

# Council Agenda

**October 6, 2008 6:30 p.m. Council Chamber**

PRAYER AND PLEDGE OF ALLEGIANCE

ROLL CALL:

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

- May 5, 2008 and
- May 19, 2008 regular Council meeting, and
- May 12, 2008 Committee of the Whole meeting.

PUBLIC HEARINGS:

- Establishment of an Industrial Development District for the certain parcels of property located in the 1700-1800 blocks of 1st Street, the 1600 block of N. 6th Avenue, and the 1000-1200 block of N. Washington Avenue, which full legal descriptions are on file in the Office of the City Clerk.

ANNOUNCEMENTS:

1. Fire Engineer Christopher McGowan to accept Certificate of Recognition for receiving the 2007 Air National Guard Military Firefighter of the Year Award in Denver, Colorado.
2. Chief E. Dean Holland to accept proclamation designating October 5 – 11, 2008 as Fire Prevention Week in the City of Saginaw.

PERSONAL APPEARANCES:

- *(A list will be provided on Monday)*

REMARKS OF COUNCIL:

PETITIONS:

1. from Mary E. Cottrell, 2024 Holcomb, requesting the property abutting the alley bounded by W. Michigan and Superior be vacated.
2. from Ken Cichewicz, 4677 Town Centre, Suite 101, requesting permission to erect a banner in the 500 block of Court Street from October 10, 2008 to October 25, 2008 for the purpose of promoting the Field N' Phantom Event at the Temple Theater.
3. from James R. McIntyre, PRIDE President, requesting permission to display fireworks on November 21, 2008 at Ojibway Island for the Holidays in the City event.

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

From the Planning Commission:

1. [Explaining the Ordinance listed under the regular order that amends the zoning map by vacating North Weadock Street between Fitzhugh and Johnson Streets.](#)

APPOINTMENT OF BOARD AND COMMISSION MEMBERS:

1. Consideration of reappointing Paul Virciglio to the Downtown Development Authority with a term to expire November 1, 2012.

REPORTS FROM MANAGER:

Management Update:

1. Tom Darnell, Director of Public Services, and Phil Karwat, City Engineer, will give an update on Adams Blvd.
2. Tom Darnell, Director of Public Services, will review the leaf collection schedule.

Recommended Actions:

1. Recommending that a budget adjustment be completed to increase the GM Tower's Professional Services Account No. 238 6595 761 8001 by \$6,000.00 from \$102,500.00 to \$108,500.00. The increase in expenditures will be offset by an increase in the GM Tower's use of available and undesignated fund balance.
2. Recommending that the 2008-09 Approved Budget for General Fund Revenue – Federal Grants Account No. 101 0000 513 5835 be increased by \$24,000.00 from \$1,094,000 to \$1,118,000. Offsetting this increase is the purchase of the Air Cascade System for the fire department.
3. Recommending that the 2008-09 Approved Budget for the Fire Department's Fire Operations Division's Capital Outlay/Repair and Replacement Account No. 101 3751 751 9720 be increased from \$0 to \$6,000.00. Available fund balance will offset the increase.
4. Recommending that the 2008-09 Approved Budget for the Fire Department's Fire Apparatus Operation and Maintenance Motor Vehicle Supplies Account No. 101 3754 751 8042 be increased from \$135,000 to \$148,330 which is a \$13,330 increase. Available fund balance will offset the increase.
5. Recommending that a budget adjustment be completed to increase the General Fund's Transfer Out to the Motor Pool Operation Fund Account No. 101 9660 771 8712 from \$0 to \$43,922. This increase will be offset by available fund balance. Further recommending that the Motor Pool Operation Funds Transfers from Other Funds Account No. 661 0000 691 6901 be increased from \$0 to \$43,922. This increase in revenues will be offset by an increase to the Motor Pool Operation Fund – Vehicles Account No. 661 4480 841 9770 by the same amount.
6. Recommending final approval of Claim No. P134-07-00256 and payment to Claimant in the amount of \$5,492.37 to resolve property damage claim at 508 Hayes. This claim settlement has been approved by the City Manager as to substance and the City Attorney

as to form. Funds are available in the City's Self Insurance Fund Account No. 677 1762 711 8074.

7. Recommending approval of the Department of Justice Drug Enforcement Administration (DEA) State and Local Task Agreement. The DEA and City have agreed to enter into an agreement whereby a city officer would be detailed to the DEA. Under the terms of the agreement, the City is responsible for the officer's salary and the DEA will reimburse the City for overtime payments made by it to the officer up to a sum equivalent to \$16,328.75. In addition, the City will receive 80% of forfeited funds. Further recommend that the Police Chief be authorized to sign the agreement and any exhibits on behalf of the City Manager.
8. Recommending approval of the low bid and issuance of a purchase order to Michigan Police Equipment in the amount of \$19,982.50 for the purchase of training and duty ammunition for the Saginaw Police Department. This vendor meets all requirements of the contract compliance provisions. Funds are budgeted in the Police Administrative Services Supplies / Parts and Supplies Account No. 101 3012 721 7330 (\$14,982.50) and the Drug Forfeiture Parts and Supplies Account No. 264 3040 731 7330 (\$5,000.00).
9. Recommending acceptance of the bid and issuance of a purchase order to Douglass Safety Systems in the amount of \$28,795.33 for the purchase of an Air Cascade System for the fire department. This vendor meets all requirements of the contract compliance provisions. Funds are budgeted in the Saginaw Fire Department Capital Outlay/Repairs and Replacements Account No. 101 3751 751 9720.
10. Recommending that payment be made to Sungard Public Sector, Inc. in an amount not to exceed \$160,000 for software maintenance and license fees pursuant to the HTE Software License Agreement and Supplemental Software License and Services Agreement approved by City Council on October 27, 1997, as part of the IBM Technology Upgrade Plan. This vendor meets all requirements of the contract compliance provisions. Funds are budgeted in the Information Services Operating Services Account No. 658 1720 711 8005.
11. Recommending that a purchase order be approved and issued to Infor Global Solutions, Inc. in the amount of \$3,659.26 for the annual renewal maintenance fee for fiscal year 2009. This vendor meets all requirements of the contract compliance provisions. Funds are budgeted in the Sewer Maintenance Operating Services Account No. 590 4815 851 8005 (\$1,829.63) and Water Maintenance Operating Services Account No. 591 4715 851 8005 (\$1,829.63).
12. Recommending that a purchase order be approved and issued to Bonus Environmental in the amount of \$4,150.00 for asbestos and respiratory training for the Water and Sewer Division employees. Bonus Environmental is the sole source in the area for this type of service. This vendor meets all requirements of the contract compliance provisions. Funds are budgeted in the Water Section Training and Development Account No. 591 4721 861 8090 (\$3,350.00) and in the Sewer Section Training and Development Account No. 590 4821 861 8090 (\$800.00).
13. Recommending acceptance of the quote from Republic Waste of Mid Michigan and issuance of a purchase order to them in the amount of \$4,500.00 for the rental of a 30-yard trash container for disposal of solid trash and office equipment from City Hall, Parks Maintenance and Special Events. This vendor meets all requirements of the contract

compliance provisions. Funds are available in the Buildings and Grounds Maintenance Operating Services Account No. 101 7575 821 8005.

14. Recommending acceptance of the sole bid and issuance of a purchase order to RK Hydro-Vac, Inc., in the amount of \$5,940.00 for the removal of filter gravel from one of the Water Treatment Plant filters. This vendor meets all requirements of the contract compliance provisions. Funds are budgeted in the Water Treatment Operations Professional Services Account No. 591 4730 861 8001.
15. Recommending acceptance of the low bid and issuance of a purchase order to Land Development Contractors in the amount of \$15,150.00 for fiscal year 2009 and \$15,900.00 for fiscal year 2010 for annual dozing and grading. This vendor meets all requirements of the contract compliance provisions. Funds are budgeted in the Water Fund Operating Services Account No. 591 4721 861 8005 (\$7,575.00) and Sewer Fund Operating Services Account No. 590 4821 861 8005 (\$7,575.00) and will be budgeted in the same accounts for fiscal year 2010.
16. Recommending acceptance of the low bid and issuance of a purchase order to Woodsman, Inc. in the amount of \$56,150.00 for the replacement of a brush chipper. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Motor Pool Capital Outlay/Maintenance Equipment Account No. 661 4480 841 9741.
17. Recommending approval of the low bid from Lois Kay Contracting, Inc. in the amount of \$123,147.01 and that a contract be awarded to them in that amount for the West Genesee Avenue, and Michigan Avenue to Niagara Street Resurfacing project. The contract is subject to the approval of the City as to substance and the City Attorney as to form. This vendor meets all requirements of the contract compliance provisions. Funds are available in the fiscal year 2009 Major Streets Street Resurfacing Fund Account No. 202 4614 781 8046 (\$29,674.01) and fiscal year 2009 Community Development Block Grant Street Resurfacing Fund Account No. 275 6511 761 8046 (\$93,500.00).
18. Recommending acceptance of the State bid price from North American Salt Company, Inc. and issuance of a purchase order to them in the amount of \$139,020.00 for 3,500 tons of road salt for the 2009 winter season. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Major and Local Streets Fund Account Nos. 202 4655 841 7340 (\$100,000.00), 202 4692 841 7340 (\$5,000.00) and 203 4655 841 7340 (\$34,020.00) and will be accounted for through the Municipal Streets Fund Account No. 204 4615 781 7340.
19. Recommending acceptance of the low bid and issuance of a purchase order to Rock Ready Mix in the amount of \$150,000.00 for fiscal year 2009 and \$167,000.00 for fiscal year 2010 for a two-year supply of ready mix concrete. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Water Supplies/Street & Road Materials Account No. 591 4721 861 7340 (\$75,000.00) and Sewer Supplies/Street & Road Materials Account No. 590 4821 861 7340 (\$75,000.00) for fiscal year 2009 and will be budgeted for in fiscal year 2010.
20. Recommending acceptance of the quote and issuance of a purchase order to West Shore Services in the amount of \$198,540.00 for the replacement of the City's emergency warning siren system. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Capital Outlay Radio Equipment Account No. 660 4422 791 9750.

21. Recommending acceptance of the only bid and issuance of a blanket purchase order to Saginaw Asphalt in the amount of \$370,000.00 for the annual purchase of hot and cold asphalt for temporary and permanent repairs of streets and water and sewer excavations. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Local and Major Streets Road Materials Account Nos. 203 4651 841 7340 (\$10,000.00) and \$202 4651 841 7340 (\$60,000.00), and Water and Sewer Road Materials Account Nos. 591 4721 861 7340 (\$150,000.00) and 590 4821 861 7340 (\$150,000.00).

#### INTRODUCTION OF ORDINANCES:

1. An Ordinance to vacate North Weadock Street between Fitzhugh and Johnson Streets, located in the City of Saginaw and to retain therein an easement for Public Utilities, Cable TV and Telecommunications to be added to Table of Special Ordinances II of the Saginaw Code of Ordinances.

#### CONSIDERATION AND PASSING OF ORDINANCES:

1. An Ordinance to repeal Ordinance O-32, "Low Income Housing Tax Exemption for Tabernacle Missionary Baptist Church" and Ordinance O-46, amending Paragraph "H" of Ordinance O-32 "Low Income Housing Tax Exemption for Tabernacle Missionary Baptist Church" of the Table of Special Ordinances VIII, of the City of Saginaw Code of Ordinances, O-1.

#### RESOLUTIONS:

1. Approving the establishment of an Industrial Development District for Rifkin Scrap Iron & Metal Company.
2. Approving the request to transfer ownership of 2007 Class C licensed business, located in escrow at 2350 S. Michigan, Saginaw, MI 48602, Saginaw County, from Janke's Olde Towne Tavern, LLC to Ter-Mac, Inc.
3. Declaring the City's intent to vacate North Weadock Street between Fitzhugh and Johnson Streets.

#### UNFINISHED BUSINESS:

#### MOTIONS AND MISCELLANEOUS:

- Motion to go into closed session to discuss the contents of a written legal opinion on the issue of automobile liability insurance.

Darnell Earley  
City Manager

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** MP2 Software Maintenance Fee

**Manager's Recommendation:**

I recommend that a purchase order be approved and issued to Infor Global Solutions, Inc. in the amount of \$3,659.26 for the annual renewal maintenance fee for fiscal year 2009.

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

Funds are budgeted in the Sewer Maintenance Operating Services Account No. 590-4815-851-8005 (\$1,829.63) and Water Maintenance Operating Services Account No. 591-4715-851-8005 (\$1,829.63).

**Justification:**

Personnel from the Water Treatment and Wastewater Treatment Plants utilize MP2 Barcode Plus Systems and software to inventory plant equipment. An annual renewal maintenance fee is required to receive all new upgrades for the software licenses and the right to call the help desk for all software related questions and/or problems.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Miscellaneous Trash Disposal Pick Up

**Manager's Recommendation:**

I recommend that the quote from Republic Waste of Mid Michigan be accepted and that a purchase order be issued in the amount of \$4,500.00 for the rental of a 30-yard trash container for disposal of solid trash and office equipment from City Hall, Parks Maintenance and Special Events.

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

Funds for this purchase are available in the Buildings & Grounds Maintenance Operating Services Account No. 101-7575-821-8005.

**Justification:**

This purchase order is for the rental of a 30-yard trash container for disposal of solid trash and office equipment from City Hall, Parks Maintenance and Special Events. The volume of daily trash has increased dramatically within the past year, causing the trash container to be emptied more often, sometimes twice a week, increasing the cost of service. The quotes received are as follows:

Republic Waste of Mid Michigan Montrose, MI	\$340.00/pick up
Waste Management Wixom, MI	\$571.00/pick up

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Water Treatment Plant Filter Gravel Removal

**Manager's Recommendation:**

I recommend that the sole bid from RK Hydro-Vac, Inc., of Piqua, OH, be accepted and a purchase order be approved and issued to them in the amount of \$5,940.00 for the removal of filter gravel from one of the Water Treatment Plant filters.

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

Funds for this purchase are budgeted in the Water Treatment Operations Professional Services Account No. 591-4730-861-8001.

**Justification:**

On September 16, 2008, the City received one bid for the removal of filter gravel from one of the Water Treatment Plant Filters. The filter is being rebuilt with new gravel and media by the Water Plant maintenance staff, but staff does not have the equipment to efficiently remove the gravel. The filter is of critical importance to the treatment process to ensure that we can meet the full flow capacity of the plant and Regulatory Compliance for Turbidity provisions of the Enhanced Surface Water Treatment Rule. There is no cost comparison for this work.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.



# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Ready Mix Concrete

**Manager's Recommendation:**

I recommend that the low bid from Rock Ready Mix be accepted and a purchase order be approved and issued to them in the amount of \$150,000.00 for fiscal year 2009 and \$167,000.00 for fiscal year 2010 for a two-year supply of ready mix concrete.

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

Funds for this purchase are available in Water Supplies/Street & Road Materials Account No. 591-4721-861-7340 (\$75,000.00) and Sewer Supplies/Street & Road Materials Account No. 590-4821-861-7340 (\$75,000.00) for fiscal year 2009 and will be budgeted for in the same accounts for fiscal year 2010

**Justification:**

On July 8, 2008, the Right Of Way Division, Maintenance and Service Section, received bids for ready mix concrete that will be used in fiscal years 2009 and 2010 by the Streets, Water and Sewer Sections for repair of the streets and utility cuts throughout the city. Following is a tabulation of bids received and reviewed by the Purchase Committee:

<u>Rock Ready Mix Saginaw, MI</u>	<u>2008/2009 Cost</u>	<u>2009/2010 Cost</u>
35 S per yard (6 sack)	\$74.50	\$76.00
35 HE per yard (7 sack)	79.50	81.00
35 HE per yard (9 sack)	89.50	91.00
P-FS per yard	74.50 Delivery Charges	76.00 Delivery Charges
1 yd per load	40.00	40.00
2 yd per load	40.00	40.00

# COUNCIL COMMUNICATION

3 yd per load	40.00	40.00
4 yd per load	40.00	40.00

**R & R Ready Mix**

<u>Zilwaukee, MI</u>	<u>2008/2009 Cost</u>	<u>2009/2010 Cost</u>
35 S per yard (6 sack)	\$88.50	\$91.50
35 HE per yard (7 sack)	93.50	96.50
35 HE per yard (9 sack)	103.50	106.50
P-FS per yard	0.00	0.00
	Delivery charges	Delivery Charges
1 yd per load	90.00	90.00
2 yd per load	70.00	70.00
3 yd per load	50.00	50.00
4 yd per load	30.00	30.00
Demurrage per hour	75.00	75.00
Fuel Charge per load	17.50	17.50

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the  
City Manager be accepted.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Replacement Brush Chipper

**Manager's Recommendation:**

I recommend acceptance of the low bid and issuance of a purchase order to Woodsman, Inc., in the amount of \$56,150.00 for the replacement of a brush chipper to be used by the Right-of-Way Environmental and Streets section.

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

Funds for this purchase are budgeted in the Motor Pool Capital Outlay/Maintenance Equipment Account No. 661-4480-841-9741.

**Justification:**

The Environmental and Streets Section is replacing a ten-year-old chipper that has over 10,000 hours of use on it. This chipper is one of three that is used to maintain the city's urban forest and brush pickup routes.

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

Woodsman Inc Farwell, MI	\$56,150.00
Morbark Wynn, MI	\$62,100.00
Bandit Industries Remus, MI	\$63,600.00

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Road Salt for FY2009 Winter Season

**Manager's Recommendation:**

I recommend that the bid from North American Salt Company, Inc. be accepted at the State-bid price and that a purchase order be approved and issued to them in the amount of \$139,020.00 for 3,500 tons of road salt for the 2009 winter season.

This vendor meets all requirements of the State of Michigan Contract Compliance Policy, which supersedes the City of Saginaw's Contract Compliance Provisions, Title 1, Chapter 14, §14.35 – 14.44, of the Saginaw Code of Ordinances.

Funds for this purchase are budgeted in the Major and Local Streets Fund Account Nos. 202-4655-841-7340 (\$100,000.00), 202-4692-841-7340 (\$5,000.00) & 203-4655-841-7340 (\$34,020.00) and will be accounted for through the Municipal Streets Fund Account No. 204-4615-781-7340.

**Justification:**

On April 18, 1977, City Council approved a cooperative purchasing agreement with the State of Michigan, which allows the City to purchase material and equipment at State-bid pricing. The City has used this agreement to purchase road salt for ice control. North American Salt Co. was the low bidder at \$39.72 per ton for 3,500 tons. This price per ton includes the salt, weighing and loading, handling and the truck freight charges. This compares to a price of \$35.24 per ton for the bulk shipment of 1,478 tons received in February 2008.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Annual Supply of Hot and Cold Asphalt

**Manager's Recommendation:**

I recommend acceptance of the sole bid from Saginaw Asphalt and issuance of a blanket purchase order to them in the amount of \$370,000.00 for the annual purchase of hot and cold asphalt.

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

Funds for this purchase are budgeted in Local and Major Streets Road Materials Account Nos. 203-4651-841-7340 (\$10,000.00) and 202-4651-841-7340 (\$60,000.00), and Water and Sewer Road Materials Account Nos. 591-4721-861-7340 (\$150,000.00) and 590-4821-861-7340 (\$150,000.00).

**Justification:**

The Department of Public Services, Right of Way Division, requires hot and cold asphalt for temporary and permanent repairs of streets and water and sewer excavations. Saginaw Asphalt submitted the only bid for these materials.

**Tabulation of Bid Received**

Hot Mix 13A	\$100,000
Hot Mix 36A	\$175,000
Cold Patch CP-5	<u>\$ 95,000</u>
	\$370,000

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Asbestos and Respiratory Training

**Manager's Recommendation:**

I recommend that a purchase order be approved and issued to Bonus Environmental in the amount of \$4,150.00 for asbestos and respiratory training for the Water and Sewer Division employees. Bonus Environmental is the sole source in this area for this type of service.

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

Funds are budgeted in the Water Section Training and Development Account No. 591-4721-861-8090 (\$3,350.00) and Sewer Section Training and Development Account No. 590-4821-861-8090 (\$800.00).

**Justification:**

The Right of Way Division, Water and Sewer Section require training for its employees in cutting asbestos concrete water main. Bonus Environmental was referred to the City as their work consists primarily of training and educating in the handling of asbestos products and advising what respirators are required. Given the need to train employees in order to comply with MIOSHA standards, a quote was received from Bonus Environmental, who came highly recommended and is the sole source in the area for this service.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Annual Dozing and Grading

**Manager's Recommendation:**

I recommend acceptance of the low bid and issuance of a purchase order to Land Development Contractors in the amount of \$15,150.00 for Fiscal Year 2009 and \$15,900.00 for Fiscal Year 2010 for annual dozing and grading.

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

Funds are budgeted in the Water Fund Operating Services Account No. 591-4721-861-8005 (\$7,575.00) and Sewer Fund Operating Services Account No. 590-4821-861-8005 (\$7,575.00) and will be budgeted in the same accounts for Fiscal Year 2010.

**Justification:**

On August 26, 2008, the Right of Way Division, Maintenance and Service Section, received bids from two vendors for an annual amount of dozing and grading on an "as needed" basis. Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

<b><u>Vendor</u></b>	<b><u>2008-2009</u></b>	<b><u>2009-2010</u></b>
Land Development Contractors Saginaw, MI	\$15,150.00	\$15,900.00
Mead and Sons Contractors Saginaw, MI	\$16,400.00	\$17,800.00

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Lois Kay Contracting, Contract (C-1580)

**Manager's Recommendation:**

I recommend approval of the low bid from Lois Kay Contracting Inc., in the amount of \$123,147.01 be accepted and that a contract be awarded to them in that amount. Contract documents forwarded herein (City Clerk's File \_\_\_\_\_), have been signed by the contractor. The contract is subject to approval by me as to substance and the City Attorney as to form.

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

Funds for this Contract are available in fiscal year 2009 Major Streets Street Resurfacing Fund Account No. 202-4614-781-8046 (\$29,674.01) Project No. ST0802 and fiscal year 2009 Community Development Block Grant Street Resurfacing Fund Account No. 275-6511-761-8046 (\$93,500) Project No. 09H085.

**Justification:**

On September 23, 2008, the City received bids for the W. Genesee Avenue, Michigan Avenue to Niagara Street Resurfacing. The existing asphalt surface is deteriorated and in need of repair. In an effort to extend the life of the pavement and avoid full road reconstruction, the City of Saginaw is proposing to cold mill existing asphalt surface and pave with 2 inches of hot mix asphalt material. The railroad companies, as part of this project, will be making improvements to their railroad track crossings.



# COUNCIL COMMUNICATION

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

	<u>Total Bid</u>
Lois Kay Contracting Saginaw, MI	\$124,008.31*
Pyramid Paving Essexville, MI	\$136,259.93

\*Should be \$123,147.01 due to incorrect item price extension.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Department of Justice Drug Enforcement Administration State and Local Task Force Agreement

**Manager's Recommendation:**

I recommend that the Department of Justice Drug Enforcement Administration ("DEA") State and Local Task Agreement be approved. In addition, it is recommended that City Council authorize the Police Chief to sign the agreement and any exhibits. The agreement is subject to approval by the City Manager as to substance and the City Attorney as to form.

**Justification:**

The DEA and City have agreed to enter into an agreement whereby a City officer would be detailed to the DEA. The officer would assist the DEA with disrupting illicit drug trafficking activities in the City of Saginaw, gathering intelligence data and assisting with investigations. Under the terms of the agreement, the City is responsible for the officer's salary and the DEA will reimburse the City for overtime payments made by it to the officer up to a sum equivalent to \$16,328.75. In addition, the City will receive eighty percent of forfeited funds. This agreement will expire on September 30, 2009.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

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

## **RESOLUTION ESTABLISHING AN INDUSTRIAL DEVELOPMENT DISTRICT**

Council \_\_\_\_\_ offered and moved adoption of the following resolution:

WHEREAS, Rifkin Scrap Iron & Metal Company did heretofore on September 5, 2008, file with the City Clerk a communication/petition (City Clerk's File No. 08-32) requesting the City Council to establish an Industrial Facilities Exemption District pursuant to the authority found in Act 198, P.A. of 1974, as amended; and

WHEREAS, the Council at its regular meeting of September 22, 2008, directed that a Public Hearing on said request be held in the City Council Chamber at 6:30 p.m. on October 6, 2008 and that the Clerk give Notice of said Hearing as required by law; and

WHEREAS, Act 198, P.A. of 1974, states that the legislative body of a local government may establish such a District on its own initiative or upon a written request filed by the owner or owners of 75% or more of the property of the industrial property located with the proposed Industrial Development District; and

WHEREAS, Rifkin Scrap Iron & Metal Company does not own 75% or more of the property of the industrial property located with the proposed Industrial Development District and as a result this request is being initiated by the City Council for the City of Saginaw; and

WHEREAS, written notice by certified mail was given to the owners of the property within the proposed Industrial Development District and the Notice of Hearing was published once in The Saginaw News, the official newspaper of the City; and

# COUNCIL COMMUNICATION

WHEREAS, at the time and place stated in the Notice of Hearing, the public hearing was held and the owner of the real property in the proposed district and all residents and taxpayers of the City of Saginaw desiring to be heard on the matter were given the right to appear, and those who did so appear were heard; and

WHEREAS, the Council has carefully considered the petition and all matters presented to it at the above-referenced public hearing and finds that the City of Saginaw is qualified as a local government unit authorized to create an Industrial Development District pursuant to the Act 198, P.A. of 1974, as amended.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Saginaw hereby establishes in the City of Saginaw an Industrial Development District pursuant to Act 198, P.A. 1974, as amended, said District to comprise of those parcels of land in the City of Saginaw, County of Saginaw, State of Michigan, described as follows:

## **1702 1ST STREET, SAGINAW, MICHIGAN**

TAX ROLL NO. 01 0625 00000

A PARCEL OF LAND IN THE N.W.1/4 OF SEC.18,T.12, N.R.5,E. DESCRIBED AS FOLLOWS VIZ. COMG. AT A POINT IN THE NLY. ST. LINE OF N. FIRST ST. WHERE SAID ST. LINE IS INTERSECTED BY THE WLY. BOUNDARY LINE OF THE RIGHT OF WAY OF THE SAGINAW & BAY CITY R.R., NOW THE BAY CITY DIVISION OF THE P.M. R.R., & RUNG. THENCE N. WLY. ALONG SAID NLY. LINE OF N. FIRST ST.149.9FT.TO THE ELY. LINE OF N. FIRST ST., BEARING N.31DEG. 30 MIN. E., THENCE N. ELY. ON THE ELY. LINE OF N. FIRST ST. 977.7 FT., THENCE AT A RIGHT ANGLE 90 DEG. TO SAID ELY. LINE OF N. FIRST ST. TO THE POINT OF INTERSECTION OF THE WLY. LOT LINES OF OUT LOTS 155 & 156, HOYT'S NORTHERN ADDITION WITH THE COMMON LOT LINE BETWEEN SAID OUT LOTS 155 & 156, THENCE S. WLY. ON THE WLY. LOT LINE OF OUT LOT 156 TO THE SLY. LOT LINE OF SAID OUT LOT 156, THENCE S. ELY. ON THE SLY. LOT LINE OF OUT LOT 156 TO ITS INTERSECTION WITH THE WLY. BOUNDARY LINE OF THE RIGHT OF WAY OF SAGINAW & BAY CITY R.R., NOW THE BAY CITY DIVISION OF P.M. R.R., THENCE ALONG SAID WLY. BOUNDARY LINE OF THE RIGHT OF WAY OF SAID R.R. TO THE PLACE OF BEG. EXC. THAT PART USED FOR RAILROAD PURPOSES IN HOYT'S NORTHERN ADDITION

# COUNCIL COMMUNICATION

## **1801 1ST STREET, SAGINAW, MICHIGAN**

TAX ROLL NO. 01 0620 00100

PART OF THE NW 1/4 OF SEC 18, T12N R5E VIZ; COMG AT N 1/4 COR OF SD SEC, TH S00DEG 02MIN 32SEC W 451.67 FT ALONG E LN OF SD NW 1/4, TH N89DEG 57MIN 28SEC W100FT TO W'LY ROW FOR N 6TH ST & POB, TH S 00DEG 02MIN 32SEC W 80 FT TO W'LY ROW OF N LN OF C & O RR ROW, TH S 61DEG 33MIN 36SEC W 68.26FT ALONG SD N LN, TH N 00DEG 02MIN 32SEC E 112.55 FT, TH S 89DEG 57MIN 28SEC E 60FT TO POB

## **1827 1ST STREET, SAGINAW, MICHIGAN**

TAX ROLL NO. 01 0620 00000

ALL THAT PART OF SECTIONS 7&18, T12N. R5E LYING N OF C&O RR ROW, W OF N SIXTH AVES OF SAGINAW RIVER & E OF A LN VIZ., COMG AT N 1/4 COR OF SEC 18 T12N R5E, TH S00DEG 02M 32S W ALONG N/S 1/4 LN OF SEC 18 106.45 FT, TH N 89DEG 57M 28S W 250 FT TH S 50DEG 35M 21S W 863.76 FT TO POB OF SD LN, TH N 44DEG 26M 22S W 264.67 FT TH N 55DEG 54M 28S W TO E'LY BANK OF SAGINAW RIVER & POE, EXC THE FOLLOWING PARCELS (1) BEG AT INT OF N LN OF SD RR ROW & E LN OF SD 1ST ST, RUNG TH NW'LY TO SE'LY LN OF N 1ST ST, TH NE'LY ALONG SAID SE'LY ST LN 977.70 FT, TH S57DEG 08MIN 20SEC W 240.64 FT, TH S 38DEG 51MIN 49S W 103.51FT TH S 36DEG 44MIN 13SEC W 67.71 FT TO N LN OF C&O RR ROW, TH SW'LY ALONG SD ROW TO POB. (2) A PARCEL OF LAND IN SECTIONS 7 & 18, T12N R5E VIZ., COMG AT N 1/4 COR OF SD SEC 18TH W ALONG N LN OF SD SEC 18 TO A LN PARL TO & 63 FT W OF N & S 1/4 LN OF SD SEC 18, TH S ALONG SD PARL LN 106.45 FT TO POB, TH N ALONG ALN PARL TO & 63 FT W OF N & S 1/4 LN OF SEC'S 7 & 18, 850 FT, TH N 89DEG 57MIN 28SEC W 187 FT, TH N 35DEG 59MIN 45SEC W TO A LN PARL TO & 120 FT SE'LY OF CHANNEL LINE OF SAGINAW RIVER, TH S 54DEG 00MIN 15SEC W ALONG SD PARL LN 720 FT, TH S 25DEG 59MIN 45SEC E 926.14 FT, TH N 50DEG 35MIN 21SEC E 220.32 FT, TH S 89DEG 57MIN 28SEC E 187 FT TO POB EXC FOR A PARCEL VIZ; COMG AT N 1/4 COR OF SD SECTION, TH S 00DEG 02MIN 32SEC W 451.67 FT ALONG E LN OF SD NW 1/4, TH N 89DEG 57MIN 28SEC W 100 FT TO W'LY ROW OF N 6TH ST & POB, TH S 00DEG 02MIN 32SEC W 80 FT TO W'LY ROW OF N LN OF C & O RR ROW, TH S 61DEG 33MIN 36SEC W 68.26 FT ALONG SD N LN, TH 00DEG 02MIN 32SEC E 112.55 FT, TH S89DEG 57MIN 28SEC E 60 FT TO POB

# COUNCIL COMMUNICATION

## **1601 N. 6TH AVENUE, SAGINAW, MICHIGAN**

TAX ROLL NO. 01 0938 00000

A PARCEL OF LAND IN THE N.E.1/4 OF N.W.1/4 OF SEC.18,T. 12,N.R.5 E. DESCRIBED AS FOLLOWS. COMG. AT THE INTERSECTION OF THE W. LINE OF SIXTH AVE. WITH THE S. OR ELY. LINE OF THE P.M. BAY CITY DIVISION RIGHT OF WAY & RUNG. THENCE S. WLY. ALONG SAID RIGHT OF WAY 232.1 FT. TO THE BEG. OF A 1 DEG. CURVE, THENCE CONTINUING S. WLY. ALONG SAID 1 DEG. CURVE TO THE LEFT 79.1 FT., THENCE S. ELY. AT AN ANGLE OF 92DEG. 22MIN. MEASURED IN THE S. ELY. ANGLE & DEPARTED FROM THAT PART OF THE RAILWAY RIGHT OF WAY ELY. TO THE CURVE & PARL. TO SAID DISTANCE 544 FT. E. OF THE ELY. LINE OF FIFTH AVE.549.1 FT. TO N. RIGHT OF WAY LINE OF P.M. SPUR TRACK, FORMERLY S. T. & H.R.R., THENCE N. ELY. FOLLOWING SAID RIGHT OF WAY LINE ON A 4 DEG.52MIN.CURVE TO THE RIGHT 42.3 FT. TO W. LINE OF SIXTH AVE. AT A POINT WHICH IS AT RIGHT ANGLES TO A POINT IN THE CENTER LINE OF SIXTH AVE. OR ON THE N & S.1/4LINE OF ABOVEMENTIONED SEC.18 & 149.6 FT. N. OF THE 8TH CORNER AT THE INTERSECTION OF CENTERLINE OF SIXTH AVE. AT WASHINGTON AVE., THENCE NLY. ALONG SAID W. LINE OF SIXTHAVE.619.6 FT. TO PLACE OF BEG.

## **835 N. WASHINGTON, SAGINAW, MICHIGAN**

TAX ROLL NO. 01 0549 00000

ENTIRE BLKS.140&141,HOYTS NORTHERN ADDITION ALSO VACATED SECOND AVE. S.WLY.29FT.OF VACATED THIRD AVE. ALSO THAT PART OF OUT LOTS 157,158,159,160,161 162,163164 &165 LYING ELY. OF C.& O. R.R. RIGHT OF WAY ALSO THAT PART OF VACATED WATER ST. LYING ADJACENT TO ABOVE DESCRIBED PARCEL CONTAINING 8.15 ACRES MORE OR LESS

## **1009 N. WASHINGTON, SAGINAW, MICHIGAN**

TAX ROLL NO. 01 0624 00000

A PARCEL OF LAND IN THE N.W.1/4 OF SEC.18,T.12, N.R.5,E. DESCRIBED AS FOLLOWS. COMG. AT THE POINT OF INTERSECTION OF THE SLY. LOT LINE OF OUT LOT 156 OF HOYTS NORTHERN ADDITION WITH THE ELY. BOUNDARY LINE OF THE RIGHT OF WAY OF THE SAGINAW & BAY CITY R.R. NOW BAY CITY DIVISION OF THE P.M. R.R., RUNG. THENCE N. ELY. ALONG SAID ELY. BOUNDARY LINE OF THE RIGHT OF WAY OF SAID R.R. TO THE SLY. ST. LINE OF FOURTH AVE., THENCE S. ELY. ON SAID SLY. ST. LINE OF FOURTH AVE. TO THE CENTER LINE OF N. WATER ST. NOW VACATED, VACATED MARCH 13,1884,

# COUNCIL COMMUNICATION

THENCE S. WLY. ON SAID CENTER LINE OF N. WATER ST., NOW VACATED, TO THE SLY. LOT LINE EXTENDED OF OUT LOT 156, HOYT'S NORTHERN ADDITION, THENCE N. WLY. ON SAID SLY. LOT LINE OF SAID OUT LOT 156 TO THE PLACE OF BEG.

## **1011 N. WASHINGTON AVENUE, SAGINAW, MICHIGAN**

TAX ROLL NO. 01 0550 00000

THAT PART OF LOTS 1,2,3,4,9,10,11 & 12,BLK.144, HOYT'S NORTHERN ADDITION, AND VACATED WATER ST.& THIRD AVE. VIZ. COMG. AT A POINT ON N. LINE OF WASHINGTON AVE.29 FT. N. ELY. FROM S. WLY. LINE OF SAID VACATED THIRD AVE., THENCE N. WLY. PARL. TO VACATED THIRD AVE. TO A POINT 103 FT. S.WLY. OF CENTERLINE OF VACATED WATER ST. THENCE N. ELY. PARL. TO SAID CENTERLINE 220 FT., THENCE S. ELY. PARL. TO SAID FOURTH AVE. 78 FT., THENCE S. WLY. TO N. ELY. LINE OF LOT 10, THENCE S. ELY. ALONG SAID LOT LINE TO N. LINE OF WASHINGTON AVE., THENCE S. WLY. ALONG SAID LINE TO POINT OF BEG.

## **1013 N. WASHINGTON AVENUE, SAGINAW, MICHIGAN**

TAX ROLL NO. 01 0550 00200

THAT PART OF LOTS 1,2,3,4,5,6,7,8 & 9, BLK.144, HOYT'S NORTHERN ADDITION, AND VACATED THIRD AVE.& WATER STS. VIZ. COMG. AT A POINT ON S. WLY. LINE OF FOURTH AVE. AT A POINT 190 FT. S. ELY. FROM CENTERLINE OF VACATED WATER ST. THENCE S. WLY. PARL. TO OUTBOUND TRACK OF C&O RR 170 FT., THENCE N. WLY. PARL. TO FOURTH AVE.78 FT., THENCE S. WLY. PARL. TO VACATED WATER ST.220 FT., THENCE N. WLY. PARL. TO THIRD AVE. 103 FT. TO CENTERLINE OF VACATED WATER ST., THENCE N. ELY. ALONG SAID CENTERLINE TO A POINT, THENCE S.ELY.190 FT. TO POINT OF BEG.

## **1015 N. WASHINGTON AVENUE, SAGINAW, MICHIGAN**

TAX ROLL NO. 01 0550 00100

S.ELY.65 FT. OF LOT 7,S.ELY.65FT.OF LOT 8,S.ELY.65 FT. OF LOT 9, BLK.144, HOYT'S NORTHERN ADDITION

# COUNCIL COMMUNICATION

## **1111 N. WASHINGTON AVENUE, SAGINAW, MICHIGAN**

TAX ROLL NO. 01 0622 00000

N.ELY.17.5FT.OF OUT LOT 152, HOYT'S NORTHERN ADDITION & THAT PART OF NLY.1/2 OF WATER ST., VACATED MARCH 13,1884,LYING ADJACENT TO ABOVE DESCRIBED LOT EXC. P.M.R.R. RIGHT OF WAY

## **1113 N. WASHINGTON AVENUE, SAGINAW, MICHIGAN**

TAX ROLL NO. 01 0621 00000

S.W. 85 FT. OF OUT LOT 151, LYING S. ELY. OF BAY CITY & SAGINAW R.R. RIGHT OF WAY HOYT'S NORTHERN ADDITION & THAT PART OF NLY.1/2 OF WATER ST. VACATED MARCH 13,1884 LYING ADJACENT TO ABOVE DESCRIBED LOT

## **1115 N. WASHINGTON AVENUE, SAGINAW, MICHIGAN**

TAX ROLL NO. 01 0586 00000

PART OF LOTS 7,8,9,10,11 & 12, BLK.145, HOYTS NORTHERN ADDITION & PART OF FOURTH& FIFTH AVES., VACATED, BEG. AT A POINT IN THE CENTER LINE OF FOURTH AVE 137FT. N.W. FROM THE CENTER LINE OF WASHINGTON AVE., THENCE N.E. IN A STRAIGHT LINE 399.2FT. TO THE CENTER LINE OF 5TH AVE. DISTANT 149FT. N.WLY. AT RIGHT ANGLES FROM CENTER LINE OF WASHINGTON AVE., THENCE S. ELY. IN CENTER LINE OF 5TH AVE. TO THE NLY. LINE OF WASHINGTON AVE., THENCE S. WLY. ALONG SAID NLY. LINE OF WASHINGTON AVE. TO CENTER LINE OF 4TH AVE., THENCE NLY. IN CENTER LINE OF 4TH AVE. TO PLACE OF BEG.

## **1117 N. WASHINGTON AVENUE, SAGINAW, MICHIGAN**

TAX ROLL NO. 01 0585 00000

ALL THAT PART OF BLK.145,HOYTS NORTHERN ADDITION & ELY.1/2 OF 4TH AVE., VACATED& WLY.1/2 OF 5TH AVE., VACATED, LYING N.WLY. OF A LINE COMG. IN CENTER LINE OF 4TH AVE. AT A POINT 137 FT. N.W. FROM CENTER LINE OF WASHINGTON AVE. THENCE ELY. IN A STRAIGHT LINE TO CENTER LINE OF 5TH AVE. AT A POINT 149 FT. N.W. AT RIGHT ANGLES FROM CENTER LINE OF WASHINGTON AVE.& THAT PART OF SLY.1/2 OF WATER ST., VACATED MARCH 13,1884,LYING NLY. OF & ADJACENT TO ABOVE DESCRIBED PROPERTY. OUT LOTS 148149&150, N.ELY.15 FT. OF OUT LOT 151, HOYTS



# COUNCIL COMMUNICATION

NORTHERN ADDITION LYING E. OF BAY CITY DIVISION OF P.M. R.R.& THAT PART OF NLY. 1/2 OF WATER ST., VACATED MARCH 13,1884,LYING SLY.& ADJACENT TO ABOVE DESCRIBED LOTS

## **1201 N. WASHINGTON AVENUE, SAGINAW, MICHIGAN**

TAX ROLL NO. 01 0934 00300

A PARCEL OF LAND VIZ; COMG ATA PT ON NW'LY LNE OF WASHINGTON AVE 536 FT SW'LY FROM INTERSECTION OF SD NW'LY LN OF WASHINGTON AVE WITH W'LY LN OF SIXTH AVE, TH SW'LY ALONG SD NW'LY ST LN14 FT, TH NW'LY.AT RT ANGLES 84 FT TO S'LY LN OFC&O RR ROW, TH NE'LY ALONG SDLN 29 FT, TH S'LY TO POB

## **1203 N. WASHINGTON AVENUE, SAGINAW, MICHIGAN**

TAX ROLL NO. 01 0934 00000

A PARCEL OF LAND IN SEC.18,T.12,N.R.5,E.VIZ.BEG.AT A POINT ON N.WLY. LINE OF N. WASHINGTON AVE.170 FT. S.WLY. FROM INTERSECTION OF N.WLY. LINE OF N. WASHINGTON AVE.& WLY. LINE OF N. SIXTH AVE., THENCE N.WLY. AT RIGHT ANGLES, TO S.ELY. LINE OF C.&O. R.R. RIGHT OF WAY, THENCE S.WLY. ALONG SAID RIGHT OF WAY LINE TO N.ELY. LINE OF HOYT'S NORTHERN ADDITION, THENCE S.ELY. ALONG SAID N.ELY. ADDITION LINE TO N.WLY. LINE OF N. WASHINGTON AVE., THENCE N.ELY. ALONG SAID ST. LINE TO POINT OFBEG.,EXC.N.ELY.197 FT.

## **1205 N. WASHINGTON AVENUE, SAGINAW, MICHIGAN**

TAX ROLL NO. 01 0935 00100

VACATED RR SPUR TRACKS IN NW 1/4 OF SEC 18, T12N, R5E, FORMERLY ST & HRR ROW & C & O ROW VIZ; BEG ON E LN OF5TH AVE AT A PT 90 FT +/- FROM N'LY LN OF WASHINGTON AVE, TH NE'LY ALONG S'LY LN OF ROW 405 FT +/-, TH NW'LY AT RT ANGLES TO WASHINGTON AVE 31FT, TH NE'LY PARL TO WASHINGTON AVE 149.6 FT, TH NW'LY 38FT+/-, TH SW'LY ALONG N'LY ROW LN TO FIFTH AVE, TH SE'LY ALONG 5TH AVE ROW TO POB

# COUNCIL COMMUNICATION

## **1225 N. WASHINGTON AVENUE, SAGINAW, MICHIGAN**

TAX ROLL NO. 01 0934 00100

N.ELY.197 FT. OF A PARCEL VIZ. BEG. AT A POINT ON N.WLY. LINE OF N.WASHINGTONAVE.170 FT. S.WLY. FROM INTERSECTION OF N.WLY.LINE OF WASHINGTON AVE.& S.WLY. LINE OF N. SIXTH AVE., THENCE N.WLY.AT RIGHT ANGLES, TO SLY. LINE OF C.& O. R.R. RIGHT OF WAY, THENCE S.WLY. ALONG SAID RIGHT OF WAY LINE TO N.ELY. LINE OF HOYT'S NORTHERN ADDITION, THENCE S.ELY. ALONG SAID N.ELY. ADDITION LINE, TO N.WLY. LINE OF N. WASHINGTON AVE., THENCE N.ELY. ALONG SAID ST. LINE TO POINT OF BEG., SEC.18, T.12N. R.5,E.

## **1227 N. WASHINGTON AVENUE, SAGINAW, MICHIGAN**

TAX ROLL NO. 01 0935 00000

PART OF SEC.18,T.12,N.R.5,E. BOUNDED WLY. BY THE ELY. LINE OF FIFTH AVE.& THE EXTENSION OF SAID ELY. LINE OF FIFTH AVE., TO THE PERE MARQUETTE R.R. COMPANYS RIGHT OF WAY, BEING THE WLY. LINE OF THE HOYT PLANING MILL PROPERTY, BOUNDED NLY. BY THE SLY. LINE OF PERE MARQUETTE R.R. RIGHT OF WAY, BOUNDED SLY. BY THE NLY. LINE OF THE RIGHT OF WAY OF THE S.T.& H.R.R., BOUNDED ELY. BY A LINE PARL. WITH ELY. LINE OF FIFTH AVE.& ELY. LINE OF FIFTH AVE., EXTENDED & 544FT.DISTANT ELY. THEREFROM, SAID PARCEL BEING LOCATED N.WLY. FROM N. WASHINGTON AVE. EXC. A PARCEL OF LAND ON SLY. SIDE THEREOF, BEING 27.2 FT. WIDE ON ELY. END &10 FT.ON WLY. END THEREOF,& CONTAINING 10,707 SQ.FT. MORE OR LESS.

## **1231 N. WASHINGTON AVENUE, SAGINAW, MICHIGAN**

TAX ROLL NO. 01 0934 00200

A PARCEL OF LAND VIZ. BEG. AT INTERSECTION OF N.WLY. LINE OF WASHINGTON AVE. WITH WLY. LINE OF SIXTH AVE., THENCE N. ALONG W. LINE OF N. SIXTH AVE.112.8 FT.,THENCES.53 DEG.14MIN.W.40 FT., THENCE N.28 DEG.43 MIN. W.30 FT., THENCE S.54DEG.11MIN.30 SEC.W.149.6 FT.,THENCES.30 DEG.58 MIN. E. 31 FT., THENCE S.53 DEG.14MIN.W.54 FT., THENCE S.30 DEG.58 MIN.E.86.5 FT. TO A POINT ON NLY. LINE OF N. WASHINGTON AVE., THENCE N.ELY. ALONG SAID NLY. ST. LINE 170 FT. TO POINT OF BEG.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Liquor License for 2350 S. Michigan Avenue

**Manager's Recommendation:**

I recommend approval of the request to transfer ownership of 2007 Class C licensed business, located in escrow at 2350 S. Michigan, Saginaw, MI 48602, Saginaw County, from Janke's Olde Towne Tavern, L.L.C. to Ter-Mac, Inc.

**Justification:**

On or about July 25, 2008, the City received notice from the Michigan Liquor Control Commission of the request to transfer ownership of 2007 Class C licensed business, located in escrow at 2350 S. Michigan, Saginaw, MI 48602, Saginaw County, from Janke's Olde Towne Tavern, L.L.C. to Ter-Mac, Inc.

The Saginaw County Health Department, City of Saginaw Fire Prevention and the City Building Inspections Division completed the necessary inspections and have approved 2350 S. Michigan Avenue for the license transfer as required by Chapter 110, "General Provisions," of Title XI, "Business Regulations" of the Saginaw Code of Ordinances. Under Chapter 111, "Alcoholic Beverages," §111.11, "Application for License," wherein the City Manager is to review all applications and departmental reports and give his recommendation to City Council of his approval or disapproval of the license. Since Ter-Mac, Inc., has met the necessary requirements I hereby recommend approval of the 2007 Class C license transfer from Janke's Old Towne Tavern, L.L.C., located at 2350 S. Michigan Avenue, Saginaw, MI 48602, Saginaw County.

**Council Action:**

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

# COUNCIL COMMUNICATION

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

## **RESOLUTION TRANSFERRING 2007 CLASS C LIQUOR LICENSE AT**

### **2350 S. MICHIGAN AVENUE**

Council \_\_\_\_\_ offered and moved adoption of the following resolution:

**WHEREAS**, on or about July 25, 2008 the City Clerk's Office received a Local Approval Notice from the State of Michigan Liquor Control Commission; and

**WHEREAS**, said notice requests to transfer ownership of 2007 Class C licensed business, located in escrow at 2350 S. Michigan, Saginaw, MI 48602, Saginaw County, from Janke's Olde Towne Tavern, L.L.C. to Ter-Mac, Inc.

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

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council for the City of Saginaw that the request to transfer ownership of 2007 Class C licensed business, located in escrow at 2350 S. Michigan, Saginaw, MI 48602, Saginaw County, from Janke's Olde Towne Tavern, L.L.C. to Ter-Mac, Inc. be considered for approval.

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Sungard Public Sector Inc., Software Annual Maintenance

**Manager's Recommendation:**

I recommend that payment be made to Sungard Public Sector Inc., for software maintenance and license fees, in a total amount not to exceed \$160,000, pursuant to the HTE Software License Agreement and Supplemental Software License and Services Agreement approved by City Council on October 27, 1997, as part of the IBM Technology Upgrade Plan. Sungard Public Sector Inc. invoices the City of Saginaw for maintenance and license fees on a quarterly basis.

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

Funds for these payments have been budgeted and are available in the Information Services Operating Services Account No. 658-1720-711-8005.

**Justification:**

Maintenance and license agreements for HTE, HTE COGNOS Query and QRep require the periodic payment of fees. Maintenance agreements allow the City to obtain periodic software enhancements and use HTE resources for problem support. License fee payments are required to use copyrighted programs. This communication covers quarterly payments for fiscal year 2009. Our agreement with Sungard Public Sector Inc., allows an annual increase in fees equal to the Consumer Price Index.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Police Department Training and Duty Ammunition

**Manager's Recommendation:**

I recommend approval of the low bid and issuance of a purchase order to Michigan Police Equipment, Charlotte, MI in the amount of \$19,982.50 for the purchase of training and duty ammunition for the Saginaw Police Department.

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

Funds for this purchase are budgeted in the Police Administrative Services Supplies / Parts and Supplies, Account No. 101-3012-721-7330 (\$14,982.50) and the Drug Forfeiture Supplies / Parts and Supplies, Account No. 264-3040-731-7330 (\$5,000.00).

**Justification:**

On September 17, 2008 the City received bids for the purchase of training and duty ammunition for the Saginaw Police Department.

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

Michigan Police Equipment Company Charlotte, MI	\$19,982.50
CMP Distributors, Inc. Lansing, MI	\$22,151.35

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Resolution of Property Damage Claim

**Manager's Recommendation:**

I recommend final approval of claim number P134-07-00256 and payment to Claimant in the amount of \$5,492.37 to resolve a property damage claim at 508 Hayes. This claim settlement has been approved by the City Manager as to substance and the City Attorney as to form.

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

**Justification:**

On or about December 15, 2007, the owner of 508 Hayes experienced property damage when a police car slid on an icy surface and struck the home. The City's third-party administrator has reached a settlement with the Claimant in the amount of \$5,492.37.

As part of the agreement, Claimant will sign a release, releasing the City from any and all further liability on this claim.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation from the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Ikon Office Solutions Agreement

**Manager's Recommendation:**

I recommend that the bid from the State of Michigan for the lease of Copy Machines be accepted and the following lease agreements be approved: Master Maintenance & Sale Agreement, State & Local Government Master Agreement, Product Schedule Agreement, One Dollar Purchase Option Agreement and the Addendum. Also, I request that payment be made to Ikon Office Solutions in the amount of \$14,544.00 for the balance of fiscal year 2009 and \$19,392.00 for fiscal years 2010 through 2013.

The Agreements are approved by the City Manager as to substance and the City Attorney as to form. It is further recommended that the City Manager be authorized by City Council to sign all lease agreement documents on behalf of the City.

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

Funds for this purchase are available in the following accounts: Employee Services Account No. 101-1725-701-8005 (\$1296.00) Streets Account No. 226-4581-841-8005 (\$1611.00), Purchasing Account No. 101-1742-711-8005 (\$1296.00), Garage Account No. 661-4481-841-8005 (\$360.00), City Attorney Account No. 101-1734-701-8005 (\$1296.00), Police Account No. 101-3012-721-8005 (\$8,685.00).

**Justification:**

The State of Michigan solicited bids for copy machines of which Ikon Office Solutions was the successful bidder. To ease the impact to departmental budgets a 60-



# COUNCIL COMMUNICATION

month lease was negotiated by the parties. All government agencies that accept this bid must approve the following Agreements:

- Master Maintenance & Sale Agreement;
- State & Local Government Master Agreement;
- Product Schedule Agreement;
- One Dollar Purchase Option Agreement; and
- Addendum.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Budget Adjustment – Air Cascade System Grant

**Manager's Recommendation:**

It is recommended that the 2008/2009 Approved Budget for the Fire Department's Fire Operations Division's Capital Outlay/Repair and Replacement Account No. 101-3751-751.97-20 be increased from \$0 to \$6,000.00. Available fund balance will offset the increase.

**Justification:**

On August 18, 2008, City Council approved the purchase of a new Air Cascade System to fill self-contained breathing apparatus with funds awarded from the Federal Emergency Management Agency (FEMA) under the Fiscal Year 2008 Assistance to Firefighters Grant program for fire operations and firefighter safety. This council communication appropriates available and undesignated fund balance to cover the City's matching requirement.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Budget Adjustment – Fire Department

**Manager's Recommendation:**

It is recommended that the 2008/2009 Approved Budget for the Fire Department's Fire Apparatus Operation and Maintenance's Motor Vehicle Supplies Account No. 101-3754-751.80-42 be increased from \$135,000.00 to \$148,330.00, which is a \$13,330.00 increase. Available fund balance will offset the increase.

**Justification:**

Due to the age of the City Fire Department's vehicle fleet, the City incurred maintenance costs at the end of fiscal year 2007/2008 to maintain these vehicles. These costs are assessed against the fiscal year 2008/2009 budget. The increase in the motor vehicle supplies will allow the City to cover the unanticipated and unbudgeted costs for the current fiscal year.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Budget Adjustment – Insurance Proceed for Police Vehicles

**Manager's Recommendation:**

It is recommended that a budget adjustment be completed to increase the General Fund's Transfer Out to the Motor Pool Operation Fund Account No. 101-9660-771.87-12 from \$0.00 to \$43,922.00. This increase will be offset by available fund balance. Likewise, it is also recommended that the Motor Pool Operation Fund's Transfers from Other Funds Account No. 661-0000-691.69-01 be increased from \$0.00 to \$43,922.00. This increase in revenues will be offset by an increase to the Motor Pool Operation Fund – Vehicles Account No. 661-4480-841.97-70 by the same amount.

**Justification:**

During fiscal year 2008, City Council approved various insurance proceeds budget adjustments for the Police Department. These funds, although designated, were not utilized in fiscal year 2008. For fiscal year 2009, the Police Department would like to utilize these available funds to purchase additional vehicles.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Emergency Warning Siren System

**Manager's Recommendation:**

I recommend acceptance of the quote and issuance of a purchase order to West Shore Services in the amount of \$198,540.00 for the replacement of the City of Saginaw's emergency warning siren system.

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

Funds for this purchase are budgeted in the Capital Outlay Radio Equipment Account No. 660-4422-791-9750

**Justification:**

On September 24, 2008, the City received a quote for the purchase of a Federal Signal 2001 Electro Mechanical siren system. This system is used to warn the public in the event of natural disasters (tornados, thunderstorms, etc), or in the case of National Security. The current siren system throughout the City of Saginaw is antiquated and no longer reliable due to the age of the equipment and the lack of available parts. During the past two years, there have been several sirens that have failed during testing and one complete system failure, which took approximately two months to find used parts to repair the system.

West Shore Services is a sole source provider as they are the only company that can provide turnkey services for a Federal Signal siren system. They are a licensed electrical company and do their own installations. They are the Federal Signal distributor for the State of Michigan. Federal Signal sirens were chosen as they meet the construction standards that the City of Saginaw Engineering Dept. has determined are necessary to provide an adequate level of reliability and longevity, along with warranties on both equipment and installations.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

## RESOLUTION OF INTENT TO VACATE A PORTION OF THE ALLEY

**City Manager's Recommendation:** approval of the resolution as follows:

Council \_\_\_\_\_ offered and moved adoption of the following resolution:

WHEREAS, the City Planning Commission held a public hearing on August 22, 2006, on a proposal to vacate North Weadock Street between Fitzhugh and Johnson Streets, North Weadock Street between Block 81 and 84, East Saginaw City (Hoyt's Plat) in the City of Saginaw; and

WHEREAS, after a duly advertised public hearing, the Commission found that the public and private interest would best be served by the requested vacation of North Weadock Street between Fitzhugh and Johnson Streets; now

THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby declares its intent to vacate North Weadock Street between Fitzhugh and Johnson Streets, between Block 81 and 84, East Saginaw City (Hoyt's Plat) in the City of Saginaw.

BE IT FURTHER RESOLVED, that the City Council will meet on November 10, 2008 at 6:30 p.m. in the Council Chamber at City Hall to hear any objections to the proposed street vacation.

# COUNCIL COMMUNICATION

Council \_\_\_\_\_ introduced an ordinance entitled and reading as follows:

AN ORDINANCE TO VACATE NORTH WEADOCK STREET BETWEEN FITZHUGH AND JOHNSON STREETS, LOCATED IN THE CITY OF SAGINAW AND TO RETAIN THEREIN AN EASEMENT FOR PUBLIC UTILITIES, CABLE TV AND TELECOMMUNICATIONS TO BE ADDED TO TABLE OF SPECIAL ORDINANCES II OF THE SAGINAW CODE OF ORDINANCES.

Laid over under the charter provision.

# COUNCIL COMMUNICATION

Council \_\_\_\_\_ moved that an ordinance introduced October 6, 2008, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO VACATE NORTH WEADOCK STREET BETWEEN FITZHUGH AND JOHNSON STREETS, LOCATED IN THE CITY OF SAGINAW AND TO RETAIN THEREIN AN EASEMENT FOR PUBLIC UTILITIES, CABLE TV AND TELECOMMUNICATIONS TO BE ADDED TO THE TABLE OF SPECIAL ORDINANCE II OF THE SAGINAW CODE OF ORDINANCES.

The City of Saginaw Ordains:

Section 1. That North Weadock Street between Fitzhugh Street and Johnson Street, North Weadock Street between Block 81 and 84, East Saginaw City (Hoyt's Plat) in the City of Saginaw, be and same is hereby vacated.

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

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

Section 4. This ordinance shall take effect on November 16, 2008.

Enacted: November 10, 2008.



# COUNCIL COMMUNICATION

**From:** The City Planning Commission

**Subject:** Amend the zoning map by vacating North Weadock Street between Fitzhugh and Johnson Streets

**Planning Commission Recommendation:**

It is recommended that North Weadock Street between Fitzhugh and Johnson Streets be vacated subject to a standard easement reservation for public utilities, cable TV, and telecommunications.

**Justification:**

The Saginaw Transit Authority request for the vacation of North Weadock Street, between Block 81 and 84, East Saginaw City (Hoyt's Plat) in the City of Saginaw. The petition was referred to the City Planning Commission for investigation and a report with recommendation. The Commission held a public hearing on the request on August 22, 2006 and all interested persons were heard.

The Commission found that this portion of the street vacation would provide additional area for the parking expansion of the Saginaw Transit Authority. From investigation and review of the evidence presented at the hearing, the Commission found that the North Weadock Street between Fitzhugh and Johnson Streets, North Weadock Street between Block 81 and 84, East Saginaw City (Hoyt's Plat) in the City of Saginaw be vacated subject to a standard reservation for public utilities, cable TV, and telecommunication. Furthermore, an ordinance has been prepared and appears under the regular order of business.

**Council Action:**

Council \_\_\_\_\_ moved that the report from the Planning Commission be received and filed.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Budget Adjustment – Economic Development

**Manager's Recommendation:**

It is recommended that a budget adjustment be completed to increase the GM Tower's Professional Services Account No. 238-6595-761-8001 by \$6,000.00 from \$102,500.00 to \$108,500.00. The increase in expenditures will be offset by an increase in the GM Tower's use of available and undesignated fund balance Account No. 238-0000-680-0000 by the same amount.

**Justification:**

This fall, landscape architecture students from Michigan State University's School of Planning, Design, and Construction will be in the City of Saginaw to design streetscape for East Genesee, from Weadock to Hess. The overall goal of the project is to provide a vision for this area and spur improvement and planning for the future.

Through this program, students will combine an evaluation of the current conditions of the area with input from the community and their own personal knowledge to come up with a potential vision for East Genesee Avenue. This design will include ideas and drawings for the road, sidewalks, open space, and building facades in the study area.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Budget Adjustment – FEMA Award

**Manager's Recommendation:**

It is recommended that the 2008/2009 Approved Budget for General Fund Revenue – Federal Grants Account No. (101-0000-513.58-35) be increased by \$24,000.00 from \$1,094,000.00 to \$1,118,000.00. Offsetting this increase is the purchase of the Air Cascade System for the City's Fire Department.

**Justification:**

On August 18, 2008, City Council approved receiving a \$24,000.00 award from the Federal Emergency Management Agency (FEMA) under the fiscal year 2008 Assistance to Firefighters Grant program for fire operations and firefighter safety. This budget adjustment reflects the award of revenues to the City.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Air Cascade System

**Manager's Recommendation:**

I recommend acceptance of the bid and issuance of a purchase order to Douglass Safety Systems in the amount of \$28,795.33 for the purchase of an Air Cascade System for the Saginaw Fire Department.

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

Funds for this purchase are budgeted and available in the Saginaw Fire Department Capital Outlay/Repairs and Replacements Account No. 101-3751-751-9720.

**Justification:**

The Saginaw Fire Department utilizes the Air Cascade system to fill self-contained breathing equipment that firefighters use in contaminated atmospheres while fighting fires. The current Air Cascade System is 16 years old, repairs are costly, and parts are not readily available. The Department and Purchasing Committee have reviewed the bids and approved the second lowest bidder because of warranty coverage and the substantial savings in the area of service/repair costs, after warranty, due to the travel distance, mileage and hourly service rate through Douglass Safety Systems. Following is a tabulation of the bids received:

Mako Compressors Ocala, FL	\$28,766.65
Douglass Safety Systems Sanford, MI	\$28,795.33

# COUNCIL COMMUNICATION

West Shore Fire, Inc. \$29,130.00  
Allendale, MI

Breathing Air Systems \$29,998.48  
Michigan Center, MI

Douglass Safety Systems \$36,253.76  
Sanford, MI

**Council Action:**

Council\_\_\_\_\_ moved that the recommendation of the City  
Manager be approved.