

COUNCIL AGENDA

For

November 6, 2006, 6:30 p.m., Council Chamber

ROLL CALL:

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

ANNOUNCEMENTS:

1. Battalion Chief Donald Coleman to accept Certificate of Recognition as recipient of the Firefighter of the Year Award.
2. Bridget Smith and Cameron Brady, to accept proclamation designating November 12 – 18, 2006 as National Homeless Awareness Week in the City of Saginaw.

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

(A list will be provided on Monday after 1:30 p.m.)

REMARKS OF COUNCIL:

PETITIONS:

06-40 from Pastor Cirven D. Merrill, James Raymond Pearson and the Committee to Keep The Spirit of Jerry Redeemer Alive propose that a city street or building be named in his honor.

06-41 from PRIDE in Saginaw, Inc., P. O. Box 872, requesting permission for fireworks display to be held on Ojibway Island, Friday, November 17, 2006 for the Holidays in the Heart of the City event.

REPORTS FROM BOARDS AND COMMISSIONS AND COMMITTEES:

APPOINTMENT OF BOARDS AND COMMISSIONS MEMBERS:

REPORTS FROM MANAGER:

Management Update

Recommended Actions

1. Recommending acceptance of the low bid and issuance of a purchase order to Ballyhoo Ltd. in the amount of \$3,232.00 for the purchase of t-shirts for Fire Department personnel. Members are issued t-shirts as a component of work uniforms per the collective bargaining agreement. This vendor meets all requirements of the contract compliance provisions. Funds are budgeted in the Fire Department Fire Suppression Clothing Supplies Account No. 101 3751 751 7303.
2. Recommending final approval of claim number P134 06 0001-01 and payment to Claimant in the amount of \$1,300.00 and approval of claim number P134 06-00011-01 and payment to Claimant in the amount of \$500.00 to resolve two sewer backup claims at 204 Bradley. These claim settlements have been approved by the City Manager as to substance and the City Attorney as to form. Funds are available in the City's Self Insurance Fund Account No. 677 1762 711 8074.
3. Recommending approval of the deed conveying 1309 Federal to New Life Baptist Church Ministries at a cost of \$600.00. New Life Baptist Church Ministries is a local church and plans to purchase the land as part of its expansion project.
4. Recommending approval of the Amended Development Agreement with SSP Associates, Inc. The Amended Development Agreement proposes to convey a section of Water Street to SSP so that it may be incorporated into the development area. In return, SSP will begin construction of the third phase of the planned development, a 60,000 square foot building, which will retain approximately 150 jobs in the City of Saginaw.
5. Recommending that a budget adjustment be completed for the General Fund's Transfers Out – Budget Stabilization Fund Account No. 101 9960 711 8720, and the Budget Stabilization Fund's Transfers From Other Funds Account No. 105 0000 691 6901. This adjustment reflects transfers of funds from the General Fund to the Budget Stabilization Fund. The Budget Stabilization Fund's Transfers From Other Funds Account No. 105 0000 691 6901 will be increased by \$2,000,000 from \$0.00 to \$2,000,000. This increase will come from the transfer of monies from the General Fund.
6. Recommending approval of the 2006-07 citywide budget adjustment.

7. Recommending acceptance of the quote from Total Business Systems, Inc. in the amount of \$2,053.88 for the purchase of City Property Tax Bills. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Treasury/Income Tax Account No. 101 1743 711 7320.
8. Recommending approval of the citywide Cost Allocation Plan Agreement between the City of Saginaw and Maximus. This agreement would provide for a cost allocation plan that could be utilized in the 2007 and 2008 fiscal years, and would be based upon the June 30, 2006 financial operations. The total cost of the agreement is \$14,000.00. Funds are available in General Fund through the Department of Fiscal Services Professional Fees Account No. 101 1740 711 8001 (\$3,500.00), the Public Safety – Police Administration’s Professional Fees Account No. 101 3010 721 8001 (\$2,730.00), and Public Safety – Fire Administration’s Professional Fees Account No. 101 3750 721 8001 (\$2,730.00); the Water Fund through the Water Administration’s Professional Fees Account No. 591 4710 851 8001 (\$1,910.00); the Sewer Fund through the Sewer Administration’s Professional Fees Account No. 591 4810 851 8001 (\$2,640.00); and the Rubbish Fund through the Sanitation Administration’s Professional Fees Account No. 226 4582 841 8001 (\$490.00).
9. Recommending that the original purchase order issued to Beyer Roofing Co. be increased by \$1,331.00 for insulation replacement at the Emerson Pumping Station. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Sewer Surplus Account No. 576 4840 881 9720.
10. Recommending that the parking agreement with WNEM TV5 to lease parking spaces in Lot No. 23 be approved. The agreement is for a period of one year commencing on November 1, 2006 and expiring October 31, 2007. Under the agreement, TV5 will pay the City \$2,448.00 per quarter to lease 34 parking spaces in the City’s Municipal Parking Lot No. 23 located at 124 North Franklin.
11. Recommending that the parking agreement with Saginaw Transit Authority Regional Services (STARS) to lease parking spaces in Lot No. 23 be approved. The agreement is for a period of one year commencing on December 1, 2006 and expiring on November 30, 2007. Under the agreement, STARS will pay the City \$1,912.50 per quarter to lease 25 parking spaces located at 124 North Franklin.
12. Recommending that the parking agreement with Saginaw Transit Authority Regional Services (STARS) to lease parking spaces in Lot No. 4 be approved. The agreement is for a period of one year commencing on December 1, 2006 and expiring on November 30, 2007. Under the agreement, STARS will pay the City \$3,120.00 per quarter to lease 65 parking spaces in the City’s Municipal Parking Lot No. 4 located at 200 South Jefferson.

13. Recommending approval of payment to Bendzinski & Co., Municipal Finance Advisors in the amount of \$8,140.23 for providing financial advisory services. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Sewer Administration Professional Services Account No. 590 4810 851 8001.
14. Recommending that payment be made to AER Loader & Excavator, Painesville, OH, in the amount of \$8,326.88 for the emergency repair parts for an asphalt spreader to be used by the Streets Division. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Motor Equipment Account No. 661 4480 841 7312.
15. Recommending approval of the Second Amendment to the Personal Services Agreement with James Fox for a total duration of one year, beginning January 1, 2007, with a total cost of service amount not to exceed \$15,000.00 to help with several projects in January 2007. Services shall be paid at a rate of \$20.00 per hour. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Water Treatment and Pumping Account No. 591 4730 861 8001.
16. Recommending approval of payment to Dickinson Wright PLLC for work performed as the City's bond counsel in the amount of \$15,421.78. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Sewer Administration Professional Services Account No. 590 4810 851 8001.
17. Recommending acceptance of the low bid and issuance of a purchase order to Smillie Plumbing and Heating in the amount of \$18,400.00 to furnish and install two HVAC rooftop heating and cooling units for the first floor business offices of the Public Services Building. This vendor meets all requirements of the contract compliance provisions. Funds are budgeted in the Public Services Building Repair and Replacement Account No. 641 4439 811 9720.
18. Recommending acceptance of the quote received from Standard Electric, Inc. and issuance of a purchase order to them in the amount of \$20,550.00 for the purchase of Whatley poles and fixtures. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Traffic Engineering Parts and Supplies Account No. 101 4621 791 7330.
19. Recommending acceptance of the sole bid and issuance of a purchase order to CorrPro Companies, Inc., in the amount of \$38,785.00 for the services to be performed involving the installation of cathodic protection systems for the Water Treatment and Maintenance and Service Divisions. This vendor meets all

requirements of the contract compliance provisions. Funds are available in the Water Division Capital Surplus Account No. 577 4740 881 9720.

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

1. Approving the Preliminary Plat South Saginaw Homes Phase I.
2. Approving the request from Beers Investments, Inc. to extend the hours of operation for 1742 E. Genesee.
3. Supporting the Saginaw County Law Enforcement Road Patrol Millage Renewal Proposals 1 and 2.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Darnell Earley
City Manager

COUNCIL COMMUNICATION

RESOLUTION IN SUPPORT OF SAGINAW COUNTY LAW ENFORCEMENT ROAD PATROL MILLAGE RENEWAL PROPOSALS 1 & 2

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

WHEREAS, the County of Saginaw seeks to renew the previously voted millage rate of \$0.3394 per \$1,000 of taxable valuation of equalized property, as provided in Article 9, Section 6 of the Michigan Constitution of 1963 as amended, for the purpose of county-wide law enforcement and road patrol services by the Saginaw County Sheriff's Department; and

WHEREAS, Proposal 1 renews the expiring millage of 0.3394 only and will result in a levy for county-wide law enforcement and road patrol services for the years 2007 to 2016; and

WHEREAS, Proposal 2 renews the previously voted millage rate of \$0.3394 and adds an additional millage in the amount of up to 0.2000 per \$1,000 of taxable valuation to that rate which may be imposed for all purposes upon real and personal property in the county, as provided in Article 9, Section 6 of the Michigan Constitution of 1963 as amended, for a total levy of up to \$0.5394 per \$1,000 of taxable valuation of equalized property; and

WHEREAS, Proposal 2 will levy in the years 2007 to 2016 both inclusive millage rates (0.3394 and 0.2000 or 0.5394) which is estimated to raise up to \$2,800,135 in the first year for the purpose of county-wide law enforcement and road patrol services by the Saginaw County Sheriff's Department; and

WHEREAS, Proposal 1, without any additional millage, would likely result in a reduction of the current 14 road patrol workforce by 2 to 4 deputy positions before the millage sunsets in 2016; and

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WHEREAS, Proposal 2 would allow for the addition of 7 new deputy positions in addition to maintaining the existing workforce of 14 for a total of 21 officers until the millage sunsets in 2016; and

WHEREAS, The Saginaw City Council supports the critical need for every collective and individual jurisdictional effort made to sustain and enhance public safety not only within the boundaries of its city limits, but throughout the county as well.

NOW THEREFORE BE IT RESOLVED, that the Saginaw City Council hereby lends its support to the Saginaw County Law Enforcement Road Patrol Millage Proposals 1 & 2, to be considered by the Saginaw County Electorate, Tuesday, November 7, 2006.

BE IT FURTHER RESOLVED, that this resolution as voted shall be certified and communicated to the Saginaw County Board of Commissioners, and to the Saginaw County Sheriff and also made part of the minutes of the regular meeting of the Saginaw City Council, held Monday, November 6, 2006.

COUNCIL COMMUNICATION

From: The City Manager

Subject: Second Amendment to James Fox Personal Services Agreement

Manager's Recommendation:

I recommend approval of the Second Amendment to the Personal Services Agreement with James Fox for a total duration of one year, beginning January 1, 2007, with a total cost of service amount not to exceed \$15,000.00. Services shall be paid at the rate of \$20.00 per hour. Either party may terminate the agreement with fifteen (15) days notice.

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

Funds for these services are available in the Water Treatment and Pumping Account No. 591-4730-861-8001.

Justification:

Mr. Fox has completed the original contract work on the Water Treatment Plant MP2 Preventative Maintenance Software programs. He completed this work efficiently and well under the original estimated contract amount. The original amount was \$24,000.00 and Mr. Fox finished the work in less than a year, with \$15,000.00 remaining from the original amount. The Water Treatment Plant budgeted money for contract work in FY'07 in excess of the remaining funds.

The Water Treatment Plant staff would like to bring him back to help with several projects in January 2007. They include, assisting staff with developing a comprehensive preventative maintenance schedule and with organizing old plant records. These tasks involve conducting a significant amount of research into equipment manuals and a thorough knowledge of the Water Treatment Plant equipment. Mr. Fox has over thirty years experience in the Water Division and has extensive knowledge of the Water Treatment Plant operation. While an employee in the Water Treatment Plant, he worked in various positions in the Water Treatment Plant and has extensive knowledge of the equipment and processes contained therein.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Final Approval of the Preliminary Plat South Saginaw Homes Phase I

Manager's Recommendation:

I recommend approval of the attached Resolution which grants Final Approval of the Preliminary Plat for South Saginaw Homes Phase I.

Justification:

On August 23, 2005, the City Planning Commission held a public hearing regarding the platting of land for South Saginaw Homes Phase I and subsequently recommended to the City Council that Tentative Approval of the Preliminary Plat be granted. The City Council also considered the preliminary plat and tentatively approved it.

The ordinance provides for further steps as follows: Upon this approval the developer then proceeds with further design for the plat and coordinates with local utility providers to ensure that adequate utilities are available to service the development. After completion of this process, the developer then submits the preliminary plat along with documentation from the utility providers to the Department of Development to determine compliance with the tentatively approved preliminary plat. The plat shall be accompanied by letters from all public utilities, giving assurance that the preliminary plat being submitted for final approval has been coordinated with the respective utilities, and that all lots, and, where applicable, and all street lights can be adequately served from underground service. Upon approval by the Department of Development, the developer shall submit the preliminary plat to the City Clerk. The City Clerk shall submit the

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approved copies and certification to the City Council, where it will be acted upon within twenty (20) days of the date of submission.

After review and consideration the City Council shall:

(1) Approve the final preliminary plat, if the proprietor has met all conditions laid down for tentative approval of the preliminary plat.

(2) Instruct the City Clerk to promptly notify the proprietor of approval or rejection in writing and, if rejected, give the reasons.

The Department of Development has found everything to be in order and has granted tentative approval.

Council Action:

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

COUNCIL COMMUNICATION

City Manager Recommendation: Approval of the resolution as follows:

Council _____ offered and moved adoption of the following resolution:

WHEREAS, the City of Saginaw has found that the proprietor has met all conditions laid down for tentative approval of the preliminary plat of South Saginaw Homes Phase I; and

WHEREAS, the City of Saginaw accepts the preliminary plat and shall be the basis for the preparation of the final plat and shall be valid for two years; and

WHEREAS, the City Clerk is instructed to promptly notify the proprietor of the approval.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby accepts and grants final approval of the preliminary plat for South Saginaw Homes Phase I pursuant to §152.19, of Chapter 15, of Title XV of the Saginaw Code of Ordinances, O-1.

COUNCIL COMMUNICATION

From: The City Manager

Subject: WNEM TV5 Lot 23 Parking Agreement

Manager's Recommendation:

I recommend that the parking agreement with WNEM TV5 ("TV5") to lease parking spaces in Lot Number 23 be approved. The agreement is for a period of one year commencing on November 1, 2006 and expiring on October 31, 2007. It has been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

Transmitted herewith is a standard group parking agreement between the City of Saginaw ("City") and TV5. Under the agreement, TV5 will pay the City Two Thousand Four Hundred Forty Eight Dollars and 00/100 (\$2,448.00) per quarter to lease thirty-four (34) parking spaces in the City's Municipal Parking Lot Number 23 located at 124 North Franklin. The term of this agreement is for one year.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Saginaw Transit Authority Regional Services Lot 4 Parking Agreement

Manager's Recommendation:

I recommend that the parking agreement with Saginaw Transit Authority Regional Services ("STARS") to lease parking spaces in Lot Number 4 be approved. The agreement is for a period of one year commencing on December 1, 2006 and expiring on November 30, 2007. It has been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

Transmitted herewith is a standard group parking agreement between the City of Saginaw ("City") and STARS. Under the contract, STARS will pay the City Three Thousand One Hundred Twenty Dollars and 00/100 (\$3,120.00) per quarter to lease sixty-five (65) parking spaces in the City's Municipal Parking Lot Number 4 located at 200 South Jefferson. The term of this agreement is for one year.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Saginaw Transit Authority Regional Services Lot 23 Parking Agreement

Manager's Recommendation:

I recommend that the parking agreement with Saginaw Transit Authority Regional Services ("STARS") to lease parking spaces in Lot Number 23 be approved. The agreement is for a period of one year commencing on December 1, 2006 and expiring on November 30, 2007. It has been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

Transmitted herewith is a standard group parking agreement between the City of Saginaw ("City") and STARS. Under the agreement, STARS will pay the City One Thousand Nine Hundred Twelve Dollars and 50/100 (\$1,912.50) per quarter to lease twenty-five (25) parking spaces in the City's Municipal Parking Lot Number 23 located at 124 North Franklin. The term of this agreement is for one year.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Budget Adjustment – Budget Stabilization Fund

Manager's Recommendation:

It is recommended that a budget adjustment be completed for the General Fund's Transfers Out – Budget Stabilization Fund Account No. 101-9960-711.87-10, and the Budget Stabilization Fund's Transfers From Other Funds Account No. 105-0000-691.69-01. This adjustment reflects transfers of funds from the General Fund to the Budget Stabilization Fund.

The General Fund's Transfers Out – Budget Stabilization Fund Account No. 101-9960-771.87-10 will be increased by \$2,000,000.00 from \$0.00 to \$2,000,000.00. The available funds will come from the General Fund's Fund Balance Account No. 101-0000-461.35-00.

The Budget Stabilization Fund's Transfers From Other Funds Account No. 105-0000-691.69-01 will be increased by \$2,000,000.00 from \$0.00 to \$2,000,000.00. This increase will come from the transfers of monies from the General Fund.

Justification:

After a thorough analysis of the 2006/2007 budgets, it has been determined that the City has the required resources available to operate effectively through the end of the year as well as replenish the Budget Stabilization Fund.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: City-wide Budget Adjustment

Manager's Recommendation:

It is recommended that the 2006/2007 Approved Budget for the following funds be amended:

General Fund (101) will be increased by \$28,285.00 from \$33,632,372.00 to \$33,660,657.00. This increase will be offset by available General Fund's Fund Balance.

Major Street Fund (202) will be increased by \$103,104.00 from \$5,304,765.00 to \$5,407,869.00. Available Major Street Fund's Fund Balance will offset the increase in the fund.

Local Street Fund (203) will be increased by \$4,535.00 from \$1,559,111.00 to \$1,563,646.00. This increase will be offset by available Local Street Fund's Fund Balance.

Public Safety Grant Fund (263) will be increased by \$10,472.00 from \$45,032.00 to \$55,504.00. Available grant revenues will offset the increase in anticipated expenditures.

Community Development Block Grant Fund (275) will be increased by \$69,805.00 from \$2,866,201.00 to \$2,936,006.00. Available grant revenues will offset the increase in expenditures.

Block Grant Home Program Fund (576) will increase by \$211,005.00 from \$663,601.00 to \$874,606.00. Available grant revenues will offset the increase in the expenditure budget.

Sewer Surplus Fund (576) will be increased by \$3,000,911.00 from \$2,351,159.00 to \$5,352,070.00. Retained Earnings will offset the increase in expenses.

Water Surplus Fund (577) will be increased by \$752,139.00 from \$6,964,560.00 to \$7,716,699.00. Available Retained Earnings will offset the increase in the expenditure budget.

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Sewer Operation and Maintenance Fund (590) will be increased by \$57,870.00 from \$19,769,676.00 to \$19,827,546.00. Retained Earnings will offset the increased expenses.

Water Operation and Maintenance Fund (591) will be increased by \$103,616.00 from \$14,319,626.00 to \$14,423,242.00. Available Retained Earnings will offset the increase in the expenditure budget.

Public Works Building Fund (641) will be increased by \$10,545.00 from \$378,192.00 to \$388,737.00. Available revenues will offset the increase in expenditures.

Information Services Fund (658) will be increased by \$1,782.00 from \$1,494,729.00 to \$1,496,511.00. Available revenues will offset the increase in expenditures.

Motor Pool Operations Fund (661) will be increased by \$4,069.00 from \$2,562,117.00 to \$2,566,186.00. Available revenues will offset the increase in expenditures.

Justification:

The City is in the final stages of reviewing the June 30, 2006 Reserve for Encumbrances and has been working on cleaning up information within the HTE software program. The remaining balances on these encumbrances, which had previously been approved by City Council for various purposes for the City, are carried over from prior fiscal years into the current fiscal year.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Installation of Duro-Last Roof

Manager's Recommendation:

I recommend that the purchase order issued to Beyer Roofing Co. be increased in the amount of \$1,331.00 for insulation replacement at the Emerson Pumping Station.

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

Funds for this purchase are available in the Sewer Surplus Account No. 576-4840-881.97-20.

Justification:

On July 24, 2006, council approved the issuance of a purchase order to Beyer Roofing Co. for replacement roofs at the Wastewater Division's Emerson and 14th Street pumping station buildings in the amount of \$9,048.00. Beyer Roofing was the lowest of four bidders for this work. The bid specifications required square foot unit pricing to replace any insulation found to be unusable when the original roofs were removed. A quantity of insulation at the Emerson facility was water-soaked and required replacement. This resulted in an additional charge of \$1,331.00.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Resolution of Sewer Claims

Manager's Recommendation:

I recommend final approval of claim number P134-06-00001-01 and payment to Claimant in the amount of \$1,300.00 and approval of claim number P134-06-00011-01 and payment to Claimant in the amount of \$500.00 to resolve two sewer backup claims at 204 Bradley. These claim settlements have been approved by the City Manager as to substance and the City Attorney as to form.

Funds to pay these claims are available in the City's Self Insurance Fund Account No. 677-1762-711-8074.

Justification:

On or about July 12, 2006, the owner of 204 Bradley experienced a sewer backup in the basement of her home. The claimant operates a daycare center in her home and suffered a loss of most of the items for her business as well as many personal items. On August 28, 2006, City Council approved payment to the Claimant in the amount of \$19,306.71 for property damage claims connected with the incident. This was only a partial settlement and did not include her "loss of business" damages. Through investigation and negotiations, the City's third-party administrator has reached a settlement with the Claimant for her loss of business in the amount of \$1,300.00.

On August 26, 2006, Claimant experienced a second sewer backup in her residence causing loss of additional personal items. She has agreed to settle this claim for a sum of \$500.00.

Claimant has signed releases, releasing the City from any and all further liability on each of these claims. Subsequent to this second backup, the City's Maintenance and Service Division disconnected 204 Bradley and 3408 Douglas from the sewer downstream of the lift station to the 10" sewer in the parkway that is on the upstream side of the station preventing any future claims.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Liquor Establishment Open During Prohibited Hours of Sale

Manager's Recommendation:

I recommend approval of the attached resolution under the regular order of business to extend the hours of operation for 1742 E. Genesee.

Justification:

The City Clerk has received a request from Beers Investments, Inc. to remain open after the time when the sales of alcoholic beverages are prohibited, i.e. 2:30 a.m. to 5:00 p.m., to continue with dance, entertainment and food sales. This is sometimes referred to as a "cooling down" period for those consuming alcohol. Under the Michigan Liquor Control Code of 1998, a business is allowed to stay open for the sale of food between 2:30 a.m. and 7:00 a.m. Monday through Saturday or between 2:30 a.m. and Noon on Sunday. The business must operate a full service kitchen and the licensee must specify the hours requested. Sales or consumption of any alcoholic beverage is not allowed during these hours. The Liquor Control Commission does require approval of the local law enforcement and a resolution adopted by Council to approve the extended hours permit.

During the time of prohibited sales, establishments must securely lock, remove from the retail sales area, or otherwise secure any alcoholic beverages so as to prevent their sale or possible sale during such hours. In the alternative, the licensee may employ a security guard, to prevent any violations. Detective James Vondette who approves liquor licenses on behalf of the Saginaw Police Department met with the City Clerk and City Attorney to discuss the issue and approves the resolution. If adopted, third shift officers will be advised to specifically patrol this establishment during its extended hours of operation.

Council Action:

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

COUNCIL COMMUNICATION

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

RESOLUTION GRANTING EXTENDED HOURS FOR 1742 E. GENESEE

Council _____ offered and moved adoption of the following resolution:

WHEREAS, on March 6, 2006, City Council approved the transfer of ownership of a 2005 Class-C Licensed Business with Dance-Entertainment Permit at 1742 E. Genesee from Bambico, Inc. to Beers Investments, Inc.; and

WHEREAS, on or about July 18, 2006, the City Clerk's Office received a Local Approval Notice from the State of Michigan Liquor Control Commission; and

WHEREAS, said notice advised that Beers Investments, Inc. requests an official permit (Dance-Entertainment) for the hours of 2:30 a.m. to 5:00 a.m. weekdays and 2:30 a.m. to 5:00 a.m. Sundays, in conjunction with its 2006 Class-C Licensed Business with Dance-Entertainment Permit, for 1742 E. Genesee, Saginaw, Michigan 48601; and

WHEREAS, the Saginaw County Health Department, City of Saginaw Fire Prevention and the City Building Inspections Division have approved 2350 S. Michigan Ave. for this transfer.

NOW, THEREFORE, BE IT RESOLVED, that the request from Beers Investments, Inc. for Official Permit (Dance-Entertainment) for the hours of 2:30 a.m. to 5:00 a.m. weekdays and 2:30 a.m. to 5:00 a.m. Sundays, in conjunction with 2006 Class-C Licensed Business with Dance-Entertainment Permit, located at 1742 E. Genesee, Saginaw, Michigan 48601, Saginaw County be considered for approval.

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Purchase Whatley Poles and Fixtures

Manager's Recommendation:

I recommend that the quote received from Standard Electric Inc. be accepted and that a purchase order be approved and issued to them in the amount of \$20,550.00 for the purchase of Whatley poles and fixtures.

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 equipment are available in the Traffic Engineering Parts and Supplies Account No. 101-4621-791.73-30.

Justification:

On October 18, 2006, the City received a quotation from Standard Electric, Inc. of Saginaw, MI in the amount of \$20,550.00 for six (6) Whatley Poles with fixtures for the Traffic Engineering section of Public Services Department. Five are for replacement of poles that have been hit by vehicles and the other one is for stock. The request for quotation was sent to Standard Electric, Inc. because they are the sole source supplier of this equipment. A cost comparison shows a twenty percent increase in pricing of similar items over the past couple of years.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Asphalt Spreader Emergency Repair Parts

Manager's Recommendation:

I recommend that payment be made to AER Loader & Excavator, Painesville, OH, in the amount of \$8,326.88 for the emergency repair parts for an asphalt spreader.

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

Funds for this purchase are available in the Motor Equipment Account No. 661-4480-841-7312.

Justification:

On August 30, 2006, an emergency purchase order was issued to AER Loader & Excavator in the amount of \$8,326.88. The purchase included the parts necessary to repair the only asphalt spreader owned by the Streets Division. The spreader is a critical piece of equipment that is needed in the maintenance and repair of the City's street system.

Quotes were obtained from three vendors. The lowest quote was accepted and a purchase order was issued. Following is a tabulation of the quotes received:

AER Loader & Excavator Painesville, OH	\$8,326.88
Howell Tractor Elk Grove, IL	\$8,730.48
Colwell Equipment Co., Inc. Saginaw, MI	\$8,932.04

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Maximus Cost Allocation Plan Agreement

Manager's Recommendation:

I recommend approval of the City-Wide Cost Allocation Plan Agreement between the City of Saginaw ("City") and Maximus. This agreement would provide for a cost allocation plan that could be utilized in the 2007 and 2008 fiscal years, and would be based upon the June 30, 2006 financial operations. The total cost of this agreement is \$14,000. The agreement has been approved by the City Manager as to substance and the City Attorney as to form.

Funding for this agreement is available in the General Fund through the Department of Fiscal Service's Professional Fees account 101-1740-711.80-01 (\$3,500), the Public Safety – Police Administration's Professional Fees account 101-3010-721.80-01 (\$2,730), and Public Safety – Fire Administration's Professional Fees account 101-3750-721.80-01 (\$2,730); the Water Fund through the Water Administration's Professional Fees account 591-4710-851.80-01 (\$1,910); the Sewer Fund through the Sewer Administration's Professional Fees account 591-4810-851.80-01 (\$2,640); and the Rubbish Fund through the Sanitation Administration's Professional Fees account 226-4582-841.80-01 (\$490).

Justification:

The City utilizes cost allocations as a part of its inter-departmental and inter-fund charges. The Maximus cost allocation plan would review and update these charges.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: 1309 Federal Municipal Covenant Deed

Manager's Recommendation:

I recommend that the deed conveying 1309 Federal to New Life Baptist Ministries ("New Life") be approved. The deed has been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

The City opened bids regarding the purchase of land located at 1309 Federal. City staff determined that the City did not need the land and it would serve the community's interest to solicit bids. In the past, the City has solicited bids for property for residents to purchase neighboring property. The purpose is to allow surrounding neighbors the opportunity to purchase the land to include as a part of their own property. In addition, the sale of the land terminates the City's obligation to maintain the land.

At the time the bids were opened, New Life had the highest bid of \$600.00. Under the City's purchasing ordinance, bids are awarded to the lowest bidder when the City purchases items. However, when the City solicits bids for others to purchase City property, the bid is awarded to the highest bidder. New Life is a local church and it plans to purchase the land as part of its expansion project. The project will greatly benefit the City because the church will be able to offer more services to citizens.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Cathodic Protection Installation for Water Treatment and Maintenance and Service Divisions

Manager's Recommendation:

I recommend that the sole bid from CorrPro Companies, Inc., Medina, OH be accepted and that a purchase order be approved and issued to them in the amount of \$38,785.00~~3,719.00~~.

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

Funds for this purchase are available in the Water Division Capital Surplus Account No. 577-4740-881.97-20.

Justification:

On October 3, 2006, the City of Saginaw received one bid for services to be performed involving the installation of cathodic protection systems for the Water Treatment and Maintenance and Service Divisions. Work for the Water Treatment Division includes installation of a cathodic protection system for the backwash tank. The work for the Maintenance and Service Division includes the upgrade of an existing cathodic protection system used to protect a water main that crosses under the Saginaw River. Cathodic protection systems use an induced electrical charge and sacrificial anodes to protect metallic components from deterioration due to corrosion. This protection extends the life of the associated metallic equipment and provides for more efficient use of the existing infrastructure. This effectively reduces the capital outlay necessary for repair and replacement.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: HVAC Rooftop Heater Units for the Public Services Building

Manager's Recommendation:

I recommend that the low bid from Smillie Plumbing and Heating be accepted and a purchase order be approved and issued to them in the amount of \$18,400.00. 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 budgeted in the Public Services Building Repair and Replacement Account No. 641-4439-811-97-20.

Justification:

On October 11, 2006, the City received three (3) sealed bids to furnish and install two HVAC rooftop heating and cooling units for the first floor business offices of the Public Services Building. The bid also includes the removal of two existing heating units. Replacement is necessary because the existing units are thirty years old, inefficient and unreliable.

	<u>ONE UNIT</u>	<u>TWO UNITS</u>
Smillie Plumbing & Heating Freeland, MI	\$ 9,400.00	\$ 18,400.00
A.C. Klopff, Inc. Saginaw, MI	\$ 10,372.00	\$ 20,216.00
Custom Engineering Linwood, MI	\$14,800.00	\$ 27,860.00

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Dickinson Wright P.L.L.C.

Manager's Recommendation:

I recommend approval of payment to Dickinson Wright P.L.L.C. ("Dickinson Wright") for work performed as the City's bond counsel in the amount of \$15,421.78.

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

Funds for these items are available in the Sewer Administration Professional Services Account No. 590-4810-851.80-01.

Justification:

The City is completing the second phase (B) of a project known as the City of Saginaw Wastewater Treatment Plant Preliminary Treatment System Improvements project, for the replacement of the screening and grit removal equipment at the Wastewater Treatment Plant. In order to finance the project, the City must issue bonds. Bond issuance for the second phase of the project took place on September 21, 2006 in the amount of \$1,575,000.00. Dickinson Wright acted as the City's bond counsel as they have in the past. They have extensive knowledge of bond issues and the City's operation. In order for the City to discuss the matter with the State Water Pollution Control Revolving Fund officials, bond counsel must be present.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Financial Advisory Services

Manager's Recommendation:

I recommend approval of payment to Bendzinski & Co., Municipal Finance Advisors in the amount of \$8,140.23 for providing financial advisory services.

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

Funds for these items are available in the Sewer Administration Professional Services Account No. 590-4810-851.80-01.

Justification:

The City is completing the second phase (B) of a project known as the City of Saginaw Wastewater Treatment Plant Preliminary Treatment System Improvements project, for the replacement of the screening and grit removal equipment at the Wastewater Treatment Plant. Bendzinski & Co. provided financial advisory services associated with securing a State Revolving Loan for this project, SRF Project No. 5230-02, and in the successful delivery of funds from the Michigan Municipal Bond Authority for Sewage Disposal System Bonds in the amount of \$1,575,000.00.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Purchase of City Property Tax Bills

Manager's Recommendation:

I recommend that the quote from Total Business Systems, Inc. be accepted in the amount of \$2,053.88 for the purchase of City Property Tax Bills.

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

Funds for this purchase are available in the Treasury/Income Tax Account No. 101-1743-711-7320.

Justification:

A quote was solicited for City Property Tax Forms from Total Business Systems, Inc. of Saginaw. They are the same firm who provided the forms last year. The initial quote came in under \$2,000.00, but because of a printing over-run, the total cost came to \$2,053.88 and therefore requires council approval.

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Fire Department T-shirts

Manager's Recommendation:

I recommend acceptance of the low bid in the amount of \$3,232.00 and issuance of to Ballyhoo Ltd. for the purchase of t-shirts for the Saginaw Fire Department.

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 and available in the Fire Department's Fire Suppression Clothing Supplies Account No. 101-3751-751.73-03.

Justification:

The Fire Department requests the purchase of new tee shirts for their personnel. They identify fire department members on scene and are highly visible at night. It has been three years since the last order was placed, and the old shirts are getting worn and tattered. Members are issued t-shirts as a component of work uniforms per the collective bargaining agreement.

Following is a tabulation of the bids received:

Ballyhoo, Ltd. Saginaw, MI	\$3,232.00
Metropolitan Uniform Saginaw, MI	\$14,440.00
Aramark Saginaw, MI	\$4,675.70
Superior Uniform Sales Saginaw, MI	\$3,840.50

Council Action:

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

COUNCIL COMMUNICATION

From: The City Manager

Subject: Amended Development Agreement regarding MCVI Property

Manager's Recommendation:

I recommend approval of the Amended Development Agreement with SSP Associates, Inc., and to authorize the City Manager or his designee to execute all related documents. This Agreement has been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

The City of Saginaw entered into a Development Agreement dated April 2, 2001 with SSP Associates, Inc. ("SSP") for the MCVI project on South Washington Avenue. Most of that project has been completed. One of the elements of that project was the vacation of a section of Water Street. After the street was vacated, the title to the property reverted to the adjacent property owners, SSP and the City. This resulted in the City acquiring a narrow strip of land for which it has no immediate use.

The Amended Development Agreement proposes to convey this land to SSP so that it may be incorporated into the development area. In return, SSP will begin construction of the third phase of the planned development: a two story, 60,000 square foot building, which will retain approximately 150 jobs in the City of Saginaw.

Council Action:

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