

Council Agenda

December 17, 2012 6:30 p.m.
Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

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

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

Management Update:

1. Central Michigan School of Medicine update, George Ross, President, Central Michigan University.
2. Friends of Hoyt Park update on public ice skating rink, Paul T. Virciglio, Friends of Hoyt Park Committee.

CONSENT AGENDA:

1. Approve the minutes for December 10, 2012 regular council meeting and December 13, 2012 special council meeting.
2. Receive and file Petition #12-26 from Martin J. DeCorte, requesting that the property bounded by Superior St. to the City limit be vacated.
3. Approve the easement agreement for 124 S. Baum St. with Consumers Energy.
4. Approve the FY 2013 budget adjustment for the General Fund - Facilities Division's, Operating Services Account. This increase will be offset by a decrease in the General Fund - Planning and Zoning Division's, Operating Services Account. This adjustment will cover the payment to Bierlein Companies, Inc. in the amount of \$4,200 for an emergency purchase order for the removal of damaged ceiling tiles containing asbestos glue pods in the City Manager's office.
5. Approve and issue a purchase order to Osburn Associates in the amount of \$6,393 for the purchase of 1,950 aluminum sign blanks of various sizes to be used by the Traffic Maintenance Section of the Right of Way.

Council Agenda

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6. Approve and issue a purchase order to HD Supply Works in the amount of \$7,700 for an annual supply of manhole blocks to be used by the Maintenance and Service Division.
7. Adopt the Resolution authorizing the Agreement for preliminary engineering services with Spicer Group for the Hamilton Street Road Improvements from Lyon Street to Court Street.

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

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:

1. An Ordinance to amend the official City map to vacate Dearborn Street between the eastern line of King Street and the western line of Queen Street and to retain therein an easement for public utilities, cable TV and telecommunications.
2. An Ordinance to amend the official City map to vacate Salt Street between the northern line of Fraser Street and the southwestern line of Queen Street and to retain therein an easement for public utilities, cable TV and telecommunications.

RESOLUTIONS:

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Darnell Earley
City Manager

REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, DECEMBER 10, 2012, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

Council Member Dennis Browning offered a prayer and led the pledge of allegiance.

ROLL CALL

Mayor Branch called the meeting to order. Council members present: Annie Boensch, Norman Braddock, Dennis Browning, Larry Coulouris, Daniel Fitzpatrick, Floyd Kloc and Mayor Gregory Branch. Council members absent: Amos O'Neal and Andrew Wendt.

ANNOUNCEMENTS

City Clerk Janet Santos reminded everyone that the Waste Collection Convenience station is open the second Saturday of every month from 10:00 a.m. to 2:00 p.m. City residents may dispose of items that would otherwise be taken to the landfill that curbside pickup does not take. Also, that the first three weeks of January 2013 Christmas trees free of decorations may be placed at curbside for pick up on regular collection days.

City Clerk Santos announced that the City Council will hold a Special Meeting on Thursday, December 13, 2012 at 6:30 p.m. at the Saginaw High School Auditorium.

PERSONAL APPEARANCES

The following persons addressed the Council: Earl Jesse, Johnny Sanders, Stephanie Jones, Shonda Galvin, Jackie Jones, Cirven Merrill, Fred Harvey, John Acklin, Ronald Thoms, James Falls, Larry Brethauer and Ajhani Owusu.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Fitzpatrick, Coulouris, Browning, Braddock, Boensch, Kloc and Mayor Branch.

REPORTS FROM CITY MANAGER

Management Update

Director of Public Services Phil Karwat presented a recap of the 2012 Supplemental Leaf Collection Program and the savings obtained with the elimination of the program. Mr. Karwat also presented information on Hoyt Park and the flooding for a public ice skating rink.

Interim Police Chief Brian Lipe presented information on ShotSpotter analysis, an activity update and the opportunity to enhance the equipment.

Council Member Coulouris left the meeting at 8:06 p.m.

Consent Agenda

1. Approve the minutes for November 26, 2012 regular council meeting.
2. Approve the 2013 Calendar Year Schedule for Regular Meetings and Special Strategic Planning sessions of the City Council.
3. Approve the Bill of Sale and Agreement between the City of Saginaw and General Motors, LLC for the "AS IS" purchase price of \$0.00 for a 2009 Chevrolet Suburban Half Ton 4WD. This agreement will complete the donation and officially transfer the vehicle from GM to the City of Saginaw Police Department.
4. Approve the agreement with ShotSpotter and approve and issue a purchase order in the amount of \$63,150 for analysis of any ShotSpotter activity and the maintenance of all ShotSpotter equipment used by the Saginaw Police Department.
5. Approve the FY 2013 budget adjustment for the Drug Forfeiture Fund's Use of Fund Equity Account for the purchase of 32 mobile data replacements. This increase in revenues will be offset by an increase to the Drug Forfeiture Fund's Repairs & Replacements Account.
6. Approve and issue a purchase order to the County of Saginaw – SCCJCC in the amount of \$48,000 for the purchase of 32 mobile data computer replacement units for use in Saginaw Police Department vehicles.
7. Approve the FY 2013 budget adjustment for the General Fund Revenue's Sale of Property Account for the purchase and installation of a replacement snowplow on a Community Public Safety-Fire vehicle. This increase in revenues will be offset by an increase to the Community Public Safety – Fire, Fire Apparatus Operations and Maintenance Division's Motor Vehicle Repairs Account.
8. Approve and issue a purchase order to Scientific Brake & Co. in the amount of \$4,598 for the purchase of a replacement snow plow to be used at Stations 2 and 3 by the Fire Department.
9. Approve the one year Adopt-A-Park Agreement with Honoring Our Native Ojibwe Reviving Saginaw (HONORS) for the completion and maintenance of the Indian Burial Ground and authorize the Director of Public Services or his designee to approve extensions of the Agreement for subsequent years not to exceed four years without further Council approval or actions.
10. Approve and issue a purchase order to Miss Dig System, Inc. in the amount of \$2,059.36 for annual 2013 membership and educational fees for the Maintenance and Service Division.

11. Approve the agreement with Burns and McDonnell Engineering Company, Inc. in the amount of \$42,300 to provide professional consulting services for the design, production and distribution of the 2012 Regional Consumer Confidence Report, an annual water quality report distributed by the Water Treatment Plant.

Council Action:

Moved by Council Member Browning, seconded by Council Member Kloc to approve consent agenda items 1, 3 through 7 and 9 through 11 as presented. 6 ayes, 0 nays, 3 absent. Motion carried.

Moved by Council Member Braddock, seconded by Council Member Browning to approve consent agenda item 2 as presented. 6 ayes, 0 nays, 3 absent. Motion carried.

Moved by Council Member Braddock, seconded by Council Member Fitzpatrick to approve consent agenda item 8 as presented. Roll call vote:

Ayes: Boensch, Braddock, Browning, Fitzpatrick, Kloc

Nays: None

Abstain: Mayor Branch

Absent: Wendt, Coulouris, O'Neal

Motion carried.

REPORTS FROM BOARDS AND COMMISSIONS AND COMMITTEES AND
APPOINTMENT OF BOARDS AND COMMISSIONS MEMBERS

Council Member Coulouris entered the meeting at 8:13 p.m.

Council Member Coulouris reported on activity of the Planning Commission meeting held November 27, 2012.

Council Member Fitzpatrick reported that the County E-911 Committee has been notified that all equipment must be implemented and in full function the end of June 2013.

Moved by Council Member Browning, seconded by Council Member Kloc to appoint Herbert Spence, III to fill a vacancy on the Downtown Development Authority with a term to expire December 10, 2016. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Council Member Browning, seconded by Council Member Kloc to reappoint Paul Virciglio to the Downtown Development Authority with a term to expire December 10, 2016. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Council Member Browning, seconded by Council Member Coulouris to appoint Dawn Morrell to fill a vacancy on the Human Planning Commission with a term to expire December 7, 2013. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Council Member Browning, seconded by Council Member Coulouris to appoint James Wagner to the Human Planning Commission with a term to expire December 10, 2014. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Council Member Browning, seconded by Council Member Coulouris to reappoint Darlean Carpenter and Suzanne Mason to the Human Planning Commission with terms to expire December 10, 2014. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Council Member Browning, seconded by Council Member Kloc to reappoint Christine Parsons to the Housing Board of Appeals with a term to expire December 10, 2014. 7 ayes, 0 nays, 2 absent. Motion carried.

ADJOURNMENT

Moved by Council Member Fitzpatrick, seconded by Council Member Kloc to adjourn the meeting at 8:19 p.m. 7 ayes, 0 nays, 2 absent. Motion carried.

Janet Santos, CMC/MMC
City Clerk

CITY OF SAGINAW

1315 S. Washington
Saginaw, MI 48601

RECEIVED
CITY CLERK
CITY OF SAGINAW

DEC - 6 2012

**STREET/ALLEY
VACATION REQUEST**

STREET Vermont 2100 - **ALLEY**

Bounded by: Superior, City Limit
_____, and _____

Streets in the City of Saginaw, Michigan. (Attach additional information, if necessary)

The undersigned abutting property owners, by execution hereof, agree to the vacation of the above-described street/alley.

NAME	ADDRESS	DATE
Martin J DeCORTE	2125 Vermont ST	12-06-12
CHARENCE Schreeder	2126 " "	"
Lee Benzenberg	2118 " "	"
Sharon Benzenberg	2118 " "	"
Paul Corriveau	2119 " "	"
Monica Corriveau	2119 " "	"
Michael Thompson	2114 " " recently Moved	"
Kate Thompson	2114 " "	"
Robert Gibbons	2113 " "	"
Cindy Gibbons	2113 " "	"
James Malicoat	2104 " "	"
Ellie Malicoat	2104 " "	"
See attached letter to oppose a gate at City Limits into Goefside on Vermont streets		/

#12-26

To the best of my knowledge and belief, the above signatures represent all of the property abutting subject street/alley.

CIRCULATOR INFORMATION			
NAME: <u>Martin J DeCORTE</u>	PHONE: <u>989 791-4157</u>		
ADDRESS: <u>2125 VERMONT ST</u>	CITY: <u>SAGINAW</u>	STATE: <u>MI</u>	ZIP: <u>48602-1934</u>

Date: December 6, 2012

Martin J De Corte
CIRCULATOR SIGNATURE

NOTE: The Planning Commission cannot recommend vacation of all or part of a street/alley to City Council when any abutting property owner who would be deprived of a substantial right of access to his/her property because of such vacation objects thereto. Therefore, any petition for vacation of all or any part of a street/alley should be signed by the owners of all property abutting on said street/alley, or should be accompanied by a statement from non-petitioning abutting owners indicating that they are not opposed to the proposed vacating of all or part of said street/alley.

If you have any questions, please contact the Planning and Zoning Division at (989) 759-1303.

12/4/2012

To whom it may concern:

It has been brought to the attention of the city residents of Vermont Street that the Golf Side Association have notified their 157 homeowners that a request will be made to the road commission via district court requesting that Vermont Street at the city limits into Golf Side be abandoned, then privatized, to allow a gate to be constructed at the city line which will allow only Golf Side residents to enter or leave Golf Side using Vermont Street. The reason given for this proposed gate is to limit the speed of vehicles and to deter crime entering Golf Side via Vermont Street. No gate action at the other six entrances: two at Benton, East and West Hannum and two at Davis are proposed or able to be erected due to the layout of those entrances.

It is to be understood that the four owners of the adjacent land that will have the proposed gate: Ms. Christine Meter and Mr. & Mrs. Robert Spence of Golf Side and Mr. Clarence Schreuder and myself, as well as the other five City of Saginaw homeowners on this street and others beyond are strongly against this action of a proposed gate.

The reasons against this proposed gate are numerous:

It will prevent all access of vehicles, other than residences of Golf Side, entering or leaving the city on Vermont Street.

No emergency egress for the seven city homeowners of Vermont Street to have available in case of closure of Vermont Street at Superior Street.

The unsightly gate itself and the noise it will create, opening and closing for Golf Side homeowners, at all times.

Home values will be compromised and reduced by the installation of this gate.

The placement of the gate will be nineteen inches from a fire hydrant and four feet from my driveway. The measurement was made by those in attendances at a meeting requested by Mr. & Mrs. Spence recently to discuss this matter of closure of Vermont Street and building a gate for Golf Side residences use only.

If there is a key pad for a code number to be entered to open the gate into Golf Side, it would have to be located on city property in front of 2126 Vermont. Would the city allow this? How will the connection to the gate be attained?

All non-Golf Side vehicles: cars and SUV's, approaching Golf Side will have to turn around in my or my neighbor's driveway. All delivery trucks, school busses, contractors with trailers, ambulances and snow removal trucks will have to back up all the way to Superior to turn around. All non-Golf Side vehicles in Golf Side turning onto Vermont Street to exit will have to turn around in either Ms. Meter's or Mr. & Mrs. Spence driveways or back up to the intersection of Vermont Street and Benton Street. Therefore the traffic turning into Golf Side via either Benton Drive, East or West Hannum, and Davis Drive going west on Gratiot, M-46, will be immense. Any vehicle accidents on Vermont, Superior or Benton Streets or Gratiot Road will be unfortunate.

driveways or back up to the intersection of Vermont Street and Benton Street. Therefore the traffic turning into Golf Side via either Benton Drive, East or West Hannum, and Davis Drive going west on Gratiot, M-46, will be immense. Any vehicle accidents on Vermont, Superior or Benton Streets or Gratiot Road will be unfortunate.

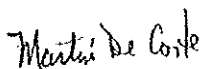
Initial notification to Golf Side residences asking to privatize the streets of Golf Side and to erect a gate at the city limits on Vermont Street resulted in a reply of 63%, of which 44% responded yes to that one request. The disclosure to the residences of the cost to privatize the roads and to pay for the maintenance, repair and replacement was not given. The reason for not disclosing the cost of privatizing the streets is only speculative.

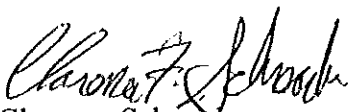
The attempt to monitor the traffic into and out of Golf Side a few years ago by the city of Saginaw Traffic Division at the city limit was unobtainable due to the removal of the vehicle tire monitoring cord by an unknown person, preventing the count of vehicles on Vermont Street into and out of Golf Side. The cord was in place at 5 pm Friday but was removed by 6 pm, as noted by myself walking my dog at that time. That information was given to the City of Saginaw representative by me the next Monday morning at 9am, who stated that the monitoring was useless.

Would you please consider this request to prevent the closing off of Vermont Street by a few homeowners in Golf Side to be of importance to your department? The homeowners of Vermont Street and other city residences, as well as the land owners next to the city limits do not want this gate built or the vehicles that will have to turn around in our driveways or to back up all the way to Superior or Benton to turn around. Where will the snow be placed that is plowed on our street? My driveway is four feet from the city line and the fire hydrant is nineteen inches from the city line. And yes, I do shovel out the area of the fire hydrant every time it snows. But I will certainly not shovel out the snow by the proposed gate. Therefore is the fire hydrant for city use only?

The homeowners of Vermont Street extend a thank you for your consideration of this matter to prevent the erection of a gate at the city limits on Vermont Street. Our names are listed below if further contact is necessary and would look forward to discussing this matter with you or any member of your department at any time.

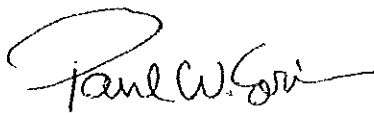
Sincerely,



Martin DeCorte
2125 Vermont St

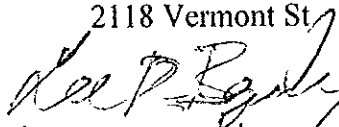

Clarence Schreder
2126 Vermont St

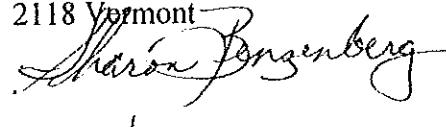
Lee Benzenberg
2118 Vermont St


Sharon Benzenberg
2118 Vermont



Paul Corriveau
2119 Vermont St



Monica Corriveau
2119 Vermont St



moved
Michael Thompson
2114 Vermont St


moved
Kate Thompson
2114 Vermont St


Robert Gibbons
2113 Vermont St


Cindy Gibbons
2113 Vermont St


James Malicoat
2104 Vermont St


Ellie Malicoat
2104 Vermont St

From: Darnell Earley, City Manager
Subject: Easement Agreement with Consumers Energy
Prepared by: Bill Ernat, Interim Director of Development

Manager's Recommendation:

I recommend that the easement agreement with Consumers Energy be approved. The easement agreement for 124 S. Baum St. has been approved by the City Manager as to substance and the City Attorney as to form.

Justification:

The City received a request from Consumers Energy ("Consumers") for an easement on 124 S. Baum St. to allow the installation of underground electric lines, cables, conduits, wire, conductors, subsurface junction vaults, surface mounted transformers, and enclosures and other equipment and transmitting and distributing electrical energy and communication signals.

The installation of this equipment would be an upgrade in the current supply of electrical energy and communications cable, as the proposed upgrade is needed for the businesses located at 119 and 121 S. Jefferson Avenue.

Consumers will indemnify, defend, and hold harmless the City from liability claims. In addition Consumers will repair blacktop and/or concrete and grade and reseed the areas that it disturbs in exercising its rights under these agreements.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Emergency Purchase - Remove Damaged Ceiling Tile
Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend that a budget adjustment be completed to increase the General Fund - Facilities Division's, Operating Services Account No. 101-7575-821.80-05 from \$32,869 to \$37,069, which equates to a \$4,200 increase. This increase will be offset by a decrease in the General Fund - Planning and Zoning Division's, Operating Services Account No. 101-3863-761.80-05 from \$10,200 to \$6,000, which equates to a \$4,200 decrease.

It is also recommended that a payment then be made to Bierlein Companies, Inc., Midland, MI in the amount of \$4,200 for the cost of an emergency purchase order #47575, issued on December 7, 2012 for the removal of damaged ceiling tiles containing asbestos glue pods in the City Manager's office.

Justification:

On November 30, 2012, a quote was received from Bierlein Companies, Inc., who specializes in this type of work, to remove damaged ceiling tiles in the City Managers office that was caused by a cracked steam pipe. Steam from the cracked pipe traveled up the wall from the basement and into the concrete roof deck and met 40 degree temperatures at the roof deck line. The temperature change caused the steam to turn into condensate that ultimately saturated the original building construction and the drop ceiling tiles located in the City Manager's office.

In 2001, an asbestos survey that was completed by MIS Environmental Services, Inc., for City Hall verified asbestos containing materials in the glue holding the 1' x 1' ceiling tiles to the wood lathes above the City Manager's office. Therefore, the office had to be contained and all MIOSHA requirements for removal had to be met. Bierlein Companies met all the necessary MIOSHA requirements for asbestos remediation services and completed the work expeditiously on December 1, 2012.

The City's insurance deductible of \$100,000 for this type of claim, significantly exceeded the cost of services.

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

Funds for this purchase are available in the General Fund – Facilities Division's Operating Services Account No. 101-7575-821.80-05.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Purchase of Aluminum Sign Blanks – ROW Division
Prepared by: Beth D. London, Public Services Department

Manager’s Recommendation:

I recommend the bid from Osburn Associates be accepted and a purchase order be approved and issued to them in the amount of \$6,393 for the purchase of 1,950 aluminum sign blanks of various sizes.

Justification:

On November 6, 2012, the City received six bids for 1,950 aluminum sign blanks of various sizes for the repair or replacement of street signs. On November 19, 2012, City Council approved Allmac Signs’ low bid and the issuance of a purchase order to them in the amount of \$4,503. Since that time, Allmac Signs has requested that they be released from their bid. Therefore, the City will go with the next lowest bid which is from Osburn Associates. The Traffic Maintenance Section of the Right of Way Division is required to maintain and replace when necessary approximately 25,000 street signs within the City of Saginaw.

The following is a tabulation of the bids received:

Osburn Associates Logan, OH	\$6,393.00
Vulcan Aluminum Foley, AL	\$6,502.50
US Standard Sign Franklin Park, IL	\$6,632.50
Rathco Safety Supply Portage, MI	\$7,155.50
Dornbos Signs Charlotte, MI	\$7,175.50
Comade, Inc. Santa Ana, CA	\$8,029.00

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

Funds for this purchase are available in the Major Streets Fund – Traffic Engineering Division’s Sign Supplies Account No. 202-4621-791.73-50.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Manhole Blocks
Prepared by: John Premo, Public Services Department

Manager's Recommendation:

I recommend that the low bid from HD Supply Water Works, Canton, MI, be accepted and that a purchase order be approved and issued to them in the amount of \$7,700 for an annual supply of manhole blocks.

Justification:

On November 13, 2012, bids were received for an annual supply of manhole blocks that will be used in the construction and repair of the combined sewer system throughout the City. The Maintenance and Service Division will use 6,000 manhole blocks throughout the year replacing catch basins and manholes, resetting sewer castings and related usage. Cost comparisons show a 36% reduction from the previous year's purchases.

The following is a tabulation of the bids received.

HD Supply Water Works Canton, MI	\$ 7,700
Michigan Pipe and Valve Saginaw, MI	\$12,000

HD Supply Water Works 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 Sewer Operation and Maintenance Fund – Maintenance and Service Division's Parts and Supplies Account No. 590-4821-861.73-30, and will be accounted for in the Water Operation and Maintenance Fund – Water Inventory Account No. 591-0000.171.73-30.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Preliminary Engineering Agreement (No.12-5461/S1) – ROW Division
Prepared by: Beth London, Public Services Department

Manager’s Recommendation:

I recommend that the Preliminary Engineering Agreement (“Agreement”), Number 12-5461/S1 for preliminary engineering services with Spicer Group for the Hamilton Street Road Improvements, from Lyon Street to Court Street, be approved. It is further recommended that the Mayor or his designee be authorized to execute this agreement on behalf of the City of Saginaw. The Agreement has been approved by me as to substance and the City Attorney as to form. A resolution to approve the subject Agreement appears under the regular order of business.

Justification:

The City solicited proposals from three engineering firms pre-qualified to provide road and water main design services for the City of Saginaw. The design work is to include the preparation of reports and studies, as well as the design and preparation of final construction plans and specifications necessary for the Hamilton Street Road and water main improvements from Lyon Street to Court Street, including all necessary related work. The total cost of Spicer Group’s proposal is \$43,353.30.

On October 15, 2012, Council approved a cost agreement with the Michigan Department of Transportation (“MDOT”) for preliminary engineering design services for the participating road portion of the project. This Cost Agreement allows the City to be reimbursed for 80% of the preliminary engineering cost for the road portion of the project with Federal Surface Transportation Urban Local (STUL) funds. The City is now required to enter into an MDOT Third Party Agreement with Spicer Group for preliminary engineering services for the road.

Selection of the design firm was based on requirements of MDOT. MDOT requires a Quality Based Selection process be used if the design services will cost more than \$100,000. A Cost Based Selection process can be used when design costs are less than \$100,000. Following MDOT’s requirements, Spicer Group was selected based on cost alone. However, the three consultants were required to submit technical proposals to determine their understanding of the engineering services required and to verify they could meet the accelerated design schedule. Requested design services include non-participating water main. Water main costs have been kept separate from this agreement. Therefore, the services for the water main will be performed utilizing the City’s existing General Engineering Services Agreement with Spicer Group which was approved by Council on June 21, 2010, for a period of four years.

The preliminary engineering cost of the participating road portion of the project is \$35,246.30. The City will be reimbursed for 80% of these costs, or \$28,197.04. The City is responsible for 100% of the preliminary engineering cost of the non-participating water main, which is \$8,107. Any road design cost overruns in excess of \$35,246.30 will be the responsibility of the City.

Spicer Group meets all the 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 the preliminary engineering services are budgeted and available in the Major Streets Fund – Streets Projects Division’s Engineering Services Account No. 202-4614-781.80-02 (\$35,246.30) and Water Operations and Maintenance Fund – Maintenance and Service Division’s Engineering Services Account No. 591-4721-861.80-02 (\$8,107). The Project Number is ST 0902.

Council Action:

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

MDOT Preliminary Engineering Agreement No. 12-5461/S1

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

WHEREAS: The City has entered into an Agreement with Spicer Group for preliminary engineering services for the Hamilton Street Road Improvements from Lyon Street to Court Street that will include the preparation of reports and studies, as well as the design and preparation of final construction plans.

WHEREAS: On October 15, 2012, Council approved Cost Agreement Number 12-5461 with the Michigan Department of Transportation ("MDOT"), for preliminary engineering services, for the Hamilton Street Road Improvements from Lyon Street to Court Street.

WHEREAS: Cost Agreement Number 12-5461 allows the City to be reimbursed with Federal Surface Transportation Urban Local (STUL) funds for 80% of the preliminary engineering services for the road design.

WHEREAS: The City is now required to enter into an MDOT Third Party Agreement with Spicer Group for preliminary engineering services for the road.

WHEREAS: The preliminary engineering cost of the road design is \$35,246.30, of which STUL funds will pay 80% or \$28,197.04 and the City will pay for 20% or \$7,049.26. The City is also responsible for the non-participating water main preliminary engineering services of \$8,107.

WHEREAS: Preliminary Engineering Services Agreement Number 12-5461/S1 has been approved by the City Manager as to substance and the City Attorney as to form.

NOW, THEREFORE, BE IT RESOLVED, that the Council for the City of Saginaw does hereby approve Preliminary Engineering Services Agreement Number 12-5461/S1 submitted by the Michigan Department of Transportation and that the Mayor or his designee be authorized to execute this agreement on behalf of the City of Saginaw.

Ayes:
Nays:
Absent:
Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw,

Saginaw County, State of Michigan, at a public meeting held on December 17, 2012; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk

Council Member _____ moved, seconded by Council Member _____ that an ordinance introduced on November 19, 2012, be taken up and enacted, entitled and reading as follows:

O-_____

AN ORDINANCE TO AMEND THE OFFICIAL CITY MAP TO VACATE DEARBORN STREET BETWEEN THE EASTERN LINE OF KING STREET AND THE WESTERN LINE OF QUEEN STREET LOCATED BETWEEN LOTS 4 AND 5 OF BLOCK 91, HL MILLER'S ADDITION AND LOTS 1 AND 8 OF BLOCK 96, HL MILLER'S 2ND ADDITION AND LOT 1 OF BLOCK 95 HL MILLER'S ADDITION AND THE WESTERN LINE OF QUEEN STREET IN THE CITY OF SAGINAW AND TO RETAIN THEREIN AN EASEMENT FOR PUBLIC UTILITIES, CABLE TV AND TELECOMMUNICATIONS.

The City of Saginaw Ordains:

Section 1. That the portion of Dearborn Street between the eastern line of King Street and the western line of Queen Street abutting Lots 4 and 5 of Block 91, HL Miller's Addition and abutting Lots 1 and 8 of Block 96, HL Miller's Second Addition and also abutting Lot 1 of Block 95 of HL Miller's Addition and the western line of Queen Street in the City of Saginaw, Michigan be and the same is hereby vacated.

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

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

This ordinance shall become effective December 27, 2012.

Enacted: December 17, 2012.

Yeas:

Nays:

Absent:

Abstain:

Motion Carried.

Gregory L. Branch
Mayor

Janet Santos, CMC/MMC
City Clerk

ORDINANCE DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on December 17, 2012; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk

Council Member _____ moved, seconded by Council Member _____ that an ordinance introduced on November 19, 2012, be taken up and enacted, entitled and reading as follows:

O-_____

AN ORDINANCE TO AMEND THE OFFICIAL CITY MAP TO VACATE SALT STREET BETWEEN THE NORTHERN LINE OF FRASER STREET AND THE SOUTHWESTERN LINE OF QUEEN STREET LOCATED BETWEEN LOTS 5 AND 6 OF BLOCK 91, HL MILLER'S ADDITION AND THE SOUTHWESTERN LINE OF QUEEN STREET AND LOTS 5, 6, 7 AND 8 OF BLOCK 96, HL MILLER'S 2ND ADDITION AND LOTS 1, 2, 3, 4 AND 5 OF BLOCK 95 HL MILLER'S ADDITION IN THE CITY OF SAGINAW AND TO RETAIN THEREIN AN EASEMENT FOR PUBLIC UTILITIES, CABLE TV AND TELECOMMUNICATIONS.

The City of Saginaw Ordains:

Section 1. That the portion of Salt Street between the northern line of Fraser Street and the southwestern line of Queen Street abutting Lots 5 and 6 of Block 91, HL Miller's Addition and abutting the southwestern line of Queen Street and also abutting Lots 5, 6, 7 and 8 of Block 96, HL Miller's Second Addition and Lots 1, 2, 3, 4 and 5 of Block 95 of HL Miller's Addition, City of Saginaw, Michigan be and the same is hereby vacated.

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

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

This ordinance shall become effective December 27, 2012.

Enacted: December 17, 2012.

Yeas:

Nays:

Absent:

Abstain:

Motion Carried.

Gregory L. Branch
Mayor

Janet Santos, CMC/MMC
City Clerk

ORDINANCE DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on December 17, 2012; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMC/MMC
City Clerk