



## Saginaw City Council Agenda

1315 S. Washington Avenue  
Council Chambers, Room 205  
November 9, 2020  
6:30 p.m.

PRAYER AND PLEDGE OF ALLEGIANCE:

ELECTION OF MAYOR AND MAYOR PRO-TEM:

ROLL CALL:

ANNOUNCEMENTS:

PUBLIC HEARINGS:

PUBLIC INPUT:

*(A list will be provided following submittal deadline.)*

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

CONSENT AGENDA:

1. Approve the October 26, 2020 regular council meeting minutes.
2. Approve the Municipal Employees' Retirement System Adoption Agreement Addendum(s) for the City's Retirement Plans.
3. Approve the introduction of the proposed amendments to the Council Rules of Order of the City of Saginaw.
4. Approve the purchase with Advanced Business Communications, LLC for \$16,575 for security cameras in the Public Services parking lots and walkways for the Facilities Division.
5. Approve the purchase with Homeland Title Company for \$3,800 for Title Services for the Community Development Block Grant Division.
6. Approve the purchase with W.W.Grainger, Inc. for \$9,292 for personal protective equipment for the Police Department.
7. Approve the purchase with Douglass Safety Systems, a sole source, for \$12,583 for 12 self-contained breathing apparatus air cylinders for the Fire Department.
8. Approve the Grass Cutting Services Agreement with the Saginaw County Land Bank Authority for \$50,000 from July 1, 2020 through June 30, 2021. Further, approve a budget adjustment for FY 2021 to recognize these funds.
9. Approve the purchase with Bell Equipment Company, a sole source, for \$2,925 for an OMG Tier 3 Nozzle for the Maintenance and Service Division.

10. Approve the purchase with Ferguson Waterworks for \$7,665 for Portland Cement for the Maintenance and Service Division.
11. Approve the blanket purchase orders to various vendors for a total of \$25,000 for electrical and mechanical equipment repair services for Water Treatment Division.
12. Ratification of a purchase with York Electric for \$8,220 for repairs to Pump No. 6 for the Wastewater Treatment Division.
13. Approve the purchase with TEquipment.Net for \$2,603 for a circulating water bath for the Wastewater Treatment Division.

**BOARD/COMMISSION/COMMITTEE REPORTS:**

**APPOINTMENT OF BOARD/COMMISSION/COMMITTEE MEMBERS:**

**ORDINANCE INTRODUCTION:**

1. An ordinance to amend §153.460 "Definitions," §153.063 "Outside Storage and Parking on Residentially Zoned and/or Use Lots," §§153.181 through 386, "Principal Permitted Uses," §153.347 "Permitted Uses After Special Approval," and §153.491 "Temporary Buildings," of Chapter 153, "Zoning Regulations," Title XV, "Land Usage," of the City of Saginaw Code of Ordinances, O-204.

**ORDINANCE CONSIDERATION AND ADOPTION:**

**RESOLUTIONS:**

1. Approve the City of Saginaw annual apportionment of \$7,259 for the Saginaw Area Storm Water Authority Budget for FY 2021.

**UNFINISHED BUSINESS:**

**MISCELLANEOUS BUSINESS:**

**ADJOURNMENT:**

Timothy Morales  
City Manager

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

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, WAS HELD MONDAY, OCTOBER 26, 2020, AT 6:30 P.M. VIA IN-PERSON AT CITY HALL WITH VIDEO/TELECONFERENCE OPTION FOR SOME MEMBERS. THE MEETING WAS STREAMED LIVE VIA THE CITY'S WEBSITE AND ON SGTV.

#### ROLL CALL

Mayor Kloc called the meeting to order. Council Members present: Reginald Williams II attended remotely, Jamie Forbes, Annie Boensch, Brenda Moore, Autumn Scherzer attended remotely, John Milne, Michael Balls, Bill Ostash attended remotely, and Floyd Kloc: 9. Council Members absent: 0.

#### ANNOUNCEMENTS

City Clerk Janet Santos made the following announcements:

- Ballots for the November 3 Election are available and the City Clerk's Office is extending hours for Election related business on Wednesday, October 28 until 7 p.m. and Saturday, October 31 from 8:00 a.m. to 4:00 p.m.
- City voters are encouraged to return their ballot in person at the City Clerk's Office or by using one of the City's ballot drop boxes located at La Union Civica on Wadsworth Avenue, Wanigas Credit Union using the Roberts Street access, Davenport Manor on Davenport Avenue, or at Fordney Park using the Gratiot Avenue access.
- Voters can verify their voter registration, verify their precinct location, and track their ballot at Michigan.gov, click on the government tab, and click on voter information center, or call 989.759.1480 and press 6.

#### PUBLIC HEARINGS

Clerk Santos announced the public hearing regarding the official intent to reimburse project expenditure with bond proceeds and authorizing publication of notice of intent to issue bonds. Mayor Kloc called for public comment. City Manager Morales spoke in favor of the project and explained the process and the need. Mayor Kloc called for public comments two more times. No additional comments were made.

Moved by Mayor Pro Tem Moore, seconded by Council Member Boensch to close the public hearing. 9 ayes, 0 nays, 0 absent. Motion approved.

#### PUBLIC INPUT

Public Input that addressed the Council was: Diane Kloc, and Alexander Verdoni.

#### REMARKS OF COUNCIL

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

#### REPORTS FROM CITY MANAGER

City Manager Morales provided information and updates regarding City projects.

#### CONSENT AGENDA:

Mayor Kloc asked if there were any exceptions to the consent agenda. No exceptions were made.

1. Approve the October 12, 2020 regular council meeting minutes.
2. Ratification of the purchase with Beck's Trailer Superstore for \$10,276 for a utility trailer for the Election Division.

3. Approve the purchase with Angel Armor, LLC. for \$31,166 for ballistic vests for the Police Department.
4. Approve the Interlocal Agreement with Saginaw County for administration of the 2020-21 Byrne Justice Assistance Grant in the amount of \$26,990.
5. Ratification of the emergency purchase with Standard Computer Systems, Inc., for \$7,855 for a Barracuda Security Gateway/Spam Filter.
6. Approve a purchase with Ricoh USA for a five-year lease of six multi-function printers for various departments with \$8,641 in annual payments, for a total amount of \$43,205.
7. Approve the proposal from Soil and Materials Engineers, Inc. for \$15,000 for professional services to prepare a No Further Action Report for the Weiss Street retention basin site.
8. Approve the purchase with purchase with Standard Electric for \$14,976 for Lumecon Ring of Fire LED light fixtures for the Traffic Maintenance Section, Right of Way Division.
9. Approve to increase blanket purchase orders issued to various vendors by \$19,500, for a new total of \$36,000, for various vehicle services and repairs for the Garage Division.
10. Approve the purchase with AIS Construction Equipment Company for \$99,046 for a 2020 JCB 270T Track Loader Skid Steer and trailer for the Streets Division.
11. Approve a purchase with AIS Construction Equipment for \$23,362 for a 2020 Atlas Copco 189 CFM portable trailer mounted air compressor for the Maintenance and Service Division.

Moved by Council Member Boensch, seconded by Council Member Milne to approve consent agenda items 1 through 11 as presented. 9 ayes, 0 nays, 0 absent. Motion approved.

#### BOARD/COMMISSION/COMMITTEE REPORTS

Mayor Kloc reported that Saginaw Transit Authority Regional Services projects are progressing.

#### APPOINTMENT OF BOARD AND COMMISSION MEMBERS

Mayor Kloc announced his reappointment of Sidney Childs to the Saginaw Housing Commission with a term to expire September 30, 2025.

#### RESOLUTIONS

Moved by Mayor Pro Tem Moore, seconded by Council Member Balls to adopt the resolution declaring official intent to reimburse project expenditures with bond proceeds and authorizing publication of the notice of intent to issue bonds for water supply system improvements. 9 ayes, 0 nays, 0 absent. Motion approved.

MISCELLANEOUS BUSINESS

Mayor Pro Tem Moore presented Mayor Kloc with a gift from all Council Members honoring his years of service on City Council.

ADJOURNMENT

Moved by Mayor Pro Tem Moore, seconded by Council Member Milne to adjourn the meeting at 7:22 p.m. 9 ayes, 0 nays, 0 absent. Motion approved.

As recorded by

Janet Santos, MiPMC/MMC  
City Clerk

**From:** Timothy Morales, City Manager  
**Subject:** MERS Adoption Agreement Addendum(s)  
**Prepared by:** Dennis Jordan, Director of Human Resources

**Manager's Recommendation:**

I recommend the approval of the Municipal Employees' Retirement System Adoption Agreement Addendum(s) for the City's Retirement Plans.

**Justification:**

MERS (Municipal Employees' Retirement System) administers the Defined Benefit, Defined Contribution and Hybrid retirement plans for the City of Saginaw. MERS is in the process of updating plan provisions for the purpose of providing further clarity and verification of the information reported to MERS for eligibility and service qualifications in the MERS plans. These updates do not change or enhance any benefit calculations for participants or increase any costs to the City.

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

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

**Council Action:**

Motion to approve the recommendation of the City Manager.

**From:** Tim Morales

**Subject:** Council Rules of Order Amendment

**Prepared by:** Janet Santos, City Clerk

**Recommendation:**

I recommend introduction of the proposed amendments to the Rules of Order of the Council of the City of Saginaw.

**Justification:**

On October 16, 2020, Governor Whitmer signed Public Act 228 of 2020 into law, effective immediately. The Act amended Michigan's Open Meetings Act to provide for remote attendance of members of Council under certain, limited circumstances, specifically due to a member's medical condition or when a state or local state of emergency or disaster has been declared. The OMA requires that procedures be adopted in accordance with the Act.

According to Section 17: Amendments, "these rules may be amended by the affirmative vote of six Council members, notice having been given in writing of proposed amendments at a previous meeting." A copy of the amendments have been provided to Council for review. Approval consideration will be on the November 23, 2020 agenda.

**Council Action:**

Motion to approve the recommendation of the Manager.

**From:** Timothy Morales, City Manager  
**Subject:** Security Camera Installation for Public Services Parking Lots  
**Prepared by:** Jeff Klopac, Technical Services Department

**Manager's Recommendation:**

I recommend the approval of a purchase with Advanced Business Communications, LLC for \$16,574.74 for the addition of security cameras in the Public Services parking lots and walkways.

**Justification:**

The City's Facilities Division is requesting security cameras to be placed in the Public Services building parking lots and entrance walkways. Cameras will be located at the northern parking lot located between the Public Services building and City Hall. Cameras will also be installed in the southern employee parking lot along with the main and employee entrances and walkways. We will be utilizing the expertise of Advanced Business Communications, LLC, the City's security and Surveillance Company.

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

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

**Council Action:**

Motion to approve the recommendation of the City Manager.

**From:** Timothy Morales, City Manager  
**Subject:** Homeland Title Company (CDBG) Activities  
**Prepared by:** Leticia Trevino, CDBG Specialist

**Manager's Recommendation:**

I recommend the approval of the purchase with Homeland Title Company for \$3,800 for Title Services for the Community Development Block Grant Division.

**Justification:**

The Community Development Block Grant Division (CDBG) will be using Homeland Title Company for title services for all CDBG funded programs. This includes but is not limited to: rehabilitation, new construction, demolition and land banking of property to foster neighborhood stabilization.

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

Funds are budgeted in the CDBG Residential Loans Fund, Residential Loan Division, Service Fees Account No. 276-6540-824.000.

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

**Council Action:**

Motion to approve the recommendation of the City Manager.

**From:** Timothy Morales, City Manager  
**Subject:** Personal Protective Equipment Purchase  
**Prepared by:** Brian Rowell, Community Public Safety – Police

**Manager's Recommendation:**

I recommend the approval of purchase with W. W. Grainger, Inc. for \$9,291.84 for personal protective equipment for the Police Department.

**Justification:**

W.W. Grainger, Inc. has historically provided the City with quality products at competitive government pricing. This personal protective equipment (PPE) purchase includes various types of face masks and impact resistant goggles which will enable the Saginaw Police Department to restock its inventory of PPE supplies that continue to be utilized during the ongoing Covid-19 health pandemic. Funds for this purchase will come from the FY 20 Coronavirus Emergency Grant, previously approved by Council on August 10, 2020.

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

Funds are budgeted in the Coronavirus Emergency Supplemental Fund, Parts and Supplies Account, Account No. 270-3518-742.000.

**Council Action:**

Motion to approve the recommendation of the City Manager.

**From:** Timothy Morales, City Manager  
**Subject:** Self Contained Breathing Apparatus Air Cylinders Purchase  
**Prepared by:** Christopher Van Loo, Fire Chief

**Manager's Recommendation:**

I recommend the approval of a purchase with Douglass Safety Systems, a sole source, for \$12,582.96 for 12 self-contained breathing apparatus air cylinders for the Fire Department.

**Justification:**

On October 19, 2020, the Fire Department received a quote of \$12,582.96 from Douglass Safety Systems of Sanford, MI to purchase 12 Self Contained Breathing Apparatus (SCBA) air cylinders manufactured by Avon Protection. National Fire Protection Association (NFPA) standards require that SCBA air cylinders and SCBA units used must be from the same manufacturer. This purchase is part of the Fire Department's air cylinder replacement program that ensures an adequate supply of air cylinders is maintained as older air cylinders are retired from service due end of service life requirements. Douglass Safety Systems is a sole source provider for Avon Protection SCBA equipment.

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

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

**Council Action:**

Motion to approve the recommendation of the City Manager.

**From:** Timothy Morales, City Manager

**Subject:** Saginaw County Land Bank Authority Grass Cutting Services Agreement and Budget Adjustment

**Prepared by:** Phillip Karwat, Director of Public Services

**Manager's Recommendation:**

I recommend approval of the Grass Cutting Services Agreement with the Saginaw County Land Bank Authority for July 1, 2020 through June 30, 2021. In addition, the amount of the Agreement is \$50,000.

It is also recommended that a budget adjustment be completed to increase the General Fund Revenues, Saginaw County Account No 101-0000-674.003 in the amount of \$50,000. To offset the increase in revenues will be an increase to the Department of Public Services, Abatement of Nuisances Division, Employment Agency Fees Account No. 101-7571-804.000 by \$50,000 in Fiscal Year 2021.

**Justification:**

The Saginaw County Land Bank Authority (SCLBA) has collaborated with the City of Saginaw since 2010 to provide grass cutting services for SCLBA vacant properties. Based upon the City's prior performance, the parties have agreed to enter into this Agreement for the City to provide services for the FY 2021 grass cutting season (July 1, 2020 through June 30, 2021). Specifically, the City will provide grass cutting services for cutting the right of way's and corner clearances for properties abutting City of Saginaw streets. The monies will be used to support the services provided for grass cutting season. In addition, the City will prepare and provide reports to the SCLBA regarding its grass cutting activities. The grass cutting season historically begins the middle of April and ends October 31, depending on the weather.

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

**Council Action:**

Motion to approve the recommendation of the City Manager.

**From:** Timothy Morales, City Manager  
**Subject:** OMG Tier 3 Nozzle  
**Prepared by:** Wayne Tornberg II, Public Services Department

**Manager's Recommendation:**

I recommend the approval of a purchase with Bell Equipment Company, a sole source, for \$2,925.00 for an OMG Tier 3 Nozzle for the Maintenance & Service Division.

**Justification:**

On September 14, 2020, the Maintenance & Service Division received a sole source quote for the purchase of an OMG Tier 3 Nozzle. This nozzle will be a direct replacement for the nozzle currently used during routine sewer cleaning which has outlived its useful service life. The Maintenance and Service Division consistently cleans approximately fifty miles of sewer main annually to ensure constant flow; and allows for camera inspections of the City's sewer collection system without the interference of debris. Bell Equipment Company is the only authorized KEG Technologies reseller in the State of Michigan.

| <b><u>Vendor</u></b>                     | <b><u>Cost</u></b> |
|------------------------------------------|--------------------|
| Bell Equipment Company<br>Lake Orion, MI | \$2,925.00         |

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

Funds are budgeted in the Sewer Operation and Maintenance Fund, Maintenance and Service Division, Capital Outlay Less than \$5,000.00 Account No. 590-4821-971.000 \$2,925.00.

**Council Action:**

Motion to approve the recommendation of the City Manager.

**From:** Timothy Morales, City Manager  
**Subject:** Annual Supply of Portland Cement  
**Prepared By:** Josh Hoffman, Public Services Department

**Manager's Recommendation:**

I recommend the approval of a purchase with Ferguson Waterworks for \$7665.00 for Portland Cement for the Maintenance and Service Division.

**Justification:**

On September 23, 2019, City Council approved the low bid and purchase with Ferguson Waterworks for 700 94-pound bags of Portland Cement. Ferguson Waterworks has agreed to extend its bid price for FY 2021, allowing the City to again purchase 700 94-pound bags of Portland Cement at last year's bid price. The Maintenance and Service Division use Portland Cement daily in the maintenance and repair of the City's water distribution and sewer collection systems.

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

Funds are budgeted in the Water Operation and Maintenance Fund, Maintenance and Service Division's Parts and Supplies Account No. 591-4721-742.000 \$3,832.50 and Sewer Operations and Maintenance Fund, Maintenance and Service Division's Parts and Supplies Account No. 590-4821-742.000 \$3,832.50.

**Council Action:**

Motion to approve the recommendation of the City Manager.

**From:** Timothy Morales, City Manager  
**Subject:** Blanket Purchase Orders for Repair Services  
**Prepared by:** Theodore Bomba, Water and Wastewater

**Manager's Recommendation:**

I recommend the approval of blanket purchase orders for each of the vendors listed below for a total amount of \$25,000.00 for electrical and mechanical equipment repair services for the Water Treatment Division for FY 2021.

**Justification:**

The Water Treatment Division requires the services of vendors for various repairs of electrical and mechanical equipment. There is no feasible means to predetermine what type of services will be needed, some of which include impeller, wear ring and motor repairs, etc. These are random services that are needed in any given time period. Issuing individual purchase orders is costly and administratively time consuming. Water Treatment Division staff will price quote individual services and select the lowest and best vendor for each service, with the cost charged to the respective blanket purchase order. The list of vendors is as follows:

| <u>Vendor</u>                                | <u>PO Amount</u> |
|----------------------------------------------|------------------|
| York Electric<br>Bay City, MI                | \$10,000.00      |
| Central Metalizing<br>Saginaw, MI (out-city) | \$10,000.00      |
| Hamilton Electric<br>Saginaw, MI (out-city)  | \$ 5,000.00      |

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

Funds are budgeted in the Water Operation and Maintenance Fund, Treatment and Pumping Division's Repairs and Replacements Account No. 591-4730-974.000.

**Council Action:**

Motion to approve the recommendation of the City Manager.

**From:** Timothy Morales, City Manager  
**Subject:** Ratification of Emergency Repairs - Raw Sewage Pump No. 6 Impeller  
**Prepared by:** John F. Frollo, Water & Wastewater

**Manager's Recommendation:**

I recommend the ratification of the emergency purchase with York Electric for \$8,220.00 for repairs to Raw Sewage Pump No. 6 for the Wastewater Treatment Division.

**Justification:**

On October 15, 2020, a quote was received from York Electric for repairs on the impeller for Raw Sewage Pump No. 6. The pump failed in September due to a broken stub shaft which caused the impeller to fall off the bottom of the pump, resulting in damage to both the impeller and the shaft. Our original intention was to repair the shaft and reinstall the old impeller; however, upon further inspection it was determined that the old impeller required repair work.

Raw Sewage Pump No. 6 is one of two 400 horse power pumps. The plant requires at least one of these pumps in service during rain events to ensure maximum hydraulic flow through the plant, as required by our National Pollutant Discharge Elimination System permit. Raw Sewage Pump No. 5, the other 400 horse power pump, is operable, but if it fails, our treatment capacity would be limited. Therefore, purchase order No. 509729 was issued to York Electric on October 27, 2020 to get Pump No. 6 back in working condition as soon as possible.

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

Funds are budgeted in the Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Repairs and Replacements Account No. 590-4830-974.000.

**Council Action:**

Motion to approve the recommendation of the City Manager.

**From:** Timothy Morales, City Manager  
**Subject:** Precision Circulating Water Bath  
**Prepared by:** John F. Frollo, Water & Wastewater

**Manager's Recommendation:**

I recommend approval of the purchase with TEquipment.Net for \$2,602.55 for a replacement circulating water bath for the Wastewater Treatment Division.

**Justification:**

On October 20, 2020, we received bids to replace the Wastewater Treatment Division's circulating water bath which has been in service for over twenty years and is nearing the end of its service life. To date there have been no issues with the current unit, but we cannot afford to wait until a problem occurs. The water bath is used daily to maintain the proper environment for test samples and its reliability is critical. Upon receipt of the new water bath, the old bath will be kept in storage for use as an emergency backup. Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

|                                                   |            |
|---------------------------------------------------|------------|
| TEquipment.Net<br>Long Branch, NJ                 | \$2,602.55 |
| Thomas Scientific Holdings, LLC<br>Swedesboro, NJ | \$2,694.12 |
| Airgas<br>Saginaw, MI (Out-City)                  | \$3,660.00 |

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

Funds are budgeted in the Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Laboratory Equipment Account No. 590-4830-977.000.

**Council Action:**

Motion to approve the recommendation of the City Manager.

**From:** Tim Morales, City Manager

**Subject:** Rezoning

**Prepared by:** Robert Gollin, Urban Planner

**Manager's Recommendation:**

I recommend introduction of the proposed changes to Title XV Land Usage, Chapter 153 Zoning Code, §§153.021-153.491 to regulate and accommodate the proper use and placement of cargo shipping containers or storage containers within the City of Saginaw.

**Justification:**

Cargo containers, shipping containers, MODS/PODS, Conex boxes and similar containers are becoming more common additions to cities as homeowners and businesses lease or acquire those containers as temporary or permanent accessory buildings. These containers have a useful and valid purpose when properly used and situated. However, improper use and location of these types of containers, including their uses as accessory storage structures can be unsightly, dangerous and inappropriate so as to negatively affect municipal aesthetics and impact property values and the overall health, safety and welfare of the City of Saginaw. Following consultation with the Planning Commission as well as local businesses, staff is requesting changes to Title XV Land Usage, Chapter 153 Zoning Code, §§153.021-153.491 in an effort to regulate the use of these types of structures.

The Planning Commission held a public hearing on October 27, 2020 regarding this proposed change and all interested parties were given the opportunity to be heard. The Planning Commission found in favor of the recommendations by staff for the proposed changes.

**Council Action:**

This Council Communication is for explanation purposes of the ordinances to be introduced and enacted according to the City Chapter, Section 22, titled "Ordinances."

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to introduce an Ordinance entitled and reading as follows:

O- \_\_\_\_\_

AN ORDINANCE TO AMEND §153.021 "DEFINITIONS," §153.063 "OUTSIDE STORAGE AND PARKING ON RESIDENTIALLY ZONED AND/OR USE LOTS," §§153.181 THROUGH 386, "PRINCIPAL PERMITTED USES," §153.347 "PERMITTED USES AFTER SPECIAL APPROVAL," AND §153.491 "TEMPORARY BUILDINGS," OF CHAPTER 153 "ZONING REGULATIONS," TITLE XV, "LAND USEAGE," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

Laid over under the Charter Provision.

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_ to introduce an Ordinance entitled and reading as follows:

O- \_\_\_\_\_

AN ORDINANCE TO AMEND §153.021 "DEFINITIONS," §153.063 "OUTSIDE STORAGE AND PARKING ON RESIDENTIALLY ZONED AND/OR USE LOTS," §§153.181 THROUGH 386, "PRINCIPAL PERMITTED USES," §153.347 "PERMITTED USES AFTER SPECIAL APPROVAL," AND §153.491 "TEMPORARY BUILDINGS," OF CHAPTER 153 "ZONING REGULATIONS," TITLE XV, "LAND USEAGE," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

The City of Saginaw Ordains:

An ordinance to amend §153.460 "Definitions," §153.063 "Outside Storage and Parking on Residentially Zoned and/or Use Lots," §§153.181 through 386, "Principal Permitted Uses," §153.347 "Permitted Uses After Special Approval," and §153.491 "Temporary Buildings," of Chapter 153, "Zoning Regulations," Title XV, "Land Usage," of the City of Saginaw Code of Ordinances, O-204.

## § 153.021 DEFINITIONS

**TENT.** A shelter of canvas or the like supported by poles and fastened by cords or pegs driven into the ground and shall not include those types of tents used solely for children's recreational purposes.

**TEMPORARY BUILDINGS OR PORTABLE STORAGE CONTAINERS:** Temporary buildings or portable storage containers considered incidental to construction work or designed or constructed to ship, store or handle bulk goods or items, or which are substantially similar to such containers in appearance. These include portable office trailers or reusable steel boxes, cargo containers, shipping containers, MODS/PODS, Conex boxes and similar containers designed for use in parking, shipping, and storage of freight, articles of goods or commodities. These are generally capable of being mounted or moved by truck trailer, rail car or loaded on a ship. TEMPORARY BUILDINGS OR PORTABLE STORAGE CONTAINERS are a permitted use in all zoning districts for the time limits and under an issued permit as specified in accordance with § 153.491.

**TOWER.** A structure, such as a lattice tower, guy tower, or monopole tower constructed as a freestanding structure or in association with a building, other permanent structure, or equipment on which is located one or more antennas intended for transmitting or receiving analog, digital, microwave, cellular telephone, personal wireless service, or similar forms of electronic communication. The term includes microwave towers, common carrier towers, and cellular telephone towers.

## § 153.063 OUTSIDE STORAGE AND PARKING ON RESIDENTIALLY ZONED AND/OR USED LOTS.

(A) For motor homes, travel trailers, folding-type trailers, pick-up campers, snowmobiles on trailers, boats, and similar and related type units, the regulations of outside storage on all lots zoned and used for residential purposes are as follows.

(1) A total of three but not more than one of each of the above units may be stored or parked outside on a lot which is zoned and used for residential purposes, except that in regard to snowmobiles up to four such units may be stored or parked outside on a lot. The ownership of

such units shall be in the name of a member of the immediate family of the lot's owner, tenant, or lessee. The above units, when stored outside, shall be located a minimum of five feet to the rear of the front building line, except as provided in the case of vacant lots under division (C) following.

(2) The combined area covered by the dwelling, accessory buildings, other above-grade structures, swimming pool, and the area covered by the outside storage of the above units may not exceed 40% of the total area of the lot; provided, however, that not more than three such units may be stored or parked outside on any lot regardless of the restrictions of this subdivision.

(3) All of the above-described units shall be locked or secured at all times while stored or parked so as to prevent injury to any person or property.

(4) None of the above units or any recreational equipment parked or stored outside shall be connected to electricity, water, gas, or sanitary facilities for living, lodging, or housekeeping purposes and none of the same shall be used for living, lodging, or housekeeping purposes.

(5) All recreation equipment and vehicles shall be maintained in good condition, shall be operable, and shall have a current license or registration.

(B) The parking or storage of buses and converted buses in excess of 18 feet in length, and boats in excess of 22 feet in length, on residentially zoned lots, is prohibited. A suitable covering shall be placed over all boats whenever stored outside.

(C) Not more than one recreational unit, motor home, travel trailer, pick-up camper, folding-type trailer, boat, or similar and related type units may be parked or stored on vacant residentially zoned lots. When stored on vacant lots, said units shall be located only on the rear half of said lots.

(D) Commercial vehicles, as defined in § 153.021, shall not be parked or stored at any time on property used or zoned residentially.

(E) This section does not apply to temporary buildings or portable storage containers as defined in 153.021

## § 153.181 PRINCIPAL PERMITTED USES.

In the R-1 District, no uses shall be permitted unless otherwise provided in this subchapter, except the following:

- (A) Single-family detached dwellings;
- (B) Municipal, county, state, or federal administrative or service buildings;
- (C) Planned developments as provided in §§ 153.400 through 153.406;
- (D) Public, parochial, or private elementary, junior, and senior high schools, and colleges offering courses in general education, not operated for profit;
- (E) Publicly-owned and operated parks, play fields, golf courses, community center buildings, museums, libraries, and other community facilities;
- (F) Home occupations as defined in § 153.021, as regulated under § 153.069(D);
- (G) An adult foster care family home providing supervision or care, or both, to six or fewer persons. This division (G) shall not apply to adult foster care facilities licensed by a state agency for care and treatment of persons released from or assigned to adult correctional institutions. At least 45 days before licensing a residential facility herein described, the state licensing agency shall notify the Zoning Administrator of the city where the proposed facility is to be located to review the number of existing or proposed similar adult foster care family homes whose property lines are within a 1,500-foot radius of the property lines of the location of the applicant. The Zoning Administrator shall, when a proposed facility is to be located within the city, give appropriate notification of the proposal to license the facility to those residents whose property lines are within a 1,500-foot radius of the property lines of the proposed facility. A state licensing agency shall not license a proposed adult foster care family home when another such facility exists within a 1,500-foot radius, unless elsewhere permitted by this subchapter, of the proposed location or when the

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issuance of the license would substantially contribute to an excessive concentration of adult foster care family homes within the city. The foregoing notice and distance requirements shall not apply to state licensed residential facilities caring for four or fewer minors. These regulations shall not apply to a state licensed adult foster care residential facility licensed before March 31, 1977, or to a residential facility which was in the process of being developed and licensed before March 31, 1977, if approval had been granted by the City Council; (Refer also to §§ 153.455 through 153.491 for applicable standards.)

(H) Accessory buildings and uses customarily incidental to the above principal permitted uses, subject to requirements of § 153.070;

(L) Signs as provided in §§ 153.145 through 153.169;

(J) Off-street parking in accordance with the requirements of §§ 153.125 through 153.132; and

(K) Temporary buildings ~~and trailers for use incidental to construction work~~ or portable storage containers as defined in 153.021 and as regulated in § 153.491.

## § 153.196 PRINCIPAL PERMITTED USES.

In the R-1A District, no uses shall be permitted unless otherwise provided in this subchapter, except the following:

(A) All principal permitted uses in the R-1 District;

(B) Farms (except commercial animal, poultry, or pet enterprises), gardens, plant material nurseries, and greenhouses, provided no buildings, yards, or runs for the care, shelter, or confinement of animals or fowl or the storage of manure is located nearer than 100 feet from a lot line;

(C) Golf courses, including clubhouse facilities and service buildings;

(D) Universities, colleges, and seminaries, including fraternity and sorority houses, and customary recreational facilities in connection with such use located on the same property;

(E) Home occupations as defined in § 153.021 and regulated under § 153.069(D);

(F) Accessory buildings and uses customarily incidental to the above principal permitted uses, subject to requirements of § 153.070;

(G) Signs as provided in §§ 153.145 through 153.169;

(H) Off-street parking in accordance with the requirements of §§ 153.125 through 153.132; and

(I) Temporary buildings ~~and trailers for use incidental to construction work~~ or portable storage containers as defined in 153.021 and as regulated in § 153.491.

## § 153.211 PRINCIPAL PERMITTED USES.

In the R-2 District, no uses shall be permitted unless otherwise provided in this subchapter, except the following:

(A) All principal permitted uses in the R-1 District;

(B) Two-family dwellings not to exceed one two-family dwelling per lot, except in the case of a multiple dwelling maintained since January 1, 1950, in which event said multiple dwelling may be continued to the extent so maintained for a continuous period since January 1, 1950, and shall hereafter be subject to all the provisions pertaining to legally established nonconforming uses. The burden of proof as to the date of establishment of any use provided for in this section shall be upon the owner;

(C) Accessory buildings and uses customarily incidental to the above principal permitted uses;

(D) Signs as provided in §§ 153.145 through 153.169;

(E) Off-street parking in accordance with the requirements of §§ 153.125 through 153.132; and

(F) Temporary buildings ~~and trailers for use incidental to construction work~~ or portable storage containers as defined in 153.021 and as regulated in § 153.491.

## § 153.226 PRINCIPAL PERMITTED USES.

In the R-3 District, no uses shall be permitted unless otherwise provided in this subchapter, except the following:

- (A) All principal permitted uses in the R-2 District;
- (B) Multiple-family dwellings, including apartments, townhouses, terraces, and row houses provided all such dwellings shall have at least one property line abutting a major or secondary thoroughfare as classified in the city's Trafficways Plan, or have vehicular access to such a thoroughfare through property zoned R-3 or R-4. All ingress and egress shall be directly onto said thoroughfare;
- (A) Adult foster care small and large group homes subject to standards established in §§ 153.455 through 153.491;
- (B) Boarding or rooming houses, lodging houses, and tourist homes subject to standards established in §§ 153.455 through 153.491;
- (C) Community garages, provided that not more than two commercial vehicles of not over one and one-half ton capacity are housed therein;
- (D) Convalescent and nursing homes subject to standards in §§ 153.455 through 153.491;
- (E) Convents and nurses homes;
- (F) Day care centers subject to standards established in §§ 153.455 through 153.491;
- (G) Hospitals subject to site design standards in §§ 153.455 through 153.491;
- (H) Private museums;
- (I) Private school and educational institutions;
- (J) Accessory buildings and uses customarily incidental to the above principal permitted uses;
- (K) Signs as provided in §§ 153.145 through 153.169;
- (L) Off-street parking in accordance with the requirements of §§ 153.125 through 153.132; and
- (M) Temporary buildings and trailers for use incidental to construction work or portable storage containers as defined in 153.021 and as regulated in § 153.491.

## § 153.246 PRINCIPAL PERMITTED USES.

In the R-4 District, no uses shall be permitted unless otherwise provided in this subchapter, except the following:

- (A) All principal permitted uses in the R-3 District;
- (B) High rise apartment structures;
- (C) Accessory buildings or uses customarily incidental to the above principal permitted uses;
- (D) Signs as provided in §§ 153.145 through 153.169;
- (E) Off-street parking in accordance with the requirements of §§ 153.125 through 153.132;
- (F) Incidental services within high rise apartment buildings for the convenience of occupants, such as news, tobacco, or candy stands, delicatessens, restaurants, personal service shops, and similar uses, provided the following conditions are filled:
  - (1) At least 75 dwelling units shall be contained within the apartment building or apartment building group;
  - (2) A total of not more than 2% of the gross floor area of the building shall be used;
  - (3) All such incidental services shall be situated within the interior of the building so that no part thereof shall be directly accessible to the general public or to tenants from any street, or public or private way;
  - (4) No sign or window display shall be discernible or visible from a sidewalk, street, or public or private way; and
  - (5) Such incidental services shall not be provided on the same floor as dwelling units are

situated, unless separated therefrom by a fireproof wall as provided in the building regulations.

(G) Temporary buildings ~~and trailers for use incidental to construction work~~ or portable storage containers as defined in 153.021 and as regulated in § 153.491.

## § 153.266 PRINCIPAL PERMITTED USES.

In the RO-1 District, no uses shall be permitted unless otherwise provided in this subchapter, except the following:

- (A) Dwellings containing four or fewer units;
- (B) Adult foster care family homes and adult foster care small and large group homes subject to standards established in §§ 153.455 through 153.491;
- (C) Hospitals subject to site design standards in §§ 153.455 through 153.491; Day care centers, nursery schools, day nurseries, or child care centers subject to the requirements of § 153.477;
- (D) Senior citizen and community education facilities;
- (E) Accessory buildings and uses customarily incidental to the above permitted principal uses subject to the requirements of § 153.070;
- (F) Signs as provided in §§ 153.145 through 153.169;
- (G) Off-street parking in accordance with the requirements of §§ 153.125 through 153.132;
- (H) Home occupations as defined in § 153.021 and regulated under § 153.069(D); and
- (I) Temporary buildings ~~and trailers for use incidental to construction work~~ or portable storage containers as defined in 153.021 and as regulated in § 153.491.

## § 153.281 PRINCIPAL PERMITTED USES.

In the B-1 District, no uses shall be permitted unless otherwise provided in this subchapter, except the following:

- (A) Business services, including the following:
  - (1) Business, professional, or governmental;
  - (2) Commercial parking lots;
  - (3) Financial institutions, including banks, savings and loan association offices, credit unions, and loan production offices; and
  - (4) Post offices or postal stations.
- (B) Clothing service, including the following:
  - (1) Dressmaking shops;
  - (2) Dry cleaning establishments occupying a total floor area not to exceed 2,000 square feet and using not more than two clothes cleaning units, neither of which shall have a rated capacity of more than 40 pounds, using cleaning fluid which is non-explosive and non-flammable;
  - (3) Laundry agencies;
  - (4) Millinery shops;
  - (5) Self-service laundry and dry cleaning establishments; and
  - (6) Tailor and pressing shops.
- (C) Equipment service, including the following:
  - (1) Electric appliance repair shops;
  - (2) Radio and electronic repair, television shops;
  - (3) Shoe repair shops; and
  - (4) Watch repair shops.
- (D) Food service (excluding drive-in type businesses), the business of which shall be conducted entirely within an enclosed building, including, but not limited to, the following:
  - (1) Bake shops;
  - (2) Dairy stores;

- (3) Delicatessens;
- (4) Groceries;
- (5) Meat, fish, and poultry markets;
- (6) Restaurants; and
- (7) Taverns.
- (E) Medical offices, including the following:
  - (1) Doctor, dentist, chiropractic offices;
  - (2) Medical centers, industrial health clinics;
  - (3) Medical laboratories, testing, research establishments; and
  - (4) Veterinary hospitals and clinics, kennels, excluding outside exercise yards and pens.
- (F) Personal service, including the following:
  - (1) Barber shops;
  - (2) Beauty shops;
  - (3) Funeral homes;
  - (4) Health salons; and Photographic studios.
- (G) Retail service and retail stores, generally, including the following:
  - (1) Antique shops;
  - (2) Apparel shops;
  - (3) Bicycle sales and service;
  - (4) Book stores;
  - (5) Camera shops;
  - (6) Drugstores;
  - (7) Flower shops;
  - (8) Gift shops;
  - (9) Hardware, paint, and wallpaper stores;
  - (10) Hobby shops;
  - (11) Household appliances;
  - (12) Jewelry stores;
  - (13) Newsdealers;
  - (14) Picture framing stores;
  - (15) Radio, television, and record shops;
  - (16) Stationers; and
  - (17) Variety stores.
- (H) Membership clubs, fraternal, or recreational buildings;
- (I) All dwellings, including apartments, townhouses, terraces, and row houses;
- (J) Uses similar to the above, as determined by the City Planning Commission;
- (K) Accessory buildings and uses customarily incidental to the above principal permitted uses, subject to requirements of § 153.070;
- (L) Signs as provided in §§ 153.145 through 153.169;
- (M) Off-street parking and loading facilities in accordance with the requirements of §§ 153.125 through 153.132; and
- (N) Temporary buildings and trailers for use incidental to construction work or portable storage containers as defined in 153.021 and as regulated in § 153.491.

## § 153.301 PRINCIPAL PERMITTED USES.

In the B-1A District, no uses shall be permitted, unless otherwise provided in this subchapter, except the following:

- (A) All principal permitted uses and all permitted uses after special approval in the B-1 District;
- (B) Accessory buildings and uses customarily incidental to the above principal permitted uses

subject to the requirements of § 153.070;

(C) Signs as provided in §§ 153.145 through 153.169;

(D) Off-street parking and loading facilities in accordance with the requirements of §§ 153.125 through 153.132; and

(E) Temporary buildings ~~and trailers for use incidental to construction work~~ or portable storage containers as defined in 153.021 and as regulated in § 153.491.

## § 153.316 PRINCIPAL PERMITTED USES.

In the B-2 District, no uses shall be permitted unless otherwise provided in this subchapter, except the following:

(A) All principal permitted uses in the B-1 District;

(B) Any service establishment of an office, showroom, or workshop nature, such as a decorator, upholsterer, caterer, exterminator, building contractor, and similar establishments that require a retail outlet;

(C) Assembly halls;

(D) Automobile service stations subject to site design standards in § 153.071;

(E) Automobile, truck, motorcycle, trailer, recreation vehicle, or boat showrooms, including outdoor storage or display of sales product;

(F) Automotive service establishments, entirely within an enclosed building, limited to the following: body repair; painting and refinishing; motor repair; truck equipment installation; auto glass installation; waxing and polishing; tire sales and tire mounting; and muffler and battery service;

(G) Bus, transit and train passenger terminals;

(H) Business schools or private schools operated for a profit;

(I) Business service establishments, such as office machine and typewriter repair, printing, photostating, blueprinting;

(J) Cocktail lounges, night clubs, taverns, supper clubs, and private clubs, subject to standards in §§ 153.455 through 153.491;

(K) Commercial recreation uses, including the following:

(1) Indoor theaters;

(2) Bowling alleys;

(3) Billiard rooms;

(4) Dance halls; and

(5) Skating rinks.

(L) Colleges or universities;

(M) Department stores;

(N) Funeral homes;

(O) Government buildings and uses;

(P) Hotels and motels;

(Q) All dwellings, including apartments, townhouses, terraces, and row houses;

(R) Physical cultural facilities, such as gymnasiums, reducing salons, beauty schools;

(S) Printing and publishing establishments;

(T) Public utility offices, telephone exchanges, and public utility substations within a completely enclosed building (not necessarily roofed);

(U) Railroad freight stations or sidings;

(V) Retail business whose principal activity is the sale or rental of merchandise within a completely enclosed building;

(W) Garages to be used exclusively for the storage of commercial and or passenger motor vehicles;

- (X) Accessory buildings and uses customarily incidental to the above principal permitted uses, subject to the requirements of § 153.070;
- (Y) Signs as provided in §§ 153.145 through 153.169;
- (Z) Off-street parking and loading facilities in accordance with the requirements of §§ 153.125 through 153.132; and
- (AA) Temporary buildings ~~and trailers for use incidental to construction work~~ or portable storage containers as defined in 153.021 and as regulated in § 153.491.

## § 153.331 PRINCIPAL PERMITTED USES.

In the B-3 District, no uses shall be permitted, unless otherwise provided in this subchapter, except the following:

- (A) All principal permitted uses in the B-2 District, except automobile service stations;
  - (B) Accessory buildings and uses customarily incidental to the above principal permitted uses, subject to requirements of § 153.070;
  - (C) Signs as provided in §§ 153.145 through 153.169;
  - (D) Off-street parking and loading facilities including parking structures in accordance with the requirements of §§ 153.125 through 153.132;
  - (E) Temporary buildings ~~and trailers for use incidental to construction work~~ or portable storage containers as defined in 153.021 and as regulated in § 153.491.
- § 153.346 PRINCIPAL PERMITTED USES.

Any of the following uses are permitted when the manufacturing compounding or processing is conducted entirely within a completely enclosed building:

- (A) Industrial establishments:
  - (1) Assembly, fabrication, manufacture, packaging or treatment of such products as food products (excluding butchering, animal slaughtering), candy, drugs, cosmetics and toiletries, musical instruments, optical goods, toys, novelties, electrical instruments and appliances, radio and phonographs, pottery and figurines or other ceramic products using only previously pulverized clay;
  - (2) Assembly, fabrication, manufacture, or treatment of such products from the following previously prepared materials: bone; canvas; cellophane; cloth; cork; felt; fibre; glass; leather; paper; plastics; precious or semi-precious metals or stones; sheet metal (excluding large stampings such as automobile fenders or bodies); shell; textiles; wax; wire; wood (excluding power saw and planning mills); and yarns;
  - (3) Bakeries (wholesale);
  - (4) Buffing, polishing, or electric plating, excluding heat treating furnaces;
  - (5) Building supply, solid fuel businesses or contracting firms with incidental storage yards on the same lot, including building and allied craft contractors, subject to standards established in §§ 153.455 through 153.491;
  - (6) Central dry cleaning plants and laundries;
  - (7) Laboratories—research or testing;
  - (8) Tool and die shops; metalworking machine shops involving the use of grinding or cutting tools; manufacturing of tools, dies, jigs, fixtures; publishing, printing, or forming of box, carton, and cardboard products, bookbinding, printing, or engraving;
  - (9) Painting and sheet metal shops, tire vulcanizing and recapping shops, undercoating and rustproofing shops, welding shops, automobile bump shops, grinding shops, machine rebuilding, and spray painting establishments;
  - (10) Pickle processing, subject to standards established in §§ 153.455 through 153.491;
  - (11) Recreational vehicle storage yards, subject to standards established in §§ 153.455

through 153.491;

(12) Truck, bus, and train terminals; and

(13) Truck tractor and trailer sales and display, rental, and repair.

(B) Docks, wharves, and boat storage;

(C) Public and private utility buildings, telephone exchange buildings, electric transformer stations and substations, gas regulator stations, municipal pumping stations, lines, easements, installations and facilities, including storage yards;

(D) Public buildings and service uses, not dealing directly with the general public on an individual basis;

(E) Automobile repair or service facilities, parking garages, and lots;

(F) Recreation vehicle storage yards subject to standards established in §§ 153.455 through 153.491;

(G) Wholesale and warehousing: the sale at wholesale or warehousing of automotive parts and equipment; dry goods and apparel; groceries and related products; raw farm products except livestock and noxious fertilizers; electrical goods, hardware, plumbing, heating equipment and supplies; machinery and equipment; tobacco and tobacco products; paper and paper products; furniture and home furnishings, and any commodity the manufacture of which is permitted in this district;

(H) Any other uses similar to any of the above principal permitted uses, as determined by the City Planning Commission;

(I) Accessory buildings and uses customarily incidental to the above principal permitted uses;

(J) Signs as provided in §§ 153.145 through 153.169;

(K) Off-street parking and loading facilities in accordance with the requirements of §§ 153.125 through 153.132; and Temporary buildings and trailers for use incidental to construction work or portable storage containers as defined in 153.021 and as regulated in § 153.491.

## § 153.366 PRINCIPAL PERMITTED USES.

In the M-2, General Industrial District, no uses shall be permitted, unless otherwise provided in this subchapter, except the following:

(A) All principal permitted uses in the M-1 District;

(B) All permitted uses after special approval in the M-1 District;

(C) Assembly and/or manufacture of motor vehicles and components, cigars and cigarettes, electrical fixtures, batteries, and other electrical apparatus and hardware;

(D) Business machine manufacturing;

(E) Cold storage plants;

(F) Commercial ice manufacturing;

(G) Electroplating;

(H) Foundries;

(I) Heat treating;

(J) Metal stamping, pressing, and buffing plants;

(K) Millwork lumber and power saw and planing mills;

(L) Nut, bolt, or screw manufacturing;

(M) Paint manufacturing;

(N) Pharmaceutical products manufacturing;

(O) Railroad freight depots and classification yards;

(P) Steel fabrication;

(Q) Any other uses similar to any of the above principal permitted uses, as determined by the City Planning Commission;

(R) Accessory buildings and uses customarily incidental to the above principal permitted uses;

- (S) Signs as provided in §§ 153.145 through 153.169;
- (T) Off-street parking and loading facilities in accordance with the requirements of §§ 153.125 through 153.132; and
- (U) Temporary buildings ~~and trailers for use incidental to construction work~~ **or portable storage containers as defined in 153.021 and as regulated in § 153.491.**

## **§153.386 PRINCIPAL PERMITTED USES.**

In the M-3, Heavy Industrial District, no uses shall be permitted, unless otherwise provided in this subchapter, except the following:

- (A) All principal permitted uses in the M-2 District;
- (B) All permitted uses after special approval in the M-2 District, except penal and correctional institutions and detention facilities;
- (C) Any other uses similar to any of the above principal permitted uses, as determined by the City Planning Commission;
- (D) Accessory buildings and uses customarily incidental to the above principal permitted uses;
- (E) Signs as provided in §§ 153.145 through 153.169;
- (F) Off-street parking and loading facilities in accordance with the requirements of §§ 153.125 through 153.132; and
- (G) Temporary buildings ~~and trailers for use incidental to construction work~~ **or portable storage containers as defined in 153.021 and as regulated in § 153.491.**

## **§ 153.347 PERMITTED USES AFTER SPECIAL APPROVAL.**

The following uses may be permitted subject to applicable site design standards in §§ 153.455 through 153.491 and subject further to the approval of the City Planning Commission in accordance with processing procedures in § 153.562: The following retail and service establishments, provided that such establishments are clearly ancillary to the permitted industrial uses and are in keeping with the intent of the M-1 Districts:

- (1) Automobile service stations;
- (2) Barber and beauty shops;
- (3) Eating and drinking establishments when food or beverage is consumed within a completely enclosed building; and
- (4) Hotels and motels.
- (5) Temporary or portable storage container sales and display, rental, and repair of same as defined in § 153.021 and as regulated in § 153.491**
- (B) Railroad freight depots and classification yards; and
- (C) Penal and correctional institutions and detention facilities subject to the standards in §§ 153.455 through 153.491.

## **§153.491 TEMPORARY BUILDINGS **OR PORTABLE STORAGE CONTAINERS.** ~~FOR USE INCIDENTAL TO CONSTRUCTION WORK.~~**

The following regulations shall apply to temporary buildings for use incidental to construction work **and/or temporary portable storage containers as defined in §153.021:**

- (A) Zoning district in which permitted: all districts;
- (B) Minimum lot area: none specified;
- (C) Special minimum yard space and lot width requirements: none specified;
- (D) Special screening requirements: none specified;
- (E) Other requirements: allowed for a period not to exceed one year Placement: no person**

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shall store or place a temporary building or portable storage container upon the public right-of-way, public property, or between the sidewalk and curb within the city. Clear vision areas shall be maintained at all times, and portable storage containers shall not obstruct the flow of pedestrian or vehicular traffic.

(F) Other requirements: allowed for the following type of structure or use and for the following specified duration and required permit:

(G)

| Structure or Use Section                                                                 | Duration                            | Permit Required |
|------------------------------------------------------------------------------------------|-------------------------------------|-----------------|
| Construction-related temporary buildings                                                 | 1 Year                              | None            |
| Temporary portable storage containers-Zones B-1A, B-2, B-3, M-1, M-2 and M-3             | 90 days, up to 2 times in 12 months | Yes             |
| Temporary portable storage containers-Zones R-1, R-1A, R-2, R-3, R-4, RO-1, B-1 and RMU. | 30 days, up to 3 times in 12 months | Yes             |

This ordinance shall become effective December 31, 2020.

Enacted: December 21, 2020.

Yeas:

Nays:

Absent:

Abstain:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Janet Santos, MiPMC/MMC  
City Clerk

## ORDINANCE DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on December 21, 2020; 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, MiPMC/MMC  
City Clerk

**From:** Timothy Morales, City Manager  
**Subject:** Saginaw Area Storm Water Authority Apportionment  
**Prepared by:** Louis Taylor, Public Services Department

**Manager's Recommendation:**

I recommend that adoption of the apportionment be approved for the City of Saginaw as a Member of the Saginaw Area Storm Water Authority. The FY 2021 apportionment is \$7,258.51, to be paid in three quarterly amounts of \$1,814.63 and one quarterly amount of \$1,814.62.

**Justification:**

On October 21, 2020, at the Saginaw Area Storm Water Authority (SASWA) general board meeting, a FY 2021 proposed budget and apportionment was submitted for each member to present to their governing body for approval. From its inception in 2003, as a means for communities to comply with the EPA's MS4 requirements, SASWA has proven beneficial for all members as the alternative was for each municipality to hire engineering firms individually to meet storm water requirements, a cost that was once estimated at \$50,000 annually per community.

For FY 2021, the apportionment for all members is 6.67% to recognize the engineering and technical services that each community needed relative to the size of their MS4 completion. Now each member benefits the same in respect to direct service rendered from the engineering firm and continued compliance with the National Pollution Discharge Elimination Permit for storm water. The new MS4 permits require annual catch basin inspections on a variable number of catch basins. This cost is being divided between the agencies of SASWA based on the percentage of catch basins each agency has, compared to the total.

The City has 6.3% of the total catch basins, requiring us to pay for 6.3% of the total cost for the catch basin inspections. The total cost for the catch basin inspections is \$25,000, so the City's portion is \$1,584.51. The FY 2021 SASWA budget, minus the catch basin inspections, is proposed in the amount of \$85,110.00, which amounts to \$5,674.00 per member invoiced quarterly. The total apportionment for the City is \$7,258.51, which will split up with three quarterly payments of \$1,814.63 and one quarterly payment of \$1,814.62. This is in contrast to the FY 2020 budget, which was set in the amount of \$103,400.00.

Funds are budgeted in the Sewer Operations and Maintenance Fund, Maintenance and Service Division's Operating Services Account No. 590-4821-805.000.

**Council Action:**

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

**APPROVING THE APPORTIONMENT OF OPERATIONAL COSTS  
AND ACCEPTING THE FISCAL YEAR 2021 BUDGET  
OF THE SAGINAW AREA STORM WATER AUTHORITY**

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

**WHEREAS:** the City of Saginaw has previously joined the Saginaw Area Storm Water Authority, hereafter "Authority," and is a constituent municipality pursuant to the Articles of Incorporation adopted by the Authority; and

**WHEREAS:** two-third (2/3) of the legislative bodies of the Member Municipalities are required to approve the apportionment of the annual operating costs of the Authority; and

**WHEREAS:** the Authority is required to file with the legislative bodies of the Member Municipalities an annual budget for the next fiscal year covering the proposed expenditures to be made for the organization and operation of the Authority.

**NOW, THEREFORE, BE IT RESOLVED,** that

1. The City of Saginaw apportionment of the 2021 annual operational costs for the Authority is accepted and approved as presented.
2. The City of Saginaw 2021 annual budget, for the Authority is accepted and approved as presented, in the amount of \$7,258.51.

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 November 9, 2020; 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, MiPMC/MMC  
City Clerk