

Council Agenda

June 6, 2016 6:30 p.m.

Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

(A list will be provided following submittal deadline.)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

Management Update:

CONSENT AGENDA:

1. Approve the May 16, 2016 special meeting minutes and the May 23, 2016 regular council meeting minutes.
2. Approve Petition 16-11 from Saginaw Area Fireworks Committee to display fireworks at the north end of Ojibway Island on Monday, July 4, 2016 at 10:15 p.m., or as an alternate rain date, on Tuesday, July 5, 2016 at 10:15 p.m.
3. Approve the Interlocal Agreement with Saginaw County for administration of the Byrne Justice Assistance Grant – 2016 in the amount of \$40,889.
4. Approve the Municipal Employees' Retirement System Hybrid Plan Adoption Agreements and the MERS Hybrid Conversion Addendum for the American Federation of State, County, and Municipal Employees personnel.
5. Approve the Municipal Employees' Retirement System Hybrid Plan Adoption Agreements and the MERS Hybrid Conversion Addendum for the Service Employees International Union personnel.
6. Approve the Municipal Employees' Retirement System Hybrid Plan Adoption Agreements and the MERS Hybrid Conversion Addendum for Non-Union personnel.
7. Approve purchase orders to Airgas for \$2,200 for FY 2016 for 3 Level "A" hazardous materials suits and for \$3,700 for FY 2017 for 5 Level "A" hazardous materials suits for the Fire Department.
8. Approve a purchase order to Nye Uniform Company for \$19,555.38 for FY 2017 for uniforms for the Fire Department; and pending approval of the FY 2018 and FY 2019 budgets, approve a purchase order to Nye Uniform Company for \$19,555.38 each year for the same services.

Council Agenda

June 6, 2016 6:30 p.m.

Council Chamber

9. Approve a purchase order to Ad-Wear & Specialty for \$1,300.24 for FY 2017 for t-shirts for the Fire Department; and pending approval of the FY 2018 and FY 2019 budgets, approve a purchase order to Ad-Wear & Specialty for \$1,300.24 each year for the same services.
10. Approve a purchase order to Ace-Saginaw Paving Company for \$344,000 for hot and cold asphalt for the Maintenance and Services Division for FY 2017; and pending approval of the FY 2018 budget, accept the bid from Ace-Saginaw Paving Company for \$344,000 for hot and cold asphalt for FY 2018.
11. Approve a purchase order to Sabiston Builder's Supply, Inc. for \$6,790 for Portland Cement for the Maintenance and Service Division for FY 2017.
12. Approve a purchase order to Michigan Pipe and Valve for \$26,640 for the annual supply of Ductile Iron water main and water main fittings for the construction and maintenance of the Water Distribution and Transmission System for the Maintenance and Service Division for FY 2017.
13. Approve the reconstruction contract agreement with Rohde Brothers Excavating, Inc. for \$1,323,218 for the FY 2016 Lapeer Avenue CDBG Rehabilitation Project.
14. Approve purchase orders to Bay Aggregate for \$1,850 for FY 2016 and for \$9,250 for FY 2017 for crushed washed stone for the Durapatch machine for the Streets Section of the Right of Way Division.
15. Approve a purchase order to Eggers Excavating for \$34,125 for 3,250 tons of 23A graduated crushed concrete aggregate to be used on the roadways at the three municipal cemeteries.
16. Approve a purchase order to Waste Management for \$12,124.80 for trash containers and trash disposal at the City's Convenience Station for FY 2017; and pending approval of the FY 2018 budget, approve a purchase order to Waste Management for \$12,369.60 for trash containers and trash disposal at the City's Convenience Station for FY 2018.
17. Approve a purchase order to Because Water Benefit Corporation for \$4,350 for six Hands Free Bottle-Filling Drinking Fountains for use at various City facilities.
18. Approve to increase purchase order no. 497098 to Ace-Saginaw Paving Company by \$60,000, for a new total of \$143,000, to purchase hot and cold asphalt for the Right of Way Division.
19. Approve to increase purchase order no. 498679 to Home Depot, Inc. by \$1,305.75, for a new total of \$7,396.65, for additional LED light fixture tubes to be used in City Hall corridors.
20. Approve a purchase order to Waste Management of Michigan, Inc. for \$129,675 for the hauling and disposal of street sweeping debris for FY 2017; and pending approval of the FY 2018 budget, accept the bid from Waste Management for \$132,275 for the same services for FY 2018.

Council Agenda

June 6, 2016 6:30 p.m.

Council Chamber

21. Approve purchase orders to Bit-Mat Products of Michigan for \$5,250 for FY 2016 and for \$26,250 for FY 2017 for anionic emulsified asphalt for the Streets Section of the Right of Way Division.
22. Approve a blanket purchase order to Carrier & Gable, Inc. for \$6,000 for repair costs of traffic signal equipment for the Right of Way Division for FY 2017.
23. Approve blanket purchase orders to Marshall E. Campbell Company and Standard Electric Company for \$4,000 each for electrical parts and supplies for the Traffic Maintenance Section of the Right of Way Division for FY 2017.
24. Approve the Resolution authorizing the use of amplifying equipment at the "Great Purpose Streetball Championship" event at Lawrence McKinney/Veteran's Memorial Park on August 20 - 21, 2016 from 8:00 a.m. to 7:00 p.m.
25. Approve the Resolution authorizing the consumption of alcoholic beverages at the Children's Zoo at Celebration Square during the 55th Anniversary Celebration of the Sister City Relationship with Tokushima, Japan on July 23, 2016 from 5:00 p.m. to 8:00 p.m.
26. Approve a purchase order to Polydyne, Inc. for \$9,400 for 20,000 lbs. of Liquid PolyDMAAC for the Water Treatment Division for FY 2017.
27. Approve a purchase order to PVS Technologies, Inc. for \$89,500 for 250 tons of Ferric Chloride for the Water Treatment Division for FY 2017.
28. Approve a purchase order to HD Supply Facilities Maintenance, d/b/a USABlueBook, for \$2,812.32 for a reagent distribution plan for the Water Treatment Division for FY 2017.
29. Approve a purchase order to Univar USA, Inc. for \$71,460 for 180 tons of Hydrofluorosilicic Acid for the Water Treatment Division for FY 2017.
30. Approve a purchase order to Eurofins Eaton Analytical, Inc. for \$9,100 for laboratory analysis for the Water Treatment Division for FY 2017.
31. Approve separate purchase orders to JCI Jones Chemicals, Inc. in the amount of \$65,450 for 85,000 gallons of Sodium Hypochlorite for the Water Treatment Division and for \$134,750 for 175,000 gallons of Sodium Hypochlorite for the Remote Facilities Division for FY 2017.
32. Approve the blanket purchase orders to various vendors for various parts and supplies needed to operate and maintain the Wastewater Treatment and Remote Facilities Divisions for FY 2017.
33. Approve a purchase order to JCI Jones Chemical Corporation for \$17,262 for sixty tons of chlorine for the Wastewater Treatment Division for FY 2017.

Council Agenda

June 6, 2016 6:30 p.m.

Council Chamber

34. Approve a purchase order to Norkan, Inc. for \$3,585 for the annual purchase of Devtar Epoxy Coating for the Wastewater Treatment Division for FY 2017; and pending approval of the FY 2018 budget, approve the bid from Norkan, Inc. for \$3,585 for these same products for FY 2018.
35. Approve a purchase order to Trace Analytical Laboratories (TAL) for \$42,238 for FY 2017 for outside lab analysis for the Wastewater Treatment Division; and pending the approval of the FY2018 and FY2019 budgets, approve the bid from TAL for \$44,750.35 for FY 2018 and \$46,465.90 for FY 2019 for the same services.
36. Approve a purchase order to George Instrument Co. for \$5,925 for five radar level detection units for chlorine tank level monitoring for the Remote Facilities Division.
37. Approve the contract and issue a purchase order to Lois Kay Contracting, Inc. for \$487,439.47 for the Federal, Franklin, Baum Street Improvements (C-1631).

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 §151.110 "Scope," §151.111 "General Provisions," §151.113 "Commencement of Proceedings," §151.114 "Notice and Order to Show Cause," §151.115 "Posting of Signs," §151.116 "Hearing Officer; Hearing; Testimony; Order; Non-Appearance or Non-Compliance; Costs," §151.117 "Housing Board of Appeals/Demolition/Repair; Costs/Lein on Property," §151.118 "Judicial Review," §151.119 "Waiver Provision," §151.120 "Emergency Cases," §151.121 "Penalties," And §151.134 "Appeals Procedure," of Chapter 151 "Housing Regulations," Title XV "Land Usage," of the City of Saginaw Code of Ordinances, O-1.

RESOLUTIONS:

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

ADJOURN:

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 SPECIAL MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, MAY 16, 2016, AT 5:00 P.M. IN THE COUNCIL CHAMBER AT CITY HALL, 1315 SOUTH WASHINGTON AVENUE, SAGINAW, MICHIGAN.

PRAYER AND PLEDGE OF ALLEGIANCE

Council Member Fitzpatrick offered a prayer, and the pledge of allegiance of the United States of America.

ROLL CALL

Mayor Browning called the meeting to order. Council Members present: Dan Fitzpatrick, Demond Tibbs, Annie Boensch, Mayor Pro Tem Floyd Kloc, Larry Coulouris, Brenda Moore, Michael Balls, and Mayor Dennis Browning: 8. Council Members absent: None: 0.

Moved by Council Member Boensch, seconded by Council Member Tibbs to suspend the Council Rules of Order. 8 ayes, 0 nays, 0 absent. Motion approved.

REPORTS FROM CITY MANAGER

City Manager Tim Morales discussed the Fiscal Year 2016-2017 Budget preparation process and highlighted changes that result in cost savings with increased efficiency in daily operations.

Manager Morales introduced Bryan Weiss, Budget Analyst for the Office of Management and Budget (OMB). Mr. Weiss presented Fiscal Year 2016-2017 Proposed Budget details for the Enterprise Funds.

Mr. Weiss introduced Kim Mason, Director of Water and Wastewater Services. Ms. Mason presented the Fiscal Year 2016-2017 Proposed Budget details for the Sewer and Water Funds. Mr. Weiss continued the Fiscal Year 2016-2017 Proposed Budget presentation with Internal Revenue Funds. Mr. Weiss introduced Chas Bruske, OMB Intern. Mr. Bruske presented the Fiscal Year 2016-2017 Proposed Budget for the Fiduciary Funds.

City Manager Morales informed Council that the Strategic Planning Session this fall will include the review of current and future grants, and projects.

Council Member Boensch left the meeting at 6:38 p.m. and returned at 6:42 p.m.

Manager Morales introduced Beth Church, Assistant Director of Human Resources. Ms. Church presented the Personnel Complement changes for Fiscal Year 2016-2017.

Council Member Balls left the meeting at 7:14 p.m. and returned at 7:16 p.m.

PERSONAL APPEARANCES

Council consented to allow Personal Appearances at this time. Johnny Sanders addressed the City Council.

PUBLIC HEARINGS

City Clerk Janet Santos announced the public hearing regarding the Fiscal Year 2016-2017 Proposed Budget and Property Tax Millage. Mayor Browning called for comments three times. No comments were presented.

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

Clerk Santos announced the public hearing regarding the Special Assessment District for a Police and Fire Millage for Fiscal Year 2016-2017. Mayor Browning called for comments three times. No comments were presented.

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

REMARKS OF COUNCIL

Moved by Mayor Pro Tem Kloc, seconded by Council Member Moore to waive the Remarks of Council. Mayor Browning asked Clerk Santos to conduct a roll call vote.

Ayes: Fitzpatrick, Tibbs, Boensch, Mayor Pro Tem Kloc, Coulouris, Moore,
Mayor Browning

Nays: Balls

Absent: None

Abstain: None

Motion approved.

ADJOURNMENT

Moved by Mayor Pro Tem Kloc, seconded by Council Member Boensch to adjourn the meeting at 7:22 p.m. 8 ayes, 0 nays, 0 absent. Motion approved.

Janet Santos, CMMC/CMC/MMC
City Clerk

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, MAY 23, 2016, AT 6:30 P.M. IN THE COUNCIL CHAMBER AT CITY HALL, 1315 SOUTH WASHINGTON AVENUE, SAGINAW, MICHIGAN.

PRAYER AND PLEDGE OF ALLEGIANCE

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

ROLL CALL

Mayor Browning called the meeting to order. Council Members present: Dan Fitzpatrick, Demond Tibbs, Annie Boensch, Mayor Pro Tem Floyd Kloc, Brenda Moore, Michael Balls, and Mayor Dennis Browning: 7. Council Members absent: Larry Coulouris: 1.

ANNOUNCEMENTS

City Clerk Janet Santos announced that City Hall will be closed on Monday, May 30, 2016 for the Memorial Day Holiday.

Clerk Santos administered the official oath of office to appointed City Council Member Clint Bryant. Council Member Bryant took his seat at the Council table.

Mayor Browning presented a proclamation designating May 25, 2016 as Theodore Roethke Day to Annie Ransford, Friends of Theodore Roethke Committee.

PUBLIC HEARINGS

City Clerk Janet Santos announced the public hearing regarding an Obsolete Property Rehabilitation Act (OPRA) Certificate at 100 S. Hamilton Street. Mayor Browning called for comments. Tom Miller, Jr. of Saginaw Future spoke in favor of OPRA's and this project. Kevin Camese, Hall Commercial representative, spoke in favor of the request and shared details of the project. Mayor Browning called for public comments two more times. No additional comments were presented.

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

City Clerk Janet Santos announced the public hearing regarding an Obsolete Property Rehabilitation Act Certificate at 301 Court Street. Mayor Browning called for comments three times. No comments were presented.

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

City Clerk Janet Santos announced the public hearing regarding an Obsolete Property Rehabilitation Act Certificate at 311 Court Street. Mayor Browning called for comments three times. No comments were presented.

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

City Clerk Janet Santos announced the public hearing regarding an Obsolete Property Rehabilitation Act Certificate at 315 Court Street. Mayor Browning called for comments

three times. No comments were presented.

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

PERSONAL APPEARANCES

Tom Schwannecke addressed the City Council.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Moore, Mayor Pro Tem Kloc, Boensch, Tibbs, Fitzpatrick, Bryant, Balls, and Mayor Browning.

REPORTS FROM CITY MANAGER

City Manager Tim Morales introduced Kathryn Burkholder. Ms. Burkholder presented and update regarding the Consumers Energy's Automatic Meter Reading Program and the installation process.

Council Member Fitzpatrick left the meeting at 7:48 p.m. and returned at 7:52 p.m.

Manager Morales provided informational updates on meetings and departmental projects. Manager Morales presented information for Consent Agenda Item #6 regarding the Cemetery Capital Improvement Fund project and the Agreement with the Saginaw Community Foundation (SCF). His presentation included details of three separate project phases, and seeking funding opportunities with the assistance of the SCF.

CONSENT AGENDA:

1. Approve the May 9, 2016 Committee of the Whole and Regular council meeting minutes, and the May 10, 2016 Committee of the Whole and Special meeting minutes.
2. Approve the changes to the Fiscal Year 2016–2017 Personnel Complement.
3. Approve the Agreement with Michigan Business Consultants and a purchase order for \$16,875 to provide "Respectful Workplace Training" for all City employees.
4. Approve to increase a blanket purchase order to Apollo Fire Apparatus by \$15,000, for a new total of \$42,500, for preventive maintenance and emergency repairs to the Fire Department's six pumpers and two aerial apparatus for FY 2016.
5. Approve the annual purchase orders to Warwick cleaners for \$9,000 for dry cleaning services for the Police Department, and for \$3,200 for dry cleaning services for the Saginaw Fire Department.
6. Approve the Fiscal Sponsorship Agreement with Saginaw Community Foundation for services provided for a Cemetery Capital Improvement Fund for a term to expire June 30, 2021.

7. Approve the Agreement with Saginaw Future Inc., for economic development and job creation/retention services, in the amount of \$102,500 per year, for a five year term.
8. Approve a purchase order to Garpiel Group for \$41,350 for landscaping services and associated restoration work at the Japanese Tea House and Cultural Center.
9. Approve a purchase order to Spartan Pools, Inc. for \$3,144.68 for the Andersen Enrichment Center Fountain Pump Replacement.
10. Approve the Resolution authorizing the sale and consumption of alcoholic beverages during the "BASH" event on Hamilton Street between Court Street and Lyon Street on August 12 –14, 2016.
11. Approve the Resolution authorizing the use of amplifying equipment during the "BASH" event on Hamilton Street between Court Street and Lyon Street for the times and dates specified in the resolution.
12. Approve a purchase order to Ace Cutting Equipment and Supply, Inc., a sole source, for \$8,489.26 for a Minnich A-1 30 inch concrete air drill and accessories for the Maintenance and Service Division.
13. Approve the Grass Cutting Services Agreement with the Saginaw County Land Bank Authority for \$65,000 from May 24, 2016 through October 31, 2016, and approve a budget adjustment for FY 2016 to recognize these funds.
14. Approve a purchase order to CEI-Carbon Enterprises, Inc. in an amount not to exceed \$6,000 for 90,000 pounds of Granular Filter Media – Silica Sand for the Water Treatment Division for FY 2016.
15. Approve ratification of purchase order #498605 to Central Metallizing for \$6,500 for emergency repairs on high service pump #1 for the Water Treatment Division.

Moved by Council Member Boensch, seconded by Council Member Fitzpatrick to approved consent agenda items 1 through 7, and 9 through 15, as presented. 8 ayes, 0 nays, 0 absent. Motion approved.

Moved by Mayor Browning, seconded by Mayor Pro Tem Kloc to approved consent agenda item 8 as presented. 8 ayes, 0 nays, 0 absent. Motion approved.

REPORTS FROM BOARDS; COMMISSIONS AND COMMITTEES, AND
APPOINTMENT OF BOARD AND COMMISSION MEMBERS

Moved by Council Member Balls, seconded by Council Member Moore to approve the following:

- Council reappointment of Kevin Rooker to the Historic District Commission with a term to expire July 30, 2019.
- Council appointment of Dennis Browning to the Saginaw Transit Authority Regional Services with a term to expire September 26, 2018.
- Council appointment of Diane Makl to the Income Tax Board of Review for an indefinite term.

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

INTRODUCTION OF ORDINANCES

Moved by Council Member Boensch, seconded by Council Member Moore to introduce an Ordinance to amend §151.110 "Scope," §151.111 "General Provisions," §151.113 "Commencement of Proceedings," §151.114 "Notice and Order to Show Cause," §151.115 "Posting of Signs," §151.116 "Hearing Officer; Hearing; Testimony; Order; Non-Appearance or Non-Compliance; Costs," §151.117 "Housing Board of Appeals/Demolition/Repair; Costs/Lien on Property," §151.118 "Judicial Review," §151.119 "Waiver Provision," §151.120 "Emergency Cases," §151.121 "Penalties," And §151.134 "Appeals Procedure," of Chapter 151 "Housing Regulations," Title XV "Land Usage," of the City of Saginaw Code of Ordinances, O-1. 8 ayes, 0 nays, 0 absent. Motion approved.

CONSIDERATION AND PASSING OF ORDINANCES

Moved by Council Member Boensch, seconded by Council Member Fitzpatrick to adopt the ordinance to amend §92.15, "Fire Cost Reimbursement," of Chapter 92, "Fire Protection And Public Safety," of Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, O-1. 8 ayes, 0 nays, 0 absent. Motion approved.

Moved by Council Member Boensch, seconded by Council Member Fitzpatrick to adopt the ordinance to amend the official city map to vacate Federal Avenue from the east line of Water Street to the west line of South Washington Avenue in the City Of Saginaw. 8 ayes, 0 nays, 0 absent. Motion approved.

Moved by Council Member Boensch, second by Council Member Balls to adopt the ordinance to amend the official city map to vacate an alley running north and south through the center of Block 33 of Saginaw Improvement Company's Addition B in the City of Saginaw. 8 ayes, 0 nays, 0 absent. Motion approved.

RESOLUTIONS

Moved by Mayor Pro Tem Kloc, seconded by Council Member Fitzpatrick to adopt the resolution approving the FY 2016-2017 Budget. 8 ayes, 0 nays, 0 absent. Motion approved.

Moved by Mayor Pro Tem Kloc, seconded by Council Member Boensch to adopt the resolution approving the amount for the FY 2016-2017 Public Safety Millage. 8 ayes, 0 nays, 0 absent. Motion approved.

Moved by Mayor Pro Tem Kloc, seconded by Council Member Moore to adopt the Resolution authorizing an Obsolete Property Rehabilitation Certificate at 100 S. Hamilton Street. 8 ayes, 0 nays, 0 absent. Motion approved.

Moved by Mayor Pro Tem Kloc, seconded by Council Member Fitzpatrick to adopt the Resolution authorizing an Obsolete Property Rehabilitation Certificate at 301 Court Street. 8 ayes, 0 nays, 0 absent. Motion approved.

Moved by Mayor Pro Tem Kloc, seconded by Council Member Fitzpatrick to adopt the Resolution authorizing an Obsolete Property Rehabilitation Certificate at 311 Court Street. 8 ayes, 0 nays, 0 absent. Motion approved.

Moved by Mayor Pro Tem Kloc, seconded by Council Member Boensch to adopt the Resolution authorizing an Obsolete Property Rehabilitation Certificate at 315 Court Street. 8 ayes, 0 nays, 0 absent. Motion approved.

ADJOURNMENT

Moved by Council Member Boensch, seconded by Council Member Moore to adjourn the meeting at 8:02 p.m. 8 ayes, 0 nays, 0 absent. Motion approved.

Janet Santos, CMMC/CMC/MMC
City Clerk

2016 Application for Fireworks Other Than Consumer or Low Impact

FOR USE BY LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD ONLY
 DATE PERMIT(S) EXPIRE:
 RECEIVED
 CITY CLERK
 CITY OF SAGINAW
 MAY 31 2016

Authority: 2011 PA 256
 The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.

#110-11

TYPE OF PERMIT(S) (Select all applicable boxes)

Agricultural or Wildlife Fireworks Articles Pyrotechnic Display Fireworks
 Public Display Private Display
 Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes

NAME OF APPLICANT: Wolverine Fireworks Display, Inc. ADDRESS OF APPLICANT: 205 W. Seidlers Rd., Kawkawlin, MI 48631 AGE OF APPLICANT 18 YEARS OR OLDER: YES NO

NAME OF PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER: James Lambert ADDRESS PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER: Same

IF A NON-RESIDENT APPLICANT (LIST NAME OF MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT): ADDRESS (MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT): TELEPHONE NUMBER: 989-662-0121

NAME OF PYROTECHNIC OPERATOR: Shawn Kosecki ADDRESS OF PYROTECHNIC OPERATOR: 1870 8 Mile Rd., Kawkawlin, MI 48631 AGE OF PYROTECHNIC OPERATOR 18 YEARS OR OLDER: YES NO

NO. YEARS EXPERIENCE: 10+ NO. DISPLAYS: 250+ WHERE: Throughout MI, OH, IA, WI and NM.

NAME OF ASSISTANT: John Campau ADDRESS OF ASSISTANT: 302 N. 7 Mile Rd., Kawkawlin, MI 48631 AGE OF ASSISTANT 18 YEARS OR OLDER: YES NO

NAME OF OTHER ASSISTANT: Aaron Anderson ADDRESS OF OTHER ASSISTANT: 2652 N. Peterson Beach Dr. Pinconning, MI 48650 AGE OF OTHER ASSISTANT 18 YEARS OR OLDER: YES NO

EXACT LOCATION OF PROPOSED DISPLAY: Ojibway Island and Holland Ave Bridge, Saginaw, MI

DATE OF PROPOSED DISPLAY: 7/4/16 RD 7/5/16 TIME OF PROPOSED DISPLAY: Dusk

MANNER AND PLACE OF STORAGE, SUBJECT TO APPROVAL OF LOCAL FIRE AUTHORITIES, IN ACCORDANCE WITH NFPA 1123, 1124 & 1126 AND OTHER STATE OR FEDERAL REGULATIONS. PROVIDE PROOF OF PROPER LICENSING OR PERMITTING BY STATE OR FEDERAL GOVERNMENT

Fireworks will be locked inside of a temporary type 4 storage magazine. Fireworks will arrive 7/1/16.

AMOUNT OF BOND OR INSURANCE (TO BE SET BY LOCAL GOVERNMENT): \$10,000,000 NAME OF BONDING CORPORATION OR INSURANCE COMPANY: The Partners Group Ltd.

ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY: 11225 SE 6th St., Suite 110, Bellevue, WA 98004

NUMBER OF FIREWORKS	KIND OF FIREWORKS TO BE DISPLAYED (Please provide additional pages as needed)
	See attached proposal

SIGNATURE OF APPLICANT: *Jennifer Campau* DATE: May 27, 2016

2016 Permit for Fireworks Other than Consumer or Low Impact

Authority: 2011 PA 256	The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.
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This permit is not transferable. Possession of this permit authorizes the herein named person to possess, transport and display fireworks in the amounts, for the purpose of and at the place listed below only through permit expiration date.

TYPE OF PERMIT(S) (Select all applicable boxes) <input type="checkbox"/> Agricultural or Wildlife Fireworks <input type="checkbox"/> Articles Pyrotechnic <input checked="" type="checkbox"/> Display Fireworks <input type="checkbox"/> Public Display <input type="checkbox"/> Private Display <input type="checkbox"/> Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes	FOR USE BY LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD ONLY. PERMIT(S) EXPIRATION DATE (ENTER DATE OF EXPIRATION)
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NAME OF PERSON PERMIT ISSUED TO Wolverine Fireworks Display, Inc.	AGE (18 YEARS OR OLDER) <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
--	--

ADDRESS OF PERSON PERMIT ISSUED TO 205 W. Seidlers Rd., Kawkawlin, MI 48631
--

NAME OF ORGANIZATION, GROUP, FIRM OR CORPORATION Saginaw Area Fireworks, Inc

ADDRESS PO Box 1923, Saginaw, MI 48605

NUMBER AND TYPES OF FIREWORKS (Please attach additional pages if necessary) <p style="text-align: center;">See List of Fireworks</p>

EXACT LOCATION OF DISPLAY OR USE Ojibway Island, Saginaw, MI

CITY, VILLAGE, TOWNSHIP Saginaw	DATE 7/4/16 RD 7/5/16	TIME Dusk
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BOND OR INSURANCE FILED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	AMOUNT \$10,000,000
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Issued by action of the Legislative Body of a <input type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> Township of _____ on the _____ day of _____ <div style="text-align: center; border-top: 1px solid black; padding-top: 5px;"> (Signature and Title of Legislative Body Representative) </div>
--

THIS FORM IS VALID UNTIL THE DATE OF EXPIRATION OF PERMIT



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/10/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The Partners Group Ltd 11225 SE 6th St. Suite 110 Bellevue WA 98004	CONTACT NAME: Janet Nau PHONE (A/C No. Ext): (877) 455-5640 E-MAIL ADDRESS: jnau@tpgrp.com		FAX (A/C No.): (425) 455-6727
	INSURER(S) AFFORDING COVERAGE INSURER A: T.H.E. Insurance Company		NAIC # 12866
INSURED Wolverine Fireworks Display, Inc. 205 West Seidlers Road Kawkawlin MI 48631	INSURER B :		
	INSURER C :		
	INSURER D :		
	INSURER E :		
	INSURER F :		

COVERAGES **CERTIFICATE NUMBER:** 16/17 GL BA XS **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDE/INSR	SUBR/INSR	WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY	X			CPP0104907-01	6/2/2016	6/2/2017	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ Excluded PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ N/A PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY				CPP0104907-01	6/2/2016	6/2/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ N/A				ELP0011932-01	6/2/2016	6/2/2017	EACH OCCURRENCE \$ 9,000,000 AGGREGATE \$ 9,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			Y/N <input type="checkbox"/> N/A				WC STATUTORY LIMITS OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 RE: 07/04/2016 Aerial fireworks display located at North end of Ojibway Island and Holland Avenue Bridge, Saginaw, MI.

City of Saginaw; Saginaw Area Fireworks and Linear Motion/Meggitt, its subsidiaries, affiliates, directors and officers are included as Additional Insured on General Liability as their interest may appear as respects operations performed by or on behalf of the Named Insured, as required by written contract.

CERTIFICATE HOLDER**CANCELLATION**

Saginaw Area Fireworks William Georgis P.O. Box 1923 Saginaw, MI 48605	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Jordan Stair/RJESSE

From: Tim Morales, City Manager
Subject: 2016 Byrne Justice Assistance Grant (JAG)
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager’s Recommendation:

I recommend approval of the Interlocal Agreement between the City of Saginaw and County of Saginaw for administration of the 2016 Byrne Justice Assistance Grant and distribution of proceeds. I have approved the Interlocal Agreement as to substance and the City Attorney as to form.

Justification:

The City and County are required to enter into an Interlocal Agreement before the disbursement of the 2016 Byrne JAG Grant. The Agreement sets forth the rights and obligations of the parties. The City and County have negotiated the division of the 2016 JAG grant. Pursuant to the terms of the Agreement, the County will serve as facilitator and fiduciary of the \$81,777.00 grant. The County will receive \$40,888.00. The funds will be used to support the maintenance, including salary & fringe benefits, of a sworn Deputy in the department’s Law Enforcement Division for the purpose of sustaining the delivery of basic law enforcement services. Meanwhile, the City will receive \$40,889.00. It will use the funds to purchase and equip patrol vehicles for the purpose of sustaining the delivery of basic law enforcement services.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager

Subject: MERS Hybrid Plan Agreements – American Federation of State, County, and Municipal Employees (AFSCME)

Prepared by: Dennis Jordan, Director of Human Resources

Manager’s Recommendation:

I recommend approval of the Municipal Employees’ Retirement System (MERS) Hybrid Plan Adoption Agreements and the MERS Hybrid Conversion Addendum for the American Federation of State, County, and Municipal Employees (AFSCME) personnel. This agreement has been approved by me as to substance and the City Attorney as to form. It is also recommended that the City Council authorize the City Manager or his designee to sign all documents related to these agreements.

Justification:

Upon final ratification of the AFSCME Collective Bargaining Agreement, The City of Saginaw will offer all AFSCME new hires the Hybrid retirement plan that will be available effective July 1, 2016. This will replace the current Defined Contribution program for new hires. Current AFSCME Defined Contribution employees will also have a one time, irrevocable option to transfer to the Hybrid plan or stay with their current plan.

The Current Defined Contribution plan provides an employer contribution of 10% while the employee is required to pay 5%. The City contribution into the plan has a gradual vesting schedule for seven years before it is fully vested. Once the employee leaves the employment with the City, the assets become available to the employee.

The new Hybrid Pension plan has two parts; a Defined Contribution (DC) part and a Defined Benefit (DB) part. The employee will continue to be required to contribute 5% into the Defined Contribution portion. The City will pay a maximum of up to 10% into the Defined Benefit portion. The Difference between the 10% and the actual cost for the Defined Benefit portion will go into the employees Defined Contribution part of the plan. The Cost of the Defined Benefit portion is calculated annually based on an actuarial analysis. The terms of the agreement are that the City will not contribute more than the 10% in the future. If the cost of the Defined Benefit portion increases beyond the 10%, the employee will be responsible for any additional costs, therefore eliminating additional liabilities on the City for this program.

Since the City already participates with the MERS Defined Benefit program for the AFSCME Union, the adoption of the Hybrid plan will allow the City to be eligible for an alternate amortization schedule. The alternate amortization schedule will assist the City

by leveling and lowering Annual Required Contributions (ARC) over a longer period of time.

This is the same Hybrid program that was put in place for both the police and fire public safety personnel in 2015.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager

Subject: MERS Hybrid Plan Agreements - Service Employees International Union (SEIU)

Prepared by: Dennis Jordan, Director of Human Resources

Manager's Recommendation:

I recommend approval of the Municipal Employees' Retirement System (MERS) Hybrid Plan Adoption Agreements and the MERS Hybrid Conversion Addendum for the Service Employees International Union (SEIU) personnel. This agreement has been approved by me as to substance and the City Attorney as to form. It is also recommended that the City Council authorize the City Manager or his designee to sign all documents related to these agreements.

Justification:

Upon final ratification of the SEIU Collective Bargaining Agreement, The City of Saginaw will offer all SEIU new hires the Hybrid retirement plan that will be available effective July 1, 2016. This will replace the current Defined Contribution program for new hires. Current SEIU Defined Contribution employees will also have a one time, irrevocable option to transfer to the Hybrid plan or stay with their current plan.

The Current Defined Contribution plan provides an employer contribution of 10% while the employee is required to pay 5%. The City contribution into the plan has a gradual vesting schedule for seven years before it is fully vested. Once the employee leaves the employment with the City, the assets become available to the employee.

The new Hybrid Pension plan has two parts; a Defined Contribution (DC) part and a Defined Benefit (DB) part. The employee will continue to be required to contribute 5% into the Defined Contribution portion. The City will pay a maximum of up to 10% into the Defined Benefit portion. The Difference between the 10% and the actual cost for the Defined Benefit portion will go into the employees Defined Contribution part of the plan. The Cost of the Defined Benefit portion is calculated annually based on an actuarial analysis. The terms of the agreement are that the City will not contribute more than the 10% in the future. If the cost of the Defined Benefit portion increases beyond the 10%, the employee will be responsible for any additional costs, therefore eliminating additional liabilities on the City for this program.

Since the City already participates with the MERS Defined Benefit program for the SEIU Union, the adoption of the Hybrid plan will allow the City to be eligible for an alternate amortization schedule. The alternate amortization schedule will assist the City by leveling and lowering Annual Required Contributions (ARC) over a longer period of time.

This is the same Hybrid program that was put in place for both the police and fire public safety personnel in 2015.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: MERS Hybrid Plan Agreements for Non-Union Personnel
Prepared by: Dennis Jordan, Director of Human Resources

Manager's Recommendation:

I recommend approval of the Municipal Employees' Retirement System (MERS) Hybrid Plan Adoption Agreements and the MERS Hybrid Conversion Addendum for Non-Union personnel. This agreement has been approved by me as to substance and the City Attorney as to form. It is also recommended that the City Council authorize the City Manager or his designee to sign all documents related to these agreements.

Justification:

The City of Saginaw will offer all non-union new hires the Hybrid retirement plan effective July 1, 2016. This will replace the current Defined Contribution program for new hires. Current non-union Defined Contribution employees will also have a one time, irrevocable option to transfer to the Hybrid plan or stay with their current plan.

The Current Defined Contribution plan provides an employer contribution of 10% while the employee is required to pay 5%. The City contribution into the plan has a gradual vesting schedule for seven years before it is fully vested. Once the employee leaves the employment with the City, the assets become available to the employee.

The new Hybrid Pension plan has two parts; a Defined Contribution (DC) part and a Defined Benefit (DB) part. The employee will continue to be required to contribute 5% into the Defined Contribution portion. The City will pay a maximum of up to 10% into the Defined Benefit portion. The Difference between the 10% and the actual cost for the Defined Benefit portion will go into the employees Defined Contribution part of the plan. The Cost of the Defined Benefit portion is calculated annually based on an actuarial analysis of each division. The terms of the agreement are that the City will not contribute more than the 10% in the future. If the cost of the Defined Benefit portion increases beyond the 10%, the employee will be responsible for any additional costs, therefore eliminating additional liabilities on the City for this program.

Since the City already participates with the MERS Defined Benefit program for the non-union division, the adoption of the Hybrid plan will allow the City to be eligible for an alternate amortization schedule. The alternate amortization schedule will assist the City by leveling and lowering Annual Required Contributions (ARC) over a longer period of time.

This is the same Hybrid program that was put in place for both the police and fire public safety personnel in 2015.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Hazardous Materials Suits
Prepared by: Christopher Van Loo, Fire Chief

Manager's Recommendation:

I recommend the low bid from Airgas, Saginaw, MI (out-city) be accepted and purchase orders be issued to them in the amount of \$2,220 for 3 Level "A" hazardous materials suits for FY 2016 and in the amount of \$3,700 for 5 Level "A" hazardous materials suits for FY 2017 for the Saginaw Fire Department.

Justification:

On May 17, 2016, the City received five (5) bids for a quantity of eight (8) DuPont Tychem TK Level "A" hazardous materials suits. These suits are used by fire department personnel when responding to and operating at hazardous materials incidents where hazardous atmospheres exist or where exposure to a hazardous substance is possible. Some of the department's suits are nearing 10 years old and must be removed from service per National standards. Five additional suits are scheduled to be replaced in Fiscal Year 16/17.

The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Per Unit Cost</u>	<u>Shipping</u>	<u>Total Cost (8 units)</u>
Airgas Saginaw, MI	\$740.00	0	\$5,920.00
Pine Environmental Services Windsor, NJ	\$805.00	\$100.00	\$6,540.00
Accurate Safety Freeland, MI	\$832.60	0	\$6,660.80
ARGUS-HAZCO Chesterfield, MI	\$921.62	\$104.00	\$7,476.96
Uniforms Manufacturing Scottsdale, AZ	\$1,043.35	0	\$8,346.80

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

Funds for this purchase are available in the General Fund, Community Public Safety - Fire, Fire Technical Services Division's Clothing Supplies, Account No. 101-3552-728.000.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Uniforms for Fire Department Personnel
Prepared by: Christopher Van Loo, Fire Chief

Manager’s Recommendation:

I recommend that the sole bid from Nye Uniform Company, Grand Rapids, MI be accepted and a purchase order be issued to them for \$19,555.38 for FY 2017 for the purchase of uniforms for the Fire Department; and pending approval of the FY 2018 and FY 2019 budgets, approve a purchase order to Nye Uniform Company for \$19,555.38 each year for the same services.

Justification:

The City of Saginaw provides uniforms for Fire Department personnel in accordance with the collective bargaining agreement between the City and IAFF Local 102.

On May 3, 2016, the City received bids for a three-year contract for uniform shirts, trousers, jackets, belts, dress hats, job shirts, sweaters, winter coats and related uniform accessories for the Fire Department. Nye Uniform Company was the sole bidder on this open bid.

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

Funds for this purchase are budgeted in the General Fund, Community Public Safety - Fire, Fire Operations Clothing Supplies, Account No. 101-3551-728.000.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: T-Shirts for Fire Department Personnel
Prepared by: Christopher Van Loo, Fire Chief

Manager’s Recommendation:

I recommend that the bid from Ad-Wear & Specialty of Houston, TX be accepted and a purchase order be issued to them for \$1,300.24 for FY 2017 for the purchase of t-shirts for the Fire Department; and pending approval of the FY 2018 and FY 2019 budgets, approve a purchase order to Ad-Wear & Specialty for \$1,300.24 each year for the same services.

Justification:

The City of Saginaw provides T-Shirts for Fire Department personnel in accordance with the collective bargaining agreement between the City and IAFF Local 102.

On May 3, 2016, the City received bids for a three-year contract for T-Shirts shirts for the Fire Department. The following is a tabulation of the bids received:

Vendor	1st Year	2nd Year	3rd Year	Total
Ad-Wear Houston, TX	\$1,300.24	\$1,300.24	\$1,300.24	\$3,900.72
Koppel Advertising Bedford, OH	\$1,442.90	\$1,484.06	\$1,527.20	\$4,454.16
Express Press Springfield, MO	\$1,670.00	\$1,670.00	\$1,670.00	\$5,010.00
Impressive Promotional Products Clawson, MI	\$1,708.40	\$1,773.50	\$1,838.60	\$5,320.50
International Promotional Ideas Elk Grove Village, IL	\$1,701.80	\$1,786.98	\$1,876.18	\$5,364.96
Gainlight Studios Inc. Lockport, IL	\$2,386.00	\$2,461.00	\$2,536.00	\$7,383.00
Graphics House Sports Muskegon, MI	\$2,603.60	\$2,603.60	\$2,603.60	\$7,810.80
Sayre Enterprises Natural Bridge Station, VA	\$3,044.98	\$3,059.98	\$3,083.98	\$9,188.94

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

Funds for this purchase are budgeted in the General Fund, Community Public Safety - Fire, Fire Operations Clothing Supplies, Account No. 101-3551-728.000.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Annual Supply of Hot and Cold Asphalt – Maintenance & Service
Prepared By: Josh Hoffman, Public Services Department

Manager’s Recommendation:

I recommend that the sole bid from Ace-Saginaw Paving Company, Saginaw, MI be accepted and a purchase order be issued to them in the amount of \$344,000 for hot and cold asphalt for the Maintenance and Services Division for Fiscal Year 2017. I also recommend, pending approval of the Fiscal Year 2018 budget, to accept the bid from Ace-Saginaw Paving Company in the amount of \$344,000 for hot and cold asphalt for FY 2018.

Justification:

On April 5, 2016, Ace-Saginaw Paving Company submitted the sole two (2) year bid for hot and cold asphalt. The Maintenance and Service Division excavates approximately 900 water and sewer repairs annually that requires hot and cold asphalt for temporary and permanent repairs in the City’s ROW.

The following is a tabulation of the bid received:

<u>Ace-Saginaw Paving Saginaw, MI (out city)</u>	<u>FY 2017</u>	<u>FY 2018</u>
Hot Mix 13A/Ton	\$47.00 /ton	\$50.00 /ton
Hot Mix 36A/Ton	\$50.86 /ton	\$54.00 /ton
Cold Patch CP-5/Ton	\$85.00 /ton	\$88.00 /ton

These prices represent a decrease/increase in unit bid prices from FY 2016 as listed below:

	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>
Hot Mix 13A/Ton	\$51.00 /ton	8% Decrease	1% Decrease
Hot Mix 36A/Ton	\$53.00 /ton	4% Decrease	2% Increase
Cold Patch CP-5/Ton	\$86.50 /ton	2% Decrease	1% Increase

Ace-Saginaw Paving Company meets all requirements of §14.23, “Vendors,” of “Purchasing, Contracting, and Selling Procedure,” of Chapter 14, “Finance and Purchasing,” of Title I, “General Provision” of the Saginaw Code of Ordinances O-1.

Funds for this purchase are available in the Water Operation and Maintenance Fund – Maintenance & Service Division’s, Street and Road Materials Account No. 591-4721-743.000 (\$210,000), and Sewer Operation and Maintenance Fund – Maintenance & Service Division’s, Street and Road Materials Account No. 590-4821-743.000 (\$134,000) for FY 2017, and the same amounts will be budgeted in the same account numbers pending approval of Fiscal Year 2018 Budget.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager

Subject: Annual Supply of Portland Cement – Maintenance & Service

Prepared By: Josh Hoffman, Public Services Department

Manager’s Recommendation:

I recommend that the sole bid from Sabiston Builder’s Supply, Inc., Warren, MI be accepted and a purchase order be issued to them in the amount of \$6,790 for Portland Cement for the Maintenance and Service Division for Fiscal Year 2017.

Justification:

On April 5, 2016, a sole bid was received from Sabiston Builder’s Supply, Inc., for 65,800 lbs of Portland Cement to make repairs and to build concrete structures for the water distribution and sewage collection system in various City service areas. The Maintenance and Service Division uses the concrete to reset and rebuild manholes, catch basin, castings, and rebuild air relief manholes on the water transmission system. The concrete will also restrain hydrants with a foundation and provide support for the hydrant’s break away design when struck during an accident. A comparison to last year's cost shows a 5.8% increase over previous year's cost.

Sabiston Builder’s Supply, Inc. meets all requirements of §14.23, “Vendors,” of Purchasing, Contracting, and Selling Procedure,” of Chapter 14, “Finance and Purchasing,” of Title I, “General Provisions” of the Saginaw Code of Ordinance O-1.

Funds are budgeted in the Water Operation and Maintenance Fund – Maintenance and Services Division’s, Parts and Supplies Account No. 591-4721-742.000 (\$3,395), and the Sewer Operation and Maintenance Fund – Maintenance and Service Division’s, Parts and Supplies Account No. 590-4821-742.000 (\$3,395), and will be accounted for in the Water Inventory Account No. 591-0000-110.002.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Annual Supply of Ductile Iron Pipe – Maintenance & Service
Prepared by: Josh Hoffman, Public Services Department

Manager’s Recommendation:

I recommend that the low bid from Michigan Pipe and Valve, Zilwaukee, MI be accepted and a purchase order be issued to them in the amount of \$26,640.00 for the annual supply of Ductile Iron water main and water main fittings for the construction and maintenance of the Water Distribution and Transmission System for FY 2017.

Justification:

On April 5, 2016, two (2) bids were received for an annual supply of Class 52 Ductile Iron (920 feet) water main in various diameters and Ductile Iron fittings (30 each) for the Maintenance and Service Division. The water main fittings include crosses, tees, mechanical joint reducers, and joint bends in various sizes. A cost comparison shows a 1.09% increase over FY 2016.

The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Cost</u>
Michigan Pipe and Valve Zilwaukee, MI	\$26,640.00
ETNA Supply Grand Rapids, MI	\$26,901.18

Michigan Pipe and Valve meets all requirements of §14.23, “Vendors,” of Purchasing, Contracting, and Selling Procedures,” of Chapter 14, “Finance and Purchasing,” of Title I, “General Provisions” of the Saginaw Code of Ordinance 0-1.

Funds for this purchase budgeted in the Water Operation and Maintenance Fund, Maintenance and Service Division’s, Parts and Supplies Account No. 591-4721-742.000.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager

Subject: Contract with Rohde Brothers Excavating, Inc. (C-1629) - ROW
Division

Prepared by: Beth London, Public Services Department

Manager’s Recommendation:

I recommend that the low bid from Rohde Brothers Excavating, Inc., Saginaw, Michigan, for the FY 2016 CDBG Lapeer Avenue Rehabilitation Contract, C-1629, be accepted and a contract awarded to them in the amount of \$1,323,218.00. The contract has been approved by me as to substance and the City Attorney as to form.

Justification:

On May 17, 2016 the City received bids for the FY2016 CDBG Lapeer Avenue Rehabilitation project. The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Cost</u>
Rohde Brothers Excavating, Inc. Saginaw, MI (Out-City)	\$1,323,218.00
Champagne & Marx Excavating, Inc. Saginaw, MI (Out-City)	\$1,416,240.71

The FY 2016 CDBG Lapeer Avenue Rehabilitation project includes complete road reconstruction with new pavement, ADA compliant sidewalk ramps, curb and gutter and drive approaches, drainage improvements, and new water main installation on Lapeer Avenue between 11th Street and 16th Street and pavement milling and resurfacing between 16th Street and Veterans Memorial Parkway.

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

Funds for this project are budgeted and available in the FY 2016 Community Development Block Grant Fund - Special Projects Division’s, Street Resurfacing Account No. 275-6511-821.000 (\$388,837), the FY 2016 Water Operations and Maintenance Fund – Surplus Division’s, Construction Projects Account No. 591-4740-822.000 (\$200,000), the FY 2016 Major Street Fund – Street Projects Division’s, Construction Projects Account No. 202-4614-822.000 (\$113,886), the FY 2017 Water Operations and Maintenance Fund – Surplus Division’s, Construction Projects Account No. 591-4740-822.000 (\$275,000), the FY 2017 Major Streets Fund – Streets Projects

Division's, Street Resurfacing Account No. 202-4614-821.000 (\$150,000), and the FY 2017 Major Streets Fund – Streets Projects Division's, Construction Projects Account No. 202-4614-822.000 (\$195,495).

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Crushed Stone Purchase for Durapatch Machine – ROW Division
Prepared by: Beth D. London, Public Services Department

Manager’s Recommendation:

I recommend that the sole bid from Bay Aggregate, of Bay City, Michigan be accepted and a purchase order be issued to them in the amount of \$1,850 for FY 2016 for the purchase of crushed washed stone for the Durapatch machine. I also recommend acceptance of Bay Aggregate’s bid for crushed washed stone for FY 2017 in the amount of \$9,250.

Justification:

On May 17, 2016, the City received one (1) bid for crushed washed stone. The Streets Section of the Right of Way Division requires crushed washed stone to make road repairs on City streets using the new Durapatch machine. The following is a tabulation of the bid received:

<u>Vendor</u>	<u>Fiscal Year</u>	<u>Quantity</u>	<u>Unit Price Per Ton</u>	<u>Cost</u>
Bay Aggregate	FY 2016	100 Tons	\$18.50	\$1,850
Bay City, Michigan	FY 2017	500 Tons	\$18.80	\$9,250

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

Funds for the FY 2016 purchase are available in the Major Streets Fund – Routine Maintenance Division’s, Street and Road Materials Account No. 202-4651-743.000 (\$443), and Local Streets Fund – Routine Maintenance Division’s, Street and Road Materials Account No. 203-4651-743.000 (\$1,407). Funds for the FY 2017 purchase are available in the Major Streets Fund – Routine Maintenance Division’s, Street and Road Materials Account No. 202-4651-743.000 (\$5,735), and Local Streets Fund – Routine Maintenance Division’s, Street and Road Materials Account No. 203-4651-743.000 (\$3,515).

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: 23A Crushed Concrete – Cemeteries Division
Prepared by: Bruce Caradine, Public Services Department

Manager’s Recommendation:

I recommend that the low alternative bid from Eggers Excavating, Saginaw, MI be accepted and a purchase order be approved and issued to them in the amount of \$34,125 for the purchase of 3,250 tons of 23A graduated crushed concrete aggregate to be used at the three (3) municipal cemeteries.

Justification:

On May 24, 2016, the City received four (4) bids to purchase 23A limestone aggregate. Rodney Woods Builder was the only bidder that actually bid the 23A limestone aggregate without an alternative. All others bid the pre-approved alternate of 23A crushed concrete. The City of Saginaw chooses to accept the alternative low bid from Eggers Excavating resulting in a savings of \$27,395. This material will be stockpiled and will be used in laying additional gravel base to cemeteries roadways and expanding new roadways at Forest Lawn.

The City of Saginaw is working together with other local government in order to place the material, which would equate to a substantial savings. However, the City may have additional costs for grading the crushed stone by needing to hire the services of a bulldozer/operator due to some restricted areas within parts of the cemeteries such as low hanging tree canopies and narrow roadways that the large Road Grader would not be able to maneuver around.

This purchase is for 3,250 tons of gravel to be spread over 2.5 miles of existing gravel roads at the City of Saginaw Cemeteries. Road maintenance has not been done at any of the City’s Cemeteries in over 20 years. Many of the roads have deteriorated to the point where portions of these roadways at times are impassable. This purchase will also help alleviate some burden on the existing staff as it relates to cemetery maintenance from poor roadway conditions.

The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Cost</u>
Eggers Excavating. Saginaw, MI (In City)	\$34,125
Burroughs North Saginaw, MI (Out of City)	\$43,237.50

Champagne & Marx Excavating Saginaw, MI (Out of City)	\$43,875
Rodney Woods Builder Saginaw, MI (Out of City)	\$61,520

Eggers Excavating meets all requirements of §14.23, "Vendors," of Purchasing, Contracting, and Selling Procedures," of Chapter 14, "Finance and Purchasing," of Title I, "General Provisions" of the Saginaw Code of Ordinance 0-1.

Funds for this purchase are available in the General Fund, Department of Public Services, Cemeteries Division's, Street & Road Materials Account No. 101-1747-743.000.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Convenience Station Containers and Trash Disposal – ROW Division
Prepared by: Beth D. London, Public Services Department

Manager’s Recommendation:

I recommend that the low bid from Waste Management of Saginaw, Michigan, be accepted and a purchase order issued to them in the amount of \$12,124.80 for trash containers and trash disposal at the City’s Convenience Station for FY 2017. I also recommend, pending Council approval of the FY 2018 budget, acceptance of Waste Management’s bid for FY 2018 in the amount of \$12,369.60 for trash containers and trash disposal at the City’s Convenience Station for FY 2018.

Justification:

On April 19, 2016, two (2) bids were received for the disposal of trash collected at the City of Saginaw’s Convenience Station, located at 1435 S. Washington Avenue. This service requires the vendor to supply 40 cubic yard containers each month for collection of trash at the Convenience Station. It is estimated that three (3) 40 cubic yard containers will be filled twelve months of the year. The total estimated cost for this service will be \$12,124.80 for FY 2017 and \$12,369.60 for FY 2018. The bids received are listed below as follows:

<u>Vendor</u>	<u>FY</u>	<u>Delivery Cost Per Container</u>	<u>Disposal Cost Per Cyd / Container</u>	<u>Total Bid</u>
Waste Management of Saginaw, MI (in-city)	FY 2017	\$0	\$8.42 / \$336.80	\$12,124.80
	FY 2018	\$0	\$8.59 / \$343.60	\$12,369.60
Billy’s Contracting of Saginaw, MI (out-city)	FY 2017	\$0	\$8.75 / \$350.00*	\$12,600.00
	FY 2018	\$0	\$9.125 / \$365.00*	\$13,140.00

*Billy’s bid for both fiscal years includes a surcharge of \$25/ ton for any container weighing more than 8 tons.

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

Funds for this purchase are budgeted in the Rubbish Collection Fund – Rubbish Collection Division’s, Operating Services Account No. 226-4582-805.000 for FY 2017, and will be budgeted in the same account number for FY 2018, pending Council approval.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Hands Free Bottle-Filling Drinking Fountains – Facilities Division
Prepared by: Bruce Caradine, Public Services Department

Manager’s Recommendation:

I recommend that the low bid from Because Water Benefit Corporation, Boston, MA be accepted and a purchase order be approved and issued to them in the amount of \$4,350.00 for the purchase of six (6) Hands Free Bottle-Filling Drinking Fountains for use at various City facilities.

Justification:

On May 17, 2016, the City received seven (7) bids to purchase six (6) Bottle-Filling Chilled Drinking Fountains for use at various City facilities. Removal of the existing fountains and installation of these new fountains may improve energy efficiency. The unit has a complete filtered cooler and bottle filling station in a consolidated space saving ADA compliant design. A sanitary, no-touch, sensor activation with automatic 20-second shut-off timer and Water Sentry Plus 3000 gallon filter included. The quick fill rate is 1.1 gallons per minute for these units and real drain system eliminates standing water. Visual user interface display is also included and filters monitor indicating when replacement is necessary. This unit has a Green Ticker counting the quantity of 12 oz. bottles saved from the landfill and lead-free design.

The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Cost</u>
Because Water Benefit, Inc. Boston, MA	\$4,350.00
Standard Electric Saginaw, MI (Out of City)	\$4,488.00
Liberty Plumbing Supply Co. Inkster, MI	\$4,785.00
W.W. Grainger Northbrook, IL	\$5,177.34
Ferguson Enterprise Saginaw, MI (Out of City)	\$5,383.32
Progressive Plumbing Supply Warren, MI	\$5,388.00

Home Depot
Saginaw, MI (Out of City)

\$6,770.06

Because Water Benefit, Inc. meets all requirements of §14.23, "Vendors," of Purchasing, Contracting, and Selling Procedures," of Chapter 14, "Finance and Purchasing," of Title 1, "General Provisions" of the Saginaw Code of Ordinance 0-1.

"Funds for this purchase are available in the Clean Energy Coalition Fund – Clean Energy Coalition Division's, Parts & Supplies Account No. 230-1795-742.000.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager

Subject: 2016 Ace-Saginaw Asphalt Purchase Order Increase – ROW Division

Prepared by: Beth London, Public Services Department

Manager’s Recommendation:

I recommend that the annual Purchase Order No. 497098 with Ace-Saginaw Paving Company of Saginaw, MI be increased from \$83,000 to \$143,000, an increase of \$60,000 in FY 2016, to purchase hot and cold asphalt for street repairs.

Justification:

On May 27, 2014, Ace-Saginaw Paving Company submitted the only bid for asphalt materials for FY 2015 and FY 2016. To date, the Streets section has purchased \$80,222 of asphalt materials in FY 2016. It is estimated that they will require an additional \$60,000 worth of materials for the remainder of this fiscal year in order to continue making temporary and permanent road repairs. The Streets Section requires hot and cold asphalt for temporary and permanent repairs of City streets. The items as bid that will be used are cold patch at \$86.00 per ton, Hot Mix Asphalt 13A at \$51.00 per ton and Hot Mix Asphalt 36A at \$53.00 per ton. These additional funds will primarily be used to resurface Alexander Street from Court Street to Mackinaw Street.

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

Funds for this purchase are budgeted in the Major Streets Fund – Routine Maintenance Division’s, Street and Road Material Account No. 202-4651-743.000.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager

Subject: Revised Purchase of LED Light Fixtures in City Hall Building –
Facilities Division

Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend that purchase order no. 498679 issued on April 28, 2016 to Home Depot, Inc., Saginaw, MI be increased by \$1,305.75 from \$6,090.90 to \$7,396.65, for additional LED light fixture tubes to be used in City Hall corridors.

Justification:

At the March 28, 2016 meeting, Council approved the recommended sole bid from Home Depot in the amount of \$6,090.90. A portion of the original bid from Home Depot was for 100 LED tubes. However, 160 LED tubes are required for the project. Therefore, we are recommending an increase to the purchase order by 60 LED tubes required at the original bid price.

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

Funds for this purchase are available in the Clean Energy Coalition Fund – Clean Energy Division's, Parts & Supplies Account No. 230-1795-742.000.

Council Action:

Moved by Council Member _____, seconded by Council Member _____
to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Hauling and Disposal of Street Sweeping Debris – ROW Division
Prepared by: Beth London, Public Services Department

Manager’s Recommendation:

I recommend that the low bid from Waste Management of Michigan, Inc., Saginaw, Michigan, be accepted and a purchase order be issued to them for FY 2017 in the amount of \$129,675 for the hauling and disposal of approximately 6,500 cubic yards of street sweeping debris. I also recommend acceptance of their FY 2018 bid for the hauling and disposal of street sweeping debris in the amount of \$132,275, pending Council approval of the FY 2018 budget.

Justification:

On April 19, 2016, the City received three (3) bids for the hauling and disposal of street sweeping debris. Waste Management of Saginaw, Michigan submitted the low bid. An alternate bid from Billy's Contracting, with a per ton cost for disposal, was not accepted.

The contractor shall be responsible for all landfill fees, obtaining all necessary State and Local permits and licenses, and complying with all laws, governmental regulations and ordinances. The Contractor shall pick up all street sweeping residues from the City’s compost facility on Veteran’s Memorial Highway (M-13).

The following is a tabulation of the bids received:

<u>Vender</u>	<u>Fiscal Year</u>	<u>Unit Cost</u>	<u>Cost</u>
Waste Management of MI, Inc. Saginaw, MI (in-city)	FY 2017 FY 2018	\$19.95 / CYD \$20.35 / CYD	\$129,675 \$132,275
Rodney Woods Builders Saginaw, MI (in-city)	FY 2017 FY 2018	\$21.50 / CYD NO BID	\$139,750

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

Funds for this purchase are budgeted and available in the FY 2017 Sewer Operations and Maintenance Fund – Catch Basin Cleaning Division’s, Operating Services Account No. 590-4822-805.000, and will be made available in the same account for FY 2018, pending Council approval of the FY 2018 budget.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Emulsified Asphalt Purchase - Durapatch Machine – ROW Division
Prepared by: Beth D. London, Public Services Department

Manager’s Recommendation:

I recommend that the low bid from Bit-Mat Products of Michigan, of Bay City, Michigan be accepted and a purchase order be issued to them in the amount of \$5,250.00 for FY 2016 for the purchase of anionic emulsified asphalt for the Streets Section of the Right of Way Division. I also recommend acceptance of Bit-Mat Products of Michigan’s bid for anionic emulsified asphalt for FY 2017 in the amount of \$26,250.

Justification:

On May 17, 2016, the City received two (2) bids for anionic emulsified asphalt. The Streets Section of the Right of Way Division requires anionic emulsified asphalt to make road repairs on City streets using the new Durapatch machine. The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Fiscal Year</u>	<u>Quantity</u>	<u>Unit Price Per Gallon</u>	<u>Cost</u>
Bit-Mat Products	FY 2016	3,000 gallons	\$1.75	\$ 5,250
Bay City, MI	FY 2017	15,000 gallons	\$1.75	\$26,250
Michigan Paving	FY 2016	3,000 gallons	\$1.90	\$ 5,700
Alma, MI	FY 2017	15,000 gallons	\$1.90	\$28,500

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

Funds for the FY 2016 purchase are available in the Major Streets Fund – Routine Maintenance Division’s, Street and Road Materials Account No. 202-4651-743.000 (\$800), and Local Streets Fund – Routine Maintenance Division’s, Street and Road Materials Account No. 203-4651-743.000 (\$4,450). Funding for FY 2017 is available in the Major Streets Fund – Routine Maintenance Division’s, Street and Road Materials Account No. 202-4651-743.000 (\$16,275), and Local Streets Fund – Routine Maintenance Division’s, Street and Road Materials Account No. 203-4651-743.000 (\$9,975).

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Blanket Purchase Order with Carrier & Gable - ROW Division
Prepared by: Beth D. London, Public Services Department

Manager's Recommendation:

I recommend that a blanket purchase order be approved and issued to Carrier & Gable, Inc., Farmington Hills, MI., in the amount of \$6,000 to cover repair costs of traffic signal equipment from July 1, 2016 through June 30, 2017.

Justification:

On February 6, 1996, City Council approved a procedure for repairing traffic signal controller equipment. City staff does routine repair and maintenance of these solid-state devices. Sometimes complex repairs must be done by the manufacturer's authorized service representative. Carrier & Gable, Inc. is Michigan's authorized service representative and offers standard pricing for each type of repair. After sufficient experience with repairing these devices, City staff estimates annual cost for such services is \$6,000. Since this service is necessary to properly maintain the City's traffic signal system, and because Carrier & Gable, Inc. is the only authorized service representative in the region, it is in the best interest of the City to continue this procedure from July 1, 2016 through June 30, 2017.

Carrier & Gable, Inc. meets all requirements of §14.23, "Vendors," Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing", of Title I, "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 Parts and Supplies Account No. 202-4621-742.000 (\$3,000), and the Local Streets Fund - Traffic Engineering Division's, Parts and Supplies Account No. 203-4621-742.000 (\$3,000).

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Blanket Purchase Orders for Electric Parts - ROW Division
Prepared by: Beth D. London, Public Services Department

Manager’s Recommendation:

I recommend that a blanket purchase order for Fiscal Year 2017 be approved and issued to Marshall E. Campbell Company and Standard Electric Company, the City’s primary suppliers of electrical parts and supplies, in the amounts of \$4,000 each from July 1, 2016, through June 30, 2017 for the Traffic Maintenance Section of the Right of Way Division.

Justification:

Since June 26, 2000, City Council has approved a procedure for purchasing electrical parts for the Traffic Maintenance Section. Traffic Maintenance requires the purchase of a vast array of electrical parts and supplies for maintaining the City’s electrical devices such as traffic signals and streetlights. There is no feasible means to predetermine quantities and type of parts that will be needed in any given time period because the required repairs are random. Issuing individual purchase orders for the many items purchased is costly and administratively time consuming. Traffic Section personnel will price quote items and award purchases to the lowest and best vendor for each item. The parts and supplies will be ordered from the successful bidder and billed to the respective purchase order. It is in the best interest of the City to continue this procedure from July 1, 2016 through June 30, 2017, in order to make repairs to the traffic signal and street lighting systems as quickly as possible.

<u>Vendor</u>	<u>Cost</u>
Marshall E. Campbell Company Saginaw, MI (in-city)	\$4,000
Standard Electric Company Saginaw, MI (out-city)	\$4,000

Marshall E. Campbell Company and Standard Electric Company, meet all requirements of §14.23, “Vendors”, Purchasing, Contracting, and Selling Procedure,” of Chapter 14, “Finance and Purchasing”, of Title I, “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, Parts and Supplies Account No. 202-4621-742.000 (\$3,000), the Local Streets Fund – Traffic Engineering Division’s, Parts and Supplies Account No. 203-

4621-742.000 (\$3,000.00), and the General Fund – Street Lighting Division’s, Parts and Supplies Account No. 101-4620-742.000 (\$2,000).

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

**RESOLUTION TO AUTHORIZE
GREAT PURPOSE STREETBALL CHAMPIONSHIP
TO USE AMPLIFYING EQUIPMENT
AUGUST 20 AND 21, 2016
AT LAWRENCE MCKINNEY/VETERAN'S MEMORIAL PARK**

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

WHEREAS: Demarcus Laury plans to have the "Great Purpose Streetball Championship Basketball Tournament" event on August 20 and 21, 2016; and

WHEREAS: Demarcus Laury has requested permission to use amplifying equipment between the hours of 8:00 a.m. to 7:00 p.m.; and

WHEREAS: City Council can provide authorization for the use of amplifying equipment on public property;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment during the "Great Purpose Streetball Championship" event to be held on August 20 and 21, 2016 between the hours of 8:00 a.m. to 7:00 p.m. located at Lawrence McKinney/Veteran's Memorial Park.

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 June 6, 2016; 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, CMMC/CMC/MMC
City Clerk

From: Timothy Morales, City Manager

Subject: Authorization to Allow the Consumption of Alcoholic Beverages at the Children's Zoo at Celebration Square

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend adoption of the attached Resolution authorizing the consumption of alcoholic beverages at the Children's Zoo at Celebration Square, a public property, during the 55th Anniversary Celebration of the Sister City Relationship between Tokushima and the City of Saginaw to be held on July 23, 2016.

Justification:

On July 23, 2016, Tokushima 55th Anniversary Committee will host the 55th Anniversary Celebration of Sister City Relationship between Tokushima and the City of Saginaw event at the Children's Zoo, a public property. The 55th Anniversary Committee has requested that the City allow for alcoholic beverages to be served to participants for consumption during this event. Title XIII, Chapter 132, Section 132.01(C) of the Saginaw Code of Ordinances states that City Council can authorize the consumption and sale of alcoholic beverages on public property, if the vendor provides the following to the City:

- (1) The precise location where said beverages are to be sold and consumed;
- (2) The dates and times for said activities;
- (3) A proper state license for the sale and consumption of alcoholic beverages at the place and times listed in subsections (1) and (2) above;
- (4) Adequate public liability and property damage insurance for the benefit of the City with a company licensed to sell insurance in the State of Michigan;
- (5) Such other insurance as the City Council deems adequate for the benefit of the City;
- (6) Adequate personnel to control the premises where the alcoholic beverages are to be sold and consumed; and
- (7) Such other reasonable requirements as said City Council deems appropriate.

Approval to consume alcoholic beverages for this event is contingent upon the applicable vendors providing the proper required documents to the appropriate City department by July 8, 2016. The City has set the insurance requirements and all insurance certificates must be reviewed and approved by the City. Furthermore, the vendor has been advised of the insurance requirements and the deadline for submitting insurance certificates to the City.

Council Action:

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

RESOLUTION TO PERMIT THE CONSUMPTION OF ALCOHOLIC BEVERAGES AT THE CHILDREN'S ZOO AT CELEBRATION SQUARE ON PUBLIC PROPERTY

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

WHEREAS, the Children's Zoo at Celebration Square plans to host an event to be held on July 23, 2016 from 5:00 p.m. until 8:00 p.m.; and

WHEREAS, the Tokushima 55th Anniversary Committee requests that they be allowed to serve alcoholic beverages at the annual event to its guest at the Children's Zoo on public property; and

WHEREAS, City Council can provide authorization for the consumption and sale of alcoholic beverages on public property; and

WHEREAS, Tokushima 55th Anniversary Committee must provide certain documents prior to the event; and

WHEREAS, if the Tokushima 55th Anniversary Committee does not provide the documents by the stated date, they will not be allowed to consume alcoholic beverages during the event on July 23, 2016; and

WHEREAS, the City will set all insurance requirements and all insurance certificates must be reviewed and approved by the City;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the consumption of alcoholic beverages on public property during the 55th Anniversary Celebration of Sister City Relationship between Tokushima and the City of Saginaw event at the Children's Zoo located at 1720 S. Washington Avenue provided that the mandatory information listed in Title XIII, Section 132.01(C) of the Saginaw Code of Ordinances be provided no later than July 8, 2016.

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 June 06, 2016; 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, CMMC/CMC/MMC
City Clerk

From: Timothy Morales, City Manager
Subject: Liquid PolyDMDAAC Polymer Purchase, Joint-Bid
Prepared by: Ted Bomba, Water and Wastewater

Manager’s Recommendation:

I recommend that the sole bid from Polydyne, Inc. of Riceboro, GA be accepted and that a purchase order be approved and issued to them in the amount of \$9,400.00 for the purchase of 20,000 lbs. of Liquid PolyDMDAAC for the Water Treatment Division for Fiscal Year 2017.

Justification:

Liquid PolyDMDAAC Polymer is used as a coagulant aid to improve removal of suspended particles in the water treatment process. The Cities of Saginaw, Midland, Bay City and Bay County issued a Joint-Bid for chemical purchases. On May 18, 2016, sealed bids were opened. The low bid of \$0.47 per pound is a decrease of 13% compared to the price paid for the same chemical during Fiscal Year 2016. Following is a tabulation of the bids received:

	<u>Per Lb.</u>	<u>Total Bid</u>
Polydyne, Inc. Riceboro, GA	\$0.470	\$9,400.00
Univar USA, Inc. Cincinnati, OH	\$0.864	\$17,280.00

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

Funds for this purchase are budgeted in the Water Operations and Maintenance Fund, Treatment & Pumping Division’s Chemicals Account No. 591-4730-727.000 for Fiscal Year 2017.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Ferric Chloride Purchase, Joint Bid
Prepared by: Ted Bomba, Water and Wastewater

Manager's Recommendation:

I recommend that the low bid from PVS Technologies, Inc. of Detroit, MI be accepted and that a purchase order be approved and issued to them in the amount of \$89,500.00 for the purchase of 250 tons of Ferric Chloride for the Water Treatment Division for Fiscal Year 2017.

Justification:

Ferric Chloride is used as the primary coagulant in the water treatment process for improved particulate removal. The Cities of Saginaw, Midland, Bay City and Bay County issued a Joint Bid for chemical purchases. On May 18, 2016, sealed bids were opened. The low bid of \$358.00 per ton is a 2.7% decrease from Fiscal Year 2016. Following is a tabulation of the bids received:

	<u>Per Ton</u>	<u>Total Bid</u>
PVS Technologies Detroit, MI	\$358.00	\$89,500.00
Kemira Water Solutions Lawrence, KS	\$383.00	\$95,750.00

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

Funds for this purchase are budgeted in the Water Operations and Maintenance Fund, Treatment & Pumping Division's Chemicals Account No. 591-4730-727.000 for Fiscal Year 2017.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Hach Brand Reagent Distribution Plan
Prepared by: Amanda Kiel, Water & Wastewater

Manager's Recommendation:

I recommend that the bid from HD Supply Facilities Maintenance d/b/a USABlueBook, Gurnee, IL, be accepted and a purchase order be approved and issued to them in the amount of \$2,812.32 for a reagent distribution plan for the Water Treatment Division for Fiscal Year 2017.

Justification:

On April 19, 2016, the City received a sole bid for Hach chemical reagents. The Water Treatment Plant performs Turbidity and Free Chlorine Residual (Cl-) analyses using Hach Company's on-line and benchtop instruments. Turbidity analysis is an indication of water quality. The Environmental Protection Agency (EPA) and Michigan Department of Environmental Quality (MDEQ) require continuous and periodic Free Chlorine analyses. The requested reagents are on a one-year Reagent Distribution Plan (RDP) for automatic quarterly delivery, and include shipping costs.

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

Funds for this purchase are budgeted in the Water Operation and Maintenance Fund, Treatment and Pumping Division's Operating Services Account No. 591-4730-805.000 for Fiscal Year 2017.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Hydrofluorosilicic Acid Purchase, Joint Bid
Prepared by: Ted Bomba, Water and Wastewater

Manager’s Recommendation:

I recommend that the low bid from Univar USA, Inc. of Cincinnati, OH be accepted and that a purchase order be approved and issued to them in the amount of \$71,460.00 for the purchase of 180 tons of Hydrofluorosilicic Acid for the Water Treatment Division for Fiscal Year 2017.

Justification:

Hydrofluorosilicic Acid (Fluoride) is added to the drinking water for the prevention of tooth decay. The Cities of Saginaw, Midland, Bay City and Bay County issued a Joint Bid for chemical purchases. On May 18, 2016, sealed bids were opened. The low bid of \$397.00 per ton is a 21.3% decrease from Fiscal Year 2016. Following is a tabulation of the bids received:

	<u>Per Ton</u>	<u>Total Bid</u>
Univar USA, Inc. Cincinnati, OH	\$397.00	\$71,460.00
Mosaic Global Sales, LLC Lithia, FL	\$466.77	\$84,018.60
PVS Nolwood Chemicals, Inc. Detroit, MI	\$570.00	\$102,600.00
Shannon Chemical Corp. Exton, PA	\$754.00	\$135,720.00

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

Funds for this purchase are budgeted in the Water Operations and Maintenance Fund, Treatment & Pumping Division’s Chemicals Account No. 591-4730-727.000 for Fiscal Year 2017.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: TTHM Analysis
Prepared by: Amanda Kiel, Water and Wastewater

Manager’s Recommendation:

I recommend acceptance of the low bid price and issuance of a purchase order to Eurofins Eaton Analytical, Inc., South Bend, IN, in the amount of \$9,100.00 for laboratory analysis for the Water Treatment Division for Fiscal Year 2017.

Justification:

The Water Treatment Plant is performing trihalomethane and haloacetic acid analysis under the Stage 2 Disinfectants/Disinfection Byproduct Rule. In addition to the normal regulatory required sampling, we are performing additional trihalomethane analysis to monitor formation of these byproducts during the pumping and treatment process. Samples will be collected at multiple locations. Data collected will be used in planning for the reduction of trihalomethane production so the water system and/or its wholesale customers can meet current and future regulatory requirements.

Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

Eurofins Eaton Analytical, Inc. South Bend, IN	\$9,100.00
ALS Environmental Holland, MI	\$10,400.00
Pace Analytical Services Ormond Beach, FL	\$10,920.00
KAR Laboratories, Inc. Holland, MI	\$11,700.00
Paragon Laboratories, Inc. Kalamazoo, MI	\$13,520.00

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

Funds for this purchase are available in the Water Operation and Maintenance Fund, Treatment and Pumping Division's Operating Services Account No. 591-4730-805-000 for Fiscal Year 2017.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Sodium Hypochlorite Purchase, Joint Bid
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the low bid from JCI Jones Chemicals, Inc. of Riverview, MI be accepted and that purchase orders be approved and issued to them in the amounts of \$65,450.00 for the purchase of 85,000 gallons of Sodium Hypochlorite for the Water Treatment Division and \$134,750.00 for the purchase of 175,000 gallons of Sodium Hypochlorite for the Remote Facilities Division for Fiscal Year 2017.

Justification:

Sodium Hypochlorite is used at both the Water Treatment Plant and the Remote Facilities for disinfection during the water treatment process. The Cities of Saginaw, Midland, Bay City and Bay County issued a Joint Bid for chemical purchases. On May 18, 2016, sealed bids were opened. The low bid of \$0.77 per gallon for the Water Treatment Division is a 20.3% increase and \$0.77 per gallon for the Remote Facilities Division is a 24.2% increase from Fiscal Year 2016. Following is a tabulation of the bids received:

	Water		Remote Facilities	
	<u>Per Gallon</u>	<u>Total Bid</u>	<u>Per Gallon</u>	<u>Total Bid</u>
JCI Jones Chemical, Inc. Riverview, MI	\$0.770	\$65,450.00	\$0.770	\$134,750.00
Alexander Chemical Co. Peru, IL	\$0.779	\$66,215.00	\$0.779	\$136,325.00
PVS Nolwood Chemicals Detroit, MI	\$0.810	\$68,850.00	\$0.810	\$141,750.00
Rowell Chemical Corp. Hinsdale, IL	\$0.100	\$85,000.00	\$0.100	\$175,000.00

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

Funds for this purchase are budgeted in the Water Operations and Maintenance Fund, Treatment & Pumping Division's Chemicals Account No. 591-4730-727.000 (\$65,450.00); and in the Sewer Operations and Maintenance Fund, Remote Facilities Chemicals Account No. 590-4835-727.000 (\$134,750.00) for Fiscal Year 2017.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Blanket Purchase Orders for FY2017
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that a purchase order be issued to each of the vendors listed below for the purchase of various parts and supplies that will be needed to operate and maintain the Wastewater Treatment and Remote Facilities Divisions for 2017 Fiscal Year.

Justification:

Time and experience have shown that certain vendors reliably provide the lowest price on certain parts and supplies. These include; pump packing, bearings, nuts and bolts, piping, safety supplies, welding supplies, cleaning supplies, laboratory supplies, etc. Wastewater personnel always have and will continue to solicit quotes for items purchased, to insure that we obtain the lowest possible price. Issuing individual purchase orders is costly and administratively time consuming; therefore, we are requesting authorization to issue blanket purchase orders as follows:

MSC Industrial Livonia, MI	\$3,000.00
Motion Industries Saginaw, MI	\$3,500.00
The Macomb Group Sterling Heights, MI	\$7,000.00
Grainger Lincolnshire, IL	\$7,000.00
Applied Industrial Saginaw, MI	\$7,000.00
Standard Electric Saginaw, MI	\$6,000.00
Alro Steel Saginaw, MI	\$4,000.00
McMaster Carr Aurora, OH	\$4,000.00

Lansing Supply Lansing, MI	\$5,000.00
AirGas Great Lakes Saginaw, MI	\$4,500.00
Tupes of Saginaw Saginaw, MI	\$3,400.00
Safety Services Inc. Kalamazoo, MI	\$3,400.00
Fastenal Saginaw, MI	\$4,900.00
McNaughton McKay Saginaw, MI	\$3,000.00
Nalco Saginaw, MI	\$3,000.00
Thomas Scientific Swedesboro, NJ	\$8,000.00
Fisher Scientific Hanover Park, IL	\$5,000.00

These vendors meet 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 these purchases have been budgeted in the Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Laboratory Supplies Account No. 590-4830-734.000 (\$13,000.00), Cleaning Supplies Acct. No. 590-4830-735.000 (\$5,000.00), Parts and Supplies Account No. 590-4830-742.00 (\$48,560.00) and Operating Services Account No. 590-4830-805.000 (\$3,000.00) and in the Sewer Operations and Maintenance Fund, Remote Facilities Division's Parts and Supplies Account No. 590-4835-742.000 (\$12,140.00) for Fiscal Year 2017.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Chlorine Purchase, Joint Bid
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the low bid from JCI Jones Chemical Corporation of Riverview, MI, be accepted and a purchase order issued to them in the amount of \$17,262.00 for the purchase of sixty tons of chlorine for the Wastewater Treatment Division for Fiscal Year 2017.

Justification:

Chlorine is used at the Wastewater Treatment Plant for disinfection of treated water prior to its discharge to the Saginaw River. The Saginaw-Midland Municipal Water Supply Corporation jointly specifies and competitively bids chlorine for its annual needs and for the requirements of several other communities, including the City of Saginaw. The Board of Trustees of the Saginaw-Midland Municipal Water Supply Corporation, at their regular meeting on April 21, 2016, moved to approve the bid from Jones Chemical as the exclusive supplier of chlorine for the Corporation for Fiscal Year 2017, at a firm price of \$287.70 per ton of liquid chlorine. As a member of the bidding consortium, the City of Saginaw is also afforded this price for Fiscal Year 2017. This cost represents a 17.6% decrease from the Fiscal Year 2016 cost. Sealed bids were opened by the Saginaw-Midland Municipal Water Supply Corporation on March 22, 2016 and the results were as follows:

JCI Jones Chemical Co. Riverview, MI	\$287.70 / Ton
Alexander Chemical Corporation Peru, IL	\$349.00 / Ton

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

Funds for this purchase are budgeted in the Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Chemicals Account No. 590-4830-727.000 for Fiscal Year 2017.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Devtar Epoxy Coating
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the sole bid from Norkan, Inc. of Flint, MI be accepted and that a purchase order be issued to them in the amount of \$3,585.00 for the annual purchase of Devtar Epoxy Coating for the Wastewater Treatment Division for Fiscal Year 2017 and, pending approval of the budget for Fiscal Year 2018, approve the bid from Norkan, Inc. in the amount of \$3,585.00 for these same products.

Justification:

Devtar Epoxy Coating is a two part coating used throughout the Wastewater Treatment Plant on equipment subjected to moist conditions, to prevent corrosion. Devtar Epoxy Coating is ordered on an as needed basis throughout the course of the year. On May 17, 2016, sealed bids were opened for two hundred gallons of Devtar Epoxy Coating. Norkan, Inc. of Flint, MI was the sole bidder for this product.

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

Funds for this purchase are budgeted in the Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Parts and Supplies Account No. 590-4830-742.000 for Fiscal Year 2017. Funds will be budgeted in the same accounts for subsequent fiscal years as approved, pending approval of future year budgets.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Outside Lab Analysis
Prepared by: Brian Baldwin, Water and Wastewater

Manager’s Recommendation:

I recommend that the low bid from Trace Analytical Laboratories (TAL) of Muskegon, MI be accepted and that a purchase order be issued to them in the amount of \$42,238.00 for Fiscal Year 2017 for outside lab analysis for the Wastewater Treatment Division and pending the approval of the FY2018 and FY2019 budgets, approve the bid from TAL for \$44,750.35 for FY2018, and \$46,465.90 for FY2019 for the same services.

Justification:

The Wastewater Treatment Plant’s National Pollutant Discharge Elimination System permit and Industrial Pretreatment Program require some laboratory analysis which we do not perform in-house. This analysis includes Total Toxic Organics, Heavy Metals, Mercury and PCB’s. Sealed bids from two vendors were opened May 10, 2016 and the results for the three year bid were as follows:

Trace Analytical Laboratories Muskegon, MI	\$133,454.25
Fibertec Inc. Holt, MI	\$143,495.00

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

Funds for this purchase are budgeted in the Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Operating Services Account No. 590-4830-805.000 for Fiscal Year 2017. Funds will be budgeted in the same accounts for subsequent fiscal years as approved, pending approval of future year budgets.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Radar Level Meters
Prepared by: Brian Baldwin, Water and Wastewater

Manager’s Recommendation:

I recommend that the low bid from George Instrument Co. of Royal Oak, MI be accepted and that a purchase order be issued to them in the amount of \$5,925.00 for the purchase of five radar level detection units for use in the Remote Facilities Division for chlorine tank level monitoring.

Justification:

The City operates seven Retention and Treatment Basins. Each one of these locations has a minimum of two liquid chlorine tanks. Level in these tanks must be continuously monitored to insure adequate supply is maintained to disinfect wastewater prior to discharge. Level in these tanks is currently monitored with bubbler systems which require a compressed air supply. The City recently abandoned the use of air actuated diaphragm pumps and installed gravity feed chlorine systems. Installing radar level meters will eliminate the need for air compressors. This will provide savings in both utility costs and in air compressor maintenance costs. More of these units will be ordered in FY2017 to complete the project. On May 24, 2016, sealed bids were opened and the results were as follows:

George Instrument Co. Royal Oak, MI	\$5,925.00
Bhayana Brothers, LLC. Pittsburg, PA	\$6,239.90
Holzberg Communication Inc. Totowa, NJ	\$6,550.00

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

Funds for this purchase are available in the Sewer Operations and Maintenance Fund, Remote Facilities Division’s Parts and Supplies Account No. 590-4835-742.000.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Contract with Lois Kay Contracting, Inc. (C-1631) - ROW Division
Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend that the sole bid from Lois Kay Contracting, Inc., Saginaw, for the Federal, Franklin, Baum Street Improvements (C-1631), be accepted and a contract awarded to them in the amount of \$487,439.47. The contract has been approved by me as to substance and the City Attorney as to form.

Justification:

On May 24, 2016 the City received a sole bid for the Federal, Franklin, Baum Street Improvements (C-1631). The following is a tabulation of the bid received:

Lois Kay Contracting, Inc. Saginaw, MI (Out-City)	\$487,439.47
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The Federal, Franklin, Baum Improvements (C-1631) includes milling and resurfacing the listed streets and the installation of new curb and gutter, drive approaches, catch basins, ADA sidewalk ramps, and sidewalks in select areas.

Federal Avenue: Washington Avenue (M-13) to Warren Avenue
Franklin Avenue: Janes Avenue to Johnson Street
Baum Street: Janes Avenue to Genesee Avenue

Lois Kay Contracting, 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 are budgeted in the FY 2016 Major Streets Fund – Streets Projects Division's Street Resurfacing Account No. 202-4614-821.000 (\$171,000.00), in the FY 2016 Sewer Operations and Maintenance Fund – Surplus Division's Construction Projects Account No. 590-4840-822.000 (\$50,000.00), in the FY 2017 Major Streets Fund – Streets Projects Division's Street Resurfacing Account No. 202-4614-821.000 (\$216,439.47), and in the FY17 Sewer Operations and Maintenance Fund – Surplus Division's Construction Projects Account No. 590-4840-822.000 (\$50,000.00).

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

Moved by Council Member _____, seconded by Council Member _____ that an ordinance introduced May 23, 2016, entitled and reading as follows, be taken up and enacted:

O-_____

AN ORDINANCE TO AMEND §151.110 “SCOPE,” §151.111 “GENERAL PROVISIONS,” §151.113 “COMMENCEMENT OF PROCEEDINGS,” §151.114 “NOTICE AND ORDER TO SHOW CAUSE,” §151.115 “POSTING OF SIGNS,” §151.116 “HEARING OFFICER; HEARING; TESTIMONY; ORDER; NON-APPEARANCE OR NON-COMPLIANCE; COSTS,” §151.117 “HOUSING BOARD OF APPEALS/DEMOLITION/REPAIR; COSTS/LEIN ON PROPERTY,” §151.118 “JUDICIAL REVIEW,” §151.119 “WAIVER PROVISION,” §151.120 “EMERGENCY CASES,” §151.121 “PENALTIES,” AND §151.134 “APPEALS PROCEDURE,” OF CHAPTER 151 “HOUSING REGULATIONS,” TITLE XV “LAND USAGE,” OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

That §151.110 “Scope,” §151.111 “General Provisions,” §151.113 “Commencement of Proceedings,” §151.114 “Notice and Order to Show Cause,” §151.115 “Posting of Signs,” §151.116 “Hearing Officer; Hearing; Testimony; Order; Non-Appearance or Non-Compliance; Costs,” §151.117 “Housing Board Of Appeals/Demolitions/Repair; Costs/Lein On Property,” §151.118 “Judicial Review,” §151.119 “Waiver Provision,” §151.120 “Emergency Cases,” §151.121 “Penalties,” and §151.134 “Appeals Procedure,” of Chapter 151 “Housing Regulations,” Title XV “Land Usage,” of the City of Saginaw Code of Ordinances, O-1, are each hereby amended to read as follows:

§ 151.110 SCOPE.

It is unlawful for any owner or agent thereof to keep or maintain any building or part thereof which is a dangerous building. The City does establish this subchapter to govern the abatement of dangerous buildings, structures, or parts thereof, to establish procedures to determine if a building, structure, or part thereof is dangerous, to provide for review, notice and due process in the actions involved with such buildings, structures, or parts thereof. The “Ordinance for the Abatement of Dangerous Buildings, Structures, or Parts Thereof,” thereafter also referred to as “this subchapter” is hereby adopted by the City.

§ 151.111 GENERAL PROVISIONS.

For the purposes of this subchapter **DANGEROUS BUILDING** means any building or structure which has any of the defects or is in any of the conditions hereinafter described:

- (A) Whenever any door, aisle, passageway, stairway, or other means of exit does not conform to the City’s approved fire code (i.e. is not sufficient in width or size, or is not so arranged as to provide safe and adequate means of exit in case of

- fire or panic, for all persons housed or assembled therein who would be required to, or might use, such door, aisle, passageway, stairway or other means of exit);
- (B) Whenever any portion of a building or structure has been damaged by fire, wind, flood, deterioration, neglect, abandonment, vandalism, or by any other cause in such manner that the structural strength or stability is appreciably less than it was before the damage and is less than the minimum requirements of State law and/or City ordinance for a new building or structure, purpose or location;
- (C) Whenever any portion of or appurtenance to a building or structure is likely to fall, become detached or dislodged, or to collapse, and thereby injure persons or damage property;
- (D) Whenever any portion of a building or structure has settled to such an extent that walls or other structural portions have materially less resistance to winds than is required by State law or City ordinance in the case of new construction;
- (E) Whenever the building or structure, or any part thereof, because of dilapidation, deterioration, decay, faulty construction, or because of the removal or movement of some portion of the ground necessary for the purpose of supporting such building or structure, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning is likely to fall or give way;
- (F) Whenever, for any reason whatsoever, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is used;
- (G) Whenever the building or structure has been so damaged by fire, wind, or flood, or has become so dilapidated or deteriorated, as to become an attractive nuisance to children who might play therein to their danger, afford a harbor for vagrants, criminals or immoral persons, or enable persons to resort thereto for the purpose of committing a nuisance or unlawful or immoral act;
- (H) Whenever a building or structure used or intended to be used for dwelling purposes, including the adjoining grounds, because of dilapidation, decay, damage or faulty construction or arrangement, or otherwise, is unsanitary or unfit for human habitation; is in a condition that the county health officer, or their representative, determines is likely to cause sickness or disease; or is likely to cause injury to the health, safety or general welfare of those living within;
- (I) Whenever any building or structure is vacant, dilapidated, and open at door, window or other opening, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers;
- (J) Whenever any swimming pool is permitted:
 - (1) To become stagnant;
 - (2) To become a breeding ground for mosquitoes, or other insects;
 - (3) To become algae ridden;
 - (4) To become otherwise unsafe for the intended purposes; or
 - (5) To have the required enclosure surrounding the swimming pool either not properly constructed or maintained in accordance with the requirements of the City.
- (K) Whenever a building or structure remains unoccupied for a period of one hundred eighty (180) consecutive days or longer and is not listed as being

available for sale, lease or rent with a real estate broker licensed under the Occupational Code, MCL 339.2401 through 339.2518, as amended. For purposes of this subdivision, **BUILDING OR STRUCTURE** includes, but is not limited to, a commercial building or structure. This subdivision does not apply to the following:

- (1) A building or structure as to which the owner or agent does both of the following:
 - (a) Notifies the Police Department that the building or structure will remain unoccupied for a period of one hundred eighty (180) consecutive days. The notice shall be given to the Police Department by the owner or agent not more than thirty (30) days after the building or structure becomes unoccupied; and
 - (b) Maintains the exterior of the building or structure and adjoining grounds in accordance with State law and/or City ordinance.
- (2) A secondary dwelling of the owner that is regularly unoccupied for a period of one hundred eighty (180) days or longer each year, if the owner notifies the Police Department that the dwelling will remain unoccupied for a period of one hundred eighty (180) consecutive days or more each year. An owner who has given the notice prescribed by this subsection shall notify the Police Department not more than thirty (30) days after the dwelling no longer qualifies for this exception. As used in this subsection, **SECONDARY DWELLING** means a dwelling such as a vacation home, hunting cabin, or summer home that is occupied by the owner or a member of the owner’s family during part of the year.

§ 151.112 DANGEROUS BUILDINGS AS PUBLIC NUISANCES.

All such dangerous buildings or structures are hereby determined to be public nuisances and shall be abated by alteration, repair or rehabilitation, or by demolition and removal in accordance with the procedures specified elsewhere in this subchapter. Further, no owner or agent thereof shall keep, maintain or allow occupancy of any such dangerous building or structure.

§ 151.113 COMMENCEMENT OF PROCEEDINGS.

The Chief Inspector, or their designee, shall examine or cause to be examined every building, structure or portion thereof reported as unsafe or damaged, and if such is found to be a dangerous building as defined in this subchapter, he or she shall commence proceedings to cause the alteration, repair or rehabilitation, or the demolition and removal of the building, structure or portion thereof.

§ 151.114 NOTICE AND ORDER TO SHOW CAUSE.

(A)

- (1) The Chief Inspector shall issue a Notice of Defects in writing to the owner of record or agent of the building or structure stating the defects thereof.

This Notice of Defects shall include a time and place of a hearing on whether the building or structure is a dangerous building.

- (a) If the building or structure is a multiple dwelling or rooming house containing units offered to let for more than 6 months of a calendar year, all notices under this subchapter shall also be served upon the lessee, if known.
- (A) Service of the Notice shall be made upon the owner or owner's agent. Determination of ownership shall be as indicated by the records of the Register of Deeds for Saginaw County and the records of the City of Saginaw's Assessor. Service shall be on owner or agent thereof by any of the following methods:
 - (1) Personally delivering a copy to the owner or agent thereof; or
 - (2) Mailing a copy by certified mail, postage paid, return receipt requested, to the owner or agent and posting a copy thereof upon a conspicuous part of the building or structure.
- (B) Notice shall be effective upon the earliest occurrence of any of the following:
 - (1) Personal service upon the owner or the owner's agent.
 - (2) The date of mailing by certified mail when a signed return receipt is received.
- (C) The Notice shall be served upon the owner or agent at least 10 days before the date of the hearing included in the notice.

§ 151.115 HEARING OFFICER; HEARING; TESTIMONY; ORDER; NON-APPEARANCE OR NON-COMPLIANCE; COSTS.

- (A) The Mayor shall appoint a Hearing Officer to conduct a public hearing at which the owner shall be granted an opportunity to show cause why the hearing officer should not order the building or structure be demolished or otherwise made safe and properly maintained. The Hearing Officer may not be the City Manager or any officer or employee of the City. The Hearing Officer shall be a person who has expertise in housing matters.
- (B) In any proceedings under this section, the Hearing Officer has the power to administer oaths and affirmations and to certify official acts. The Hearing Officer shall proceed with reasonable dispatch to conclude any matter before him or her. Due regard shall be shown for the convenience and necessity of the parties and their representatives.
- (C) The Hearing Officer shall cause a record of the entire proceeding to be made by tape recording or by other means of permanent recording determined appropriate by the Hearing Officer. A transcript of the proceedings or copy of the recording shall be made available to all parties upon request and upon payment of a fee prescribed therefor. The fee may be established by the Hearing Officer but shall not be greater than the cost of making the transcript.
- (D) The hearing need not be conducted according to the technical rules of evidence adopted for the Courts of Record in the State of Michigan.
 - (1) The Hearing Officer shall take testimony from the Chief Inspector, or their representative, the owner of the property and any interested person. Oral

evidence shall be taken only upon oath or affirmation of the party offering the testimony.

- (2) Hearsay evidence may be used under the following guidelines:
 - (a) Hearsay evidence may be used to explain other direct evidence.
 - (b) Hearsay evidence may be used to support other direct evidence.
 - (c) Hearsay evidence shall not be used in itself to support a finding, unless it would be admissible in civil action in courts of competent jurisdiction.
- (3) Any relevant evidence shall be admitted. Relevant evidence shall be defined, for the purposes of this section, as the type of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs. Such relevant evidence shall be admitted regardless of whether or not it may be admissible in civil actions in courts of competent jurisdiction.
- (4) Irrelevant and unduly repetitious evidence shall be excluded.

(E) Each party shall have these rights:

- (1) To call and examine witnesses on any matter relevant to the issues of the hearing;
- (2) To introduce documentary and physical evidence;
- (3) To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
- (4) To impeach any witness regardless of which party first called the witness to testify;
- (5) To refute the evidence;
- (6) To represent himself or herself or to be represented by anyone of his or her choice who is lawfully permitted to do so; and
- (7) To make a closing statement at the conclusion of the evidentiary portion of the hearing.

(F) Failure of the owner or his representative to appear at the hearing may be deemed to be an admission by the owner that the building or structure, or part thereof, that is the subject of the hearing is a dangerous building. Consideration shall be given to the following when rendering a decision:

- (1) The evidence presented;
- (2) The condition of the building or structure as a whole;
- (3) The extent of the deterioration of the building or structure;
- (4) The cost of demolishing the building or structure;
- (5) The cost of making the building or structure safe;
- (6) Whether a reasonable person exercising prudent business judgement would determine the cost of making the building or structure safe would exceed the market value of the structure after the repairs were completed;
- (7) Whether there are any conflicts with other ordinances, State laws or Federal statutes;
- (8) The effect the completion of the demolition and removal or of making the building or structure safe would have upon the health, safety and welfare of the area immediately surrounding the building or structure in question; and

- (9) Whether actual substantial progress has been made by the owner to make the building safe. In determining whether substantial progress has been made, the Hearing Officer considers such factors as whether a building permit has been obtained relative to the repairs, whether the owner has contracted for necessary materials or services, and the extent to which the repairs or demolition has progressed.
- (G) At the conclusion of the hearing, the Hearing Officer shall make written findings of fact based upon the competent evidence and testimony admitted during the hearing. If applicable, the Hearing Officer may conduct an on-site inspection of the building or structure.
- (H) Not more than 5 business days after completion of the hearing, the Hearing Officer shall render a decision either closing the proceedings or determining that the building is a dangerous building. He or she shall then order the building or structure to be demolished or made safe and properly maintained, as the facts determined by the Hearing Officer shall dictate. The Hearing Officer shall fix a time by which the owner of the building or structure shall complete the demolition or make the building or structure safe and properly maintained. The Hearing Officer's Notice of Findings and Order shall be given to the owner in the manner set forth in this subchapter. The effective date of the Hearing Officer's Notice of Findings and Order shall be upon service as provided in this subchapter.
- (I) The authority of the Hearing Officer ceases upon the service of the Hearing Officer's Notice of Findings and Order as set forth in this subchapter. Upon such service, the Hearing Officer shall have no authority to reverse his decision, to grant an extension of time, or to entertain a request to reopen the hearing or to grant any other request of the owner or the owner's agent. Each written Notice of Findings and Order of the Hearing Officer shall contain a statement advising the owner, or the owner's agent, of the limitations of the Hearing Officer as set forth in this section.

§ 151.117 HOUSING BOARD OF APPEALS/DEMOLITION/REPAIR; COSTS/LIEN ON PROPERTY.

- (A) If the owner or agent fails to appear or neglects to comply with the Hearing Officer's decision and order, the hearing officer shall file a report of the findings and a copy of the order with the City Inspector not more than 5 days after the date for compliance set in the order and request that the necessary action be taken to enforce the order. A copy of the Hearing Officer's Notice of Findings and Order and request that necessary action be taken to enforce the order shall also be filed with the Housing Board of Appeals.
- (B) The Housing Board of Appeals shall set a date not less than 30 days after the initial hearing for a hearing on the findings and order of the Hearing Officer. The Housing Board of Appeals shall give notice to the owner or agent of the time and place for the hearing as set forth herein. At the hearing, the owner or agent shall be given the opportunity to show cause why the order should not be enforced. The Housing Board of Appeals shall approve, disapprove, or modify the order.

- (C) If the Housing Board of Appeals approves or modifies the order, the City Inspector, or his or her designee, shall take all necessary action to enforce the order. If the order is approved or modified, the owner or agent shall comply with the order within 60 days after the date of the Housing Board of Appeals' hearing.
- (D) If the building or structure has been substantially destroyed by fire, wind, flood, deterioration, neglect, abandonment, vandalism, or other cause, and the cost of repair of the building or structure will be greater than the state equalized value of the building or structure, the Housing Board of Appeals shall issue an order of demolition. The owner or agent shall comply with the order of demolition within 21 days after the date of the Housing Board of Appeals' hearing.
- (E) The cost of demolition, making the building safe, or maintaining the property includes, but is not limited to, the costs of serving notices, fees paid to hearing officers, costs of title searches or commitments used to determine the parties in interest, recording fees for notices and liens filed with the county register of deeds, demolition and dumping charges, court reporter fees, and costs of the collection of the charges authorized herein. The cost of the demolition, making the building safe, or of maintaining the exterior of the building or structure, or grounds adjoining the building or structure incurred by the City to bring the property into conformance with this subchapter shall be reimbursed to the City by the owner or party in interest in whose name the property appears. This includes owners who have an interest when these proceedings commence or who acquire their interest during the pendency of the proceedings.
- (F) The owner in whose name the property appears upon the last local tax assessment records and within the records of the Register of Deeds shall be notified of the amount of such cost by first class mail at the address shown on the records. If the owner fails to pay the same within thirty (30) days after mailing by the assessor of the notice of the amount thereof, the City shall have a lien for the cost incurred by the City to bring the property into conformance with this subchapter. The lien shall not take effect until notice of the lien has been filed or recorded as provided by law. A lien provided for in this subsection does not have priority over previously filed or recorded liens and encumbrances. The lien for the cost shall be collected and treated in the same manner as provided for property tax liens under State law.
- (G) In addition to other remedies under this subchapter, the City may bring an action against the owner of the building or structure for the full cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure incurred by the City to bring the property into conformance with this subchapter. The City shall have a lien for the amount of the judgment against the owner's interest in all real property located in this state that is owned in whole or in part by the owner of the building or structure against whom the judgment is obtained. The lien provided for in this section shall not take effect until notice of the lien is filed or recorded as provided by law. The lien does not have priority over prior filed or recorded liens and encumbrances. The judgment may be enforced against assets of the owner other than the building or structure.

§ 151.118 JUDICIAL REVIEW.

An owner aggrieved by any decision or order of the Housing Board of Appeals under this subchapter may appeal the decision or order to a court of competent jurisdiction by filing a petition within twenty (20) days from the date of service of the Order.

§ 151.119 WAIVER PROVISION.

The owner of any building or structure, or the owner’s agent, may, at any time, admit in writing that such building or structure is a dangerous building within the meaning of this subchapter, and waive notice, a hearing, findings, order and service of the order under this subchapter, and court review of such order. The owner or the owner’s agent may consent that such building or structure be demolished and the cost charged against the property. In such event, the Chief Inspector, or their representative, may have said building or structure demolished and the cost charged against said property shall be collected in the same manner as provided for in §33.26.

§ 151.120 EMERGENCY CASES.

- (A) In cases where there is evidence of an immediate and serious danger to the public safety or health unless a dangerous building or structure as defined in this subchapter is immediately demolished or otherwise made safe, the Chief Inspector, or their designee, may cause the immediate repair or demolition of such dangerous building or structure. Determination of immediate and serious danger to the public safety or health shall be determined by the Chief Inspector, or their designee, including but not limited to the City Fire Marshal. The determination of an immediate and serious danger includes, but is not limited to, situations which may lead to the immediate potential for injury, death, spread of disease or infection, or for property or structural damage which indicates an immediate and serious danger to the public safety or health. The potential for harm to emergency personnel who may have to re-enter such structures in the course of their duties may be considered when determining an immediate and serious danger to public safety or health exists. The costs of such emergency repair or demolition shall be collected in the manner as provided for in § 33.26.
- (B) Written notice shall be provided to the owner or agent of the property on which the emergency case existed as soon as practicable after the dangerous building or structure has been demolished or otherwise made safe. At a minimum, the written notice will detail what action was taken by the City, why such action was necessary, and the date of such action.
- (C) If the emergency case requires more than twenty-four hours to remedy, the City shall obtain the permission of the owner or agent of the property to continue entry onto the property, and such contact shall be documented, and/or the City shall obtain a court order authorizing continued entry.

§ 151.121 PENALTIES.

A person or persons who fail or refuse to comply with an order approved or modified under this subchapter within the time period mandated by such an order is guilty of a misdemeanor, punishable by imprisonment for not more than one hundred twenty (120) days, or a fine of not more than one thousand dollars (\$1,000.00), or both.

§ 151.122 CONFLICTING ORDINANCES.

All previous ordinances or sections thereof pertaining to the abatement of dangerous buildings which may be in conflict with these provisions of this subchapter are hereby repealed except as hereinafter otherwise provided. Said repealed ordinances or sections thereof shall remain in full force and effect as to all actions commenced ongoing prior to the effective date of this subchapter.

§ 151.123 PROCEEDINGS PENDING.

All proceedings pending and all rights and liabilities existing, acquired or incurred under any ordinances hereby repealed at the time this subchapter takes effect, are hereby retained, and such proceedings may be consummated under and according to the ordinance in force at the time such proceedings are or were commenced. It is the intent that this subchapter shall not be construed to alter, affect, or abate any pending prosecution or prevent prosecution hereinafter instituted under such ordinances or any section thereof for offenses committed prior to the effective date of this subchapter, and all prosecutions instituted after the effective date of this subchapter for offenses committed prior to the effective date of this subchapter or for work conducted prior to the effective date hereof, may be continued or instituted under and in accordance with the provisions of the ordinance or sections thereof in force at the time of the commission of such offense.

§ 151.134 APPEALS PROCEDURE.

(A) *Appeals procedure.* Any person affected by any notice of violation(s) which has been issued under this chapter may request and shall be granted a hearing on the matter before the Housing Board of Appeals, as established by §12.14 of the code. The affected person shall file a written appeal in the office of the Chief Inspector requesting the hearing. The appeal shall include the name, address and phone number of the appellant and a brief statement of the grounds for the hearing. The appeal shall be filed within twenty-one (21) days after the day the notice of violation or order is served. Failure to file the written notice of appeal within the twenty-one (21) day period shall be deemed a waiver of the person's right to a hearing or to otherwise contest the notice of violation(s) or order. Upon timely receipt of an appeal, the Chief Inspector shall set a time for a hearing before the Housing Board of Appeals and shall give the appellant written notice of the date, time and location for the hearing.

(B) *Hearings.* Hearings shall be commenced within a reasonable time after an appeal has been filed. At such hearings the appellant shall be given an opportunity to be heard and to show cause why the notice of violation or order should be modified or withdrawn. Such hearings shall be open to the public.

(C) *Decisions and powers of Housing Board of Appeals.*

(1) After a hearing, the Housing Board of Appeals may sustain, modify, or withdraw the notice of violation or order depending upon its findings. In rendering these determinations, the powers of the Housing Board of Appeals shall be strictly limited to making interpretation of the provisions of this chapter, to the applicability of its specific provisions to the specific case being heard, and to granting variances to the provisions of this chapter. In granting variances, this Board shall be allowed to grant a variance if it clearly appears that, by reason of special condition, undue hardship would result from strict application of any section of this chapter.

(2) In these cases the Board may permit a variance from mandatory provisions thereof in such a manner that the public safety shall be secured, substantial justice done and the spirit and intent of the provisions of this chapter are upheld. In no case shall this Board grant a variance which would lessen the safety, health and welfare requirements of this chapter. Any variances granted shall be for this chapter and shall not and cannot waive the requirements and provisions of any other applicable code, ordinance, or law. All decisions rendered under this section shall be in writing and shall be final. A copy of the decision shall be mailed to the appellant at the address shown on the appeal.

(3) The failure of the appellant, or his or her representative, to appear and state his or her case at the hearing shall have the same effect as if no appeal was filed and the Board shall proceed to deny the appeal and affirm the notice of violation or order.

This ordinance shall become effective June 16, 2016.

Enacted: June 6, 2016.

Ayes:

Nays:

Absent:

Abstain:

Dennis D. Browning
Mayor

Janet Santos, CMMC/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 June 6, 2016; 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, CMMC/CMC/MMC
City Clerk