

Council Agenda

August 25, 2008, 6:30 p.m. Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE

ROLL CALL:

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

PUBLIC HEARINGS:

ANNOUNCEMENTS:

PERSONAL APPEARANCES:

- *(A list will be provided on Monday)*

REMARKS OF COUNCIL:

PETITIONS:

- 08-08 from Saginaw Future, Inc., 515 N. Washington Ave., and the Department of Development, 1315 S. Washington Ave., requesting that the City of Saginaw establish one (1) Neighborhood Enterprise Zone for the proposed project in the Old Town area.
- 08-26 from Fred Cox, 523 S. Oakley, Vernon Roe, 517 S. Oakley, Mautza Perkins, 1220 Lyon, Reba Kelley, 516 S. Mason, requesting that the alley abutting the property bounded by S. Mason, Mackinaw, S. Oakley, and Lyon be vacated.
- 08-28 from Mr. Sopcak, 609 W. Remington, Ruth Barnett, 1012 N. Harrison, and Mary Sopcak, 1016 N. Harrison, requesting that the alley abutting the property bounded by Remington, Harrison, Holland, and Fayette be vacated.
- 08-29 from Rifkin Scrap Iron & Metal, 1445 Niagara, submitting an application for an Industrial Facilities Tax Exemption Certificate.

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

APPOINTMENT OF BOARD AND COMMISSION MEMBERS:

1. Consideration of appointing Bridget Ann Looby to fill a vacancy on the Saginaw Arts and Enrichment Commission with a term to expire June 30, 2011.
2. Consideration of reappointing JoAnn Crary and Mark Neumeier to the Economic Development Corporation with a term to expire May 2, 2014.

3. Consideration of reappointing Larry Leddy to the Hospital Finance Authority with a term to expire June 30, 2013.

REPORTS FROM MANAGER:

Management Update:

1. Code Enforcement Initiative
2. Purchase and Development Agreement with Michigan Healthpark Development, LLC.

Recommended Actions:

1. Recommending that a purchase order be issued to Ritter Tech in the amount of \$2,990.00 for the purchase of Original Equipment Manufacturer (OEM) vehicle parts and supplies to be used by the municipal garage. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Right of Way Division's Garage Motor Vehicle Supplies Account No. 661 4480 841 7312.
2. Recommending issuance of an annual purchase order to Bader Brothers Inc., in the amount of \$6,500.00 for miscellaneous John Deere lawn equipment parts and supplies. Bader Brothers, Inc. is the area's only supplier for John Deere parts. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Building & Grounds Maintenance Parts & Supplies Account No. 101 7575 821 7330.
3. Recommending acceptance of the sole bid and issuance of a purchase order to Acme Block and Supply Company in the amount of \$21,531.25 for the purchase of coal slag abrasive blasting media to be used by the Wastewater Treatment Division. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Sewer Operation and Maintenance Fund Parts and Supplies Account No. 590 4830 861 7330.
4. Recommending acceptance of the low bid and issuance of a purchase order to Scientific Brake and Equipment Company in the amount of \$3,796.20 for the purchase of a steel snowplow blade to be used by the Saginaw Police Department. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Building and Maintenance Section Other Services/Motor Vehicle Repairs Account No. 101 3014 721 8042.
5. Recommending approval of two lease agreements with Saginaw County Veterans Memorial Plaza, Inc., a non-profit corporation. The lease agreements include the expansion of the exterior Veterans Memorial area at Hoyt Park and a lease of a portion of the building to be used by this group as an office. These lease agreements have been approved by the City Manager as to substance and to the City Attorney as to form.
6. Recommending preliminary approval of the tentative boundaries for the proposed "Old Town" Neighborhood Enterprise Zone.
7. Recommending approval of the Second Amendment to the Purchase and Development Agreement with SSP Associates, Inc. ("SSP") with regard to the property at 314 - 406 N. Hamilton, and that the City Manager or his designee be authorized to execute all related documents. This Second Amendment has been approved by the City Manager as to substance and the City Attorney as to form.

8. Recommending approval of the Purchase and Development Agreement with Michigan Healthpark Development, LLC with regard to the property on Davenport Avenue, and that the City Manager or his designee be authorized to execute all related documents. Michigan Healthpark is interested in acquiring this property so that it can develop it into a medical health park, including physician offices and other healthcare facilities, a hotel, retail stores and other related facilities. In exchange for the transfer of this property for \$1.00, Michigan Healthpark Development, LLC will invest a minimum of \$10 million to complete the project create approximately 40 new medical jobs and potentially more in other areas. This Agreement has been approved by the City Manager as to substance and the City Attorney as to form.
9. Recommending approval of a three-year contract between the City of Saginaw and Mike's Wrecker Service to provide impound towing, inside and outside storage, and parts and removal services. The three-year agreement with Mike's Wrecker Service will provide the City of Saginaw with 70% of the storage fees from the impounded vehicles. The contract has been approved by the City Manager as to substance and the City Attorney as to form. This vendor meets all requirements of the contract compliance provisions.
10. Recommending approval of a three-year contract between the City of Saginaw and Mike's Wrecker Services to provide towing, tire changing, lockout services, and fuel delivery for out of gas vehicles for all City owned vehicles. This contract has been approved by the City Manager as to substance and the City Attorney as to form. This vendor meets all requirements of the contract compliance provisions.
11. Recommending approval of the request from Joni Investments, Inc. to transfer ownership of 2007 SDM licensed business located at 925-927 N. Bond, Saginaw, MI, 48602, Saginaw County, from H & W, Inc.
12. Recommending approval of the request from Johnnie G. Kashat to transfer ownership of 2007 SDM Licensed Business located at 2030 N. Mason, Saginaw, MI, 48602, Saginaw County, from Garb-Ko, Inc.
13. Recommending approval of the request from SRI SAI Enterprise, LLC for a new SDM License to be held in conjunction with a pending request to transfer ownership of 2008 Class C Licensed Business, located at 1010 N. Niagara, Saginaw, MI, 48602, Saginaw County from Asian Food Enterprise, Inc.
14. Recommending that the Mayor be given blanket authorization to sign the Certifications of Consistency with the Consolidated Plan for several local agencies to receive grants from HUD until June 30, 2009.

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:

1. An Ordinance to add Paragraph (E) to §111.11, "Application for License" of Chapter 111, "Alcoholic Beverages" of Title XI, "Business Regulation," of the Saginaw Code of Ordinances O-1.

RESOLUTIONS:

1. Approving the request to transfer ownership of 2007 Class C licensed business (in escrow) located at 417 S. Michigan, Saginaw, MI, 48602, Saginaw County, from James Kokas to the Lockerroom Sports Pub, LLC.
2. Approving the request to transfer ownership of Class C Licensed Business with Dance-Entertainment Permit, located at 1010 N. Niagara, Saginaw, MI 48602, Saginaw County, from Asian Food Enterprise, Inc. to SRI SAI Enterprise, LLC.
3. Approving the Brownfield Plan amendment for Rifkin Scrap Iron and Metal, Inc., 835-1227 N. Washington Avenue.
4. Authorizing the City of Saginaw to actively seek Transportation Enhancement funds and participates in the proposed streetscape project on E. Genesee Avenue between N. Franklin Street and Janes Avenue.
5. Authorizing the Fire Department to accept a grant in the amount of \$24,000.00 from the Federal Emergency Management Agency under the fiscal year 2008 Assistance to Firefighters Grant program for fire operations and firefighter safety.
6. Approving, ratifying and confirming the 1992 Revenue Contract Supplement between the Saginaw-Midland Municipal Water Supply Corporation and the Local Units.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS:

Darnell Earley
City Manager

COUNCIL COMMUNICATION

From: The City Manager

Subject: Original Equipment Manufacturer Vehicle Parts & Supplies

Manager's Recommendation:

I recommend that a purchase order be issued to Ritter Tech of Saginaw, MI in the amount of \$2,990.00 for the purchase of Original Equipment Manufacturer (OEM) vehicle parts and supplies.

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

Funds for this purchase are available in the Right of Way Division's Garage Account No. 661-4480-841.73-12.

Justification:

The City's Municipal Garage requires the purchase of a vast array of OEM vehicle parts and supplies for the maintenance of the fleet vehicles from July 1, 2008 to June 30, 2009.

Garage personnel will price quote each item and are aware of the lowest and best vendor for each item. The purchases will then be ordered and billed to the vendor.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Approval of Agreements for the Saginaw County Veterans Memorial Plaza

Manager's Recommendation:

I recommend approval of the two (2) lease agreements with Saginaw County Veterans Memorial Plaza, Inc., a non-profit corporation (Veterans). The lease agreements include expansion of the exterior Veterans Memorial area at Hoyt Park and a lease of a portion of the building to be used by this group as an office. These agreements have been approved by me as to substance and by the City Attorney as to form.

Justification:

On July 25, 2005, Veterans entered into a lease with the City to create and maintain a memorial area at Hoyt Park. It has been a successful and well-received venture. Veterans wish to expand the area so they may place additional memorial monuments and better maintain the area.

In addition, Veterans would like use of one section of the warming house for an office. The group will pay for the cost of utilities and upkeep in a portion of the building that is not currently being used by the City. The group's use of this office would not interfere with any potential recreational activities at Hoyt Park.

The Veterans has supplied insurance and will indemnify the City against liability. Both leases are revocable upon 30 days notice if circumstances require the City to regain possession of these two areas.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Liquor License for 417 S. Michigan

Manager's Recommendation:

I recommend approval of the request to transfer ownership of 2007 Class C licensed business (in escrow) located at 417 S. Michigan, Saginaw, MI 48602, Saginaw County from James Kokas to the Lockerroom Sports Pub, LLC.

Justification:

On or about May 29, 2008, the City received notice from the Michigan Liquor Control Commission of the request to transfer ownership of 2007 Class C licensed business (in escrow) located at 417 S. Michigan, Saginaw, MI 48602, Saginaw County from James Kokas to the Lockerroom Sports Pub, LLC.

The Saginaw County Health Department, City of Saginaw Fire Prevention and the City Building Inspections Division completed the necessary inspections and have approved 417 S. Michigan for the license transfer as required by Chapter 110, "General Provisions," of Title XI, "Business Regulations" of the Saginaw Code of Ordinances. Under Chapter 111, "Alcoholic Beverages," §111.11, "Application for License," wherein the City Manager is to review all applications and departmental reports and give his recommendation to City Council of his approval or disapproval of the license. Since the necessary requirements have been met by the Lockerroom Sports Pub, LLC, I hereby recommend approval of the 2007 Class C license transfer from James Kokas, located at 417 S. Michigan, Saginaw, MI 48602, Saginaw County.

Council Action:

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

COUNCIL COMMUNICATION

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

RESOLUTION TRANSFERRING LIQUOR LICENSE AT 417 S. MICHIGAN

Council _____ offered and moved adoption of the following resolution:

WHEREAS, on or about May 29, 2008 the City Clerk's Office received a Local Approval Notice from the State of Michigan Liquor Control Commission; and

WHEREAS, said notice requests to transfer ownership of 2007 Class C licensed business (in escrow) located at 417 S. Michigan, Saginaw, MI 48602, Saginaw County from James Kokas to the Lockerroom Sports Pub, LLC.

WHEREAS, the Saginaw County Health Department, City of Saginaw Fire Prevention and the City Building Inspections Division have approved 417 S. Michigan for this transfer.

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Saginaw by this Resolution does hereby approve the request to transfer ownership of 2007 Class C licensed business (in escrow) located at 417 S. Michigan, Saginaw, MI 48602, Saginaw County from James Kokas to the Lockerroom Sports Pub, LLC. be considered for approval.

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Liquor License for 925-927 N. Bond

Manager's Recommendation:

I recommend approval of the request from Joni Investments, Inc. to transfer ownership 2007 SDM licensed business location at 925-927 N. Bond, Saginaw, MI 48602, Saginaw County, from H & W, Inc.

Justification:

On or about May 4, 2007, the City received notice from the Michigan Liquor Control Commission of the request from Joni Investments, Inc. to transfer ownership 2007 SDM licensed business location at 925-927 N. Bond, Saginaw, MI 48602, Saginaw County, from H & W, Inc. On July 30, 2008 Joni Investments, Inc. submitted the necessary paperwork to complete the City of Saginaw application process.

The City of Saginaw Fire Prevention, City Building Inspections Division and the Michigan Department of Agriculture have completed the necessary inspections and have approved 925-927 N. Bond for the license as required by Chapter 110, "General Provisions," of Title XI, "Business Regulations" of the Saginaw Code of Ordinances. Under Chapter 111, "Alcoholic Beverages," §111.11, "Application for License," the City Manager is to review all applications and departmental reports and give his recommendation to City Council of his approval or disapproval of the license. Since the necessary requirements have been met by Joni Investments, Inc., I hereby recommend approval of Joni Investments, Inc. to transfer ownership 2007 SDM licensed business location at 925-927 N. Bond, Saginaw, MI 48602, Saginaw County, from H & W, Inc.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Liquor License for 2030 N. Mason

Manager's Recommendation:

I recommend approval of the request from Johnnie G. Kashat to transfer ownership of 2007 SDM Licensed Business located at 2030 N. Mason, Saginaw, MI 48602, Saginaw County from Garb-Ko, Inc.

Justification:

On or about April 4, 2008, the City received notice from the Michigan Liquor Control Commission of the request from Johnnie G. Kashat to transfer ownership of 2007 SDM Licensed Business located at 2030 N. Mason, Saginaw, MI 48602, Saginaw County from Garb-Ko, Inc.

The City of Saginaw Fire Prevention, City Building Inspections Division and the Michigan Department of Agriculture have completed the necessary inspections and have approved 2030 N. Mason for the license as required by Chapter 110, "General Provisions," of Title XI, "Business Regulations" of the Saginaw Code of Ordinances. Under Chapter 111, "Alcoholic Beverages," §111.11, "Application for License," the City Manager is to review all applications and departmental reports and give his recommendation to City Council of his approval or disapproval of the license. Since the necessary requirements have been met by Johnnie G. Kashat, I hereby recommend approval of the request from Johnnie G. Kashat to transfer ownership of 2007 SDM Licensed Business located at 2030 N. Mason, Saginaw, MI 48602, Saginaw County from Garb-Ko, Inc.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Liquor License for 1010 N. Niagara

Manager's Recommendation:

I recommend approval of the request to transfer ownership of 2008 Class C Licensed Business with Dance-Entertainment Permit, located at 1010 N. Niagara, Saginaw, MI 48602, Saginaw County, from Asian Food Enterprises, Inc. to SRI SAI Enterprises, LLC.

Justification:

On or about June 30, 2008, the City received notice from the Michigan Liquor Control Commission of the request to transfer ownership of 2008 Class C Licensed Business with Dance-Entertainment Permit, located at 1010 N. Niagara, Saginaw, MI 48602, Saginaw County, from Asian Food Enterprises, Inc. to SRI SAI Enterprises, LLC.

The Saginaw County Health Department, City of Saginaw Fire Prevention and the City Building Inspections Division completed the necessary inspections and have approved 1010 N. Niagara for the license transfer as required by Chapter 110, "General Provisions," of Title XI, "Business Regulations" of the Saginaw Code of Ordinances. Under Chapter 111, "Alcoholic Beverages," §111.11, "Application for License," wherein the City Manager is to review all applications and departmental reports and give his recommendation to City Council of his approval or disapproval of the license. Since the necessary requirements have been met by SRI SAI Enterprises, LLC., I hereby recommend approval of the 2008 Class C license transfer with dance permit, from Asian Food Enterprises, Inc., located at 1010 N. Niagara, Saginaw, MI 48602, Saginaw County.

Council Action:

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

COUNCIL COMMUNICATION

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

RESOLUTION TRANSFERRING 2008 CLASS C LIQUOR LICENSE WITH DANCE

ENTERTAINMENT PERMIT AT 1010 N. NIAGARA

Council _____ offered and moved adoption of the following resolution:

WHEREAS, on or about June 30, 2008 the City Clerk's Office received a Local Approval Notice from the State of Michigan Liquor Control Commission; and

WHEREAS, said notice request to transfer ownership of 2008 Class C Licensed Business with Dance-Entertainment Permit, located at 1010 N. Niagara, Saginaw, MI 48602, Saginaw County, from Asian Food Enterprises, Inc. to SRI SAI Enterprises, LLC.

WHEREAS, the Saginaw County Health Department, City of Saginaw Fire Prevention and the City Building Inspections Division have approved 1010 N. Niagara for this transfer.

NOW, THEREFORE, BE IT RESOLVED, that request to transfer ownership of 2008 Class C Licensed Business with Dance-Entertainment Permit, located at 1010 N. Niagara, Saginaw, MI 48602, Saginaw County, from Asian Food Enterprises, Inc. to SRI SAI Enterprises, LLC., be considered for approval.

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Liquor License for 1010 N. Niagara

Manager's Recommendation:

I recommend approval of the request from SRI SAI Enterprises, LLC for a new SDM License to be held in conjunction with pending request to transfer ownership of 2008 Class C Licensed Business, located at 1010 N. Niagara, Saginaw, MI 48602, Saginaw County, from Asian Food Enterprises, Inc.

Justification:

On or about June 30, 2008, the City received notice from the Michigan Liquor Control Commission of the request from SRI SAI Enterprises, LLC for a new SDM License to be held in conjunction with pending request to transfer ownership of 2008 Class C Licensed Business, located at 1010 N. Niagara, Saginaw, MI 48602, Saginaw County, from Asian Food Enterprises, Inc.

The City of Saginaw Fire Prevention, City Building Inspections Division and the Saginaw County Health Department have completed the necessary inspections and have approved 1010 N. Niagara for the license as required by Chapter 110, "General Provisions," of Title XI, "Business Regulations" of the Saginaw Code of Ordinances. Under Chapter 111, "Alcoholic Beverages," §111.11, "Application for License," the City Manager is to review all applications and departmental reports and give his recommendation to City Council of his approval or disapproval of the license. Since the necessary requirements have been met by SRI SAI Enterprises, LLC., I hereby recommend approval of SRI SAI Enterprises, LLC for a new SDM License to be held in conjunction with pending request to transfer ownership of 2008 Class C Licensed Business, located at 1010 N. Niagara, Saginaw, MI 48602, Saginaw County, from Asian Food Enterprises, Inc.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Miscellaneous Lawn Equipment Supplies

Manager's Recommendation:

I recommend an annual purchase order in the amount of \$6,500.00 be issued to Bader Brothers, Inc. for miscellaneous John Deere lawn equipment parts and supplies. Bader Brothers, Inc. is the area's supplier for John Deere parts.

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

Funds for this purchase are budgeted in the Building & Grounds Maintenance Parts and Supplies Account No. 101-7575-821.73-30.

Justification:

The unusually high rainfall for the months of May, June, and July has caused an increase in the growth of grass, which has increased cutting demands from the start of the cutting season. With our aging John Deere riding mowers, this has resulted in more frequent breakdowns. The Parks and Weed Abatement Section of the Building and Grounds Maintenance Division will need to maintain a reliable source for replacement parts and supplies to keep the mowers operational.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Purchase of Coal Slag Abrasive

Manager's Recommendation:

I recommend that the sole bid from Acme Block and Supply Co., Saginaw, MI be accepted and a purchase order be issued to them in the amount of \$21,531.25 for the purchase of coal slag abrasive blasting media for the Wastewater Treatment Division.

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

Funds for this purchase are budgeted in the Sewer Operation and Maintenance Fund Account No. 590-4830-861.73-30.

Justification:

On June 24, 2008, the City received one bid for coal slag abrasive blasting media for the Wastewater Treatment Division. This material will be used to prepare rusted equipment surfaces for painting and rehabilitation in all areas of the plant including the aeration tanks and final settling tanks.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Steel Snow Plow Blade

Manager's Recommendation:

I recommend acceptance of the low bid and issuance of a purchase order to Scientific Brake and Equipment Company, in the amount of \$3,796.20 for the purchase of a steel snowplow blade to be installed on the existing Saginaw Police Department's 1995 Chevy Truck 4x4 to be used for snow removal.

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

Funds for this purchase are available in the Building and Maintenance Section Other Services / Motor Vehicle Repairs Account No. 101-3014-721-80-42.

Justification:

On May 20, 2008, the Purchasing Committee reviewed and accepted two bids for a Western Model IUTP 75 7'6" Pro Series Steel Snow Plow Blade for the Saginaw Police Department's Building and Maintenance Section. The current snowplow blade the department is using was purchased in 1990 and is unable to perform snow removal for the police department's parking lots and drives, due to the age and condition.

Following is a tabulation of the bids received:

Scientific Brake And Equipment Company Saginaw, MI	\$3,796.20
Monroe Truck Equipment Flint, MI	\$3,869.00

Council Action:

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

COUNCIL COMMUNICATION

From: The Brownfield Redevelopment Authority

Subject: Brownfield Plan Amendment, Rifkin Scrap Iron and Metal, Inc., (Brownfield Plan Project No. 01-2008)

Brownfield Redevelopment Authority Recommendation:

Recommending that City Council adopt the resolution approving the Brownfield Plan amendment for Rifkin Scrap Iron and Metal, Inc., 835 through 1227 N. Washington Avenue that is listed under the regular order of business.

Justification:

On August 11, 2008 the Brownfield Redevelopment Authority approved an amendment to the Brownfield Plan to include the Brownfield Plan Project No. 01-2008, Rifkin Scrap Iron and Metal, Inc., 835 through 1227 N. Washington Avenue. Rifkin Scrap Iron and Metal, Inc., will invest approximately \$18.2 million in site preparation and construction of a new scrap metal recycling processing plant, storage and office facility. This Brownfield Plan has been created for the purpose of facilitating the redevelopment of the property and to allow an application for a State of Michigan Brownfield Redevelopment Business Tax Credit.

The original Brownfield Plan was adopted by City Council on May 17, 1999 in compliance with State Act 381. The purpose of Brownfield legislation is to assist in the development of vacant and/or underutilized sites. The State Act requires that the City Council approve amendments to the plan and adopt a resolution after a duly advertised public hearing. The Public Hearing on the proposed amendment is also on the Council Agenda for the August 25, 2008 meeting. A notice was published in The Saginaw News. A notice was also sent to all taxing jurisdictions.

COUNCIL COMMUNICATION

Subject to any compelling reasons to the contrary that may develop after the public hearing, it is recommended that the City Council adopt the resolution approving the Brownfield Plan amendment for Rifkin Scrap Iron and Metal, Inc., 835 through 1227 N. Washington Avenue, which is listed under the regular order of business.

Council Action:

Council____ _____ moved that the recommendation from the Brownfield Redevelopment Authority be approved.

COUNCIL COMMUNICATION

Brownfield Redevelopment Authority Recommendation: Approval of the resolution as follows:

Council_____ offered and moved adoption of the following resolution:

A RESOLUTION TO AMEND THE BROWNFIELD PLAN FOR THE CITY OF SAGINAW, MICHIGAN TO INCLUDE RIFKIN SCRAP IRON AND METAL, INC., 835 THROUGH 1227 N. WASHINGTON AVENUE, IN COMPLIANCE WITH THE PROVISIONS OF ACT 381, PUBLIC ACTS OF 1996, AS AMENDED BY ACT 145, PUBLIC ACTS OF 2000.

WHEREAS, the Saginaw City Council approved a resolution on September 29, 1997 creating a Brownfield Redevelopment Authority and designated the boundaries of the Brownfield Redevelopment Zone; and

WHEREAS, the Saginaw City Council approved a resolution on May 17, 1999 adopting a development plan for the Brownfield Redevelopment Zone which complies with the provisions of Act 381 of Public Acts of 1996; and

WHEREAS, on August 11, 2008, the Brownfield Redevelopment Authority approved an amendment to the Brownfield Redevelopment Zone Development Plan to include Brownfield Plan Project No. 01-2008 – Rifkin Scrap Iron and Metal, Inc., 835 through 1227 N. Washington Avenue, which complies with the provisions of Act 381 of Public Acts of 1996, as amended by Act 145 of Public Acts of 2000; and

WHEREAS, a public hearing notice on the proposed amendment was published in The Saginaw News and all taxing jurisdictions were notified of the hearing on the plan amendment; and

COUNCIL COMMUNICATION

WHEREAS, the amended Brownfield Plan constitutes a public purpose and eligible activities provided in the amended plan are feasible and the cost of the eligible activities is reasonable to carry out the purposes of the Act,

NOW, THEREFORE, BE IT RESOLVED, that the Saginaw City Council does hereby approve the amendment to the Development Plan for the City of Saginaw Brownfield Redevelopment Zone to include Brownfield Plan Project No. 01-2008, Rifkin Scrap Iron and Metal, Inc., 835 through 1227 N. Washington Avenue.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Application for Transportation Enhancement Funds

Manager' Recommendation:

I recommend that the City actively seek Transportation Enhancement funds and participate in the proposed streetscape project on E. Genesee Avenue between N. Franklin Street and Janes Avenue. MDOT requests, as part of the application process, that a resolution be adopted by City Council indicating their support of the enhancement project.

Justification

The Michigan Department of Transportation has announced its call for applications for Transportation Enhancement funds for proposed non-motorized enhancements/beautification improvements. The City is proposing to install streetscape amenities on E. Genesee Avenue between N. Franklin Street and Janes Avenue. The streetscape items include decorative streetlights, colored stamped sidewalk and crosswalks, decorative stone half-walls and decorative fencing, benches, trash receptacles, and landscaping. This project will extend an existing downtown streetscape located on N. Washington Avenue (M-13). The streetscape enhancements will be constructed in conjunction with the reconstruction of E. Genesee Avenue between N. Franklin Street and Janes Avenue. The reconstruction of Johnson Street is scheduled for the 2010 construction season. The enhancement of this entrance to the downtown will improve the economic viability of the downtown area. The proposed roadway improvements will improve vehicular traffic flow and both vehicular and pedestrian safety.

The total estimated cost of this project is \$5,185,000.00; of which, \$805,000.00 is

COUNCIL COMMUNICATION

the estimated cost of the water main improvements, \$1,050,000.00 is the estimated cost of the sewer main improvements, \$1,705,000.00 is the estimated cost of the roadway improvements, and traffic signal equipment upgrades, and \$1,625,000 is the estimated cost of the streetscape improvements. City Water Surplus funds will be used to fund the water/sewer main improvements. Federal STP Urban funds will be used to pay for \$760,000.00 of said road improvements. Federal Safety funds will pay for \$240,000.00 towards traffic signal upgrades. Transportation Enhancement funds, if approved by the State of Michigan, will pay for \$510,000.00 of enhancement/streetscape items. Federal appropriations monies will pay for \$1,000,000 of the streetscape improvements. The required City match monies for this project may come from ACT 51 funds, Community Development Block Grant funds, and Sewer Surplus or Water surplus funds. Should the State not approve the project for Transportation Enhancement monies, the project scope will be drastically reduced to eliminate many of the enhancement items and project estimate. The City of Saginaw will provide full design engineering and construction administration services for the project.

Council Action

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

COUNCIL COMMUNICATION

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

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the federal legislation known as Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), offers special funding known as Transportation Enhancement which are set aside for non-motorized transportation needs; and

WHEREAS, these funds are eligible for streetscape projects in communities such as Saginaw; and

WHEREAS, the City proposes to procure Transportation Enhancement funds for the purpose of beautifying and enhancing E. Genesee Avenue between N. Franklin Street and Janes Avenue as outlined in its application; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Saginaw is actively seeking SAFETEA-LU Transportation Enhancement funds to construct said streetscape project and is willing to participate in its funding and implementation.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Three-Year Contract with Mike's Wrecker Service

Manager's Recommendation:

I recommend approval of a three-year contract between the City of Saginaw and Mike's Wrecker Service to provide impound towing, inside and outside storage, and parts removal services. This contract has been approved by me as to substance and the City Attorney as to form.

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

Justification:

The City of Saginaw has been without a towing contract for approximately four years, and therefore has not received any revenue for storage fees for vehicles impounded at the request of the Saginaw Police Department. The three-year agreement with Mike's Wrecker Service will provide the City of Saginaw with 70% of the storage fees from the impounded vehicles. Presently, the Saginaw Police Department is incurring approximately 1,200 impounds per year. The bid results are detailed on the attached bid tabulation sheet.

Council Action:

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

RESULTS FOR BID #P616-08 POLICE TOWING SERVICES

	COMPANY NAME		
<u>FIRST YEAR COST</u>	<u>BOXWOOD AUTO</u>	<u>KREAGER TOWING</u>	<u>MIKE'S WRECKER</u>
1. Police Impound-Wheel lift	\$75.00	\$80.00	\$75.00
2. Police Impound-Flat bed	\$95.00	\$85.00	\$85.00
3. Police Impound-Medium Duty	\$115.00	\$95.00	\$95.00
4. Police Impound-Heavy Duty	\$130.00	\$125.00	\$115.00
5. Winching (per hour)	\$65-175.00	\$35.00	\$55.00
6. R & R Transmission linkage	\$25.00	\$10.00	\$20.00
7. Dollies	no cost	\$35.00	no cost
8. R & R Drive Shafts	\$40-55.00	\$35.00	\$30.00
9. Fuel Surcharge	\$8-12.00	8%	8%

	COMPANY NAME		
<u>SECOND YEAR COST</u>	<u>BOXWOOD AUTO</u>	<u>KREAGER TOWING</u>	<u>MIKE'S WRECKER</u>
1. Police Impound-Wheel lift	\$77.00	\$85.00	\$78.00
2. Police Impound-Flat bed	\$97.00	\$90.00	\$88.00
3. Police Impound-Medium Duty	\$117.00	\$105.00	\$100.00
4. Police Impound-Heavy Duty	\$130.00	\$127.00	\$120.00
5. Winching (per hour)	\$65-175.00	\$37.00	\$60.00
6. R & R Transmission linkage	\$25.00	\$13.00	\$20.00
7. Dollies	no cost	\$37.00	no cost
8. R & R Drive Shafts	\$40-55.00	\$37.00	\$30.00
9. Fuel Surcharge	\$8-12.00	9%	10%

	COMPANY NAME		
<u>THIRD YEAR COST</u>	<u>BOXWOOD AUTO</u>	<u>KREAGER TOWING</u>	<u>MIKE'S WRECKER</u>
1. Police Impound-Wheel lift	\$79.00	\$95.00	\$81.00
2. Police Impound-Flat bed	\$99.00	\$95.00	\$81.00
3. Police Impound-Medium Duty	\$119.00	\$115.00	\$105.00
4. Police Impound-Heavy Duty	\$130.00	\$115.00	\$125.00
5. Winching (per hour)	\$65-175.00	\$40.00	\$65.00
6. R & R Transmission linkage	\$25.00	\$15.00	\$20.00
7. Dollies	no cost	\$40.00	no cost
8. R & R Drive Shafts	\$40-55.00	\$40.00	\$30.00
9. Fuel Surcharge	\$8-12.00	10%	12%

COUNCIL COMMUNICATION

From: The City Manager

Subject: City Wide Towing Services Contract with Mike's Wrecker Service

Manager's Recommendation:

I recommend approval of a three-year contract between the City of Saginaw and Mike's Wrecker Service to provide towing services, tire change services, lockout services and fuel delivery for out of gas vehicles for all City owned vehicles. This contract has been approved by me as to substance and the City Attorney as to form.

This vendor meets all requirements of the contract compliance provisions.

Justification:

The City of Saginaw has been without a towing contract for approximately four years and has operated under an extension of the last existing contract. The results are detailed on the attached bid tabulation sheet:

Council Action:

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

RESULTS FOR BID #P617-08 CITY WIDE TOWING SERVICES

	COMPANY NAME		
<u>FIRST YEAR COST</u> TOWING SERVICES	<u>BOXWOOD</u> <u>AUTO</u>	<u>KREAGER</u> <u>TOWING</u>	<u>MIKE'S</u> <u>WRECKER</u>
1. Passenger Vehicles	\$75.00	\$40.00	\$40.00
2. Light Trucks	\$95.00	\$65.00	\$60.00
3. Heavy Duty Trucks	\$130.00	\$125.00+5/ml	\$85.00

TIRE CHANGING SERVICES

4. Passenger Vehicles	\$42.00	\$40.00	\$30.00
5. Light Trucks	\$50.00	\$60.00	\$40.00
6. Heavy Duty Trucks	\$130.00	\$150.00	\$72.00
7. Lockout Services (all vehicles)	\$42.00	\$35.00	\$20.00
8. Fuel Delivery (all vehicles)	\$42.00+fuel	\$35.00+fuel	\$20.00
9. Fuel Surcharge (\$) or %	\$12.00	8%	no cost

	COMPANY NAME		
<u>SECOND YEAR COST</u> TOWING SERVICES	<u>BOXWOOD</u> <u>AUTO</u>	<u>KREAGER</u> <u>TOWING</u>	<u>MIKE'S</u> <u>WRECKER</u>
1. Passenger Vehicles	\$77.00	\$42.00	\$44.00
2. Light Trucks	\$97.00	\$70.00	\$66.00
3. Heavy Duty Trucks	\$130.00	\$130.00+5/ml	93.00

TIRE CHANGING SERVICES

4. Passenger Vehicles	\$44.00	\$41.00	\$32.00
5. Light Trucks	\$52.00	\$62.00	\$42.00
6. Heavy Duty Trucks	\$130.00	\$160.00	\$78.00
7. Lockout Services (all vehicles)	\$44.00	\$37.00	\$24.00
8. Fuel Delivery (all vehicles)	\$44.00+fuel	\$37.00+fuel	\$24.00
9. Fuel Surcharge (\$) or %	10%	9%	no cost

RESULTS FOR BID #P617-08 CITY WIDE TOWING SERVICES

	COMPANY NAME		
<u>THIRD YEAR COST</u>	<u>BOXWOOD</u>	<u>KREAGER</u>	<u>MIKE'S</u>
TOWING SERVICES	<u>AUTO</u>	<u>TOWING</u>	<u>WRECKER</u>
1. Passenger Vehicles	\$79.00	\$45.00	\$48.00
2. Light Trucks	\$99.00	\$75.00	\$72.00
3. Heavy Duty Trucks	\$130.00	\$135.00+5/ml	\$101.00
 TIRE CHANGING SERVICES			
4. Passenger Vehicles	\$46.00	\$42.00	\$34.00
5. Light Trucks	\$54.00	\$65.00	\$45.00
6. Heavy Duty Trucks	\$130.00	\$170.00	\$84.00
7. Lockout Services (all vehicles)	\$46.00	\$40.00	\$28.00
8. Fuel Delivery (all vehicles)	\$46.00+fuel	\$40.00+fuel	\$28.00+fuel
9. Fuel Surcharge (\$) or %	10%	10%	no cost

COUNCIL COMMUNICATION

From: The City Manager

Subject: “Old Town” Neighborhood Enterprise Zone

Manager’s Recommendation:

I recommend the preliminary approval of the tentative boundaries for the proposed “Old Town” Neighborhood Enterprise Zone (Map Attached).

Justification:

The City of Saginaw has received several requests for the establishment of a Neighborhood Enterprise Zone (“NEZ”) in the “Old Town” area from developers and property owners attempting to construct new market rate housing. In an effort to encourage the redevelopment and rehabilitation of residential housing in eligible distressed communities, the Michigan Legislature passed Public Act 147 of 1992. PA 147 allows a certificate holder to pay a specific tax known as the Neighborhood Enterprise Zone Tax. Applications are filed, reviewed and approved locally, but are also subject to review at the state level by the Property Services Division.

Exemptions are approved for a new or rehabilitated facility as allowed by the Act. The State Tax Commission is ultimately responsible for final approval and issuance of certificates. Exemptions are not effective until approved by the Commission. The NEZ is not designated until after the completion of the following procedure:

1. The Assessor has provided notice to all taxing units located in the zone;
2. A public hearing is held;
3. A housing inspection ordinance making sales of NEZ facilities dependent on code compliance is adopted by Council;
4. A finding that the NEZ is consistent with the City’s master plan is adopted by Council;
5. A statement of housing objectives and policies is adopted by Council;
6. An Assessor’s report of the amount of true cash value of property in the proposed NEZ is obtained;

COUNCIL COMMUNICATION

7. A resolution designating the NEZ is adopted by Council; and
8. The State Tax Commission is notified of the passage of the resolution.

Afterwards, the individual property owners may seek certificates for their specific properties. For the above reasons, I recommend the preliminary approval of the tentative boundaries for the proposed "Old Town" Neighborhood Enterprise Zone.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Second Amendment of Purchase and Development Agreement for North Hamilton Project

Manager's Recommendation:

I recommend approval of the Second Amendment to the Purchase and Development Agreement with SSP Associates, Inc. ("SSP") with regard to the property at 314-406 N. Hamilton, and that the City Manager or his designee be authorized to execute all related documents. This Second Amendment has been approved by the City Manager as to substance and the City Attorney to form.

Justification:

On March 6, 2005, the City executed a Purchase and Development Agreement with SSP for the sale and development of two parcels of property commonly known as 314-406 N. Hamilton. SSP agreed to obtain certificates of occupancy for the minimum 10 residential units and a certificate of occupancy for the 3,000 square feet of commercial space by December 31, 2006. Many activities supporting the project have occurred since the signing of the original agreement. Saginaw Future has written and secured grant funds to acquire adjacent property and fund infrastructure improvements. Once the funds were secured, meetings were held with Consumers Energy to relocate obstructing utility lines, which were removed in 2006.

On July 10, 2006, the parties amended the original agreement and extended the time for occupancy to December 31, 2008. Due to the downturn in the economy and high foreclosure rates, the project has been delayed. SSP has requested that the City of Saginaw establish a Neighborhood Enterprise Zone as an incentive to potential

COUNCIL COMMUNICATION

residents of the development. City Council is now considering the request and SSP is prepared to move forward with the project following Council action.

Due to these circumstances, SSP has requested a Second Amendment to the Purchase and Development Agreement to extend the timeframe from December 31, 2008 to December 31, 2010 to complete construction of both the residential and commercial space and to obtain occupancy permits.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Approval of Purchase and Development Agreement for Michigan Healthpark

Manager's Recommendation:

I recommend approval of the Purchase and Development Agreement with Michigan Healthpark Development, LLC with regard to the property on Davenport Avenue (see attached map), and that the City Manager or his designee be authorized to execute all related documents. This Agreement has been approved by me as to substance and the City Attorney as to form.

Justification:

The City owns several large parcels of land that are generally unimproved, except for some storage facilities and a stormwater retention basin. The property is subject to Orders of Abatement from the Michigan Department of Environmental Quality ("MDEQ"), pursuant to which the City is required to implement a remedial action plan.

Michigan Healthpark Development, LLC is interested in acquiring this property so that it can develop it into a medical health park, including physician offices and other healthcare facilities, a hotel, retail stores and other related facilities. In exchange for the transfer of this property for \$1, Michigan Healthpark Development, LLC will invest a minimum of \$10 million to complete the project, create approximately 40 new medical jobs and potentially more in other areas. The project would be completed by December 31, 2013. If Michigan Healthpark Development, LLC does not fulfill its obligations, the property would be returned to the City.

COUNCIL COMMUNICATION

The proposed Purchase and Development Agreement contains provisions ensuring that the City is able to maintain environmental control over the property to satisfy all conditions imposed or to be imposed by the MDEQ, as well as providing a suitable development site for Michigan Healthpark Development, LLC.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Acceptance of Grant for Air Cascade System

Manager's Recommendation:

I recommend approval of the attached resolution that authorizes the Fire Department to accept a grant in the amount of \$24,000.00 from the Federal Emergency Management Agency (FEMA) under the fiscal year 2008 Assistance to Firefighters Grant program for fire operations and firefighter safety.

The City of Saginaw's required matching funds of \$6,000.00 will be available in Capital Outlay/Repairs and Replacements Account No. 101-3751-751.97-20.

Justification:

This grant will be used to purchase an Air Cascade System to fill self-contained breathing equipment that firefighters use in contaminated atmospheres while fighting fires. The current Air Cascade System is 16 years old and has become inoperable.

Council Action:

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

COUNCIL COMMUNICATION

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

WHEREAS, the Federal Emergency Management Agency (FEMA in cooperation with the U.S. Fire Administration has awarded the Saginaw Fire Department \$24,000 under the Fiscal Year 2008 Assistance to Firefighters Grant program for fire operations and firefighter safety, and

WHEREAS, the cost required from the City of Saginaw in the form of matching funds is \$6,000.00, and

WHEREAS, these funds will be used to purchase a new Air Cascade System to fill self-contained breathing apparatus which is protective equipment to eliminate smoke inhalation while fighting fires and working in hazardous environments, and

WHEREAS, the Saginaw Fire Department's current Air Cascade System has become inoperable.

NOW, THEREFORE, BE IT RESOLVED, that the Saginaw City Council is in full support of the Saginaw Fire Department's Grant Award.

COUNCIL COMMUNICATION

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

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the City of Midland, Counties of Bay and Midland, the City of Saginaw, County of Saginaw, each municipal corporations of the State of Michigan (the "Local Units") and the Saginaw-Midland Municipal Water Supply Corporation, a public corporation formed pursuant to Act 233, of the Public Acts of 1955, as amended ("Act 233") have entered into a contract, dated April 5, 1965 (the "Base Contract"); and

WHEREAS, said Base Contract provides that the cost of enlargements and improvements to the water supply system operated by The Saginaw-Midland Municipal Water Supply Corporation (the "Corporation") for the benefit of the Local Units be allocated to the Local Units on the basis of 23/43 to the City of Saginaw and 20/43 to the City of Midland; and

WHEREAS, said Base Contract further provides that each of the Local Units will cooperate in the acquisition and financing of such additional enlargements and improvements in accordance with the Base Contract and Act 233; and

WHEREAS, the Corporation pursuant to said Base Contract and its subsequent amendments has issued its Water Supply System Revenue Bonds, Series 1992, the proceeds of which were used to acquire, construct and finance improvements to the water supply system operated by the Corporation for the benefit of the Local Units; and

WHEREAS, said bonds were refunded through the issuance of the Corporation's Supply System Refunding Revenue Bonds, Series 1998 (the "1998 Bonds") in order to achieve interest expense savings; and

WHEREAS, the Corporation proposes to refund the 1998 Bonds with an issue of refunding bonds in order to achieve additional interest expense savings; and

WHEREAS, in order to issue an additional series of refunding which will reduce this City's contractual obligation to the Corporation, it is necessary for the City to affirm its undertakings.

NOW, THEREFORE, BE IT RESOLVED:

1. That the 1992 Revenue Contract Supplement between the Corporation and the Local Units is hereby ratified and confirmed.

2. That, provided present value savings are realized by the proposed refunding, the City Council also hereby approves the proposed issuance of refunding bonds and ratifies and affirms the City's pledge of its limited tax full faith and credit as secondary security for the payment of its allocable share of the principal and interest of such refunding bonds.

3. That in accordance with Rule 15c2-12 as promulgated by the Securities and Exchange Commission (the "Rule") the City, as long as it is an "obligated person" pursuant to the Rule, covenants and agrees to enter into a continuing disclosure undertaking and to provide or cause to be provided certain information as set forth in the City's undertaking.

4. That the City's Finance Director, or his or her designee, be and is hereby appointed as the City Disclosure Representative in accordance with the Rule.

5. That all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Certifications of Consistency with the Consolidated Plan

Manager's Recommendation:

It is recommended that the Mayor be authorized to sign the Certifications of Consistency with the Consolidated Plan for several local agencies, which provide assistance to the homeless in Saginaw. Further, in the future, the Mayor may be required to sign additional certificates related to the programs to fulfill Department of Housing and Urban Development (HUD) requirements. Therefore, it is requested that the Mayor be given blanket authorization to sign future certificates for local agencies to receive grants from HUD, until June 30, 2009.

Justification:

There are several homeless programs throughout the City of Saginaw sponsored by local community organizations. The agencies include, but are not limited to: the Emmaus House, Homes from Heaven, Restoration Community Outreach, Saginaw County Community Mental Health Authority, Saginaw County Youth Protection Council and the Underground Railroad. However, in order for the groups to receive federal grants, the agencies must obtain signed Certifications of Consistency from the Mayor to submit to HUD.

Council Action:

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