagen as alternate employee delegate, to attend the Municipal Employees Retirement System’s 67th Annual Meeting.
4. Approve the Agreement with Michigan Business Consultants and issue a purchase order for \$14,620 to provide diversity, cultural sensitivity and harassment training for all City employees.
5. Approve Lease Agreement with Big Brothers/Big Sisters to allow occupancy and construction of facility at 1910 Fordney Street, Saginaw.
6. Approve the Fiscal Year 2014 budget adjustment of the Drug Forfeiture Fund’s Use of Fund Equity Account # 264-0000-680.00-00 by \$60,139 for the purchase of 2 patrol vehicles and items to outfit the vehicles for the Police Department.

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This increase in revenues will be offset by an increase to the Drug Forfeiture Fund's Vehicle account # 264-3040-731.97-70 by the same amount.

7. Approve a purchase order to Snethkamp Dodge for \$60,138 for the purchase and outfitting of two Dodge Chargers for the Police Department.
8. Approve the payment to Jack Doheny Supplies, a sole source, for \$2,219.26 for the emergency purchase of debris tank repair parts for the Motor Pool Operations Garage Division.
9. Approve the payment to Michigan Truck Spring, a sole source, for \$2,933.95 for the emergency purchase of repair parts for the Motor Pool Operations Garage Division.
10. Approve a purchase order to Air Gas, Inc. for \$2,800 for tank rental charges for the Motor Pool Operations Garage Division.
11. Approve blanket purchase orders for Fiscal Year 2014 for a combined total of \$28,800 to suppliers of local fleet vehicle services and repairs for the Motor Pool Operations Garage Division.
12. Approve blanket purchase orders for Fiscal Year 2014 for a combined total of \$54,000 to suppliers of local fleet vehicle parts and supplies for the Garage inventory for the Motor Pool Operations Garage Division.
13. Approve a blanket purchase order for Fiscal Year 2014 to Larry's Auto Supply for \$3,000 for various tools for the Motor Pool Operations Garage Division.
14. Approve blanket purchase orders for Fiscal Year 2014 for a combined total of \$158,500 to suppliers of local fleet vehicles parts and supplies for the Motor Pool Operations Garage Division.
15. Adopt the Resolution authorizing the use of amplifying equipment at FirstMerit Event Park for events from August 15 through November 30, 2013 from 10:00 a.m. to 11:00 p.m.
16. Adopt the Resolution authorizing the use of amplifying equipment at Bliss Park for the "If My People" Youth Event on August 17, 2013 from 2:00 p.m. to 4:30 p.m.
17. Adopt the Resolution authorizing the use of amplifying equipment at New Galilee Baptist Church at North 12th Street during their "Block Party" Family and Friends Day on August 24, 2013 from 11:00 a.m. to 6:00 p.m.

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18. Adopt the Resolution authorizing the use of amplifying equipment at the 500 block of Ames Street between South Michigan and Fayette Street during the "Learning Links" concert event on August 13, 2013 from 10:00 a.m. to 12:00 p.m.
19. Adopt the Resolution authorizing the sale and consumption of alcoholic beverages at the Altered Skin Revolution event at the 300 block of Hamilton Street between Cass and Van Buren on September 13 and 14, 2013 from 4:00 p.m. to 10:00 p.m.
20. Adopt the Resolution authorizing the use of amplifying equipment at the Altered Skin Revolution event at the 300 block of Hamilton Street between Cass and Van Buren on September 13 and 14, 2013 from 4:00 p.m. to 10:00 p.m.
21. Approve the payment to Remer Plumbing, Heating and Air Conditioning, Inc. for \$3,510 for emergency repairs to the City Hall boilers.
22. Approve to increase PO #48233 to Beyer Roofing Company, Inc. by \$7,125 and increase PO #48224 to Cusack's Masonry Restoration, Inc. by \$5,952.25 for additional work required for the roof replacement and masonry repairs at City Hall.
23. Approve a purchase order to Pumps Plus, Inc., a sole source, for \$15,059.80 for replacement parts to rebuild one grit slurry cup at the Wastewater Treatment Plant.
24. Approve a purchase order to Lingle Equipment Co. for \$27,000 for a Sky Trak extended reach forklift for the Wastewater Treatment Plant.

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

INTRODUCTION OF ORDINANCES:

1. An Ordinance to amend § 92.09, "Pyrotechnics," of Chapter 92, "Fire Protection and Public Safety," of Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, O-1.
2. An Ordinance to repeal §153.445 "Statement of Purpose," §153.446 "Principal Permitted Uses," §153.447 "Prohibited Uses," §153.448 "Permitted Uses After Special Approval," §153.449 "General Review and Design Guidelines," and §153.450 "Boundaries of the Riverfront Overlay Zone," of the "Riverfront and Business District Overlay Zone," and to repeal §153.460 "Purpose," §153.461 "Principal Permitted Uses," §153.462 "Permitted Uses After Special Approval," §153.463 "Site Plan Review," §153.464 "Area, Height, Bulk, and Placement Requirements and

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Performance Standards,” of the “Riverfront Mixed Use District,” and to add new §153.460 “Purpose,” §153.461 “Principal Permitted Uses,” §153.462 “Permitted Uses After Special Approval,” §153.463 “Required Conditions,” §153.464 “Site Plan Reviews,” §153.465 “Area, Height, Bulk and Placement Requirements and Performance Standards,” and §153.466 “General Review and Design Guidelines,” of the “Riverfront Mixed Use District,” of Chapter 153, “Zoning Regulations,” of Title XV “Land Usage,” of the City of Saginaw Code of Ordinances , O-1.

3. An Ordinance to amend the Zoning Classification of certain properties within an area more or less bounded to the north by Weiss Street extended Easterly; to the east by part of Washington Ave, 2nd Street, Millard Street, Owen Street, Howard Street and Jefferson Ave; to the South by part of Rust Ave and Stephens Street.; to the West by part of Fayette Street, S. Harrison Street, Remington Ave., N. Bond St., Cooper Ave., Stone Street, Congress Ave., Schaefer St., Davenport Ave. and Carrolton St., to Riverfront Mixed Use.

CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

1. Adopt resolution to dissolve the Local Development Finance Authority.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

ADJOURN:

Darnell Earley
City Manager

IF YOU ARE DISABLED AND NEED ACCOMMODATION TO PROVIDE YOU WITH AN OPPORTUNITY TO PARTICIPATE OR OBSERVE IN PROGRAMS, SERVICES, OR ACTIVITIES, PLEASE CALL THE SAGINAW CITY CLERK, 1315 S. WASHINGTON AVE., 989.759.1480.

CITY OF SAGINAW PROCLAMATION

WHEREAS, The 45th Annual Saginaw African Cultural Festival will be held August 9 – 11, 2013 at Morley Park located at 2601 Lapeer in the City of Saginaw; and

WHEREAS, Art is a recognized medium for transmitting cultural values and knowledge to bridge the gap between diverse ethnic groups; and

WHEREAS, This unique festival continues a tradition of 45 years of fostering artistic and cultural exchange through the media of creative expression; and

WHEREAS, This cultural exchange is a key element in breaking down stereotypes and bringing the City's various populations together; and

WHEREAS, The Saginaw African Cultural Festival is a collaboration between a grassroots cultural organization, the City of Saginaw, community agencies, social organizations, and hundreds of dedicated volunteers; and

WHEREAS, The Saginaw African Cultural Festival has served the city for 45 years to claim the title of the longest on-going black arts festival in the nation; and

WHEREAS, The Festival offers a heightened cultural consciousness and social awareness through guest speakers, entertainers, artists, exhibits, contests, and educational workshops; now

THEREFORE, I, Gregory L. Branch, Mayor of the City of Saginaw, hereby proclaim August 9 – 11, 2013, as

"SAGINAW AFRICAN CULTURAL FESTIVAL WEEKEND"

in the City of Saginaw and urge all citizens of Saginaw to attend the 45th Annual Saginaw African Cultural Festival and join me in saluting the members of the Saginaw Black Cultural Alliance and the Saginaw African Cultural Festival Committee for their contributions in making this outstanding festival a local institution and an integral part of the history and culture of Saginaw.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Saginaw to be affixed this 5th day of August in the year of our Lord two thousand and thirteen.



August 5, 2013

Gregory L. Branch, Mayor

Councilpersons

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

Darnell Earley, City Manager

REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, JULY 15, 2013, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

Council Member O'Neal offered a prayer and led the pledge of allegiance.

ROLL CALL

Mayor Branch called the meeting to order. Council Members present: Floyd Kloc, Amos O'Neal, Daniel Fitzpatrick, Larry Coulouris, Mayor Pro Tem Dennis Browning, Andrew Wendt, Norman Braddock, Annie Boensch and Mayor Gregory Branch - 9. Council Members absent: None - 0.

ANNOUNCEMENTS

City Clerk Janet Santos made the following announcements:

- today is the last day to vote for Ojibway Island as "America's Favorite Park" for the national grant contest that the City is participating in. The public can vote by visiting the city's website; and
- nominating petitions are available for the 2013 City Election and must be filed with the City Clerk on or before August 13, 2013 at 4:00 p.m.

PERSONAL APPEARANCES

The following persons addressed the Council: John Acklin, Lee Nickerson, Michael Balls, James Carthan, Jody Wilk and Debra Melkonian.

REMARKS OF COUNCIL

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

REPORTS FROM CITY MANAGER

Management Update

City Manager Darnell Earley announced that a swearing in ceremony was conducted today for newly appointed Fire Marshal Ralph Martin.

City Manager Darnell Earley introduced the General Manager of Mid-Michigan Waste Authority Monica Duebbert. Ms. Duebbert presented information on the current waste and recycling collection programs and future program concepts for consideration with the upcoming contract renewal.

Mayor Pro Tem Browning left the meeting at 7:53 p.m. and returned at 7:56 p.m.

City Manager Darnell Earley introduced JoAnn Cray, President of Saginaw Future, Inc. and a member of the City's Economic Development Team. Ms. Cray informed Council of the New ERA Community Group and their success in other communities by assisting with community development and revitalization projects. Ms. Cray introduced Delores McKinney of the New ERA Community Group. Ms. McKinney explained that the New ERA Community Group will work in partnership with the City, Downtown Development Authority, Planning Commission, Riverfront Development Commission and residents to discuss ideas. This new style for development ideas would be formulated into a Charette design that reflects specific tactical details that would augment the City's Master Plan. She reported that these are the tools developers use when considering investment projects. Ms. McKinney will lead the

Charette design process with Saginaw Future, Inc. at no cost to the City and requested Council support of the Charette design process. Ms. Cray summarized by stating that an outline of the Charette design process would be submitted to the City Manager. A proposed Charette design will be brought before Council for approval.

Council Member O'Neal left the meeting at 8:49 p.m.

Consent Agenda

1. Approve the July 1, 2013 regular council meeting minutes.
2. Approve a purchase order to Acom Solutions, Inc. for \$7,089 for the annual maintenance of software and hardware used in the Fiscal Services Department.
3. Approve to receive the donations from the Saginaw Community Foundation and Giamarco, Mullins, and Horton, LLC for adequate public safety coverage during the July 4th Fireworks Display. Further, approve a budget adjustment for Fiscal Year 2014 to increase the General Fund Revenue's Police Donation Account No. 101-0000-601.67-60 from \$0 to \$2,000. The increase in revenue will be offset by an increase to the Community Public Safety – Police Patrol Division's Overtime Account No. 101-3511-721.70-10 by the same amount.
4. Approve blanket purchase orders for Fiscal Year 2014 for various amounts to four of the City's primary suppliers of various services and repairs for the trucks and engines at the Fire Department.
5. Approve the Interlocal Agreement with Saginaw County for administration of the 2013 Byrne Justice Assistance Grant.
6. Approve a budget adjustment for Fiscal Year 2014 to increase the Federal Grants/JAG 2013 Revenue Account No. 263-0000-513.58-13 from \$0 to \$49,496. The increase in revenue will be offset by an increase in the Capital Outlay/Repairs and Replacements Account No. 263-3332-741.97-20 by the same amount.
7. Approve a blanket purchase order for Fiscal Year 2014 to Carrier & Gable, Inc. for \$6,000 for repair costs of traffic signal equipment.
8. Approve separate blanket purchase orders for Fiscal Year 2014 to three of the City's primary suppliers of electrical parts and supplies for \$3,000 each for the Traffic Maintenance Section of the Right of Way Division.
9. Approve a purchase order for Fiscal Year 2014 to HD Water Works Supply for \$5,894 for 700 bags of Portland cement for the Maintenance and Service Division.
10. Approve purchase orders for Fiscal Years 2014, 2015 and 2016 to TruGreen for \$10,416 each for annual lawn services at select City properties for the Facilities Division.
11. Approve separate annual purchase orders for Fiscal Years 2014 and 2015 to TBF Graphics for \$1,545 and a purchase order for Fiscal Year 2016 for \$1,590 for the printing and mailing of the annual rubbish bills.

12. Approve separate annual blanket purchase orders for Fiscal Years 2014 and 2015 to Lansing Sanitary Supply for \$8,200 for general janitorial supplies for the City's buildings and facilities.
13. Approve a purchase order to Etna Supply for \$59,686.12 for 500 brass water parts for the Maintenance and Service Division.
14. Approve a purchase order for Fiscal Year 2014 to Hach Company, a sole source, for \$3,312.68 for a Reagent Distribution Plan for the Water Treatment Plant.
15. Approve a purchase order for Fiscal Year 2014 to Michigan Department of Environmental Quality in the amount of \$4,000 for laboratory analysis performed at the Water Treatment Plant.
16. Approve the contract agreement and issue a purchase order to Fedewa, Inc. for \$77,400 for painting the Aqua Booster Station Ground Storage Tank at the Water Treatment Plant.
17. Approve Petition 13-08 from Montague Inn to display fireworks at 1581 S. Washington Avenue on Saturday, July 27, 2013 at 10:15 p.m.

Council Action:

Moved by Council Member Braddock, seconded by Council Member Boensch to approve the consent agenda items 1 and 2, and 4 through 17 as presented. 8 ayes, 0 nays, 1 absent. Motion carried.

Moved by Council Member Kloc, seconded by Council Member Braddock to approve the consent agenda item 3 as presented. 8 ayes, 0 nays, 1 absent. Motion carried.

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

Council Member Braddock reported that the next City-School Liaison Committee meeting will be Thursday, July 18, 2013 at 5:30 p.m. at the Saginaw School Administration Building.

Moved by Council Member Braddock, seconded by Council Member Kloc to adopt the resolution appointing Kimberly R. Mason to the Saginaw-Midland Municipal Water Supply System Board with a term to expire December 31, 2014.
8 ayes, 0 nays, 1 absent. Motion carried.

RESOLUTIONS

Moved by Mayor Pro Tem Browning, seconded by Council Member Braddock to adopt the resolution approving the transfer of ownership of a Class C licensed business located at 417 S. Michigan, from James Kokas to Saginaw Bar Ventures, Inc.

Council Member O'Neal returned to the meeting at 9:03 p.m.

9 ayes, 0 nays, 0 absent. Motion carried.

MOTIONS AND MISCELLANEOUS BUSINESS

Council Member Fitzpatrick inquired regarding availability of information on the process for candidates of the 2013 City Election. City Clerk Janet Santos responded that the detailed instructions and information is available at the City Clerk's Office and on the City's website.

ADJOURNMENT

Moved by Council Member Coulouris, seconded by Council Member O'Neal to adjourn the meeting at 9:04 p.m. 9 ayes, 0 nays, 0 absent. Motion carried.

Janet Santos, CMC/MMC
City Clerk

RECEIVED
CITY CLERK
CITY OF SAGINAW

JUL 16 2013



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

TO SAGINAW CITY COUNCIL:

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

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

For: Pulse 3 Foundation (formerly McVI Foundation)
(Organization)

Run for your Heart races
Purpose of Banner

MESSAGE ON BANNER Run for your Heart races

Sept. 7, 2013 half marathon, 10K, 5K, 1mile

Time Period Requested: Aug 9 2013 to Sept 9 2013
(Not to exceed 30 days)

PETITIONERS

Pulse 3 Foundation

YMCA of Saginaw

NAME, ADDRESS AND TELEPHONE NUMBER OF CONTACT PERSON:

NAME Amy Crook PHONE 989 754 3368

ADDRESS: 1015 S. Washington Ave, Saginaw 48601

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

DATE APPROVED BY COUNCIL: _____

CITY CLERK

FAX to 759 1147

Petition # 13-09

From: Darnell Earley, City Manager
Subject: Municipal Employees Retirement System 67th Annual Meeting
Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

I recommend the appointment of Grace DeLeon as officer delegate and Dennis Jordan as alternate officer delegate, and Andy Gwizdala as employee delegate and Mike Hagen as alternate employee delegate, to attend the Municipal Employees Retirement System's (MERS) 67th Annual Meeting.

Justification:

The Municipal Employees Retirement Act provides that an annual meeting shall be held for representatives of participating municipalities for the purpose of selecting nominees for membership on the retirement board and to transact such business as may be required for the proper operation of the retirement system. The 2013 annual meeting has been scheduled for October 1-3, at the Grand Traverse Resort in Acme, Michigan.

The officer delegate and alternate officer delegate are recommended based on appointing criteria. The employee delegate and employee alternate delegate are elected in accordance with the Act that requires the City Clerk to hold a secret ballot election for all eligible MERS members. This election has been noticed to the applicable employees and secretly conducted. Upon conclusion, votes were counted, tallied and verified resulting in Andy Gwizdala receiving the highest number of votes and Mike Hagen the second highest.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Darnell Earley, City Manager
Subject: Diversity, Cultural Sensitivity and Harassment Training
Prepared by: Dennis Jordan, Director of Employee Services

Manager's Recommendation:

I recommend approval of an Agreement between the City of Saginaw and Michigan Business Consultants to provide diversity, cultural sensitivity and harassment training for all City employees. This agreement has been approved by me as to substance and the City Attorney as to form. It is also recommended that the City Council authorize the City Manager or his designee to sign all documents related to this agreement.

Justification:

This training will provide all employees and supervisors with awareness to better understand other cultures, age groups, and lifestyle groups. The sessions will be divided into employee groups and supervision groups. The vendor brings 30 plus years of professional training experience with both private and public employers. Training sessions are slated for September 2013. The fee for the training is \$34.00 per employee (\$14,620) and will be allocated across all funds.

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 0-1.

Funds are available in the Workers Compensation Fund – Administration Division's Professional Services Account No. 678-1750-701.80-01.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Darnell Earley, City Manager
Subject: Renewal of Big Brothers/Big Sisters Land Lease Agreement
Prepared by: Bill Ernat, Interim Director of Community and Economic Development

Manager's Recommendation:

I recommend approval of the Lease Agreement ("Agreement") between the City of Saginaw ("City") and Big Brothers/Big Sisters (BBBS). I have approved the Agreement as to substance and the City Attorney as to form. Under the terms of the Agreement, BBBS will lease the lot for \$1.00.

Justification:

In 1958, the City of Saginaw and BBBS entered into a lease agreement to allow the construction of a facility at 1910 Fordney Street, Saginaw. Since that time the building has been under lease to BBBS and has been occupied solely by BBBS. Recently, BBBS of the Great Lakes Bay Region took over the BBBS for the Saginaw area and found out that the lease had expired on their property and requested an extension of the lease agreement. After multiple discussions between the two parties an agreement has been reached.

Pursuant to the terms of the Agreement, BBBS will be responsible for the maintenance of the building as well as the parcel of land identified in the agreement that includes the parking lot for the facility. The term of the Agreement is for forty-five (45) years with an option of renewing the agreement for an additional five (5) years.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Darnell Earley, City Manager
Subject: Budget Adjustment – (2) Dodge Chargers V6 Patrol Vehicles
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager’s Recommendation:

It is recommended that a budget adjustment be completed to increase the Drug Forfeiture Fund’s Use of Fund Equity Account No. 264-0000-680.00-00 from \$42,976 to \$103,115 which equates to a \$60,139 increase. This increase in revenues will be offset by an increase to the Drug Forfeiture Fund’s Vehicle Account No. 264-3040-731.97-70 by the same amount.

Justification:

The Saginaw Police Department will be removing two of the oldest vehicles from the fleet and purchasing two new Dodge Chargers V6 patrol vehicles and items to outfit the cars (light bars, cages, computer mounts, etc.). These vehicles are being purchased with state bid pricing from MiDEAL.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Darnell Earley, City Manager
Subject: (2) Dodge Chargers V6 Patrol Vehicles
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager’s Recommendation:

I recommend that a purchase order be issued and approved to Bill Snethkamp Dodge of Lansing, MI, in the amount of \$60,138 for the purchase and outfitting of two Dodge Chargers V6 patrol vehicles for the Police Department.

Justification:

The Saginaw Police Department will be removing two of the oldest vehicles from the fleet and replacing them with two new Dodge Chargers V6 patrol vehicles in the amount of \$44,138. The remaining \$16,000 will be used for the cost to outfit both cars (light bars, cages, computer mounts, etc.). These vehicles are being purchased using State bid pricing from MiDEAL.

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

Funds for this purchase are available in the Drug Forfeiture Fund's Vehicle Account No. 264-3040-731.97-70.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Darnell Earley, City Manager

Subject: Emergency Purchase – Sewer Jet debris tank parts

Prepared by: Don Riley, Public Services Department

Manager’s Recommendation:

I recommend that a payment be made to sole source vendor Jack Doheny Supplies of Northville, Michigan in the amount of \$2,219.26 for the cost of an emergency purchase order issued for debris tank repair parts for truck 57-0837.

Justification:

On July 19, 2013, an emergency purchase order no. 49045 was issued to Jack Doheny Supplies in the amount of \$2,219.26 for replacement debris tank repair parts, which were worn and corroded beyond service on a 2002 Sterling Vactor, Sewer Jet truck. Jack Doheny Supplies is the sole source for these specialty repair parts. This truck is a frontline piece of equipment that assists in emergency repairs and maintenance of City water lines, sewers, and catch basins.

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

Funds for this purchase are budgeted in the Motor Pool Operation Fund - Garage Division’s / Motor Vehicle Supplies Account No. 661-4480-841.73-12

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Darnell Earley, City Manager
Subject: Emergency Purchase – Dump Truck Repair
Prepared by: Don Riley, Public Services Department

Manager’s Recommendation:

I recommend that a payment be made to Michigan Truck Spring of Saginaw, a sole source vendor, in the amount of \$2,933.95 for the cost of an emergency purchase order issued for suspension repairs to truck 57-0459.

Justification:

On July 11, 2013, an emergency purchase order no. 48914 was issued to Michigan Truck Spring in the amount of \$2,933.95 for the replacement of springs and walking beams, which were worn beyond service on a 2008 Sterling dump truck. Michigan Truck Spring is the sole local direct supplier of this service. The dump truck is a frontline piece of equipment that assists in emergency repairs and maintenance of City water lines, sewers, and catch basins.

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

Funds for this purchase are budgeted in the Motor Pool Operation Fund Motor Vehicle Repairs Account No. 661-4480-841.80-42.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Darnell Earley, City Manager
Subject: Compressed Gas Tank Rental
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend that a purchase order be approved and issued to AirGas, Inc. Saginaw, Michigan (out-city), at the State bid price of \$2,800 for payment of tank rental charges.

Justification:

The City's Municipal Garage requires the services of this vendor for supplying tank rentals, and the containment of welding & cutting gasses from July 1, 2013 to June 30, 2014. Under a separate purchase order, AirGas, Inc. is also supplying the City's Municipal Garage with compressed Oxygen, Acetylene, Argon, and Argon/CO2 mixes at State bid pricing for Fiscal Year 2014. The containment tanks must be obtained from the specific vendor who supplies the fuel for the fiscal year. This purchase order will cover the monthly rentals for the eighteen (18) tanks of various mixtures and sizes that the garage has on hand for daily use and emergency repairs. This cost represents no price increase from the previous year.

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

Funds are budgeted in the Motor Pool Operation Fund Parts and Supplies Account No. 661-4480-841.73-30.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Darnell Earley, City Manager
Subject: Blanket Purchase Orders for Services of Local Vendors
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend that blanket purchase orders for Fiscal Year 2014 be approved and issued to the City's primary suppliers of local fleet vehicle services in the listed amounts below totaling \$28,800 for various vehicle services and repairs.

Justification:

The City's Municipal Garage requires the services of local vendors for various repairs of fleet vehicles from July 1, 2013 to June 30, 2014. There is no feasible means to predetermine what type of services will be needed to include suspension, engine and upholstery repairs, etc. These are random services that are needed in any given time period. Issuing individual purchase orders is costly and administratively time consuming. This will be a 38% decrease from last year's request. The Municipal Garage personnel will price quote individual services and select the lowest and best vendor for each service, with the cost charged to the respective blanket purchase order. Therefore, it is clearly in the best interest of the City to continue this procedure for Fiscal Year 2014 as follows:

Bushey's Radiator & Glass Saginaw, MI (in-city)	\$ 2,500
Diesel Truck Sales Saginaw, MI (in-city)	\$ 2,000
Discount Transmissions Saginaw, MI (in-city)	\$ 5,000
General Top & Trim Saginaw, MI (in-city)	\$ 3,500
Martin Chevrolet Saginaw, MI (out-city)	\$ 2,000
Mike's Wrecker Saginaw, MI (in-city)	\$ 2,500
Northwest Tire & Service Saginaw, MI (in-city)	\$ 2,300

Tire Centers LLC Buena Vista, MI	\$ 7,000
Tuffy Muffler Saginaw, MI (in-city)	\$ 2,000

These vendors meet 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 these services are budgeted in Motor Pool Operation Fund Motor Vehicle Repairs Account No. 661-4480-841.80-42.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Darnell Earley, City Manager
Subject: Blanket Purchase Orders for Inventory Vehicle Parts & Supplies
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend that blanket purchase orders for Fiscal Year 2014 be approved and issued to each vendor listed below for a combined total of \$54,000 for various vehicle parts and supplies.

Justification:

The City's Municipal Garage requires many frequently used parts be kept in inventory to ensure efficient continued operation. This requires the purchase of a vast array of original equipment manufacturer/distributor vehicle parts and supplies for the maintenance of the fleet vehicles for Fiscal Year 2014. There is no feasible means to predetermine quantities and type of parts that will be needed in any given time period because these are random repairs. Issuing individual purchase orders for many items purchased is costly and administratively time consuming. An efficient way of purchasing these items is to establish a blanket purchase order. The Municipal Garage personnel will price quote items and award purchases to the lowest and best vendor for each item. It is in the best interest of the City to continue this procedure. This will be a 42% increase from last year's request, and more accurately reflects the previous year's expenditures to each vendor. The following is a tabulation of the requested blanket purchase orders to include the vendor and amounts as follows:

Interstate Batteries Bay City, MI (out-city)	\$ 4,000
Jerry's Tires Buena Vista, MI (out-city)	\$30,000
Northwest Tire & Service Saginaw, MI (in-city)	\$20,000

These vendors meet 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 these purchases are budgeted in the Motor Pool Operation Fund Motor Vehicle Supplies Account No. 661-4480-841.73-12, and will be accounted for in the Motor Pool Operation Fund – Inventory, Garage Parts Account No. 661-0000-171.11-23.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Darnell Earley, City Manager
Subject: Blanket Purchase Order For Larry's Auto Supply
Prepared by: Don Riley, Department of Public Services

Manager's Recommendation:

I recommend that a blanket purchase order for Fiscal Year 2014 be approved and issued in the amount of \$3,000 to Larry's Auto Supply of Saginaw, MI (in city), for the purchase of tools for the mechanics within the Motor Pool Division.

Justification:

The City's Municipal Garage mechanics are given a tool allowance at a yearly cost not to exceed \$500 per person, per the SEIU Hourly Bargaining Unit, Union Contract, Section 43 as follows:

For the Mechanical Equipment Repairperson II, Serviceperson Mechanic and Mechanic Equipment Repairperson I positions, the employer will continue to replace broken and worn out tools and contribute to the purchase of "updated" tools owned and used by the employees in these job classifications at a yearly cost not to exceed \$500 per person, per fiscal year. It is further understood that City employees shall be responsible for assigned tools lost or damaged through negligence of the employee. The allowance shall be distributed based on procedure currently in effect in the Division of Motor Equipment.

This blanket purchase order fulfills the City's bargaining agreement to employees for the purchase of new and specialized tools required for changes in industrial materials, electronic computer software and manufactured specifications, etc. Each one of the Garage's six (6) mechanics selects their individual tools. An efficient way of purchasing these items is to establish a blanket purchase order.

Larry's Auto Supply 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 Motor Pool Operation Parts and Supplies Account No. 661-4480-841.73-30.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Darnell Earley, City Manager
Subject: Blanket Purchase Orders for Vehicle Parts & Supplies
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend that blanket purchase orders for Fiscal Year 2014 be approved and issued to each vendor listed below for a combined total of \$158,500 for various vehicle parts and supplies.

Justification:

The City's Municipal Garage requires the purchase of a vast array of Original Equipment Manufacturer/Distributor vehicle parts and supplies for the maintenance of the fleet vehicles from July 1, 2013 to June 30, 2014. A yearly contract proposal is not feasible because it is not possible to determine the parts and quantities that will be required in any given time period. Issuing individual purchase orders is costly and administratively time consuming. The Municipal Garage personnel will price quote parts and award purchases to the lowest and best vendor for each item. This will be a 35% decrease from last year's request, and more accurately reflects the previous year's expenditures to each vendor. It is clearly in the best interest of the City to continue this procedure for Fiscal Year 2014. Therefore, as in previous years, we are requesting authorization to issue blanket purchase orders as follows:

AirGas Saginaw, MI (out-city)	\$ 4,300
AIS Bridgeport, MI (out-city)	\$13,000
Alro Steel Bay City, MI (out-city)	\$ 4,000
Bell Equipment Lake Orion, MI (out-city)	\$10,000
Bridgeport Equipment Bridgeport, MI (out-city)	\$10,000
Bushey's Radiator & Glass Saginaw, MI (in-city)	\$ 2,200

Consumer Auto Parts Saginaw, MI (in-city)	\$ 8,000
Diesel Truck Sales Saginaw, MI (in-city)	\$ 6,500
Fleet Pride Saginaw, MI (out-city)	\$ 3,000
Flint New Holland Burton, MI (out-city)	\$ 6,000
Graff Truck Center Saginaw, MI (out-city)	\$ 2,000
Larry's Auto Saginaw, MI (in-city)	\$50,000
Martin Chevrolet Saginaw, MI (out-city)	\$ 2,500
McDonald Ford Saginaw, MI (out-city)	\$ 2,500
Michigan Cat Saginaw, MI (out-city)	\$ 6,000
Michigan Truck Spring Saginaw, MI (out-city)	\$ 2,500
Mid State Bolt & Screw Company Saginaw, MI (out-city)	\$ 2,500
Quality Auto Parts Saginaw, MI (out-city)	\$ 2,000
Scientific Brake & Equipment (truck) Saginaw, MI (in-city)	\$10,000
Spartan Distributors Detroit, MI (out-city)	\$ 4,000
Tri-County Equipment Saginaw, MI (out-city)	\$ 5,000

Weiland Truck Center
Saginaw, MI (out-city)

\$ 2,500

These vendors meet 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 these purchases are budgeted in the Motor Pool Operation Fund Motor Vehicle Supplies Account No. 661-4480-841.73-12.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Darnell Earley, City Manager

Subject: Authorization for the FirstMerit Event Park to Use Amplifying Equipment during their Event

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend approval of the Resolution authorizing the use of amplifying equipment at the FirstMerit Event Park for a wide range of events to be held randomly with the first event being held August 15, 2013 through November 30, 2013 located at 310 Johnson Street between the hours of 10:00 a.m. and 11:00 p.m.

Justification:

On July 11, 2013, the Dow Event Center - SMG submitted an application for the new FirstMerit Event Park season of summer events. They requested permission to use amplifying equipment at FirstMerit Event Park located at 310 Johnson Street during their events.

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

Council Action:

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

**RESOLUTION TO AUTHORIZE
FIRST MERIT EVENT PARK
TO USE AMPLIFYING EQUIPMENT
AT 310 JOHNSON STREET
AUGUST 15, 2013 TO NOVEMBER 30, 2013**

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

WHEREAS, The FirstMerit Event Park plans to have a variety of events primarily intended for community events and festivals with a focus on major concerts located at 310 Johnson Street between August 15, 2013 to November 30, 2013. This will draw people to Downtown Saginaw; and

WHEREAS, The Dow Event Center – SMG has requested permission to use amplifying equipment between the hours of 10:00 a.m. and 11:00 p.m. This will give SMG the ability to schedule events year round; and

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment during random events held at the FirstMerit Event Park to be held during this season from August 15 through November 30, 2013 between the hours of 10:00 a.m. and 11:00 p.m. located at 310 Johnson Street.

- Ayes:
- Nays:
- Absent:
- Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on August 5, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk

From: Darnell Earley, City Manager

Subject: Authorization for the Healing Hand Evangelistic Ministry to Use Amplifying Equipment during their Event

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend approval of the Resolution authorizing the use of amplifying equipment for the "If My People" Youth Event to be held on August 17, 2013. The event will be held at Bliss Park located at 1441 North Michigan Avenue between the hours of 2:00 p.m. and 4:30 p.m.

Justification:

On June 12, 2013, the Healing Hand Evangelistic Ministry submitted an application for the "If My People" Youth Event. They requested permission to use amplifying equipment at Bliss Park located at 1441 North Michigan Avenue during the event.

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

Council Action:

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

**RESOLUTION TO AUTHORIZE
THE HEALING HAND EVANGELISTIC MINISTRY
TO USE AMPLIFYING EQUIPMENT AT
BLISS PARK LOCATED AT 1441 N. MICHIGAN AVENUE ON AUGUST 17, 2013**

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

WHEREAS, The Healing Hand Evangelistic Ministry plans to have their “If My People” Youth Event at Bliss Park located at 1441 North Michigan Avenue on August 17, 2013; and

WHEREAS, The Healing Hand Evangelistic Ministry has requested permission to use amplifying equipment between the hours of 2:00 p.m. and 4:30 p.m. on August 17, 2013; and

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment during their “If My People” Youth Event. The event will be held at Bliss Park located at 1441 North Michigan between the hours of 2:00 p.m. and 4:30 p.m. on August 17, 2013.

- Ayes:
- Nays:
- Absent:
- Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on August 5, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk

From: Darnell Earley, City Manager

Subject: Authorization for the New Galilee Baptist Church to Use Amplifying Equipment during their Event

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend approval of the Resolution authorizing the use of amplifying equipment for the New Galilee Baptist Church "Block Party" Family and Friends Day event to be held on August 24, 2013. The event will be held on North 12th Street between Sanford Street and Norman Street between the hours of 11:00 a.m. and 6:00 p.m.

Justification:

On June 21, 2013, the New Galilee Baptist Church submitted a Block Party application for their event. They requested permission to use amplifying equipment during the event.

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

Council Action:

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

**RESOLUTION TO AUTHORIZE
THE NEW GALILEE BAPTIST CHURCH
TO USE AMPLIFYING EQUIPMENT ON
NORTH 12TH STREET BETWEEN SANFORD STREET & NORMAN STREET ON
AUGUST 24, 2013**

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

WHEREAS, the New Galilee Baptist Church plans to have their annual Family and Friends Day located on North 12th Street between Sanford Street and Norman Street on August 24, 2013; and

WHEREAS, the New Galilee Baptist Church has requested permission to use amplifying equipment between the hours of 11:00 a.m. and 6:00 p.m. on August 24, 2013; and

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment during the annual Family and Friends Day. The event will be held on North 12th Street between Sanford Street and Norman Street between the hours of 11:00 a.m. and 6:00 p.m. on August 24, 2013.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on August 5, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk

From: Darnell Earley, City Manager

Subject: Authorization for the Saginaw County Community Mental Health to Use Amplifying Equipment during their Event

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend approval of the Resolution authorizing the use of amplifying equipment for the "Learning Links" Concert event to be held on August 13, 2013. The event will be held in the 500 block of Ames Street between South Michigan Avenue and Fayette Street between the hours of 10:00 a.m. and 12:00 p.m.

Justification:

On April 8, 2013, the Saginaw County Community Mental Health submitted a Special Event and Block Party application for the "Learning Links" Concert event. They requested permission to use amplifying equipment during the event.

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

Council Action:

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

**RESOLUTION TO AUTHORIZE
THE SAGINAW COUNTY COMMUNITY MENTAL HEALTH
TO USE AMPLIFYING EQUIPMENT AT
500 BLOCK OF AMES STREET BETWEEN S. MICHIGAN AVENUE AND
FAYETTE STREET ON AUGUST 13, 2013**

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

WHEREAS, the Saginaw County Community Mental Health plans to have a “Learning Links” Concert event on August 13, 2013; and

WHEREAS, Saginaw County Community Mental Health has requested permission to use amplifying equipment between the hours of 10:00 a.m. and 12:00 p.m.; and

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment during the “Learning Links” Concert event to be held on August 13, 2013 between the hours of 10:00 a.m. and 12:00 p.m. to be held in the 500 block of Ames Street between S. Michigan Avenue and Fayette Street.

Ayes:
Nays:
Absent:
Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on August 5, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk

From: Darnell Earley, City Manager

Subject: Authorization to Allow the Sale and Consumption of Alcoholic Beverages in the 300 Block of Hamilton Street between Cass Street and Van Buren Street

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend adoption of the attached Resolution authorizing the sale and consumption of alcoholic beverages in the 300 Block of Hamilton Street between Cass Street and Van Buren Street to be held on September 13 and 14, 2013.

Justification:

Mr. Patrick Kuhn has requested that the City allow the sale and consumption of alcoholic beverages during their outdoor special event. Title XIII, Chapter 132, Section 132.01(C) of the Saginaw Code of Ordinances states that City Council can authorize the sale of alcoholic beverages on public property, if the vendor provides the following to the City:

- (1) The precise location where said beverages are to be sold and consumed;
- (2) The dates 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 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 in the State of Michigan;
- (5) Such other insurance as the City Council deems adequate for the benefit of the City;
- (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.

The Sponsor will be providing alcoholic beverages at the annual Altered Skin Revolution, and they will provide the proper documents to the City by August 30, 2013. If the Sponsor fails to provide the documentation, they will not be allowed to sell or consume alcoholic beverages on public property in the 300 Block of Hamilton Street between Cass Street and Van Buren Street on September 13 between the hours of 4:00 p.m. and 10:00 p.m. and on September 14, 2013 between the hours of 12:00 p.m. and 10:00 p.m. The City will set the insurance requirements and all insurance certificates must be reviewed and approved by the City. Furthermore, the Sponsor will be advised of the insurance requirements and the deadline for submitting insurance certificates to the City.

Council Action:

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

**RESOLUTION TO PERMIT THE SALE AND CONSUMPTION OF
ALCOHOLIC BEVERAGES ON THE
300 BLOCK OF SOUTH HAMILTON BETWEEN
CASS STREET AND VAN BUREN STREET**

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

WHEREAS, the event sponsor Patrick Kuhn plans to host its annual Altered Skin Revolution event on the 300 block of South Hamilton Street between Cass Street and Van Buren Street on September 13 and 14, 2013; and

WHEREAS, on July 10, 2013, Patrick Kuhn requested that they be allowed to consume and sell alcoholic beverages to participant's on September 13, 2013 between the hours of 4:00 p.m. and 10:00 p.m. and September 14, 2013 between the hours of 12:00 p.m. and 10:00 p.m. on public property; and

WHEREAS, City Council can provide authorization for the consumption and sale of alcoholic beverages on public property; and

WHEREAS, Patrick Kuhn must provide certain documents prior to the event; and

WHEREAS, if Patrick Kuhn does not provide the documents by the stated date, they will not be allowed to sell alcoholic beverages for consumption during their event on September 13 and 14, 2013; and

WHEREAS, the City will set all insurance requirements and all insurance certificates must be reviewed and approved by the City.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the consumption and sale of alcoholic beverages on public property during the annual Altered Skin Revolution event to be held on September 13 and 14, 2013 on the 300 block of South Hamilton Street between Cass Street and Van Buren Street provided that the mandatory information listed in Title XIII, Section 132.01(C) of the Saginaw Code of Ordinances be provided no later than August 30, 2013.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on August 5, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk

From: Darnell Earley, City Manager

Subject: Authorization for Patrick Kuhn use of Amplifying Equipment during Event

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend approval of the Resolution authorizing the use of amplifying equipment for the Altered Skin Revolution event to be held on September 13 and 14, 2013. The event will be held on the 300 Block of South Hamilton Street between Cass Street and Van Buren Street between the hours of 4:00 p.m. and 10:00 p.m. on September 13, 2013 and between the hours of 12:00 p.m. and 10:00 p.m. on September 14, 2013.

Justification:

On July 10, 2013, Patrick Kuhn submitted a Special Event application for the annual Altered Skin Revolution event to bring families together. They have requested permission to use amplifying equipment on the 300 Block of South Hamilton Street between Cass Street and Van Buren Street during the event.

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

Council Action:

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

**RESOLUTION TO AUTHORIZE PATRICK KUHN
TO USE AMPLIFYING EQUIPMENT ON SEPTEMBER 13 AND 14, 2013
ON THE 300 BLOCK OF SOUTH HAMILTON STREET
BETWEEN CASS STREET AND VAN BUREN STREET**

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

WHEREAS, Patrick Kuhn plans to hold an annual Altered Skin Revolution event on September 13 and 14, 2013; and

WHEREAS, Patrick Kuhn has requested permission to use amplifying equipment on September 13, 2013 between the hours of 4:00 p.m. and 10:00 p.m. and on September 14, 2013 and between 12:00 p.m. and 10:00 p.m.; and

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment during the annual Altered Skin Revolution to be held on September 13 and 14, 2013, between the hours of 4:00 p.m. and 10:00 p.m. on September 13, 2013 and September 14, 2013 between 12:00 p.m. and 10:00 p.m. in the 300 Block of South Hamilton Street between Cass Street and Van Buren Street.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on August 5, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk

From: Darnell Earley, City Manager

Subject: Emergency Purchase – City Hall Boiler Repairs

Prepared by: Bruce Caradine, Public Services Department

Manager’s Recommendation:

I recommend that a payment be made to Remer Plumbing, Heating and Air Conditioning, Inc. (Remer), of Saginaw (in-city), in the amount of \$3,510 for the costs related to emergency repairs to the City Hall boilers.

Justification:

In April, 2013, Remer Plumbing, Heating and Air Conditioning, Inc. was called in on an emergency basis to perform repairs and replace parts for the City Hall north boiler that was not operating correctly. Remer assisted the City Facilities Maintenance Division in getting the only operable boiler for the City Hall building operating correctly. The boiler was shutting down on its own during the day and not restarting itself the following morning to provide heat for building occupants. Remer was called in for this service because they are the same vendor that installed the new boiler in 2010 and would be most familiar with what may be required to make repairs.

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

Funds for this purchase are available in the General Fund – Department of Public Service’s - Facilities Division’s, Operating Services Account No. 101-7575-821-80.05 in FY 2013.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Darnell Earley, City Manager

Subject: Emergency Purchase – City Hall Masonry and Roof Repairs

Prepared by: Bruce Caradine, Public Services Department

Manager’s Recommendation:

I recommend that purchase order no. 048233 with Beyer Roofing Company, Inc. (Beyer) Saginaw, MI, be increased from \$68,653 to \$75,778, an increase of \$7,125. I also recommend that purchase order no. 048244 with Cusack’s Masonry Restoration, Inc. (Cusack’s) Hubbardston, MI, be increased from \$55,500 to \$61,452.25, an increase of \$5,952.25. The total increase to both purchase orders is \$13,077.25 in Fiscal Year 2013.

Justification:

On April 15, 2013, City Council approved purchase orders to be issued to Beyer in the amount of \$54,453 and to Cusack’s in the amount of \$49,200 for the roof replacement and masonry repairs at City Hall.

On May 20, 2013, City Council approved increases in purchase orders to Beyer in the amount of \$14,200 for a new total amount of \$68,653 and to Cusack’s in the amount of \$6,300 for a new total amount of \$55,500. The total increase to both purchase orders was \$20,500. The original work as quoted did not include the replacement of rubber membrane or masonry repairs on the additional 2,100 square feet roof over the north end of City Hall which was once used as the City Clinic.

During Beyer’s contracted roof repair work, they encountered additional wet insulation that was over and above the estimated amount that was included in their original quote for removal and replacement. The estimated amount of insulation to be removed as part of the original quote was 1000 square feet and the final total quantity that needed to be removed and replaced was 4,930 square feet. The additional removal, replacement and dumping fee costs associated with this work totaled \$7,125.

During Cusack’s masonry repair work, unstable conditions that were not part of the original bid were discovered while performing the repair work to the parapet walls and limestone coping stones. After removing the face brick on the parapet wall, the underlying conditions were such that it was unsafe to leave the wall in that condition. Cusack’s had to remove loose parapet wall substrate down to sound brick and perform all related work to make the wall safe, stable and waterproof. Also, limestone coping stones had to be reset and patched to ensure that the stones would not fall and cause damage to existing structures below or harm anyone entering or leaving City Hall. The costs associated with this additional masonry work totaled \$5,952.25.

Funds for these increases in purchase orders is available in the General Fund – Department of Public Services - Facilities Division's, Repairs and Replacements Account No. 101-7575-821-97.20 (\$13,077.25).

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Darnell Earley, City Manager
Subject: Eutek Grit Slurry Cup Rebuild
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the quote from Pumps Plus, Inc. of Farmington Hills, MI, a sole source, be accepted and a purchase order be issued to them in the amount of \$15,059.80 for the purchase of parts to rebuild one grit slurry cup at the Wastewater Treatment Plant.

Justification:

On July 1, 2013 we received a quote from Pumps Plus, Inc. for replacement parts for our grit slurry cup. The grit slurry cup is part of our grit removal system. The grit slurry cup was in service, however, maintenance staff determined that these parts need replacement in the near future due to the abrasive nature of the grit being processed. Due to the critical nature of this process, the parts are being ordered for scheduled maintenance to reduce the out of service time. Pumps Plus, Inc. is the manufacturer's representative for Eutek and a sole source for replacement parts.

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

Funds for this purchase are budgeted in the Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Parts and Supplies Account No. 590-4830-861.73-30.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Darnell Earley, City Manager
Subject: Purchase of a Sky Trak Forklift
Prepared by: Brian Baldwin, Water and Wastewater

Manager’s Recommendation:

I recommend that the quote from Lingle Equipment Co. of Saginaw, be accepted and that a purchase order be issued to them in the amount of \$27,000 for the purchase of a Sky Trak extended reach forklift for the Wastewater Treatment Plant.

Justification:

The Wastewater Treatment Plant has a great deal of large equipment, such as ten gearboxes and motors and twenty mechanical aerators which sit outside. In order to service this equipment Wastewater staff has historically used a series of A frames, hoists and come-a-longs because our forklift cannot navigate on rough and uneven surfaces and does not have the reach needed. A Sky Trak has a 36 foot vertical reach and all terrain tires. A Sky Trak will make it far easier and safer to effectively maintain outside equipment. The base cost for a new unit is \$83,000. Quotes for used Sky Traks were received on July 17 and 18, 2013 and Lingle Equipment Co. provided the low quote. Because the quotes are for used equipment, they are for similar but not identical equipment. Following is a summary of the quotes received:

Lingle Equipment Inc. Saginaw, MI	\$27,000
AIS Construction Equipment Co. Lansing, MI	\$29,000
Cloverdale Equipment Co. Detroit, MI	\$43,900

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

Funds for this purchase are available in the Sewer Operation and Maintenance Fund, Surplus Division’s Maintenance Equipment Account No. 590-4840-881.97-41.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Darnell Earley, City Manager
Subject: Fireworks Ordinance Amendment
Prepared by: Janet Santos, City Clerk
Date: August 5, 2013

Manager's Recommendation:

I recommend approval that § 92.09, "Pyrotechnics," of Chapter 92, "Fire Protection and Public Safety," of Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, O-1, be amended.

Justification:

In 2011, the Michigan Fireworks Safety Act (Act) was adopted to revise and consolidate the laws relating to the sale, purchase, possession, and use of fireworks. On June 19, 2013, the Governor approved amendments to the Act.

The Act provides that "a local unit of government shall not enact or enforce an ordinance, code, or regulation pertaining to or in any manner regulating the sale, display, storage, transportation, or distribution of fireworks." Similarly, the Act prohibited a local unit of government from enacting any ordinance regulating the use of fireworks the day before, day of, and the day after a national holiday. However, the recent amendment to the act now allows a local unit of government to enact an ordinance regulating the ignition, discharge, and use of consumer fireworks between the hours of 1:00 a.m. and 8:00 a.m., during that three-day window. The Act also allows a local unit of government to impose a civil fine not to exceed \$500.00 for each violation. No other fine or sanction will be imposed.

An Ordinance has been prepared that specifically amends § 92.09 (B) (2) (b) and adds §92.09 (B) (3) as allowed by the Act. This ordinance has been reviewed by me for content and the City Attorney for substance. It appears under the regular order of business.

Council Action:

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

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

AN ORDINANCE TO AMEND § 92.09, "PYROTECHNICS," OF CHAPTER 92, "FIRE PROTECTION AND PUBLIC SAFETY," OF TITLE IX, "GENERAL REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

Laid over under Charter provision.

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced August 5, 2013, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND § 92.09, "PYROTECHNICS," OF CHAPTER 92, "FIRE PROTECTION AND PUBLIC SAFETY," OF TITLE IX, "GENERAL REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

Section 1. § 92.09, "Pyrotechnics," of Chapter 92, "Fire Protection and Public Safety," of Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, O-1, is hereby amended to read as follows:

§ 92.09 PYROTECHNICS.

(A) *Definition.* The word **PYROTECHNICS**, whenever used in this code, means devices made for professional use that are similar to consumer fireworks in chemical composition and construction but not intended for consumer use, that meet the weight limits for consumer fireworks but are not labeled as such, and that are classified as UN0431 or UN0432 under 49 CFR 172.101. **CONSUMER FIREWORKS** mean fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks do not include low-impact fireworks.

(B) *Prohibited.* No person, firm, co-partnership, or corporation shall use, explode or cause to explode, or manufacture, pyrotechnics or consumer fireworks within the City except as provided:

(1) That the items described in the following exclusive list are deemed exempt from this section:

(a) A starting pistol, a flare gun, or a flare designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation.

(b) Low impact fireworks, including ground and handheld sparkling devices, as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

(c) Novelties as defined under APA standard 87-1, 3.2, 3.2.1, 3.2.2, 3.2.3, 3.2.4, and 3.2.5 and including all of the following:

- (i) Toy plastic or paper caps for toy pistols in sheets, strips, rolls, or individual caps containing not more than .25 of a grain of explosive content per cap, in packages labeled to indicate the maximum explosive content per cap.
- (ii) Toy pistols, toy cannons, toy canes, toy trick noisemakers, and toy guns in which toy caps as described in subparagraph (i) are used, that are constructed so that the hand cannot come in contact with the cap when in place for the explosion, and that are not designed to break apart or be separated so as to form a missile by the explosion.
- (iii) Flitter sparklers in paper tubes not exceeding 1/8 inch in diameter.
- (iv) Toy snakes not containing mercury, if packed in cardboard boxes with not more than 12 pieces per box for retail sale and if the manufacturer's name and the quantity contained in each box are printed on the box; and toy smoke devices.

(2) That the City Council may issue a written permit to a properly qualified person for giving a pyrotechnic or consumer firework display/show in a suitable open place. The permits shall be on forms provided by the Michigan Department of Licensing and Regulatory Affairs. Permits so issued shall impose such restrictions as may be necessary to properly safeguard life and property. Before any such permit is issued, the applicant therefor shall furnish a bond or insurance deemed adequate by the Council, which bond or insurance shall become available in the payment of any damages to public or private property and the payment for any personal injuries resulting from said pyrotechnic or consumer firework display.

(a) All applicants will have complied with the Michigan Fireworks Safety Act and other applicable laws.

(b) This section does not pertain to the use of consumer fireworks only on the day preceding, the day of, or the day after a national holiday. *However, the use of consumer fireworks between the hours of 1:00 a.m. and 8:00 a.m. on the day preceding, the day of, or the day after a national holiday is strictly prohibited.*

(3) Violators of this section will be issued a municipal civil infraction and subject to a fine of \$500.00.

This ordinance shall become effective August 29, 2013.

Enacted: August 19, 2013.

Yeas:

Nays:

Absent:

Abstain:

Motion Carried.

Gregory L. Branch
Mayor

Janet Santos, CMC/MMC
City Clerk

ORDINANCE DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on August 19, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk

From: Darnell Earley, City Manager

Subject: Zoning Ordinance Amendments

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

Manager's Recommendation:

I recommend that the Chapter 153, "Zoning Regulations," "Riverfront and Business District Overlay Zone," and "Riverfront Mixed Use District," of Title XV, "Land Usage," of the City of Saginaw Code of Ordinances, O-1, be repealed and a new "Riverfront Mixed Use District," be added to Title XV, "Land Usage," of the City of Saginaw Code of Ordinances, O-1.

Justification:

In 1999, the City Council approved zoning text and zoning map amendments with the creation of the Riverfront and Business District Overlay Zone. This area encompassed much of downtown Saginaw and was included the area known as the Downtown Development District. The Riverfront Overlay District was created to eliminate non-complimentary uses in the downtown as well as create a more uniform downtown district. This was done at the recommendation of the Riverfront Corridor Study.

In 2001, the City Council approved the zoning text amendment to create the Riverfront Mixed Use ("RMU") District for the area identified as the Riverfront and Business District Overlay Zone. The uses would be the same as the Riverfront Overlay District; however the zoning would only change upon the redevelopment of property within the Overlay Zone. In 2001, several lots were rezoned as a result of the redevelopment activities, which have been the only lots formally changed to the RMU zoning by the City Council. However, at some point in time between 2004 and 2008, the zoning map was modified and the RMU District was included to coincide with the Riverfront and Overlay District without the formal approval of the City Council. This process is to correct that error.

In the winter of 2012/2013, planning and zoning staff was advised of this discrepancy and began the amendment process. Staff had several options; to revert back to the old zoning or to change the zoning to match the current map. It was determined that staff would seek a zoning map amendment to correctly identify the RMU District to the intended size of the Riverfront Overlay District. This determination was based on the original recommendation of the Riverfront Commission and the Riverfront Corridor Study, which was to take an area that includes seven zoning districts and make it one zoning district. During staff's research to amend the zoning map, staff also believed that a zoning text amendment would also be appropriate.

After working with the City Attorney on the language of the text amendments, staff was able to bring the proposed amendments to the City Planning Commission in May, 2013. After a lengthy discussion on several issues, with the most controversial being the status of existing single-family non-detached housing, staff was asked to modify our recommendation and bring the text amendments back to a future meeting. After modifying the proposed amendment, staff went before the City Planning Commission in June and the City Planning Commission recommended approval of the proposed amendments.

The proposed zoning text amendments are attached. In summary, the changes are as follows:

- § 153.445 through §153.450 Riverfront Overlay District are deleted in their entirety. With the expansion of the Riverfront Mixed-Use District to encompass the entire Riverfront Overlay District, the Overlay District is no longer necessary.
- § 153.460 through §153.464 Riverfront Mixed Use District are deleted in their entirety and replaced with the proposed amendments.
- § 153.461 Principal Permitted Uses, the permitted uses for this district were previously identified individually, now they have been grouped together. This would allow business types that are not in existence today to be permitted, provided that they fit into a specific category that has been identified.

Also in §153.461 is the addition of existing single-family detached residences. It was determined that these existing residences in the RMU should be allowed the same standards that they are permitted in the R-1 Zoning District. This would allow for exterior improvements and additions or replacement due to a natural disaster. This clause does not allow for the construction of new single-family detached residence as a permitted use.

- § 153.447 Prohibited Uses has been eliminated. Prohibited uses are not identified in other zoning districts, the allowable uses are identified as either permitted or permitted after special approval. By eliminating the list of prohibited uses there should be no confusion on the status of the businesses not listed, as all other uses not identified are prohibited.
- §153.462 Permitted Uses after Special Approval, several items have been included in this section. Child day care centers are listed here rather than as a permitted use. This is consistent with our day care centers in residential neighborhoods. Automobile service stations were not identified as either permitted or prohibited previously.
- § 153.463 Required Conditions is an addition to the Zoning Ordinance. This section cites several conditions that will be required for new or expanding

businesses located within the RMU District. These are intended to be residential/consumer friendly. The first item addresses lighting and prohibits lighting from spilling onto the adjoining property. The second item addresses the type of business and prohibits manufacturing and/or warehousing for future uses. The last item addresses the need for protective screening when located to an adjoining residential property.

With the proposed zoning map and text amendments approved, the development in the downtown area can follow the Riverfront Corridor Plan as anticipated. These changes will also provide staff a more current zoning that also follows the Saginaw Master Plan 2011.

I have approved the modifications as to substance and the City Attorney has approved as to form.

Council Action:

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

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

AN ORDINANCE TO REPEAL §153.445 “STATEMENT OF PURPOSE,” §153.446 “PRINCIPAL PERMITTED USES,” §153.447 “PROHIBITED USES,” §153.448 “PERMITTED USES AFTER SPECIAL APPROVAL,” §153.449 “GENERAL REVIEW AND DESIGN GUIDELINES,” AND §153.450 “BOUNDARIES OF THE RIVERFRONT OVERLAY ZONE,” OF THE “RIVERFRONT AND BUSINESS DISTRICT OVERLAY ZONE,” AND TO REPEAL §153.460 “PURPOSE,” §153.461 “PRINCIPAL PERMITTED USES,” §153.462 “PERMITTED USES AFTER SPECIAL APPROVAL,” §153.463 “SITE PLAN REVIEW,” §153.464 “AREA, HEIGHT, BULK, AND PLACEMENT REQUIREMENTS AND PERFORMANCE STANDARDS,” OF THE “RIVERFRONT MIXED USE DISTRICT,” AND TO ADD NEW §153.460 “PURPOSE,” §153.461 “PRINCIPAL PERMITTED USES,” §153.462 “PERMITTED USES AFTER SPECIAL APPROVAL,” §153.463 “REQUIRED CONDITIONS,” §153.464 “SITE PLAN REVIEWS,” §153.465 “AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS AND PERFORMANCE STANDARDS,” AND §153.466 “GENERAL REVIEW AND DESIGN GUIDELINES,” OF THE “RIVERFRONT MIXED USE DISTRICT,” OF CHAPTER 153, “ZONING REGULATIONS,” OF TITLE XV “LAND USAGE,” OF THE CITY OF SAGINAW CODE OF ORDINANCES , O-1.

Laid over under the Charter provision.

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced on August 5, 2013, entitled and reading as follows, be taken up and enacted:

O-_____

AN ORDINANCE TO REPEAL §153.445 “STATEMENT OF PURPOSE,” §153.446 “PRINCIPAL PERMITTED USES,” §153.447 “PROHIBITED USES,” §153.448 “PERMITTED USES AFTER SPECIAL APPROVAL,” § 153.449 “GENERAL REVIEW AND DESIGN GUIDELINES,” AND §153.450 “BOUNDARIES OF THE RIVERFRONT OVERLAY ZONE,” OF THE “RIVERFRONT AND BUSINESS DISTRICT OVERLAY ZONE,” AND TO REPEAL §153.460 “PURPOSE,” §153.461 “PRINCIPAL PERMITTED USES,” §153.462 “PERMITTED USES AFTER SPECIAL APPROVAL,” §153.463 “SITE PLAN REVIEW,” §153.464 “AREA, HEIGHT, BULK, AND PLACEMENT REQUIREMENTS AND PERFORMANCE STANDARDS,” OF THE “RIVERFRONT MIXED USE DISTRICT,” AND TO ADD NEW §153.460 “PURPOSE,” §153.461 “PRINCIPAL PERMITTED USES,” §153.462 “PERMITTED USES AFTER SPECIAL APPROVAL,” §153.463 “REQUIRED CONDITIONS,” §153.464 “SITE PLAN REVIEWS,” §153.465 “AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS AND PERFORMANCE STANDARDS,” AND §153.466 “GENERAL REVIEW AND DESIGN GUIDELINES,” OF THE “RIVERFRONT MIXED USE DISTRICT,” OF CHAPTER 153, “ZONING REGULATIONS,” OF TITLE XV “LAND USAGE,” OF THE CITY OF SAGINAW CODE OF ORDINANCES , O-1.

The City of Saginaw Ordains:

RIVERFRONT MIXED USE DISTRICT

§ 153.460 PURPOSE.

The Riverfront Mixed Use (RMU) District as identified on the City zoning map is a transitional area of the Riverfront and Washington Avenue Corridor which is intended for new commercial, office, residential, park, recreation and marina development. The RMU District is intended to guide and promote the development of Saginaw’s River Corridor and adjacent business districts in accordance with The Saginaw River Corridor Master Plan (2000) and the City of Saginaw Master Plan 2011. A prime characteristic of this district is a core of intense pedestrian activity with shopping and merchandising activities that serve the entire community or large sections thereof, and which is so located that the provisions of off-street parking facilities cannot reasonably be required. Industrial and single family detached residential uses will be phased out over time and will be treated as nonconforming uses and subject to regulations of Sections 153.090 *et seq.*

§ 153.461 PRINCIPAL PERMITTED USES.

In the RMU District no uses shall be permitted unless otherwise provided in this subchapter, except the following:

(A) Food service, (excluding drive-in type businesses), the business of which shall be conducted entirely within an enclosed building, including but not limited to the following:

- (1) Restaurants;
- (2) Bakeries;
- (3) Ice cream, gelato and yogurt shops;
- (4) Taverns, pubs, and sports bars;
- (5) Groceries;
- (6) Meat, fish and poultry markets.

(B) Business, professional, financial institutions and governmental offices and medical clinics.

(C) Retail services and retail stores, excluding adult bookstores, massage parlors and wholesale venues;

(D) Entertainment venues such as movie theaters, live and dinner theater, entertainment in food establishments, excluding adult motion picture theaters and cabarets;

(E) Housing:

- (1) Single-family attached townhouses and condominiums;
- (2) Loft-style apartments and apartment buildings.

(3) Single family dwellings, as described in Section 153.021, in existence as of the date of this ordinance, shall be allowed to continue as a permitted use, including the ability to reconstruct, repair, restore, or use any building or structure if damaged by fire, collapse, explosion, acts of God or acts of a public enemy providing that such restoration shall take place within one year from the time of such damage, and provided further, that said use be identical to the use directly preceding said damage. Accessory buildings and uses customarily incidental to the above principal permitted use, subject to requirements of Section 153.060 will also be a

permitted use. Area, height, bulk, and placement requirements and performance standards are as specified for an R-1 Zoning District in Section 153.174.

(F) Lodging: Bed and breakfast facilities.

(G) Recreation including but not limited to the following:

(1) Marinas;

(2) Docking facilities;

(3) Parks and recreation areas, riverfront walkways, and bike paths;

(4) Nature preserves;

(5) Commercial recreation, theaters, bowling alleys, skating rinks, billiard and pool halls and dance halls.

(H) Uses similar to the above as determined by the City Planning Commission;

(I) Off-street parking and loading facilities in accordance with the requirements of Section 153.115 *et seq*;

(J) Temporary buildings and trailers for use incidental to construction work.

§ 153.462 PERMITTED USES AFTER SPECIAL APPROVAL.

(A) All uses listed under permitted uses in which any part of the use is not conducted entirely within an enclosed building such as outdoor seating and drive-in facilities, and excluding marinas, docking facilities, parks, riverfront walkways, bike paths, and nature preserves;

(B) Stadiums;

(C) Assembly and concert halls;

(D) Farmers' markets;

(E) Hotels and motels;

(F) Commercial parking lots;

(G) Schools of instruction;

- (H) Funeral homes;
- (I) Hospitals, excluding veterinary hospitals and veterinary clinics;
- (J) Nursery schools, day nurseries and child day care centers, subject to site standards established in Section 153.490 *et seq.*
- (K) Houses of worship;
- (L) Automobile service stations;
- (M) Food trucks and food carts.

§ 153.463 REQUIRED CONDITIONS.

The following conditions are required for all uses in the RMU District:

- (A) All business and service establishments shall be conducted wholly within a completely enclosed building, unless special approval is granted. Further, all lighting in connection with permitted business uses shall be so arranged as to reflect the light away from all adjoining residence buildings or residentially zoned property.
- (B) All business or service establishments shall be mainly for the purpose of dealing directly with consumers. All goods produced or processed on the premises shall be principally sold at retail on the premises where produced and/or processed.
- (C) Where a new or expanded land use occurs in a RMU district, after the effective date of this chapter, which abuts directly upon a residentially zoned district, protective screening shall be provided in accordance with Section 153.072.

§ 153.464 SITE PLAN REVIEW.

For all uses in the RMU District, a site plan shall be submitted for review and approval in accordance with Section 153.073.

§ 153.465 AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS AND PERFORMANCE STANDARDS.

Area, height, bulk and placement requirements and performance standards, unless otherwise specified, are as provided in Sections 153.490 *et seq.* and Section 153.074.

§ 153.466 GENERAL REVIEW AND DESIGN GUIDELINES

- (A) The Planning Commission shall place emphasis on the following in review of requests for special approval in the Riverfront Mixed Use District:
- (1) Create high quality commercial, residential and recreational development that improves linkages to the waterfront;
 - (2) Create a high level of pedestrian-oriented street level activity;
 - (3) Renovate all existing buildings, with emphasis placed on the preservation of historic structures;
 - (4) Develop appropriate infill buildings on vacant sites;
 - (5) Encourage development that is urban, not suburban in design;
 - (6) Effectively screen parking for key sight lines through landscaping, decorative fencing or placement of parking behind buildings.
- (B) The River Corridor Design Guidelines are hereby incorporated into the Riverfront Mixed Use District by reference. The City Planning Commission and City staff will use the guidelines in their review of projects to ensure the development is consistent with the intent of the goals and objectives of the Design Guidelines of the River Corridor.

This ordinance shall become effective August 29, 2013.

Enacted: August 19, 2013.

Yeas:

Nays:

Absent:

Abstain:

Motion Carried.

Gregory L. Branch
Mayor

Janet Santos, CMC/MMC
City Clerk

ORDINANCE DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on August 19, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk

August 5, 2013
Page 5 of 5

From: Darnell Earley, City Manager

Subject: Approval of Riverfront Mixed Use District Zoning Map Amendments

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

Manager's Recommendation:

I recommend that the Riverfront Mixed Use District map amendment be approved and the zoning map be amended. I have approved the modifications as to substance and the City Attorney has approved as to form.

Justification:

In 1999, the City Council approved zoning text and zoning map amendments with the creation of the Riverfront and Business District Overlay Zone. This area encompassed much of downtown Saginaw and was included the area known as the Downtown Development District. The Riverfront Overlay District was created to eliminate non-complimentary uses in the downtown as well as create a more uniform downtown district. This was done at the recommendation of the Riverfront Corridor Study.

In 2001, the City Council approved the zoning text amendment to create the Riverfront Mixed Use ("RMU") District for the area identified as the Riverfront and Business District Overlay Zone. The uses would be the same as the Riverfront Overlay District; however the zoning would only change upon the redevelopment of property within the Overlay Zone. In 2001, several lots were rezoned as a result of the redevelopment activities, which have been the only lots formally changed to the RMU zoning by the City Council. However, at some point in time between 2004 and 2008, the zoning map was modified and the RMU District was included to coincide with the Riverfront and Overlay District without the formal approval of the City Council. This process is to correct that error.

In the winter of 2012/2013, planning and zoning staff was advised of this discrepancy and began the amendment process. Staff had several options; to revert back to the old zoning or to change the zoning to match the current map. It was determined that staff would seek a zoning map amendment to correctly identify the RMU District to the intended size of the Riverfront Overlay District. This determination was based on the original recommendation of the Riverfront Commission and the Riverfront Corridor Study, which was to take an area that includes seven zoning districts and make it one zoning district. During staff's research to amend the zoning map, staff also believed that a zoning text amendment would also be appropriate.

After working with the City Attorney on the language of the text amendments, staff was able to bring the proposed amendments to the City Planning Commission in May, 2013. After a lengthy discussion on several issues, with the most controversial being the

status of existing single-family non-detached housing, staff was asked to modify our recommendation and bring the text amendments back to a future meeting. After modifying the proposed amendment, staff went before the City Planning Commission in June and the City Planning Commission recommended approval of the proposed amendments.

The proposed zoning map is attached. On the attached zoning map the proposed RMU District is identified by the blue boundary line. The areas identified by the red boundary lines are identified as part of the RMU District on the current zoning map, but staff is not recommending these to remain in the RMU District. Staff is proposing to have these properties revert back to their previous zoning classification. The areas are located north of I-675, east of the Saginaw River and a small area along Genesee Avenue from Burt St. to Lapeer St. These areas have not been included as part of the new RMU District due to their location and their existing uses. The areas in red will be reevaluated in the fall for potential rezoning, if applicable.

With the proposed zoning map and text amendments approved, the development in the downtown area can follow the Riverfront Corridor Plan as anticipated. These changes will also provide staff a more current zoning that also follows the Saginaw Master Plan 2011.

Council Action:

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

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

AN ORDINANCE TO AMEND THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES WITHIN AN AREA MORE OR LESS BOUNDED TO THE NORTH BY WEISS STREET EXTENDED EASTERLY; TO THE EAST BY PART OF WASHINGTON AVE, 2ND AVE, MILLARD ST, OWEN ST, HOWARD ST AND JEFFERSON AVE; TO THE SOUTH BY PART OF RUST AVE AND STEPHENS ST.; TO THE WEST BY PART OF FAYETTE ST, S HARRISON ST, REMINGTON AVE , N BOND ST, COOPER AVE, STONE ST, CONGRESS AVE, SCHAEFER ST, DAVENPORT AVE AND CARROLTON ST, TO RIVERFRONT MIXED USE.

Laid over under the Charter provision.

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced on August 5, 2013, entitled and reading as follows to taken up and enacted:

O-_____

AN ORDINANCE TO AMEND THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES WITHIN AN AREA MORE OR LESS BOUNDED TO THE NORTH BY WEISS STREET EXTENDED EASTERLY; TO THE EAST BY PART OF WASHINGTON AVE, 2ND AVE, MILLARD ST, OWEN ST, HOWARD ST AND JEFFERSON AVE; TO THE SOUTH BY PART OF RUST AVE AND STEPHENS ST.; TO THE WEST BY PART OF FAYETTE ST, S HARRISON ST, REMINGTON AVE , N BOND ST, COOPER AVE, STONE ST, CONGRESS AVE, SCHAEFER ST, DAVENPORT AVE AND CARROLTON ST, TO RIVERFRONT MIXED USE.

The City of Saginaw Ordains:

Beginning at the northwesterly corner of Millard Street and Owen Street, thence northeasterly to the northwest corner of E. Genesee Avenue and Second Street extended, thence north on the west line of Second Street to the south right of way of I-675, thence west to the northwest corner of I-675 and Washington Avenue, thence north on the west line of Washington Avenue to the northwest corner of Washington Avenue and Potter Street extended, thence northwesterly along Potter Street extended to the west line of the Saginaw River, thence northerly following the westerly line of the Saginaw River to the north city limits. Thence westerly along the northerly City limits to the center line of the main track of the Grand Trunk Railroad, thence southerly along the center line of the main track of the Grand Trunk Railroad to the southerly line of Davenport Street, thence westerly along the southerly line of Davenport Street to the easterly line of Schaefer Street, thence southerly along the easterly line of Schaefer Street to the southerly line of Congress Avenue, thence westerly along the southerly line of Congress Street to the westerly line of Stone Street, thence southerly along the westerly line of Stone Street to the southerly line of Cooper Street, thence westerly along the southerly line of Cooper Street to the westerly line of North Bond Street, thence southerly and southwesterly along the westerly line of North Bond Street to the southerly line of Remington Street, thence southeasterly along the southerly line of Remington Street to the westerly line of North Fayette Street, thence southwesterly along the westerly line of North Fayette Street to the northwesterly line of Court Street, thence northwesterly along the northwesterly line of Court Street to the westerly line of South Harrison Street, thence southwesterly along the westerly line of South Harrison Street to the southerly line of Cass Street, thence southeasterly along the southerly line of Cass Street to the westerly line of South Fayette Street, thence southwesterly along the westerly line of South Fayette Street to the northerly line of Stephens Street, thence southeasterly along the northerly line of Stephens Street to the northerly line of Rust Avenue, thence easterly along the northerly line of Rust Avenue to a point 942.14 feet east of the northeast corner of Rust Avenue and Washington Avenue, thence N 24degrees 30seconds east 360.51 feet, thence east 439.89 feet, thence north 450 feet

ORDINANCE

INTRO O-3

to the south line of Lot 9, Hoyt's Subdivision of James Riley reservation, thence east to the east line of Jefferson Avenue, thence northeast along the east line of Jefferson Avenue and Jefferson Avenue extended to the southerly line of Holden Street, thence easterly along the southerly line of Holden Street to the easterly line of Owen Street, thence northeasterly along the easterly line of Owen Street to the southerly line of Meredith Street, thence easterly along the southerly line of Meredith Street to the easterly line of Howard Street, thence northeasterly along the easterly line of Howard Street to the northerly line of Hoyt Street, thence northwesterly along the northerly line of Hoyt Street to the easterly line of Owen Street, thence northerly along the easterly line of Owen Street to the northerly line of Millard Street and the place of beginning. Excepting from the above description Lot 1, Joseph Campau Farm lying west of Michigan Avenue and south of Houghton Avenue, Lots 2, 3 & 4 Joseph Campau Farm lying west of Michigan Avenue, also known as Bliss Park.

This ordinance shall become effective August 29, 2013.

Enacted: August 19, 2013.

Yeas:

Nays:

Absent:

Abstain:

Motion Carried.

Gregory L. Branch
Mayor

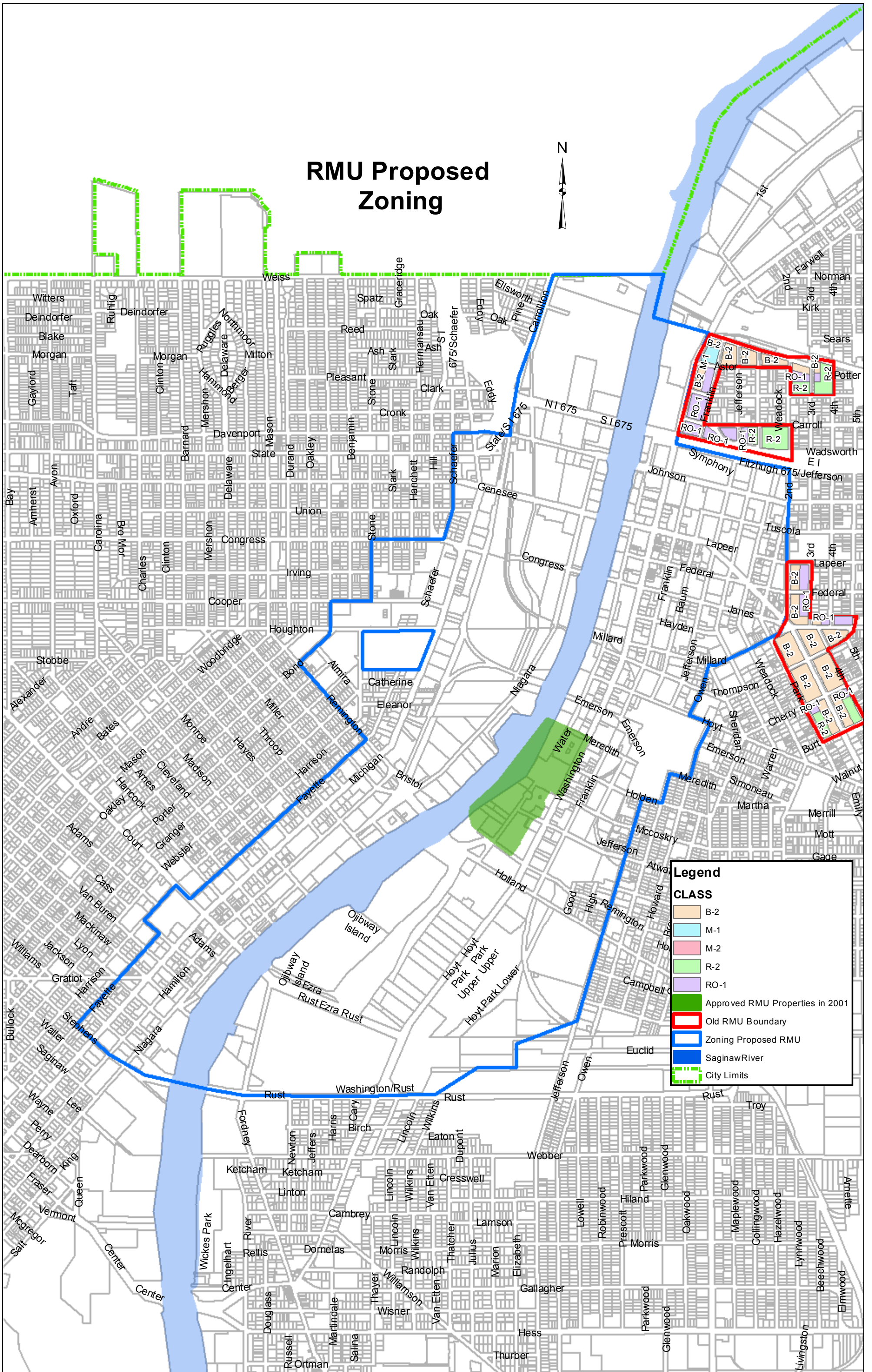
Janet Santos, CMC/MMC
City Clerk

ORDINANCE DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on August 19, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk

RMU Proposed Zoning



Legend

CLASS

- B-2
- M-1
- M-2
- R-2
- RO-1
- Approved RMU Properties in 2001
- Old RMU Boundary
- Zoning Proposed RMU
- Saginaw River
- City Limits

From: Darnell Earley, City Manager

Subject: Resolution to Dissolve Local Development Finance Authority

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

Manager's Recommendation:

I recommend the approval of the resolution to dissolve the Local Development Finance Authority in the City of Saginaw.

Justification:

The Local Development Finance Authority (LDFA) was created by resolution in 1987 to administer the then-newly created Tax Increment Finance Authority (TIFA) Districts. In April, 2011, the City Council adopted resolutions to abolish the six tax increment finance plans and distribute the excess revenues from the LDFA to the City, after the completion of the projects within the TIFA Districts.

There are no new projects planned and in order to comply with Public Act 281, the LDFA must be dissolved when an Authority completes the purposes for which it was organized. This must be accomplished by Resolution of the governing body. This Resolution will satisfy Public Act 281 and formally close out the LDFA.

Council Action:

This communication is for explanation purposes of the resolution to be adopted.

RESOLUTION TO DISSOLVE LOCAL DEVELOPMENT FINANCE AUTHORITY

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

WHEREAS, Act 281 of the Public Acts of Michigan of 1986 provides for the establishment of a Local Development Finance Authority and prescribes their duties and powers; and

WHEREAS, on May 27, 1987, the Council adopted a resolution to establish the creation of a Local Development Finance Authority; and

WHEREAS, on April 18, 2011, the Council adopted resolutions abolishing six tax increment financing plans and distributed all excess revenues from the Local Development Finance Authority; and

WHEREAS, all projects started within the Local Development Financing Authority District created under the jurisdiction of the Local Development Financing Authority are complete; and

WHEREAS, Act 281 of the Public Acts of Michigan of 1986 requires that an authority that completes the purposes for which it was organized shall be dissolved by Resolution of the governing body;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw approves of the dissolution of the Local Development Finance Authority and further approves that all remaining assets and property shall belong to the City of Saginaw.

Ayes:
Nays:
Absent:
Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on August 5, 2013; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk