

Council Agenda

September 26, 2011 6:30 p.m.

Council Chamber

Revision 2

PLEASE NOTE: There will be a Committee of the Whole meeting today beginning at 5:00 p.m., Odail Thorns, Director of Development, and the Wolgast Corporation to provide an overview of the Bliss Park Senior Housing Development.

PRAYER AND PLEDGE OF ALLEGIANCE

ROLL CALL

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

September 12, 2011 regular Council meeting

ANNOUNCEMENTS:

1. Proclamation designating the month of November 2011 as Pancreatic Cancer Awareness Month.
2. Ric Longoria, City of Saginaw Interim Fire Chief, to accept proclamation designating October 9-15, 2011 as Fire Prevention Week.

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

(A list will be provided on Monday after 1:00 p.m.)

REMARKS OF COUNCIL:

PETITIONS:

- 11.13 from Rick Hayes, Saginaw Spirit Hockey Team, requesting permission to display fireworks on October 1, 2011 (rain date October 2, 2011) at the northwest corner of the Saginaw Riverfront between the Johnson Street Bridge and the I-675 Bridge.
- 11.14 from Joshua Bernier, President, Bernier Cast Metals, Inc., requesting an Industrial Facilities Tax Exemption Certificate for the property located at 2626 Hess Street.

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

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REPORTS FROM MANAGER:

Management Update:

1. Pastor Bradley to update on Sports & Fitness Complex
2. Master Plan
3. Public Information Office Update
4. Detachment Proposal
5. Beth Church, EEO Employer Update

Recommended Actions:

1. Recommending the approval of the Memorandum of Understanding (MOU) between the Saginaw County Land Bank Authority and the City of Saginaw. Further recommending that the Director of Development and/or his designee be authorized to sign the MOU.
2. Recommending the approval of the Commitment Letter between the City and Wolgast Corporation for a senior housing development. The Commitment Letter provides that the City will invest Three Million and 00/100 Dollars (\$3,000,000) of Neighborhood Stabilization Program 2 ("NSP2") funds into Wolgast's Senior Housing Development Project. Also recommending that the Director of Development and/or his designee be authorized to sign the Commitment Letter.
3. Recommending the purchase of 1225 S. Water from the Downtown Area Development, LLC for the sum of \$157,000 and that the City Manager or his designee be authorized to execute all necessary documents. Additionally, a budget adjustment should be completed to increase the General Fund Grant revenue account (101-0000-513.58-35) from to \$35,941 to \$192,941. This will be offset by an increase to the General Fund – Department of Development – Planning and Zoning Division's Land and Improvement account by the same amount.
4. Recommending the purchase of 607 S. Washington, 611 S. Washington and 610 Water from Chidozie and Gloria Ononjue for the sum of \$50,000, and that the City Manager or his designee be authorized to execute all necessary documents. Additionally, a budget adjustment should be completed to increase the General Fund Grant revenue account (101-0000-513.58-35) from \$192,941 to \$242,941. This will be offset by an increase to the General Fund – Department of Development – Planning and Zoning Division's Land and Improvement account by the same amount.
5. Recommending the purchase of 633 S. Washington from the Rosemary A. Degesero Estate for the sum of \$20,000 and that the City Manager of his

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designee be authorized to execute all necessary documents. Additionally, a budget adjustment should be completed to increase the General Fund Grant revenue account (101-0000-513.58-35) from \$242,941 to \$262,941. This will be offset by an increase to the General Fund – Department of Development – Planning and Zoning Division's Land and Improvement account by the same amount.

6. Recommending the approval of a one-time payment to the City Attorney for unused Paid Time Off (PTO) accruals in the amount of \$3,192.69.
7. Recommending that the only bid be accepted and a purchase order be approved and issued to Amerigas for the purchase of 1,700 gallons of propane for the Streets Section of Right-of-Way Division, in the amount of \$4,607.
8. Recommending that the low bid be accepted and a purchase order be issued to CPI Supply for the purchase of a Snap Tite Culvert Liner, in the amount of \$24,843 and that a budget adjustment be completed to increase the Major Streets State of Michigan MDOT Project revenue account (202-0000-511.57-09) from \$0 to \$24,843. This increase in revenue will be offset by an increase in the Major Streets Fund – Streets Project Division's Parts and Supplies account (202-4614-781.73-30) by the same amount.
9. Recommending that the purchase order issued to Northwest Tire and Service in the amount of \$31,000 be rescinded and a new purchase order be issued to Jerry's Tire and Auto Service for \$31,000.
10. Recommending that the low bid be accepted and that a blanket purchase order be approved and issued to Stephen's Tile for the purchase of plastic pipe products and fittings, in the amount of \$37,583.56.
11. Recommending the purchase order issued to Martin Edwards in the amount of \$53,900 be rescinded as Martin has withdrawn its bid, and a new purchase order be issued to the next lowest bidder, I.E. Inc., in the amount of \$36,000.
12. Recommending the low bid be accepted and purchase order be issued to Kendall Electric, Inc., for various electrical parts for plant maintenance, in the amount of \$2,530.
13. Recommending the quote be accepted and a purchase order be issued to Great Lakes Industrial Controls, the sole source provider, for the purchase of stainless steel valves for the Wastewater Treatment Plant, in the amount of \$7,839.
14. Recommending the approval of payments to be made to various vendors respectively, in the appropriate amounts, to pay for WWTP Personnel training related invoices, not to exceed \$10,000, as required by MIOSHA.

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15. Recommending that the Agreement with Burns and McDonnell Engineering Company Inc. ("Burns and McDonnell") be approved in the amount of \$41,300. Terms of the Agreement for the 2011 Regional Consumer Confidence Report ("CCR").
16. Recommending that the 2011/2012 Approved Budget for the Local Law Enforcement Grant Fund – JAG Grant Revenue Account No. 263-0000-513.58.09 be increased by \$3,528 from \$108,953 to \$112,481. The increase in revenues will be offset by an increase to the local Law Enforcement Grant Fund – JAG Division's Capital Outlay less than \$5,000 Account No. 263-3321-741.97-05.
17. Recommending that a purchase order be approved and issued to Charter Township of Orion, for the purchase of 35 plastic suitcase-style voting booths at a cost of \$25 each, in the amount of \$875. Further recommending the City Clerk be authorized to execute the Purchase Agreement.

INTRODUCTION OF ORDINANCES:

1. New ordinance to create a Payment in Lieu of Taxes (PILOT) to assist in the construction for "Low Income Housing Tax Exemption for the Westbrook Housing Development Limited Liability Corporation".

CONSIDERATION AND PASSING OF ORDINANCES:

1. An ordinance to amend section §92.20 "International Fire Code", 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 amend §12.15(A)(1) "Board of Fire Appeals" of Chapter 12 "Boards and Commissions" of Title I "Administrative Code" of the City of Saginaw Code of Ordinances O-1.

RESOLUTIONS:

1. Authorizing the detachment of three parcels of land annexed to the City of Saginaw from Spaulding Township, approving the associated detachment agreement, and authorizing the City Manager or his designee to execute all related documents.
2. Authorizing the final draft of the Master Plan and approving the Plan be made available for public review and distribution.
3. Authorizing the appointment of receiving boards for the November 8, 2011 General Election.

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UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Darnell Earley
City Manager

From: The City Manager

Subject: Memorandum of Understanding Between the Saginaw County Land Bank Authority and the City of Saginaw

Manager's Recommendation:

I recommend approval of the Memorandum of Understanding ("MOU") between the Saginaw County Land Bank Authority ("Land Bank Authority") and the City of Saginaw ("City"). The term of the MOU is for seventeen months and will terminate at the end of the Neighborhood Stabilization Program 2 ("NSP 2") on February 13, 2013. The City Manager has approved the MOU as to substance and the City Attorney as to form. It is further recommended that the Director of Development and/or his designee be authorized to sign the MOU.

Justification:

The Land Bank Authority and the City were the recipients of \$17,369,638 in NSP2 grant funds. The purpose of the NSP 2 Program is to stabilize areas that have been significantly affected by foreclosures. The funds are to be used to acquire foreclosed properties, rehab the homes and sell them. In addition, the NSP 2 program provides a financing program for citizens to purchase the newly rehabbed homes.

The MOU sets forth the responsibilities of the parties with regard to property acquisition and rehabilitation. Specifically, the terms of the MOU state the following:

1. The Land Bank Authority is responsible for property acquisition;
2. The City is responsible for the rehabilitation of NSP 2 properties;
3. The Land Bank Authority will maintain ownership of all NSP 2 properties during rehabilitation to the time of closing, except for the property located at 505 Millard, which is owned by the City;
4. The parties will maintain insurance on all NSP 2 properties that they own; and
5. The Land Bank Authority will provide maintenance for the NSP 2 properties that it owns.

Council Action:

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

From: The City Manager

Subject: Wolgast Corporation Senior Project Development Commitment Letter

Manager's Recommendation:

I recommend approval of the Commitment Letter between the City of Saginaw ("City") and Wolgast Corporation ("Wolgast"). The Commitment Letter provides that the City will invest Three Million and 00/100 Dollars (\$3,000,000) of Neighborhood Stabilization Program 2 ("NSP2") funds into Wolgast's Senior Housing Development Project. The Commitment Letter has been approved by the City Manager as to substance and the City Attorney as to form. It is further recommended that the Director of Development and/or his designee be authorized to sign the Commitment Letter.

Justification:

Earlier this year, the City issued a Request for Qualifications ("RFQ") related to the construction of Senior Housing in the Covenant District near the hospital. After a careful review of the RFQ responses, staff determined that the bid should be awarded to Wolgast. The City was advised by the Michigan State Housing Development Authority ("MSHDA") staff that the procedure for awarding NSP2 funds for a multifamily project such as the Senior Housing Development Project, includes the initial issuance of a Commitment Letter. Thereafter, the parties can negotiate Development and Regulatory Agreements, subject to MSHDA's approval.

In the instant matter, City staff drafted a Commitment Letter for City Council approval to provide Wolgast NSP2 funds in the amount of Three Million Dollars and 00/100 (3,000,000) as an investment in the Senior Housing Development Project. In addition, the Commitment Letter sets forth mandatory performance benchmarks for Wolgast. Specifically, Wolgast has a deadline to provide documents to MSHDA and the City. Moreover, the Commitment Letter provides that if Wolgast fails to meet the City's performance benchmarks that the City can terminate the NSP 2 award.

Council Action:

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

From: The City Manager

Subject: City Purchase of Real Estate for Future Development

Manager's Recommendation:

I recommend that the City authorize the purchase of 1225 S. Water from the Downtown Area Development, LLC for the sum of \$157,000 and that the Manager or his designee be authorized to execute all necessary documents. This has been approved by the City Manager as to substance and the City Attorney as to form.

Additionally, a budget adjustment should be completed to increase the General Fund Grant revenue account (101-0000-513.58-35) from \$35,941 to \$192,941, which equates to a \$157,000 increase. This adjustment in revenues will recognize HUD – EDI grant monies that will be received by the City. This will be offset by an increase to the General Fund – Department of Development – Planning and Zoning Division's Land and Improvement account by the same amount.

This is the negotiated purchase of unique real estate and not subject to the standard requirement of competitive bidding, pursuant to §14.27 "Sole Source", 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 Department of Development – Planning and Zoning Division's Land and Improvement Account No. 101-3863-761.97-30.

Justification:

The above property will be paid for out of a HUD – EDI grant, the purpose of this grant is to eradicate blight, strengthen the community with additional employment opportunities and offer development opportunities. The purchase of this property fits within the Riverfront strategic plan and allows for the goals of the grant to be met.

Council Action:

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

From: The City Manager

Subject: City Purchase of Real Estate for Future Development

Manager's Recommendation:

I recommend that the City authorize the purchase of 607 S. Washington, 611 S. Washington and 610 Water from Chidozie and Gloria Ononujue for the sum of \$50,000 and that the City Manager or his designee be authorized to execute all necessary documents. This has been approved by the City Manager as to substance and the City Attorney as to form.

Additionally, a budget adjustment should be completed to increase the General Fund Grant revenue account (101-0000-513.58-35) from \$192,941 to \$242,941, which equates to a \$50,000 increase. This adjustment in revenues will recognize HUD – EDI grant monies that will be received by the City. This will be offset by an increase to the General Fund – Department of Development – Planning and Zoning Division's Land and Improvement account by the same amount.

This is the negotiated purchase of unique real estate and not subject to the standard requirement of competitive bidding, pursuant to §14.27 "Sole Source", 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 Department of Development – Planning and Zoning Division's Land and Improvement Account No (101-3863-761.97-30).

Justification:

The City of Saginaw will occasionally purchase parcels of real estate to assist in assembling lots for development projects. The funds being utilized have been awarded to the City of Saginaw in a HUD – EDI grant specifically for acquisition, removal of blight and development of potential properties to further the goals of increasing job opportunities and new development opportunities

Council Action:

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

From: The City Manager

Subject: City Purchase of Real Estate for Future Development

Manager's Recommendation:

I recommend that the City authorize the purchase of 633 S. Washington from the Rosemary A. Degesero Estate for the sum of \$20,000 and that the Manager or his designee be authorized to execute all necessary documents. This has been approved by the City Manager as to substance and the City Attorney as to form.

Additionally, a budget adjustment should be completed to increase the General Fund Grant revenue account (101-0000-513.58-35) from \$242,941 to \$262,941, which equates to a \$20,000 increase. This adjustment in revenues will recognize HUD – EDI grant monies that will be received by the City. In addition, to offset the increase revenues, the General Fund – Department of Development – Planning and Zoning Division's Land and Improvement account should be increased by the same amount.

This is the negotiated purchase of unique real estate and not subject to the standard requirement of competitive bidding, pursuant to §14.27 "Sole Source", 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 Department of Development – Planning and Zoning Division's Land and Improvement Account No. (101-3863-761.97-30).

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The City of Saginaw will occasionally purchase parcels of real estate to assist in assembling lots for development projects. The funds being utilized have been awarded to the City of Saginaw in a HUD – EDI grant specifically for acquisition, removal of blight and development of potential properties to further the goals of increasing job opportunities and new development opportunities.

Council Action:

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

From: The City Manager

Subject: Payment to City Attorney for unused Paid Time Off

Manager's Recommendation:

I recommend the approval of a one-time payment to the City Attorney for unused Paid Time Off accruals in the amount of \$3,192.69.

Funds are budgeted in the General Fund - City Attorney Office's PTO payout Account No. 101-1734-701.70-82.

Justification:

Through the cost saving initiatives, the City Attorney's office will be outsourced effective October 1, 2011. Through this mid-year organizational change, the City Attorney (employee) will be eliminated. In lieu of taking time off, the City Attorney agreed to work through his last thirty days of the transition period. Therefore, he was unable to use all of his available 2011 accumulated and earned paid time off. The calculation is based off the current hourly rate of pay and the unused seventy-two hours. The requested amount is above the PTO cap, which is already included in his employment agreement.

Council Action:

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

From: The City Manager

Subject: Annual Supply of Propane

Manager's Recommendation:

I recommend a purchase order be approved and issued to Amerigas for 1,700 gallons of propane required for the Streets Section of Right-of-Way Division, in the amount of \$4,607.

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 for this purchase are budgeted in the Local Streets Fund – Routine Maintenance Division's Streets Road Materials Account Number 203-4651-841.73-40 (\$2,710), and Rubbish Collection Fund – Composting Division's Parts and Supplies Account Number 226-4587-841.73-30 (\$1,897).

Justification:

Amerigas was the only bid received for 1,700 gallons of propane in the amount of \$4,607.00 for FY 2012. Propane is required for the Streets Section of Right-of-Way Division to service pothole patches and to provide heat in the office of the Compost Site. A supply of propane is required annually. The propane helps keep crack filling material hot when applied to asphalt mixture used for repairs of potholes. A cost comparison shows a 37% decrease over last year's purchases for the same amount of propane.

Council Action:

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

From: The City Manager

Subject: Snap Tite Culvert Liner from CPI Supply

Manager's Recommendation:

I recommend that the low bid from CPI Supply for a Snap Tite Culvert Liner be accepted and a purchase order be approved and issued to them in the amount of \$24,843.

It is also recommended that a budget adjustment be completed to increase the Major Streets State of Michigan MDOT Project Revenue Account No. 202-0000-511.57-09 from \$0 to \$24,843, which equates to a \$24,843 increase. This increase in revenue will be offset by an increase in the Major Streets Fund - Streets Projects Division's Parts and Supplies Account No. 202-4614-781.73-30 by the same amount.

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 contract will be made available in the Major Streets Fund - Streets Projects Division's Parts and Supplies Account No. 202-4614-781.73-30 (\$24,843) in Fiscal Year July 1, 2011 to June 30, 2012.

Justification:

Michigan Department of Transportation (MDOT) received bids for a Snap Tite Culvert Liner for repair of damage culvert. This purchase is being funded 100% percent by the Michigan Department of Transportation (MDOT. This process for administering the subcontracting of MDOT maintenance projects/purchases is included in Section 8. Subcontracts, within the "Michigan Department of Transportation State Trunkline Maintenance Contract City of Saginaw" dated October 7, 2009, which was approved by City Council on June 29, 2009. The Contract with MDOT for State Trunkline Maintenance is for five (5) years and expires on September 30, 2014.

Following is a tabulation of the bids received:

CPI Supply	Belford, IN	\$ 24,843.00
Debco Metal Culverts	Francesville, IN	\$ 26,880.00
Coady Supply Co.	Springfield, IL	\$ 27,216.00

Council Action:

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

From: The City Manager

Subject: Rescind Northwest Tire and Service Purchase Order

Manager's Recommendation:

I recommend the purchase order issued to Northwest Tire and Service in the amount of \$31,000 be rescinded as Northwest can no longer provide full service and a new purchase order issued to Jerry's Tire and Auto Service for the same amount.

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

Funds are budgeted in the Motor Pool Operations Fund – Motor Vehicle Supplies Account No. 661-4480-841.73-12.

Justification:

On July 11, 2011, Council approved a purchase order to Northwest Tire and Service for State bid pricing on tires. Northwest Tire can no longer provide the full service including commercial truck tires at State bid prices. Jerry's Tire and Auto Service is now the State bid vendor located in the City, and they can provide all of the required services for the Garage Division.

Council Action:

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

From: The City Manager

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

Manager's Recommendation:

I recommend a blanket order be issued to Stephen's Tile for plastic pipe products and fittings, in the amount of \$37,583.56 for FY 2012.

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 Water Operations and Maintenance Fund – Maintenance and Service Division's Parts and Supplies Account No. 591-4721-861.73-30, and will be accounted for in the Water Inventory Account No. 591-0000-171.73-30.

Justification:

On Tuesday, August 30, 2011 three bids were received for plastic pipe products and fittings. These pipes and fittings are needed to maintain adequate inventory for repairs in the Maintenance and Service Division. The bid consists of an annual supply of over 6,000 feet of P.V.C. pipe, 800 parts including bends, elbows, and fittings. The following is a tabulation of bids received:

Vendor	FY 2012
Stephen's Tile Davisburg, MI	\$37,583.56
Etna Supply Grand Rapids, MI	\$38,906.72
Michigan Pipe and Valve Zilwaukee, MI	\$41,774.65

Council Action:

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

From: The City Manager

Subject: Compost Grinder Services

Manager's Recommendation:

I recommend that the purchase order issued to Martin Edwards in the amount of \$53,900 to grind and pile 55,000 yards of leaves and grass clippings at the City's Compost Site be rescinded, as Martin has withdrawn its bid. I recommend a new purchase order be issued to the next lowest bidder I.E., Inc., to grind 30,000 yards of leaves and grass clippings for \$36,000.

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

Funds are budgeted in the Rubbish Collection Fund - Composting Division's Operating Services Account No. 226-4587-841.80-05.

Justification:

On Tuesday, August 23, 2011 bids were received for the grinding of yard waste materials. The City's Compost Site receives almost 60,000 yards of material each year, and it is necessary that grinding take place on an annual basis. The City's grinder is twelve years old, currently inoperable and can no longer be repaired. The cost for a replacement grinder capable of handling the amount of volume at the City of Saginaw Compost facility is estimated at \$400,000. Due to the volume of new material expected during the annual leaf pickup season, it is necessary to hire a contractor to grind as much material as possible before the end of October. Martin Edwards has withdrawn their bid to grind and pile.

I recommend the bid be awarded to the next lowest bidder I.E., Inc., for grinding only. On September 12, 2011, the City had the compost pile accurately measured and the total cubic yards totaled 30,000 yards. Initial volume bid was estimated to be 55,000 cubic yards and was based on load tickets of volume received. With this recent measurement being 25,000 cubic yards less than estimated, the City only needs the material ground. Further reducing the cost, the Compost Site Operators can move the ground materials without assistance from the contractor.

I.E., Inc. Flint, MI	\$1.20 per yard (\$36,000 Total)
Spurt Inc. Zeeland, MI	\$1.29 per yard (\$38,700 Total)

Council Action:

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

From: The City Manager

Subject: Kendall Electric for Various Electrical Parts

Manager's Recommendation:

I recommend that the bid from Kendall Electric, Inc., for various parts for plant maintenance be accepted and a purchase order issued to them in the amount of \$2,530.03.

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

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

Justification:

On September 6, 2011, the City of Saginaw opened sealed bids for various electrical parts for plant maintenance. These parts replace inventory and include: conduit, junction boxes, back plates, and enclosures. The following is a tabulation of the bids that were received:

Kendall Electric Inc. Saginaw, MI	\$2,530.03
Graybar Electric Lansing, MI	\$2,624.94
Standard Electric Co. Saginaw, MI	\$2,618.80

Council Action:

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

From: The City Manager

Subject: Great Lakes Stainless Steel Valves Purchase

Manager's Recommendation:

I recommend that the quote from Great Lakes Industrial Controls for 4 inch valves for sludge storage tanks at the Wastewater Treatment Plant, be accepted and that a purchase order be issued to them in the amount of \$7,839.00.

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

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

Justification:

The Wastewater Treatment Plant has four 4-inch valves on each of the five cells of the sludge storage tank. These valves allow the decanting of water from the biosolids stored in the tank. They have historically required frequent rebuilds and replacement because of the lime content in the stabilized biosolids. Great Lakes Industrial Control provides an all stainless steel valve that they allowed us to use on a trial basis. After a year and a half of trial the valve proved that it would not corrode, plug, or require rebuilding. This purchase is for three more Great Lakes Industrial high performance stainless steel gate valves to replace three of the conventional valves that have failed. Great Lakes Industrial Controls is the sole source provider of this valve.

Council Action:

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

From: The City Manager

Subject: WWTP Personnel Training

Manager's Recommendation:

I recommend that payments be made to the various vendors respectively, in the appropriate amounts, to pay for training related invoices that will not exceed \$10,000.

These vendors will meet 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 training are budgeted for Fiscal Year 2012 in the Sewer Operation and Maintenance Fund, Treatment and Pumping Division's Professional Services Account No. 590-4830-861.80-01.

Justification:

The Wastewater Treatment Division is required by MIOSHA and other regulatory agencies to provide safety training and refresher courses for its employees who must work with hazardous materials and chemicals and enter confined spaces in the course of their work. Several classes are taught at the plant throughout the year using services provided by professional trainers and instructors. Quotes for these professional services are requested from several trainers who have been recommended by other utilities, professional training organizations, or state regulatory agencies. These quotes are compared and the most cost effective quote is taken.

To insure the safety of our staff, all plant employees are required to take these classes.

Council Action:

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

From: The City Manager

Subject: Burns and McDonnell Engineering Company Inc. Agreement

Manager's Recommendation:

I recommend that the Agreement with Burns and McDonnell Engineering Company Inc. ("Burns and McDonnell") be approved in the amount of \$41,300. Terms of the Agreement for the 2011 Regional Consumer Confidence Report ("CCR"). In addition, Burns and McDonnell has agreed to indemnify the City for all claims resulting from its negligence in performance of the Agreement up to \$2,000,000. The Agreement has approved by the City Manager as to substance and the City Attorney as to form.

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

Funds are budgeted in the Water Operations and Maintenance Fund – Treatment and Pumping Division's, Engineering Services, Account Number 591-4730-861.80-02.

Justification:

On September 1, 2011 the City received a proposal and agreement to provide professional consulting services for design, production and distribution of the 2011 CCR. The 1996 amendments to the Safe Drinking Water Act, requires the City to provide consumers information about their drinking water and opportunities to get involved in protecting their source water pursuant to a CCR. All community water systems are required to prepare and provide their customers with an annual water quality report or CCR.

Several years ago, the District Engineer for the Michigan Department of Environmental Quality recommended the use of a regional approach to the report. For a number of years, the City has successfully used this approach to distribute information to customers by distributing the Saginaw Regional Water Quality Report/CCR. Specifically, this approach reduces the expense of production of the report, mailing costs and City staff time. The City will coordinate the development of the CCR with Burns and McDonnell. The individual communities will sign participation agreements and reimburse the City for their share of the costs. The CCR will be developed and distributed to City customers that elect to participate in the 2011 Regional CCR.

Susan Franklin has been instrumental to the success of the work on the CCR project since it inception. She has extensive knowledge regarding the CCR, the City and the municipalities that receive water services from it. In 2009, Ms. Franklin left Tetra Tech for a new position with Burns and McDonnell. Due to her professionalism,

creativity, on-going cost saving efforts, and great success in coordinating the Regional CCR, the City elected to contract with her new employer.

As expected, Susan has continued to seamlessly provide subsequent reports with all the quality and professionalism we have come to expect. Burns and McDonnell has been found to be a good consultant. City Staff highly recommends we continue to use Susan Franklin and Burns and McDonnell as our consultant. The quoted cost includes a 0 % increase when compared to last year.

Council Action:

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

From: The City Manager

Subject: 2008 JAG Grant Budget Adjustment

Manager's Recommendation:

It is recommended that the 2011/2012 Approved Budget for the Local Law Enforcement Grant Fund – JAG Grant Revenue Account No. 263-0000-513.58.09 be increased by \$3,528 from \$108,953 to \$112,481. The increase in revenues will be offset by an increase to the Local Law Enforcement Grant Fund - JAG Division's Capital Outlay less than \$5,000 Account No. 263-3321-741.97-05 by the same amount.

Justification:

This budget adjustment recognizes the final grant dollars from the Department of Justice's – 2008 JAG Allocation. Since this is a three-year grant, dollars from this grant must be either encumbered or spent by September 30, 2011.

Council Action:

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

From: The City Manager

Subject: Purchase of Voting Booths

Manager's Recommendation:

I recommend issuance of a purchase order to Charter Township of Orion in the amount of \$875.00 for the purchase of 35 plastic suitcase-style voting booths at a cost of \$25.00 each. Further recommending the City Clerk be authorized to execute the Purchase Agreement.

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

Funds for this purchase are budgeted in the General Fund - Election Division's Capital Less that \$5,000 Account No. 101-1731-701.97-05.

Justification:

The City recently received notice from the Orion Township Clerk that the Trustees for the Charter Township of Orion have authorized the sale of some of its voting booths at a cost of \$25.00 each. These booths generally cost \$165.00 new. According to election law, the City is to provide 10 booths for every 100 registered voters. The City currently has 39,827 registered voters. During the 2008 Presidential Election, many of the booths the City used were cardboard. In addition, most of the City's voting booths were purchased over 15 years ago and are in disrepair. The Charter Township of Orion has requested the City sign a Purchase Agreement which sets forth the price of the booths and states the booths are being purchased "as is" with no warranty. The City is also responsible for delivery.

Council Action:

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

Council _____ moved that an ordinance introduced, September 12, 2011, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO ADOPT SECTION 92.20 "INTERNATIONAL FIRE CODE", OF CHAPTER 92 "FIRE PROTECTION AND PUBLIC SAFETY", OF TITLE IX "GENERAL REGULATIONS" OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH".

The City of Saginaw Ordains:

92.20(A)(1) That a certain document on file in the Office of the City Clerk of the City of Saginaw (City Clerk's File) being marked and designated as "International Fire Code 2009 Edition" and Appendix B, Appendix C, Appendix D, Appendix E, Appendix F, Appendix G, Appendix H, Appendix I, Appendix J and to include all charts, tables, and indexes affixed thereto, published by the International Code Officials, hereinafter referred to in its entirety as the "International Fire Code" or "this Code", be and the same is hereby adopted as the Fire Regulations of the City of Saginaw and made a part hereof as if fully set out in this ordinance.

(2) That a printed copy of said International Fire Code, 2009 Edition, shall be kept in the Office of the City Clerk, available for inspection by and distribution to the public at all times.

(3) That the International Fire Code 2000 Edition, D-1750, in conflict herewith, to the extent of such conflict is hereby repealed.

92.20(B) That Section 101.1,(page 2) Chapter 1, of the International Fire Code, 2006 Edition, (City Clerk's File) hereinafter referred to as the International Fire Code, or "this code" is hereby amended to read as follows:

Fire Prevention Division

Sec. 103.1 A Fire Prevention Division is established within the Fire Department under the direction of the Fire Chief, which shall consist of a Fire Marshal, and such number of Deputy Fire Marshals as may be assigned thereto by the Fire Chief. The function of this Division shall be to assist the Fire Chief in the administration and enforcement of the Fire Prevention provisions of this code.

92.20(C) That Section 105.1,(page 4) Chapter 1 of this Code is hereby amended to read as follows:

Permits or License Required

Sec. 105.1

(a) Permit: A permit or license shall be approved by the Fire Prevention Division prior to engaging in any of the activities stated in Section 105.6, or other provisions of this Code and after payment of appropriate fees.

92.20(D): Section 105.6 (page 6), Chapter 1 is hereby amended to read as follows:

Section 105.6. Permit Required. A permit shall be obtained or approved of any license required herein from the Fire Prevention Division prior to engaging in the following activities, operations, practices, or functions:

(a) Automobile Wrecking Yard: Any person engaging in the business of dealing or processing for resale scrap metal, other scrap materials, used auto parts, or any form of goods commonly considered as junk, or assembling same in one (1) location for the purpose of sale, shall obtain a license as provided in Charter 110, Appendix 1. Application shall be filed at the Office of the City Clerk.

(b) Bowling Pin or Alley Refinishing: To conduct a bowling pin refinishing or bowling alley resurfacing operation involving the use and application of flammable liquids or materials. \$75.00 fee. See Chapter 15

(c) Combustible Material Storage: To store more than 2500 cubic feet of total volume of boxes, barrels, pallets, or similar containers of rubber or cork, or other similar combustible material inside building or outside in an open area. \$100.00 fee. See Chapter 23.

(d) Compressed Gases: To store, transport on site, dispense, use or handle at normal temperatures and pressures compressed gases in excess of the amounts listed in Table 105.6.9 \$125.00 fee. See Chapter 30

(e) Cryogen: Except where federal or state regulations apply and except for fuel systems of the vehicle to produce, store or handle cryogen in excess of the amounts listed in Table 105.6.11 \$150.00 fee. See Chapter 32.

(f) Dry-Cleaning and Dry Dyeing: Any person carrying on any business of dry-cleaning or dry dyeing shall obtain a license under Chapter 110, Appendix 1. Application shall be filed at the Office of the City Clerk. Also see Chapter 12.

(g) Explosives or Blasting Agents: For permits for explosives or blasting agents, see Chapter 33 \$150.00 Fee.

(h) Fireworks Outdoors: Fireworks utilized for pyrotechnic displays require a written permit from the City Council in accordance with the method prescribed by 92.09(b)(2).

Fireworks Indoors: Fireworks utilized for pyrotechnic indoor displays, see Chapter 33, Section 3308

Supervision Fee: A fee shall be charged to help defray the cost incurred by the city of Saginaw to determine and maintain compliance with all safety and fire regulations. All cost associated with such fire and life safety inspection shall be borne by the owner, operator or other person responsible for said, indoor or outdoor, public, or

private display. The cost for on-site inspection to determine compliance with all safety and fire regulations at a rate of \$47.402 per hour. See Chapter 33, Section 3301.5.

(i) Flammable or Combustible Liquids and Tanks:

1. To store, handle or use Class I liquids in excess of ten (10) gallons inside a building, except that a permit is not required for the following:

A. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the Fire Chief or his or her designee, would cause an unsafe condition.

B. The storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting, or similar purposes for a period of not more than thirty (30) days. \$75.00 fee.

2. To store, handle, or use Class II or Class III-A liquids in excess of 25 gallons in a building or in excess of 60 gallons outside a building, except for fuel oil used in connection with oil-burning equipment. \$75.00 fee.

3. To remove Class I and Class II liquids from underground storage tanks used for fueling motor vehicles by means other than the approved, stationary on-site pumps normally used for dispensing purposes. \$100.00 fee.

4. To change the type of contents stored in any flammable or combustible liquid tank to a material other than that for which the tank was designed and constructed. \$50.00 fee. See Chapter 34

(j) Hazardous Materials: To store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.21 or to install, repair, abandon, remove, place temporarily out of service, close, or substantially modify a storage facility or other area regulated by Chapter 27 when the hazardous materials in use or storage exceed the amounts listed in Table 105.6.21. \$100.00 fee.

(k) Highly Toxic Pesticides: To store any amount of high toxic pesticides. \$100.00 fee. See Chapter 17 and Chapter 27.

(l) High-Piled Combustible Stock: To use any building or portion thereof exceeding 2,500 square feet for the storage of high-piled combustible stock. (See definition). A floor plan showing the dimensions and location of the stockpiles and aisles shall be submitted with the application for such permits. See Chapter 23

Fees:	<u>Class of Commodity</u>	<u>Amount</u>
	I & II	\$ 75.00
	III	\$ 75.00
	IV & V	\$150.00

(m) Liquefied Petroleum: Except for portable container of less than 120 gallons water capacity, a permit is required to install or maintain any LP gas container. Where a single container or the aggregate capacity of interconnected containers is over 1,200 gallons water capacity, the installer shall submit plans for such permits. See Chapter 38.

Fees:	<u>Water Capacity</u>	<u>Amount</u>
	121 - 1,200	\$100.00
	1,201 - 5,000	\$150.00
	5,000 & over	\$200.00

(n) Oil and Natural Gas Wells: To drill, own, operate, or maintain an oil or natural gas well. See Chapter 34. \$100.00 fee.

(o) Tents and Air-Supported Structures: No tent exceeding 120 square feet in area shall be erected, maintained, operated, or used except under a license issued in accordance with 92.14. See Chapter 24. Application shall be filed at the Office of the City Clerk.

(p) Tire Storage: To store in excess of 2500 cubic feet gross volume of used or new tires. \$100.00 fee.

92.20(E) That Section 108.1 (page 11), Chapter 1 of this Code is hereby amended to read as follows:

Board of Appeals

Sec. 108.1

(a) In order to determine the suitability of alternate materials and type of construction and to provide for reasonable interpretations of the provisions of this Code, the Board of Fire Code Appeals, created and empowered as provided in 12.15 shall, upon application, hear and determine any written appeal made to it by a person considering himself aggrieved by any action or decision of any official acting under the provisions of this Code. Service of an appeal shall be made on the Secretary of the Board within ten (10) days after such action or decision appealed from. The Board shall adopt reasonable rules and regulations for conducting its investigations pursuant hereto and shall render all decisions in writing to the Fire Chief with the duplicate copy to the appellant and may recommend to the City Council such new legislation as is consistent herein.

(b) Reconsideration: The Board of Fire Code Appeals is without jurisdiction to reconsider an appeal; therefore no petition to grant reconsideration of an appeal will be entertained by the Board.

(c) The Board of Fire Appeals will not entertain an appeal asking for relief that has been denied by the Board within five (5) years unless there has been a relevant change in this Code or in conditions since the original hearing.

92.20(F) That Section 109.3 (page 12), Chapter 1 of this Code be amended to read as follows:

Penalties

Sec. 109.3.

(a) Any person who shall violate any of the provisions of this Code hereby adopted or fail to comply therewith, or shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate of permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Fire Chief, his delegate, or by the Court, within the time fixed herein, or who shall fail to obey parking regulations as

they relate to fire lanes or fire safety, or who shall fail to obey housing regulations, shall be responsible for a Class C municipal civil infraction, subject to payment of a civil fine as set forth in Chapter 37 of the City of Saginaw General Code, O-1, plus costs and other sanctions, for each infraction. Repeat offenses shall be subject to increased fines as provided in Chapter 37.

(b) The Fire Chief or any person delegated by him is designated as the authorized City official to issue municipal civil infraction citations or municipal civil infractions violation notices as provided by Chapter 37.

(c) The application of the above infraction procedure shall not be held to prevent the enforced removal of any prohibited condition or any other legal action to secure compliance with this Code.

92.20(G) That Section 202, Chapter 2 Chief of the Fire Prevention Division, Chapter 2, Definitions and Abbreviations (page 15) of this code is hereby amended to read as follows:

The Fire Marshall is the head of the Fire Prevention Division.

92.20(H) That Section 202, Fireworks, Chapter 2, Definitions and Abbreviations (page 19) of this Code is hereby amended to read as follows:

FIREWORKS is any combustible or explosive composition, or any substance or combination of substances or device prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, toy pistols, or toy guns in which candles, or other devices of like construction and any device containing any explosive or flammable compound, or any tablet or other device containing any explosive substance, except that the term "fireworks" shall not include any emergency signal device, paper caps containing not in excess of an average of twenty-five hundredths (.25) of a grain of explosive content per cap and toy pistols, blank pistols, and cartridges specifically used for theater, dog training, signals in sports, and military use. Toy cans, toy guns or other devices used for such caps, sparklers containing not more than .0125 pounds (.2 ounces) of burning portion per sparkler, flitter sparklers in paper tubes not exceeding 1/8 inch in diameter, cone fountains, cylinder fountains not exceeding 75 grams and inside tube diameter not exceeding 3/4 inch, toy snakes of which the sale and use shall be permitted at all times.

92.20(I) That Section 202, (page 21) Chapter 2, Definitions and Abbreviations of this Code is hereby amended to read as follows:

Sec. 202: Jurisdiction

(a) Jurisdiction is the City of Saginaw, located in the County of Saginaw, State of Michigan.

(b) Jurisdictional area is within the territorial boundaries of the City of Saginaw, County of Saginaw, and State of Michigan.

92.20(J) That Section 307 (page 35) Chapter 3 is amended to read as follows:

A person shall not kindle or maintain or authorize to be kindled or maintained any open burning.

92.20(K) That Section 603.1.1.1, (page 54) Chapter 6, is amended to read as follows:

Fuel-pumping equipment:

Sec. 603.1.1.1: Heating equipment using gas, oil, or solid fuel may be installed in the lubrication or service room where there is no dispensing or transferring of Class I or Class II liquid, if the equipment is installed not less than eight (8) feet above the floor.

Exception: Heating equipment separated from other use areas by construction having minimum one (1)-hour fire resistive rating.

92.20 (L) That Section 605.1, (page 58) of Chapter 6 of this Code is hereby amended to read as follows:

Abatement of Electrical Hazards:

Sec. 605.1: When any electrical hazards are identified, measures to abate such conditions shall be taken. All identified hazardous electrical conditions in permanent wiring shall be brought to the attention of the City of Saginaw Electrical Inspector. If the conditions warrant, by order of the Fire Chief, the electrical service may be ordered disconnected immediately.

Electrical wiring, devices, appliances and other equipment which are modified or damaged and constitute an electrical shock or fire hazard shall not be used.

92.20(M) That Section 901.2.1, (page 75) Chapter 9 of this code is hereby amended to read as follows:

Approval and Testing

Sec. 901.2.1: Fire alarm systems, fire hydrant systems; fire-extinguishing systems, including automatic sprinkler systems and wet and dry standpipes; halon systems and other special types of automatic fire-extinguishing systems; and other fire protection systems and appurtenances thereto shall meet the approval of the fire department as to installation and location and shall be subject to such periodic tests as required by the Fire Chief.

Plans and specifications shall be submitted to the fire department for review and approval prior to construction. A review fee shall be paid to the City of Saginaw in the amount of \$50.00 and an additional amount of \$25.00 per sheet for plans exceeding one (1) sheet.

Condition of approval of halon systems shall be satisfactory passage of a test conducted in accordance with nationally recognized standards prior to final acceptance of the system.

92.20(N) That Section 901.5, (page 75) Chapter 9 of this Code is hereby amended to read as follows:

Installation of Fixed Fire Protection Systems

Sec. 901.5:

(a) General: All fire extinguishing systems required by this Code or the State Building Code shall be installed by a State of Michigan Certified Firm (Act #:144, P.A. 1982) and in accordance with the requirements of this article. Proof of Certification shall be submitted to the Fire Department on demand. The location of the fire department hose connections shall be approved by the Chief. All fire hose threads used in

connection with fire-extinguishing systems shall be National Standard Hose thread. In buildings used for high-piled combustible storage, fire protection shall be in accordance with the Code.

92.20(O) That Section 903.4, (page 83) Chapter 9 of this Code is hereby amended to read as follows:

Sprinkler and Fire Alarm Systems Supervision

Sec. 903.4:

(a) Automatic Sprinkler Systems: Automatic Sprinkler Systems shall be supervised by an approved central, proprietary, or remote station service, or a local alarm which will give an audible signal at a constantly attended location when the number of sprinklers is:

1. 20 or more in Group I, Division I occupancies.
2. 100 or more in other occupancies.

(b) Permit: A permit is required by this code and the City of Saginaw ordinance D-1681 (False Alarm, Chapter 90, General Code) and shall be obtained at the Office of the City Clerk.

92.20(P) That Section 907.2.8, Required Installations, (page 94) of Chapter 9, Group R, Division I Occupancies of this Code is hereby amended to read as follows:

Group R Occupancies

1. Approved Automatic Fire Alarm and Smoke Detection System:

An approved automatic fire alarm and smoke detection system shall be installed in common areas of:

A. All buildings which contain three (3) or more dwelling units or guest rooms or any combination thereof equal to three (3) or more and which are three (3) stories or more in height.

B. All buildings which contain fifteen (15) or more dwelling units or guest rooms or any combination thereof equal to fifteen (15) or more, regardless of height.

Exceptions: 1. An automatic smoke detection system need not be installed in buildings not over two (2) stories in height and all dwelling units are separated from each other including attic and crawl space or basements by at least one (1)-hour fire resistive occupancy separations and each individual dwelling unit or guest room has an exit directly to a public way, exit court, or exterior stairway.

2. An automatic smoke detection system need not be installed in buildings which are protected throughout by an approved supervised automatic sprinkler system with quick response residential standard sprinkler heads installed in all dwelling units and guest rooms in accordance with this code.

2. System Equipment and Installation: Fire alarm and automatic smoke detection systems and all component parts thereof, shall be constructed and installed in accordance with the standards set forth in this Code.

Such systems shall include provisions for smoke detection and manual pull stations in interior corridors or hallways and automatic detection in storage rooms, laundry rooms, furnace rooms, and all similar interior common areas.

Location requirements for automatic smoke and heat detectors shall be as specified in Section 1503, Chapter 14, Part VIII of the Housing Code of the City of Saginaw.

Exception: Manual pull stations need not be installed in occupancies containing less than fifteen (15) dwelling units or guest rooms or any combination thereof.

92.20(Q) That Section 2201.1.1, (page 209) of Chapter 22, of this Code is hereby added to read as follows:

Service Station:

Sec. 2201.1.1: This division applies to both automotive and marine service stations and in addition, no person shall fail to comply with the requirements of 114.15 et sege, or to violate any law of the State of Michigan nor any rule or regulation adopted by any duly authorized agency of the State of Michigan pertaining to Service Stations.

92.20(R) That Section 2205.3, (page 211) Chapter 22, of this Code is hereby amended to read as follows:

(b) Crankcase Drainings: Crankcase drainings and flammable or combustible liquids shall not be dumped into sanitary or storm sewer systems. Crankcase drainings shall be stored in tanks or tight drums outside of buildings until properly removed from the premises.

92.20(S) That Chapter 25 (page 243), Tire-Rebuilding and Tire Storage is hereby amended as follows:

Storage of Rubber Tires:

Permits:

Sec. 2501.2: For permits to store rubber tires, see Section 105.8.

Storage Indoors

Sec. 2509.1: Storage of rubber tires when stored indoors shall comply with all other requirements of this Code and the provisions of NFPA 231D as to construction, separation, and fire protection systems.

See Chapter 25

92.20(T) That Section 2703.3.1.4, (page 262), Chapter 27 of this code is hereby amended to read as follows:

Unauthorized Discharges

Sec. 2703.3.1.4

Responsibility for Cleanup. The person, firm, or corporation responsible for an unauthorized discharge shall institute and complete all actions necessary to remedy the effects of such unauthorized discharge, whether sudden or gradual, at no cost to the City of Saginaw. When deemed necessary by the Fire Chief, cleanup may be initiated at the direction of the Fire Marshal or other member of the fire department. All costs associated with such cleanup shall be borne by the owner, operator or other person responsible for the unauthorized discharge to include but not limited to: personnel, apparatus, equipment, supplies, etc.

92.20(U): That Section 307 (page 35) Chapter 3, Section 1024 of Chapter 10 (Page 144), Section 1101.3 (Page 155) of Chapter 11, Section 1201.2 (Page 163) of Chapter 12, Section 1301.2 (Page 167) of Chapter 13, Section 1401.2 (Page 169) of Chapter 14, Section 1501.2 (Page 173) of Chapter 15, Section 1601.3 (Page 185) of Chapter 16, Section 1701.2 (Page 187) of Chapter 17, Section 1801.5 (Page 189) of Chapter 18, Section 1901.2 (Page 199) of Chapter 19, Section 2001.3 (Page 203) of Chapter 20, Section 2101.2 (Page 207) of Chapter 21, Section 2201.2 (Page 209) of Chapter 22, Section 2301.2 (Page 227) of Chapter 23, Section 2601.2 (Page 245) of Chapter 26, Section 2701.4 (Page 250) of Chapter 27, Section 2801.2 (Page 277) of Chapter 28, Section 2901.3 (Page 283) of Chapter 29, Section 3001.2 (Page 285) of Chapter 30, Section 3101.2 (Page 291) of Chapter 31, Section 3201.2 (Page 293) of Chapter 32, Section 3401.4 (Page 319) of Chapter 34, Section 3501.2 (Page 359) of Chapter 35, Section 3601.2 (Page 365) of Chapter 36, Section 3701.2 (Page 369) of Chapter 37, Section 3901.2 (Page 383) of Chapter 39, Section 4001.2 (Page 387) of Chapter 40, Section 4101.2 (Page 393) of Chapter 41, Section 4201.2 (Page 395) of Chapter 42, Section 4301.2 (Page 397) of Chapter 43, Section 4401.2 (Page 399) of Chapter 44, of this Code is hereby repealed.

92.20(V) That all proceedings pending and all rights and liabilities existing, acquired, or incurred under any ordinance hereby repealed at the time this ordinance takes effect are hereby retained, and such proceedings may be consummated under and according to the ordinance in force at the time such proceedings are or were commenced.

(2) It is the intent that this ordinance shall not be construed to alter, affect, or abate any pending prosecution or prevent prosecution hereinafter instituted under such ordinance or any section thereof for offenses committed prior to the effective date of this ordinance, and all prosecution instituted after the effective date of this ordinance may be continued or instituted under and in accordance with the provisions of the ordinance or sections thereof in force at the time of the commission of such offenses.

This ordinance shall take effect on October 6, 2011.

Enacted: September 26, 2011

Council _____ moved that an ordinance introduced, September 12, 2011, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND § 12.15(A)(1) "BOARD OF FIRE CODE APPEALS" OF CHAPTER 12 "BOARDS AND COMMISSIONS" OF TITLE I "ADMINISTRATIVE CODE" OF THE SAGINAW CODE OF ORDINANCES O-1.

The City of Saginaw Ordains:

Section 1. § 12.15(A)(1), "Board of Fire Code Appeals" of Chapter 12, "Boards and Commissions", of Title I, "Administrative Code" of the City of Saginaw Code of Ordinances, O-1, is hereby amended and shall read as follows:

§ 12.15. FIRE COST REIMBURSEMENT.

(A) *Creation and membership.*

(1) The Board of Fire Code Appeals is hereby created. The members of the Board of Building Appeals shall also serve as members of the Board of Fire Code Appeals. In addition, the Mayor, with Council approval, shall appoint an experienced fire code official from another jurisdiction to serve as an additional member of the Board.

Section 2. That this Ordinance shall take effect on October 6, 2011.

Enacted: September 26, 2011.

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

**RESOLUTION AUTHORIZING DETACHMENT OF LAND AND APPROVAL OF
DETACHMENT AGREEMENT**

Council _____ offered and moved adoption of the following resolution:

WHEREAS, on November 5, 1965, three parcels of land were detached from Spaulding Township and annexed to the City of Saginaw, pursuant to the provisions of the Home Rules Cities Act, MCL 117.9a; and

WHEREAS, the three parcels, and their present owners are described as follows:

1. Owner: Section 12 Farms LLC
Address: 3800 East Street
Tax ID: 12a0502 00000

Legal Description:

N.1/2 OF S.E.1/4 & THAT PART OF N.1/2 OF S.W.FRL.1/4 LYING E.OF SHIAWASSEE RIVER,SEC.2,T.11 N.,R.4 E.,EXC.E. 300 FT.ALSO EXC.N.240 FT.OF S.1/2 OF SAID SEC.2

2. Owner: C&C Farmland, LLC
Address: 3900 East Street
Tax ID: 12a0503 00000

Legal Description:

N.3/4 OF S.1/2 OF S.E.1/4 OF SEC.2,T.11 N.,R.4 E.

3. Owner: Shiawassee National Wildlife Refuge
Address: 3901 East Street
Tax ID: 12a0504 00000

Legal Description:

THAT PART OF FRL.S.1/2 OF S.W.1/4 OF SEC.2,T.11 N.,R.4 ELYING S.& E.OF THE THREAD OF THE MAIN CHANNEL OF THE SHIAWASSEE RIVER

and

WHEREAS, the major purpose of the annexation was to explore the potential for a municipal golf course on these parcels, the prospect of which now appears remote; and

WHEREAS, two of the parcels were and continue to be farmland, and the third parcel was and continues to be part of the Shiawassee National Wildlife Refuge; and

WHEREAS, the three parcels are unimproved, in the same condition as they were in 1965 and the City does not provide water or sewer services to the parcels; and

WHEREAS, the owners of the two farmland parcels have sought detachment from the City and re-annexation to Spaulding Township, and have agreed to reimburse costs to the City for this process in the total amount of \$37,321.85, paid in five yearly installments; and

WHEREAS, the statutory conditions for this detachment and re-annexation are fulfilled pursuant to MCL 117.9b, and may be completed by resolution of the two municipalities; and

WHEREAS, Section 12 Farms, LLC and C&C Farmland, LLC, the owners of the two farm parcels described above, have proposed a written agreement to confirm the understanding outlined.

NOW THEREFORE, BE IT RESOLVED that the City of Saginaw hereby approves detachment from the City of Saginaw of the three parcels described herein and approves the agreement associated with that, and authorizes the City Manager or his designee to execute it and all related documents.

BE IT FURTHER RESOLVED that the Clerk of the City of Saginaw shall notify the State Boundary Commission of this action; and

BE IT FURTHER RESOLVED that these parcels shall be removed from the 2012 tax rolls of the City of Saginaw.

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

RESOLUTION APPROVING MASTER PLAN

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the City of Saginaw has elected to draft, review and adopt a Master Plan pursuant to the procedures set forth in the Michigan Planning Enabling Act, PA 2008, No. 33; MCL 125.3801, et seq; and

WHEREAS, the City of Saginaw has observed all the procedures, provided notices to the involved jurisdictions and held the required public hearings; and

WHEREAS, the City Planning Commission has recommended approval and adoption of the Master Plan.

NOW THEREFORE, BE IT RESOLVED that the City of Saginaw hereby approves and adopts the Master Plan, pursuant to MCL 125.3843; and

BE IT FURTHER RESOLVED that the Secretary of the Planning Commission shall submit copies of the adopted Master Plan to the entities to which copies of the proposed Master Plan were submitted.

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

**APPOINTMENT OF RECEIVING BOARDS FOR THE
NOVEMBER 8, 2011 GENERAL ELECTION**

Council _____ offered and moved adoption of the following resolution:

WHEREAS, a General Election will be held in the City of Saginaw on Tuesday, November 8, 2011; and

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

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

NOW, THEREFORE BE IT RESOLVED that the Election Commissioners for the City of Saginaw (consisting of the Chief of Police, City Attorney and City Clerk) are hereby authorized to appoint the necessary receiving boards to receive the materials (ballot boxes, poll books, and statement of votes) from the precincts at the close of the polls on Tuesday, November 8, 2011.

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

BE IT FURTHER RESOLVED that the receiving boards will be authorized to open the sealed envelopes and ballot boxes to verify: (1) that the number of ballots issued equals the number of voters in the poll book and statement of votes; (2) confirm that the ballot box has been properly sealed and that nothing other than ballots are contained within; and (3) verify that all necessary documents have been properly signed by the election inspectors of each precinct.

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