



Saginaw City Council Agenda

1315 S. Washington Avenue
Council Chamber - Room 205
989.399.1311
April 1, 2019
6:30 p.m.

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

PUBLIC HEARINGS:

PUBLIC INPUT:

(A list will be provided following submittal deadline.)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

1. Phil Karwat, Director of Public Works, overview of the National Fitness Court Campaign.
2. Beth London, City Engineer, overview of Engineering projects.

CONSENT AGENDA:

1. Approve the March 18, 2019 regular council meeting minutes.
 2. Approve the purchase with Standard Electric for \$5,120 for four FLIR K2 Thermal Imaging Cameras for the Fire Department.
 3. Approve the Ojibway Island User Agreement with Ken Shelton Promotions LLC for the Lady Antebellum Concert on July 12, 2019.
 4. Ratification of a purchase with Hammer Restoration for \$7,293.65 for cleanup and restoration at the Raptor Center for the Police Department.
 5. Approve the purchase with Audio Central Alarm, Inc. for \$6,350 for the installation of panic alarm buttons within City Hall and the Public Works Buildings.
 6. Approve the ratification with North American Overhead Door for \$2,593.37 for overhead door repairs at the Public Works Building.
 7. Approve the purchase with Hosty of Mid-Michigan, dba as Central Cleaning Systems, for \$5,946 for an equipped enclosed trailer for the Facilities Division.
-

8. Approve the purchase with Home Depot for \$5,209.60 for LED light fixtures in the Motor Pool Division in the Public Works building.
9. Approve the purchase with Earegood Plumbing and Heating for \$18,730 for restroom fixtures and installation within City Hall.
10. Approve to increase the blanket purchase orders to various vendors by \$13,500, for a new total of \$31,500, for vehicle repairs for the Garage Division.
11. Approve to increase the blanket purchase orders to various vendors by \$16,500, for a new total of \$40,399, for vehicle parts and supplies for the Garage Division.
12. Approve the purchase with Michigan Pipe and Valve for \$43,850 for K-copper tubing for the Maintenance and Service Division.
13. Approve the purchase with East Coast Industrial Supply LLC for \$13,626.60 for Husqvarna asphalt/concrete combination diamond saw blades for the Maintenance and Service Division.
14. Approve the contract with Champagne and Marx Excavating, Inc. for \$827,982.29 for the Paving Improvements Phase II at 1701 S. Jefferson Avenue for the Maintenance and Service Division.
15. Approve the purchase with National Business Furniture for \$8,996.11 for office furniture for the Engineering Section, Right of Way Division.
16. Approve the purchase with Lois Kay Contracting Co. for \$32,106 for the replacement of the West Holland railroad crossing approach for the Engineering Section, Right of Way Division.
17. Approve the 2019 Mill and Resurfacing Contract with Edw. C. Levy Co., dba Ace-Saginaw Paving Company, for \$1,217,176.97 for the Engineering Section, Right of Way Division.
18. Approve the contract with Rhode Brothers Excavating, Inc. for \$856,656 for the Lapeer Avenue Reconstruction Project for the Engineering Section, Right of Way Division.
19. Approve the purchase with Pinnacle Design for \$20,174.48 for the professional services associated with the renovation of the Department of Human Resources Office.

BOARD/COMMISSION/COMMITTEE REPORTS:

APPOINTMENT OF BOARD/COMMISSION/COMMITTEE MEMBERS:

1. Approve the Council appointment of Dennis Browning to the Board of Appeals on Zoning with a term to expire December 31, 2021.

2. Approve the Mayoral reappointment of Mark Fischer to the Riverfront Development Commission with a term to expire April 1, 2024.
3. Approve the Council appointment of Vickie Dillon to the Saginaw Transit Authority Regional Services Board with a term to expire September 30, 2021.
4. Acknowledge the Mayoral appointment of Dennis Morrison to the Saginaw Housing Commission with a term to expire September 30, 2020.
5. Approve the City Manager's reappointment of Thomas Braley to the Planning Commission with a term to expire December 31, 2021.
6. Approve the Mayoral appointment of Kevin Albosta to the Saginaw Economic Development Corporation with a term to expire June 30, 2021.

ORDINANCE INTRODUCTION:

ORDINANCE CONSIDERATION AND ADOPTION:

1. An Ordinance to amend §§151.001 through 151.116 of Chapter 151, "Housing Regulations," of Title XV, "Land Usage," of the City of Saginaw Code of Ordinances, O-204.

RESOLUTIONS:

1. Establishing Public Employee Health Care Fund Investment Policy.
2. To implement an outdoor fitness court on Celebration Square.

UNFINISHED BUSINESS:

MISCELLANEOUS BUSINESS:

ADJOURNMENT:

Timothy Morales
City Manager

IF YOU ARE DISABLED AND NEED ACCOMMODATION TO PROVIDE YOU WITH AN OPPORTUNITY TO PARTICIPATE OR OBSERVE IN PROGRAMS, SERVICES, OR ACTIVITIES, PLEASE CALL THE SAGINAW CITY CLERK, 1315 S. WASHINGTON AVE., 759-1480.

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, WAS HELD MONDAY, MARCH 18, 2019, AT 12:00 P.M. IN THE COUNCIL CHAMBER AT CITY HALL, 1315 S. WASHINGTON AVENUE, SAGINAW, MICHIGAN.

PRAYER AND PLEDGE OF ALLEGIANCE

Council Member Bryant offered a prayer and led the pledge of allegiance of the United States of America.

ROLL CALL

Mayor Kloc called the meeting to order. Council Members present: Jamie Forbes, Clint Bryant, Brenda Moore, Autumn Scherzer, John Milne, Bill Ostash, and Floyd Kloc: 7. Council Members absent: Annie Boensch, and Michael Balls: 2.

ANNOUNCEMENTS

City Clerk Janet Santos announced the following:

- The next City Council meeting will be Monday, April 1st at 6:30 p.m.
- The 2019 Yard Waste service will begin the first week of April and is the same day as your regular trash day. Yard waste materials must be in paper yard waste bags, or in 35 gallon or smaller garbage cans not weighing more than 50 pounds and have a "Yard Waste" sticker affixed to the front of the can.
- The City's Compost Site will open April 1st with hours on Monday thru Friday 7:00 a.m. to 3:00 p.m. and Saturday hours of 8:00 a.m. to 12:00 p.m. during the months of April, May, October, and November.

Council Member Balls entered the meeting at 12:06 p.m.

Mayor Kloc presented a proclamation declaring March 31, 2019 as Cesar Chavez Day. Robert Stricker, Herlinda Sanchez, Gilberto Guevara, and Manny Lopez from the American GI Forum accepted the proclamation.

PUBLIC HEARINGS

Clerk Santos announced the public hearing to terminate the Brownfield Plan 15 - Menards Redevelopment Project at 2100 Veterans Memorial Parkway. Mayor Kloc called for public comments. Tom Miller Jr. of Saginaw Future spoke in favor of the termination. Mayor Kloc called for public comments two more times. There were no additional comments.

Moved by Mayor Pro Tem Moore, seconded by Council Member Bryant to close the public hearing. 8 ayes, 0 nays, 1 absent. Motion approved.

Clerk Santos announced the public hearing to amend the Brownfield Plan for the City of Saginaw to include 119 and 127 South Jefferson Avenue and 124 South Baum Street. Mayor Kloc called for public comments. Tom Miller Jr. of Saginaw Future spoke in favor of the amendment. Mayor Kloc called for public comments two more times. There were no additional comments.

Moved by Council Member Scherzer, seconded by Mayor Pro Tem Moore to close the public hearing. 8 ayes, 0 nays, 1 absent. Motion approved.

Clerk Santos announced the public hearing to amend the Brownfield Plan for the City of Saginaw to include 200, 208 and 220 South Michigan Avenue. Mayor Kloc called for public comments. Tom Miller Jr. of Saginaw Future spoke in favor of the amendment.

Mayor Kloc called for public comments two more times. There were no additional comments.

Moved by Council Member Scherzer, seconded by Council Member Bryant to close the public hearing. 8 ayes, 0 nays, 1 absent. Motion approved.

PUBLIC INPUT

Public Input addressing the Council was: Jane Fitzpatrick.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Moore, Bryant, Forbes, Ostash, Balls, Milne, Scherzer, and Mayor Kloc.

REPORTS FROM CITY MANAGER

City Manager Tim Morales introduced Randy Pfau, Executive Director of Saginaw County 9-1-1. Mr. Pfau explained the history of the 9-1-1 inception which included funding details and the radio system replacement project.

Manager Morales provided informational updates on various meetings, events and city projects.

CONSENT AGENDA:

1. Approve the March 4, 2019 regular council meeting minutes.
2. Approve the recommendations for the 2019 Single Lot Assessment Tax Roll.
3. Approve the grant agreement between the Saginaw Housing Commission and the U.S. Department of Housing and Urban Development for the FY 2018 Family Self Sufficiency Program.
4. Approve the reimbursement agreement with Ann Arbor Builders in accordance with the Case Block Brownfield Plan.
5. Approve the write off on the balance sheet of fourteen residential rehabilitation loan accounts deemed uncollectible for a total amount of \$88,733.53.
6. Approve the purchase with Quality Environmental Services for \$94,000 for the asbestos removal at 1014 East Genesee Avenue.
7. Approve the amendment to the HOME Subrecipient Agreement with Saginaw-Shiawassee Habitat for Humanity to include the specific addresses and estimated funds for each project.
8. Approve the purchase with West Side Decorating for \$7,212.40 for carpet and installation in the City Manager's and Human Resources offices within City Hall.
9. Ratification of a purchase with Cal-Pacific Carbon, LLC for \$12,600 for powdered activated carbon for the Water Treatment Division.

Moved by Council Member Milne, seconded by Council Member Scherzer to approve consent agenda items 1 through 5, and 7 through 9, as presented. 8 ayes, 0 nays, 1 absent. Motion approved.

Discussion was held on consent item #6.

Council Member Bryant left the meeting at 1:08 p.m. and returned at 1:09 p.m.

Moved by Council Member Milne, seconded by Council Member Forbes to approve consent agenda item 6. Mayor Kloc asked Clerk Santos to conduct a roll call vote.

Ayes: Moore, Scherzer, Milne, Balls, Forbes, Bryant, Kloc

Nays: Ostash

Absent: Boensch

Motion approved.

BOARD/COMMISSION/COMMITTEE REPORTS

Council Member Bryant reported that the City Planning Commission has canceled their regular meeting scheduled for March 26, 2019.

APPOINTMENT OF BOARD/COMMISSION/COMMITTEE MEMBERS

Moved by Council Member Bryant, seconded by Mayor Pro Tem Moore to approve items 2 through 7 of the following:

1. the Council appointment of Vickie Dillon to the Saginaw Transit Authority Regional Services with a term to expire September 30, 2021.
2. the Mayoral reappointment of Glenn Fitkin to the Riverfront Development Commission with a term to expire April 1, 2024.
3. the Mayoral reappointment of Wasyl F. Czerewko to the Riverfront Development Commission with a term to expire April 1, 2024.
4. the Mayoral reappointment of Tom Miller, Jr. to the Riverfront Development Commission with a term to expire April 1, 2024.
5. The acknowledgement of the Mayoral appointment of Thomas Kennedy to the Saginaw Housing Commission with a term to expire September 30, 2023.
6. the appointment of Tom Miller, Jr. to the MBS International Airport Commission with a term to expire October 31, 2022.
7. the Manager's reappointment of Michael Hanley to the Downtown Development Authority with a term to expire April 1, 2023.

8 ayes, 0 nays, 1 absent. Motion approved.

Mayor Kloc asked Clerk Santos to conduct a roll call vote regarding item #1 for the Council appointment of Vickie Dillon to the Saginaw Transit Authority Regional Services with a term to expire September 30, 2021.

Ayes: Moore, Scherzer, Milne, Balls, Ostash, Bryant, Kloc

Nays: None

Abstain: Forbes

Absent: Boensch

ORDINANCE INTRODUCTION

Moved by Council Member Balls, seconded by Council Member Bryant to introduce an Ordinance to amend §§151.001 through 151.116 of Chapter 151, "Housing Regulations," of Title XV, "Land Usage," of the City of Saginaw Code of Ordinances, O-204. 8 ayes, 0 nays, 1 absent. Motion approved.

Mayor Kloc announced that the ordinance is laid over under Charter provision.

ORDINANCE CONSIDERATION AND ADOPTION

Moved by Council Member Bryant, seconded by Council Member Scherzer to adopt an ordinance to amend §14.36, "Preference for Local Bidders," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the City of Saginaw Code of Ordinances, O-204. 8 ayes, 0 nays, 1 absent. Motion approved.

RESOLUTIONS

Moved by Council Member Balls, seconded by Council Member Milne to adopt the resolution certifying the 2019 Single Lot Assessment Tax Roll. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Mayor Pro Tem Moore, seconded by Council Member Scherzer to adopt the resolution to terminate Brownfield Plan 15, Menards Redevelopment Project located at 2100 Veterans Memorial Parkway. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Mayor Pro Tem Moore, seconded by Council Member Scherzer to adopt the resolution to amend the Brownfield Plan for the City of Saginaw to include the Michigan Photo Redevelopment Project at 119 and 127 South Jefferson Avenue and 124 South Baum Street. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Balls, seconded by Council Member Scherzer to adopt the resolution to amend the Brownfield Plan for the City of Saginaw to include the Case Block Redevelopment Project at 200, 208, and 220 South Michigan Avenue. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Mayor Pro Tem Moore, seconded by Council Member Scherzer to adopt the resolution in support of Senate Bill 54 and House Bill 4100 for the reinstatement of state historic tax credits. 8 ayes, 0 nays, 1 absent. Motion approved.

ADJOURNMENT

Moved by Council Member Bryant, seconded by Council Member Scherzer to adjourn the meeting at 1:32 p.m. 8 ayes, 0 nays, 1 absent. Motion approved.

Janet Santos, MMC
City Clerk

From: Timothy Morales, City Manager
Subject: Thermal Imaging Cameras
Prepared by: Christopher Van Loo, Fire Chief

Manager's Recommendation:

I recommend the approval of a purchase with Standard Electric for \$5,120.00 for four FLIR K2 Thermal Imaging Cameras for the Fire Department.

Justification:

On February 4, 2019, Council approved the acceptance of a donation to the Fire Department from the Saginaw Rotary Club in the amount of \$4,635.00. The \$4,635.00 donated funds and an additional \$485.00 from the Fire Department's operating budget will be used to fund the purchase of four FLIR K2 Thermal Imaging Cameras.

On March 12, 2019, the Fire Department received bids for the purchase of four FLIR K2 Thermal Imaging Cameras (TIC). This purchase will allow us to place one new TIC on each front line fire apparatus. Thermal imaging technology provides firefighters the ability to see through heavy smoke, low visibility conditions while searching for trapped fire victims or downed firefighters. Thermal imaging also has a wide variety of non-fire applications such as hazardous materials incidents and outdoor search and rescue operations.

The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Cost</u>
Standard Electric Saginaw, MI	\$5,120.00
Dozer Tactical Saginaw, MI	\$5,190.00
Kenco Fire Equipment, Inc. Springfield, MO	\$5,476.80
W.S. Darley & Co. Itasca, IL	\$5,936.00
Douglass Safety Systems Sanford, MI	\$6,140.00

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the General Fund – Community Public Safety Fire, Fire Operations Division's Parts and Supplies Account No. 101-3551-742.000

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Ken Shelton Promotions LLC - User Agreement
Prepared by: Phillip Karwat, Public Services Department

Manager's Recommendation:

I recommend approval of the Ojibway Island User Agreement with Ken Shelton Promotions LLC for the Lady Antebellum Concert on July 12, 2019.

Justification:

On July 12, 2019, Ken Shelton Promotions LLC will host a Lady Antebellum Country Music Concert on Ojibway Island. Ken Shelton Promotions LLC will pay the City a flat fee of \$700 for the rental of Ojibway.

Ken Shelton Promotions LLC has agreed to carry and name the City as an additional insured on its commercial general liability insurance policy, indemnify the City against any potential claims arising from the event, and otherwise comply with all applicable laws, rules and ordinances. Ken Shelton Promotions LLC must provide an insurance certificate and liquor liability license to the City. Ken Shelton Promotions LLC must provide a liquor liability license to the City because he plans to sell alcoholic beverages to participants.

The Agreement is approved by me as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Professional Services Restoration at Raptor Center
Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend ratification of a purchase with Hammer Restoration for \$7,293.65 for cleanup and restoration at the Raptor Center for the Police Department.

Justification:

On March 14, 2019, emergency purchase order 505571 was issued to Hammer Restoration, a current approved vendor for emergency restoration in the Police Department's Raptor Center at Andersen Celebration Park. A burst pipe caused water damage to the facility and immediate repairs were needed to prevent further damage to the facility. The restoration includes: water extraction; setup and removal of negative HEPA air fans, dehumidifiers and large air movers; removal and hauling of water damaged debris such as the drywall, baseboards and blown-in cellulose insulation; application of anti-microbial agent to the floor and continual moisture extraction from the air.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the General Fund-Department of Community Public Safety-Building Management Professional Services Account No. 101-3514-801.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Panic Button Upgrades
Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend a purchase with Audio Central Alarm, Inc. for \$6,350 for installation of panic alarm buttons in the City Hall and Public Works Buildings.

Justification:

The Public Services Department recently obtained a quote to upgrade the current panic alarm system, as it is a critical safety concern for all City Staff. The existing system was installed in 1998 and is outdated. The cost is \$6,350 for both buildings' panic button upgrades which includes: 40 panic buttons, a control panel, transmitter and receiver. There is also a \$56 monthly monitoring fee for an annual amount of \$672. Audio Central is our current and in city vendor for these services.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the General Fund, Department of Public Services, Facilities Division, Replacement and Repairs Account No. 101-7575-974.000 \$3,175.00 and Public Works Building Fund, Replacement and Repairs Account No. 641-4439-974.000 \$3,175.00.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Overhead Door Repairs at Public Works Building
Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend ratification of the purchase with North American Overhead Door for \$2,593.37 for overhead door repairs at the Public Works Building.

Justification:

On March 18, 2019, emergency purchase order 505575 was issued to North American Overhead Door, a current approved vendor for emergency repairs on overhead doors at the Public Works building. A broken spring on the main entrance overhead door needed to be repaired immediately due to the door's usage in day to day operations in the building. North American made a temporary repair to the door, but needed to order a larger spring for the permanent repair. Upon further inspection, North American recommended that the main exit overhead door's spring should also be replaced.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Public Works Building Fund, General Repairs Account No. 641-4439-930.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager

Subject: Purchase of Trailer

Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend approval of a purchase with Hotsy of Mid-Michigan, dba as Central Cleaning Systems, for \$5,946.00 for an equipped enclosed trailer for the Facilities Division.

Justification:

On March 12, 2019, one qualified bid was received for an enclosed trailer equipped as specified. The Facilities Division has budgeted to purchase a 2019 14' x 7' tandem axle enclosed trailer. This trailer will be used by Tri-cap for transportation of mowers, materials and equipment in the daily maintenance of the City. Tri-cap is a community service group that does volunteer work for the City assisting local volunteers, the Fireworks Committee, Weed Abatement, Fire and Police Departments, parks maintenance at Celebration Park, Ojibway Island, River Walk, etc. The following is a list of the bid received:

<u>Vendor</u>	<u>Total Cost</u>
Hotsy of Mid-Michigan Saginaw (out-city)	\$ 5,946.00

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the General Fund, Department of Public Works, Facilities Division's Maintenance Equipment Account No. 101-7575-978.000 \$5,946.00.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: High Bay LED Light Fixtures, Motor Pool
Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend the approval of a purchase with Home Depot for \$5,209.60 for LED light fixtures in the Motor Pool area of the Public Works Building.

Justification:

On March 12, 2019, nine bids were received for the purchase of 37 high bay LED light fixtures. Since 2012, when the existing lighting was installed, LED technology has grown tremendously and the lighting no longer meets the needs for completing Motor Pool mechanic tasks. The new fixtures will spread more light throughout the space without casting shadows in critical areas. The following is a tabulation of the quotes received:

<u>Contractor</u>	<u>Cost</u>
Home Depot Saginaw, MI	\$5,209.60
Michigan Electric Supply Burton, MI	\$6,290.00
Leslie Electric Supply Pontiac, MI	\$6,874.60
McNaughton-McKay Electric Flint, MI	\$7,215.00
Marshall E. Campbell Co, Inc. Saginaw, MI	\$7,459.20
WESCO Electric Supply Saginaw, MI	\$7,474.00
LJC Lighting Supply Co. Beltsville, MD	\$7,718.57
LED Lighting Wholesale, Inc. Kalamazoo, MI	\$8,502.00
Grainger Lake Forest, IL	\$9,250.00

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Public Works Building Fund, Repairs and Replacements Account No. 641-4439-974.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Restroom Fixture Replacement, City Hall
Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend the approval of a purchase with Earegood Plumbing & Heating for \$18,730.00 for restroom fixtures and installation within City Hall.

Justification:

On March 19, 2019, two quotes were received for the purchase and installation of seven lavatories, eleven toilets and two mop sink fixtures. All existing fixtures in the restrooms were installed originally with the building in 1936. The fixtures are outdated and in need of replacing. With the new fixture installation, it will modernize the restrooms, plus create a cost savings on water usage. The following is a tabulation of the quotes received:

<u>Contractor</u>	<u>Cost</u>
Earegood Plumbing & Heating Saginaw, MI	\$18,730.00
AP Smillie Contracting, Inc. Freeland, MI	\$28,509.86

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Capital Project Fund – Facilities Division Repairs and Replacement Account No. 401-7575-974.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Increase Blanket Purchase Orders – Vehicle Repairs
Prepared by: Don Riley, Public Services Department

Manager’s Recommendation:

I recommend the approval to increase blanket purchase orders issued to various vendors by \$13,500, for a new total of \$31,500, for vehicle repairs and services for the Garage Division.

Justification:

On July 9, 2018, the purchase orders (PO) listed below were issued to vendors in amounts totaling \$18,000. The City’s Municipal Garage requires the services of these vendors for various repairs of fleet vehicles.

The City’s Municipal Garage requires the services of Michigan Cat for repairs to equipment used mainly by the maintenance and service and streets divisions from July 1, 2018 to June 30, 2019. In FY 2018, the garage spent \$3,842.46 with Michigan Cat. In the current fiscal year we have spent \$8,102.34, leaving a balance of \$897.66. This is the sole source for repairs to Caterpillar equipment.

The City’s Municipal Garage requires the services of Michigan Truck Spring for repairs to equipment used mainly by the maintenance and service and streets divisions from July 1, 2018 to June 30, 2019. In FY 2018, the garage spent \$3,546.836 with Michigan Truck Spring. In the current fiscal year we have spent \$8,556.61, leaving a balance of \$443.39.

There are no feasible means to predetermine what services will be needed. The Garage Division’s personnel obtain price quotes for services awarding purchases to the lowest and best vendor for each item. The original blanket PO information is as follows:

<u>PO Number</u>	<u>Vendor</u>	<u>Current Amount</u>	<u>Recommended Increase</u>	<u>New Total Amount</u>
0503801	Michigan Cat	\$9,000	\$7,000	\$16,000
0503802	Michigan Truck Spring	<u>\$9,000</u>	<u>\$6,500</u>	<u>\$15,500</u>
	Total:	\$18,000	\$13,500	\$31,500

These vendors meet all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in Motor Pool Operation Fund, Garage Operations Division's Motor Vehicle Repairs Account No. 661-4481-931.000, \$31,500.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Increase Blanket Purchase Order - Vehicle Parts
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend the approval to increase blanket purchase orders issued to various vendors by \$16,500, for a new total of \$40,399, for vehicle parts and supplies for the Garage Division.

Justification:

In FY 2019, the purchase orders listed below were issued to vendors in amounts totaling \$23,899. The City's Municipal Garage requires parts sold by these vendors for various repairs of fleet vehicles from July 1, 2018 to June 30, 2019.

In FY 2018, the garage spent \$2,217.80 on parts from Alta Equipment LLC. In the current fiscal year we have spent \$3,611.22, leaving a balance of \$388.78. The garage has replaced multiple parts on Streets Division's Durapatcher. Alta Equipment is a sole source for these parts; however, we will continue inquiring with other vendors.

In FY 2018, the garage spent \$12,956.25 on parts from Michigan Cat. In the current fiscal year we have spent \$13,640.08, leaving a balance of \$2,359.92. The garage has replaced multiple parts on Maintenance and Sewer and Streets Division's equipment. Michigan Cat is a sole source for these parts.

In FY 2018, the garage spent \$1,414.06 on parts from Michigan Truck Spring. In the current fiscal year we have spent \$1,711.56, leaving a balance of \$188.44. The garage has replaced multiple parts on Maintenance and Sewer and Streets Division's equipment.

In FY 2018, the garage was not using Universal Lift Parts as a vendor. We recently reached out to this vendor for quotes for OEM parts used for the Police Department and pickup trucks located in various Divisions. Universal Lift Parts has proven to be competitive in pricing. The garage will continue requesting quotes for needed parts and purchase from the lowest vendor.

There are no feasible means to predetermine what parts will be needed to be replaced on these vehicles. The Garage Division's personnel obtain price quotes for parts awarding purchases to the lowest and best vendor for each item. The original blanket purchase order information is as follows:

<u>PO Number</u>	<u>Vendor</u>	<u>Current Amount</u>	<u>Recommended Increase</u>	<u>New Total Amount</u>
0503733	Alta Equipment	\$4,000	\$2,000	\$6,000
0503750	Michigan Cat	\$16,000	\$10,000	\$26,000
0503752	Michigan Truck Spring	\$1,900	\$1,500	\$3,400
0505237	Universal Lift Parts	<u>\$1,999</u>	<u>\$3,000</u>	<u>\$4,999</u>
Total:		\$23,899	\$16,500	\$40,399

These vendors meet all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Motor Pool Operation Fund, Garage Operations Division's Motor Vehicle Supplies Account No. 661-4481-737.000 \$40,399, and will be accounted for in the Motor Pool Operation Fund, Inventory Account No. 661-0000-110.001.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: K-Copper Tubing
Prepared by: Joshua Hoffman, Public Services Department

Manager's Recommendation:

I recommend the approval of a purchase with Michigan Pipe & Valve for \$43,850.00 for K-copper tubing for the Maintenance and Service Division.

Justification:

On March 5, 2019, the Maintenance and Service Division received bids for 16,000 feet of ¾ and 1 inch K-copper tubing to be used for replacing water service connections throughout the City's water distribution and transmission systems. The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Size</u>	<u>Cost</u>
Michigan Pipe & Valve Saginaw, MI. (out of City)	¾ Inch 1 Inch	\$40,500.00 / \$2.70 per foot \$ 3,350.00 / \$3.35 per foot
Core & Main LP Shelby Township, MI	¾ Inch 1 Inch	\$46,050.00 / \$3.07 per foot \$ 3,980.00 / \$3.98 per foot
Etna Supply Saginaw, MI. (out of City)	¾ Inch 1 Inch	\$49,500.00 / \$3.30 per foot \$ 4,290.00 / \$4.29 per foot

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Water Operation and Maintenance Fund, Maintenance and Service Division's Parts and Supplies Account No. 591-4721-742.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Asphalt / Concrete Combination Diamond Saw Blades
Prepared by: Joshua Hoffman, Public Services Department

Manager's Recommendation:

I recommend the approval of a purchase with East Coast Industrial Supply LLC for \$13,626.60 for Husqvarna asphalt/concrete combination diamond saw blades for the Maintenance and Service Division.

Justification:

On February 12, 2019, the Maintenance and Service Division received one qualified bid for the purchase of Husqvarna asphalt/concrete combination diamond saw blades used to saw-cut paved areas in the City's Right of Way. The Maintenance and Service Division makes hundreds of repairs to the water distribution and sewer collection systems within the City's Right of Way each year that require the street to be saw-cut prior to excavation. All street repairs require the existing pavement to be saw-cut in order to provide a smooth edge for all patches and to remove the existing pavement without damaging the pavement being left in place.

<u>Type</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Cost</u>
14" Vari-Cut Plus	100	\$ 98.85	\$9,885.00
36" FLX 280 Blade	6	\$623.60	\$3,741.60

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Water Operation and Maintenance Fund, Maintenance and Service Division's Parts and Supplies Account No. 591-4721-742.000 \$6,813.30 Sewer Operations and Maintenance Fund, Maintenance and Service Division's Parts and Supplies Account No. 590-4821-742.000 \$6,813.30.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Maintenance and Service Paving Improvements Phase II
Prepared by: Paul Reinsch, Public Services Department

Manager's Recommendation:

I recommend the approval of the contract with Champagne & Marx Excavating, Inc. for \$827,982.29 for Maintenance and Service Paving Improvements Phase II at 1701 South Jefferson for the Maintenance and Service Division.

Justification:

On February 26, 2019, the City received three bids for the Maintenance and Service Paving Improvements Phase II Contract. This contract is for site improvements at the Water and Sewer Maintenance and Service Facility located at 1701 S. Jefferson Avenue that includes new parking lot and storage yard pavement, lighting, fencing and landscaping. The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Cost</u>
Champagne & Marx Excavating, Inc. Saginaw, MI (out City)	\$827,982.29
Yeager Asphalt Carrollton, MI	\$928,684.32
Lois Kay Contracting Co. Saginaw, MI (out City)	\$1,105,750.20

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Sewer Operations and Maintenance Fund, Surplus Division's Construction Projects Account No. 590-4840-822.000 \$175,000 and Water Operations and Maintenance Fund, Surplus Division's Construction Projects Account No. 591-4740-822.000 \$175,000, and will be budgeted in the FY 2020 Sewer Operations and Maintenance Fund, Surplus Division's Construction Projects Account No. 590-4840-822.000 \$238,991.15 and Water Operations Fund, Surplus Division's Construction Projects Account No. 591-4740-822.000 \$238,991.14 upon approval of the FY 2020 budget.

I have approved the contract as to substance and the City Attorney approves as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Phase II Engineering Office Furniture Purchase
Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend the approval of a purchase with National Business Furniture for \$8,996.11 for office furniture for the Engineering Section, Right of Way Division.

Justification:

On May 8, 2017, Council approved a purchase with National Business Furniture for Phase I of the replacement of the Engineering Division's office furniture. On March 19, 2019, National Business Furniture provided a quote for the second phase of the replacement of the Engineering Division's office furniture. National Business Furniture's furniture has proven to be durable and of high quality. Their products also come with a lifetime guarantee.

The items included in this quote are desks, credenzas, shelving, files, and chairs to replace office furniture that is over 30 years old and not suitable for computers and current office equipment requirements.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Major Street Fund, Engineering Administration Division's Capital Outlay less than \$5,000 Account No. 202-4612-971.000 \$2,998.71, the Sewer Operations and Maintenance Fund, Engineering Division's Capital Outlay less than \$5,000 Account No. 590-4811-971.000 \$2,998.70, and the Water Operations and Maintenance Fund, Engineering Division's Capital Outlay less than \$5,000 Account No. 591-4711-971.000 \$2,998.70.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: W. Holland Avenue Railroad Crossing Approach Replacement
Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend the approval of a purchase with Lois Kay Contracting Co. for \$32,106 for the replacement of the West Holland railroad crossing approach for the Engineering Section, Right of Way Division.

Justification:

On February 26, 2019, the City received one bid for the replacement of the West Holland railroad crossing approach. The work includes the removal and replacement of approximately 20 feet of the road approach to the railroad crossing. The new road approach will be placed at a lower elevation that matches the grade of the railroad tracks. Huron and Eastern Railroad (HER) will replace the asphalt between the tracks and on either side of the railroad tracks once the City has replaced the road approach. City crews will provide traffic control for the entire project. HER will provide railroad flagging for the entire project. The following is a tabulation of the bid received:

<u>Vendor</u>	<u>Costs</u>
Lois Kay Contracting Co. Saginaw, MI (out-city)	\$32,106

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Major Streets Fund, Street Projects Division's Construction Projects Account No. 202-4614-822.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: 2019 Mill and Resurface Contract
Prepared by: Beth D. London, Public Services Department

Manager's Recommendation:

I recommend the approval of the contract with Edw. C. Levy Co., dba Ace-Saginaw Paving Company, for \$1,217,176.97 2019 for the 2019 mill and resurface project for the Engineering Section, Right of Way Division.

Justification:

On March 12, 2019, the City received two bids for the 2019 Mill and Resurface Contract (C-1653). The contract includes pavement milling and resurfacing on Congress Avenue from Brenner Street to N. Charles Street, Elm Street from Gratiot Avenue (M-46) to Brockway Street, N. 5th Avenue from Wadsworth Avenue to Washington Avenue (M-13), W. Genesee Avenue from N. Carolina Street to Hanchett Street, S. Jefferson Avenue from Rust Avenue (M-46) to E. Remington Street, Malzhan Street / Wheeler Street from Gratiot Avenue (M-46) to Brockway Street, E. Remington Street from Owen Street to Sheridan Avenue, and S. Woodbridge Street from Gratiot Avenue (M-46) to Brockway Street. The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Cost</u>
Edw. C. Levy Co., dba Ace-Saginaw Paving Company Saginaw, MI (out-city)	\$1,217,176.97
Pyramid Paving & Contracting Bay City, MI	\$1,316,667.48*

*Represents a corrected bid

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Major Street Fund, Streets Projects Division's Street Resurfacing Account No. 202-4614-821.000 \$942,176.97 for FY 2019, and will be budgeted in the FY 2020 Major Street Fund, Streets Projects Division's Street Resurfacing Account No. 202-4614-821.000 \$275,000 upon approval of the FY 2020 budget.

I have approved the contract as to substance and the City Attorney approves as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Lapeer Avenue Reconstruction – CDBG Contract
Prepared by: Beth D. London, Public Services Department

Manager’s Recommendation:

I recommend the approval of the Community Development Block Grant contract with Rohde Brothers Excavating, Inc. for \$856,656 for the Lapeer Avenue Reconstruction for the Engineering Section, Right of Way Division.

Justification:

On March 5, 2019, the City received three bids for the Lapeer Avenue Reconstruction – Community Development Block Grant (CDBG) contract (C-1652). This contract is for the reconstruction of Lapeer Avenue between 6th Avenue and 11th. Work includes a new asphalt road, with new curb and gutter, ADA sidewalk ramps, sidewalk and drive approaches, drainage improvements including new catch basins and some new manholes, and new 6-inch water main including fire hydrants, valves and water services. This project is partially funded with both FY 2018 and FY 2019 CDBG Funds. The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Cost</u>
Rohde Brothers Excavating, Inc. Saginaw, MI (out City)	\$856,656.00
Tri-City Groundbreakers, Inc. Midland, MI	\$886,927.77*
Champagne & Marx Excavating, Co. Saginaw, MI (out City)	\$1,017,269.46

*Represents a corrected bid

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Community Development Block Grant Fund, Special Projects Division’s Street Resurfacing Account No. 275-6511-821.000 \$444,638, the Sewer Operations and Maintenance Fund, Surplus Division’s, Construction Projects Account No. 590-4840-822.000 \$64,620, and the Water Operations and Maintenance Fund, Surplus Division’s, Construction Projects Account No. 591-4740-822.000 \$347,398.

I have approved the contract as to substance and the City Attorney approves as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Office Furniture Purchase, Human Resources
Prepared by: Dennis Jordan, ACM/Director of Human Resources

Manager's Recommendation:

I recommend approval of a purchase with Pinnacle Design for \$20,174.48 for the professional services associated with the renovation of the Department of Human Resources Office.

Justification:

On March 26, 2019, Pinnacle Design provided a quote for new office furniture for the renovation of the Department of Human Resources work area. The current office furniture is over 25 years old and does not provide an efficient work environment for HR staff and job applicants.

Pinnacle Design has provided a design plan which includes the construction and design oversight to reconfigure the Human Resources Office workstations. This new design will better utilize the office workspace and includes the addition of a testing workstation which will be used by job applicants who are completing the required on-line tests for employment.

The new furniture includes four (4) cubical work stations and one separate office workstation. Each workstation will be equipped with desk tops and both lower and upper file cabinet units.

Pinnacle Design is a local vendor in Saginaw Township and has been doing business in Saginaw and the surrounding area for over 35 years.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the General Fund - Offices of General Government - Office of Human Resources, Office Equipment Account No. 101-1725-981.000.

Council Action:

Motion to approve the recommendation of the City Manager.

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced March 18, 2019, entitled and reading as follows, be taken up and enacted:

O-_____

AN ORDINANCE TO AMEND §§151.001 THROUGH 151.116, OF CHAPTER 151, "HOUSING REGULATIONS," OF TITLE XV, "LAND USAGE," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

The City of Saginaw ordains:

Section 1. §§151.001 through 151.116 of Chapter 151, "Housing Regulations," of Title XV, "Land Usage," of the City of Saginaw Code of Ordinances, O-204, is hereby amended to read as follows:

CHAPTER 151: PROPERTY MAINTENANCE REGULATIONS

§151.001 TITLE.

This chapter shall be known as the "Property Maintenance Code of the City of Saginaw", may be cited as such, and will be referred to herein as "this chapter".

§151.002 PURPOSE.

The purpose of this chapter is to provide minimum standards to safeguard health, safety, property, and public welfare of the people of the city by regulating and controlling the use and occupancy, repair, alteration, maintenance, and operation of certain buildings, structures, and lots within the city; to provide for registration of non-owner-occupied residences and unoccupied properties; to determine responsibilities of owners and occupants of residences; and to provide for the administration and enforcement of this chapter and penalties for its violation.

§151.004 SCOPE.

(A) *Application.*

(1) The provisions of this chapter shall apply to all buildings or portions thereof used, designed, or intended to be used for human habitation and to accessory buildings and structures. These buildings may not be occupied if they are in violation of the requirements contained in this chapter. All non-owner-occupied residences and unsupervised properties shall be registered with the office of the City Clerk.

(2) Where any building or portion thereof is used or intended to be used as a combination apartment house and hotel, the provisions of this chapter shall apply to the separate portions as if they were separate buildings.

(B) *Alteration.* All alterations, enlargements, additions to, and/or relocations of existing buildings shall be in conformance with the provisions of this chapter and all other applicable laws or ordinances.

§151.110 FINDINGS AND PURPOSE.

- (A) Unsupervised properties have a negative impact on surrounding properties and neighborhoods. Owners of such properties should be held accountable for the condition of same, because properties which are not maintained constitute a hazard to the public health, safety, and welfare, create blight and nuisances, and lower property values and neighborhood integrity.
- (B) It is the purpose and intent of the city, through the adoption of this subchapter, to establish a non-owner occupied property registry and unoccupied property registry as a mechanism to protect residential neighborhoods and other areas from becoming blighted through the lack of adequate maintenance and security of such properties.

§151.111 DEFINITIONS.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CITY. The City of Saginaw.

CONTROLLER. The person under contract with the owner for the management and/or maintenance of the property or who is otherwise authorized by the owner to exercise any physical control over the property, including but not limited to any property management or property preservation company responsible for the maintenance and security of the property.

DRUG RELATED ACTIVITY. The illegal manufacture, sale, distribution, possession, or use of a controlled substance (as defined by Article 7, Controlled Substances, of Michigan’s Public Health Code, Public Act 368 of 1978, being M.C.L. §§ 333.7101 et seq.).

LOCAL AGENT. A Michigan-based person or business entity appointed in writing by the owner to be the contact person on behalf of the owner and/or controller with the city.

NON-OWNER OCCUPIED PROPERTY. Any dwelling, dormitory, dwelling unit, apartment house, or guest room in a lodging house, rooming house, bed and breakfast establishment, hotel or motel within the city which is occupied by someone other than the owner.

NUISANCE. A nuisance as defined by §94.001 of this code of ordinances.

OWNER. The person noted as the last owner of record (i.e. person holding legal title to the property) in the records of the City Assessor.

PERSON. An individual, firm, corporation, trust, estate, partnership, incorporated or unincorporated association, limited partnership, limited liability company, or any other legal entity.

QUALITY OF LIFE VIOLATION.

- (1) Occurs when the resident, any members of the resident's household or a guest or other person under the resident's control has been convicted of, defaulted on, or otherwise held responsible for, by or in a court of competent jurisdiction, a violation of any state law or local ordinance on the non-owner occupied property that involves:

- (a) Drug related activity,
 - (b) Prostitution,
 - (c) Criminal gang activity,
 - (d) Assaultive, threatening, or intimidating behavior (including but not limited to unlawful discharge of firearms),
 - (e) Malicious destruction of property, or
 - (f) Conduct that jeopardizes the health, safety, and/or welfare of others. "Conduct that jeopardizes the health, safety, and/or welfare of others" could include, but is not limited to, the following:
 - 1. Dangerous dog violation contrary to §§ 94.031 and 94.999 of this code of ordinances,
 - 2. Unlawful discharge of a firearm violation contrary to § 130.03(D) of this code of ordinances,
 - 3. Illegal business or occupation violation contrary to § 130.33 of this code of ordinances,
 - 4. Noise violation contrary to § 94.047 of this code of ordinances, and
 - 5. Violation of the maximum occupancy overcrowding, illegal use of space provisions of the city ordinance contrary to Chapter 153 of this code of ordinances.
- (2) A violation shall be deemed to have occurred in the vicinity of non-owner occupied property if it occurs in an adjacent common area or in the adjacent public right-of-way in front of the non-owner occupied property.

REPEATED QUALITY OF LIFE VIOLATIONS. Will be considered to be three quality of life violations by one or more tenants or their guests, with respect to any dwelling unit within any 12-month period.

UNOCCUPIED PROPERTY. Any improved property or lot that contains a vacant dwelling or other structure, and regardless of the zoning classification of such property.

§151.112 NON-OWNER OCCUPIED PROPERTY; PROHIBITED CONDUCT.

- (A) No owner or controller of non-owner occupied property shall allow it to be occupied by someone other than the owner without first registering the property with the Office of the City Clerk.
- (B) No owner or controller of non-owner occupied property shall allow occupancy of the property without first being in compliance with this subchapter.
- (C) No owner or controller of non-owner occupied property shall allow occupancy of the property without first paying any property taxes or other city debts, such as rubbish and water, due and owing on the property.
- (D) No owner or controller shall allow a non-owner occupied property to fall into a state of disrepair, to become in violation of applicable state statutes or city codes, or to otherwise become a nuisance or create a nuisance condition.
- (E) Once registered, no owner or controller shall allow non-owner occupied property to remain occupied if it is in a state of disrepair, in violation of applicable state statutes or city codes, or otherwise has become a nuisance condition or created a nuisance condition.

- (F) No owner or controller shall knowingly permit a resident to remain in occupancy of non-owner occupied property if that resident, members of the resident's household, or guests or other persons under the resident's control commit repeated quality of life violations.

§151.113 NON-OWNER OCCUPIED PROPERTY; REGISTRY.

- (A) To register non-owner occupied property, the owner or controller shall:
- (1) Complete and file with the City Clerk, in-person, a registration application for each non-owner occupied property, which shall state or have attached, as applicable:
 - (a) The name, date of birth, driver's license number, mailing address, telephone number, email address, and webpage address of the owner and of any controller of the property. If the owner of the property resides out-of-state, the applicant shall designate a local agent by name, mailing address, telephone number, email address, and webpage address.
 - (b) A copy of the written agreement appointing a local agent or controller for the owner.
 - (2) Pay in full the registration fees, as well as any applicable late fees, owed to the city for each non-owner occupied property.
 - (3) Provide a copy of a current certificate of compliance to the City Clerk, where such is required pursuant to §151.115.
 - (4) Pay in full any property taxes and other city debts due and owing on the property.
 - (5) Pay in full any fines that may be owed due to a violation of this subchapter.
 - (6) Agree to provide all residents a lease disclosure letter which provides information regarding frequently violated city regulations, including:
 - (a) The city's noise ordinance (as codified in §§ 94.045 through 94.047 of this code of ordinances.);
 - (b) The city's curfew for minors ordinance (as codified in §§ 130.50 through 130.54 of this code of ordinances);
 - (c) The city's disturb the peace of neighborhoods ordinance (as codified in § 130.32 of this code of ordinances);
 - (d) The city's property maintenance regulations (including §§ 151.097 and 151.098); and
 - (e) The city's parking regulations (including § 72.23 of this code of ordinances);
 - (7) Agree that each lease or rental agreement entered into for non-owner occupied property shall include the following addendum:

CRIME FREE LEASE ADDENDUM

In consideration of the execution or renewal of a lease of the dwelling unit identified in the lease, Owner and Resident agree as follows:

1. Resident, members of the resident's household, and a guest or other person under the resident's control shall not engage in criminal activity, or any act intended to facilitate criminal activity, including drug-related criminal activity, on or near said premises.

2. Resident and members of resident's household will not permit the dwelling unit to be used for, or facilitate criminal activity, including drug-related criminal activity, regardless of whether the individual engaging in such activity is a member of the household or a guest.

VIOLATION OF THE ABOVE PROVISIONS SHALL CONSTITUTE A QUALITY OF LIFE VIOLATION AND BE A MATERIAL AND IRREPARABLE VIOLATION OF THE LEASE AND GOOD CAUSE FOR IMMEDIATE TERMINATION OF THE TENANCY.

A single violation of any of the provisions of this addendum shall be deemed a serious violation and material and irreparable noncompliance with your lease.

In case of conflict between the provisions of this addendum and any other provisions of the lease, the provisions of this addendum shall govern.

This LEASE ADDENDUM is incorporated into the lease executed or renewed this day between Owner and Resident.

This LEASE ADDENDUM is not intended to diminish Resident's or broaden Owner's rights with regard to Michigan's laws pertaining to the recovery of possession of property.

- (B) Upon the City Clerk's receipt of the completed registration application and applicable fees, the City Clerk shall verify whether the property is eligible for registration and, if so, shall register the property.
- (1) If the property is not eligible for registration, the City Clerk shall inform the owner or controller of the deficiencies preventing registration, including what additional information, documentation, and/or fees are required.
- (C) After a non-owner occupied property has been registered, the owner or controller shall:
- (1) Notify the City Clerk in writing of any change in the information provided in the original registration application, including but not limited to a change in occupancy status or a change in contact information for the owner, controller, or local agent, within 30 days of the date of the change.
- (2) Cause the dwelling to be inspected by appropriate representatives of the city for compliance with this subchapter within 30 days of a new application for registration. Proof of such inspections must be provided to the City Clerk upon renewal of registration to document that the property remains in compliance with this subchapter.
- (3) If the non-owner occupied property has become ineligible for this registry, the City Clerk shall remove the property from the registry and shall provide the owner or controller with written notification of this action, the reason therefor, and shall inform the owner or controller of the deficiencies preventing continued registration, including what additional information, documentation, and/or fees are required.
- (D) An owner or controller of non-owner occupied property shall register the property with the City Clerk within 60 days of transfer of title to the property to the name of the new owner. If the title was transferred prior to the effective date of this subchapter, the owner or controller of the property shall register the property with the City Clerk no later than 60 days after the effective date of this subchapter.
- (E) Exceptions:
- (1) Owners or purchasers of structures which contain only one dwelling unit, with or without an accessory garage, carport or shed, and which contain no other occupancy, may occupy that dwelling unit themselves without registering the unit or paying a fee. The owner's immediate family, defined as the owner's spouse or significant other, children, and up to two grandparents, may also occupy that dwelling with the owner. All other requirements of this chapter shall apply in such instances.
- (2) Owners and controllers of property properly registered under this section who are actively advertising and holding the property out for rental and/or sale shall not be required to also register the property as unoccupied property under § 151.114. Evidence

of same, such as a copy of any advertisement or listing, shall be provided to the City Clerk.

§151.114 UNOCCUPIED PROPERTY REGISTRY.

- (A) The Office of the City Clerk shall maintain a registry of all unoccupied properties within the city.
- (B) An owner or controller of unoccupied property shall register the property with the City Clerk within 60 days of transfer of title to the property to the name of the new owner. If the title was transferred prior to the effective date of this subchapter, the owner or controller of the property shall register the property with the City Clerk no later than 60 days after the effective date of this subchapter.
- (C) To register unoccupied property, the owner or controller shall:
- (1) Complete and file with the City Clerk, in-person, a registration application for each unoccupied property, which shall state or have attached, as applicable:
 - (a) The name, date of birth, driver's license number, mailing address, telephone number, email address, and webpage address of the owner and of any controller of the property. If the owner of the property resides out-of-state, the applicant shall designate a local agent by name, mailing address, telephone number, email address, and webpage address.
 - (b) A copy of the written agreement appointing a local agent or controller for the owner.
 - (c) A statement describing the expected period of vacancy, a detailed plan for the regular maintenance of the property during the period of vacancy (for example, lawn maintenance and securing of any structures), and a timeline for the lawful re-occupancy of the property, the rehabilitation of the property, or the demolition of the dwelling and/or structure(s) on the property.
 - (2) Pay in full the registration fees, as well as any applicable late fees, owed to the city for each unoccupied property.
 - (3) Provide a copy of a current certificate of compliance to the City Clerk, where such is required pursuant to §151.115.
 - (4) Pay in full any property taxes and other city debts due and owing on the property.
- (D) Any change in the information provided in the registry, including but not limited to a change in ownership, change in vacancy status, or a change in contact information for the owner, controller, and/or local agent shall be provided in writing to the City Clerk within 30 days of the date of the change.
- (E) Unoccupied property may not be occupied until all outstanding taxes, costs, assessments, and/or liens owed to the city have been paid in full and a certificate of occupancy has been issued by the city.
- (F) Exceptions:
- (1) Unoccupied properties owned by governmental subdivisions/agencies need not be registered in accordance with this chapter.
 - (2) An owner or controller of unoccupied property shall be exempt from registration under this section for the first 12 months following the owner's purchase of the property so long as the owner is actively working to rehabilitate the property for use and occupancy. Such rehabilitation shall be evidenced by the owner or controller obtaining the necessary permits for structural, electrical, mechanical, or similar work. It shall be the responsibility

of the owner or controller to provide evidence supporting their right to this exemption from registration to the City Clerk.

§151.115 CERTIFICATES OF COMPLIANCE.

- (A) All owners/controllers of non-owner occupied property and unoccupied property containing a building or other structure that is more than one story and less than 10 feet from the city's right-of-way shall have all roof-mounted structures and every exterior wall of or part of the building's exterior, including connecting bridges, cornices, copings, eaves, bays, or similar projections, thoroughly inspected and examined by competent professionals, at their own expense, at intervals not to exceed 5 years and shall furnish the city's Chief Inspector with a written report setting forth the true condition of the structure inspected. The Chief Inspector shall be notified in advance of such an inspection of an existing building and may have an authorized designee present. Where conditions of a structure or wall cannot be determined by inspection of the exterior of the structure or wall, the Chief Inspector, or his or her designee, may require portions thereof to be removed for a more thorough examination.
- (1) A competent professional shall be defined as a licensed architect, structural engineer, or other professional deemed acceptable by the city's Chief Inspector.
- (B) Upon successful completion of such inspection, a certificate of compliance shall be issued by the Chief Inspector, or his or her designee. With regard to unoccupied property, the certificate of compliance shall be posted in a conspicuous place within the building or structure and readily available for inspection. Certificates of compliance for non-owner occupied property shall be maintained by the owner/controller and made available upon request by the Chief Inspector, or his or her designee, or by any current or prospective tenant.
- (C) It shall be unlawful to occupy or use a building, premises, or structure required to have a certificate of compliance under this section, or cause same to be occupied, without the required certificate of compliance for the building, premises, or structure.
- (D) Upon a finding that the building, premises, or structure is unsatisfactory for human habitation or is otherwise structurally unsound, the Chief Inspector may deem such property to be a nuisance and order such building, premises, or structure vacated, as well as issue a written order to repair/correct.

§151.116 VIOLATION; ABATEMENT.

- (A) Except as otherwise stated, violations of this chapter shall be treated as strict liability offenses regardless of intent.
- (B) An owner or controller of non-owner occupied property or unoccupied property that is found to be in violation of any article of this chapter shall be responsible for a municipal civil infraction as set forth in Ch. 37 of this code of ordinances.
- (C)
- (1) Properties subject to this subchapter shall at all times be kept free of weeds, dry brush, dead vegetation, trash, junk, building materials, and the accumulation of other debris and shall otherwise comply with the city property maintenance code. Additionally, the property shall be maintained free of graffiti, tagging, and similar markings. Yards shall be landscaped and maintained pursuant to this subchapter.

- (2) If the property has not been maintained, the city may maintain the property and assess costs to the owner or controller. Such assessments may become a lien against the property.
- (D)
- (1) Properties subject to this subchapter shall at all times be maintained in a secure manner so as not to be accessible by unauthorized persons. The city shall have the authority to require the owner or controller to implement additional maintenance and/or security measures as deemed necessary.
- (2) If a property has not been secured, the city may secure the property and assess costs to the owner or controller. Such assessments may become a lien against the property.
- (E)
- (1) Failure to properly maintain or secure either non-owner occupied property or unoccupied property will be deemed a nuisance for which the city may issue a written notice to correct. The city may abate any such nuisance upon the failure of the owner or controller of the property to take abatement action within ten days of the written notice to correct. When the city has abated such a nuisance, the cost of the abatement, including any applicable administrative charges, will be billed to the owner of the property. Such billing shall be a personal debt of the owner to the city, which may be collected as other personal debts, as enforcement costs or by restitution orders as allowed by law, or which may be assessed as a lien against the property, including interest thereon, until paid.
- (2) The owner of the property where such a nuisance exists is also responsible for a Class D municipal civil infraction as set forth in § 94.002 of this code of ordinances.
- (F) On each occasion that a resident in a non-owner occupied property, any members of the resident's household, or a guest or other person under the resident's control commits a quality of life violation, the City Manager or designee shall send notice of such violation to the owner or controller. Upon the occurrence and notice of three quality of life violations by a resident, any members of the resident's household or a guest or other person under the resident's control, with respect to any non-owner occupied property within any 12-month period, the non-owner occupied property will be deemed a nuisance. An unsuccessful good faith attempt to evict the offending resident, after commission of two quality of life violations, shall constitute an absolute defense. It is not a violation if the owner or controller reported the violation.
- (1) The owner of the property where such nuisance exists is responsible for a Class F municipal civil infraction, subject to payment of a civil fine as set forth in § 37.07, plus costs and other sanctions for each infraction. Repeat offenses shall be subject to increased fines as provided by § 37.07.

§151.117 FEES.

- (A) Fees for each registry shall be established by City Council and posted in the Office of the City Clerk.
- (B)
- (1) All registrations for non-owner occupied property shall be due on March 15 of each year.
- (2) For the period from the effective date of this section to March 15, 2014 all properties with a valid registration shall continue to be registered until March 15, 2014. Registrations shall all expire on March 15 of each year regardless of application date. If March 15

should fall on a holiday or weekend the fee shall be due on the next regular business day.

- (C) All registrations for unoccupied property shall be due on December 30 of each year.
- (1) All unoccupied properties must be registered within 60 days of the enactment of this subchapter. For the period from the effective date of this section to December 30, 2013, the annual registration fee shall be reduced by 50%.
 - (2) Registrations shall expire on December 30 of each year regardless of application date. If December 30 should fall on a holiday or weekend the fee shall be due on the next regular business day.
- (D) An additional late charge of 100% of the base fee shall apply and be assessed in the event of any of the following:
- (1) Failure to register unoccupied property within 60 days of the enactment of this subchapter.
 - (2) Failure to register a non-owner occupied or unoccupied property within 15 days of date of written notice from the city that the property is in violation of this subchapter.
 - (3) Failure to pay the registration renewal fee by the required date each year.
 - (4) Failure to register a non-owner occupied or unoccupied property within 60 days of transfer of title in the property.
 - (5) Failure to provide the City Clerk the required notice of any change in the information provided in the registry, including but not limited to a change in vacancy status or a change in contact information for the owner and/or controller within 30 days of the date of the change.
- (E) Failure to pay any applicable fees or late fees shall be deemed a personal debt of the owner to the city, which may be collected as other personal debts, as enforcement costs or by restitution orders as allowed by law, or assessed as a lien against the property, including interest thereon, until paid.

This ordinance shall become effective April 11, 2019.

Enacted: April 1, 2019.

Yeas:

Nays:

Absent:

Abstain:

ORDINANCE DECLARED ADOPTED

Floyd Kloc
Mayor

Janet Santos, MMC
City Clerk

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 April 1, 2019; 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, MMC
City Clerk

From: Timothy Morales, City Manager
Subject: Public Employee Health Care Fund Investment Policy
Prepared by: Lori Brown, Finance Director

Manager's Recommendation:

It is recommended that the City adopt a resolution establishing a public employee health care fund investment policy.

Justification:

City Council approved a public employee health care fund on June 19, 2006 to fund healthcare benefits to retirees. The 2006 resolution approving the fund met the requirements of the Public Employee Health Care Fund Investment Act, PA 149 of 1999 to establish the account and to establish the investment fiduciaries, being the Finance Director, Treasurer and Deputy Treasurer.

The act further requires compliance with Section 13 of the Public Retirement System Investment Act, being Public Act 314 and adoption of an investment policy that provides terms, conditions, and limitations for the investment of those funds by the authorized investment fiduciaries.

Approval of the resolution ensures the City is in compliance with section 13 of the Public Retirement System Investment Act and demonstrates the City's continued intent to be transparent and fiscally responsible.

Council Action:

This Council Communication is for informational purposes of the resolution to be adopted.

ESTABLISHING PUBLIC EMPLOYEE HEATH CARE FUND INVESTMENT POLICY

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

WHEREAS: City Council established a Public Employee Heath Care Fund (“Fund”) to fund retiree healthcare benefits on June 19, 2006, as authorized under the Public Employee Health Care Fund Investment Act, PA 149 of 1999; and

WHEREAS: the June 19, 2006 resolution also established the authorized fiduciaries of the Fund as the Finance Director, Treasurer and Deputy Treasury; and

WHEREAS: the Public Employee Health Care Fund Investment Act also requires the adoption of an investment policy that complies with Section 13 of the Public Retirement System Act, Public Act 314 of 1965; and

WHEREAS: Section 13 of the Public Retirement System Investment Act requires adoption of an investment policy that outlines how funds may be invested, reinvested, held in nominee form and managed by approved fiduciaries.

NOW THEREFORE BE IT RESOLVED, that the City of Saginaw hereby adopts and approves the Public Employee Health Care Fund Investment Policy.

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 April 1, 2019; 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, MMC
City Clerk

TO IMPLEMENT AN OUTDOOR FITNESS COURT ON CELEBRATION SQUARE

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

WHEREAS: the City of Saginaw has submitted a Grant Application to National Fitness Campaign for the construction of an outdoor Fitness Court®, which is free for public use; and

WHEREAS: the City of Saginaw will accept a \$30,000 National Grant from National Fitness Campaign to promote and implement an outdoor Fitness Court®; and

WHEREAS: the City of Saginaw will make its best effort to secure funding, which will be available and committed to this program including partnerships between the Saginaw County Parks and Recreation, Saginaw Community Foundation, National Fitness Campaign, and community sponsors to construct and maintain the outdoor Fitness Court®; and

WHEREAS: upon securing funding, the City of Saginaw will commit to construction and launch of the outdoor Fitness Court® by the end of the 2019 calendar year; and

WHEREAS: the City of Saginaw believes the outdoor Fitness Court® is an important recreation facility to support the health of the community by making “world-class” fitness free in Celebration Square to fund an outdoor bodyweight circuit training Fitness Court®, and to earn local and national recognition as a leader in providing affordable health and wellness.

NOW, THEREFORE, BE IT RESOLVED, that the City of Saginaw will collaborate with National Fitness Campaign to implement the construction of an outdoor Fitness Court® and make fitness free to community residents and visitors.

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 April 1, 2019; 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, MMC
City Clerk