



Saginaw City Council Agenda

1315 S. Washington Avenue
Council Chambers, Room 205

May 9, 2022
6:30 p.m.

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Proclamation declaring May 9 – 13, 2022 as “Public Service Recognition Week.”

PUBLIC HEARINGS:

PUBLIC INPUT:

(A list will be provided following submittal deadline.)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

1. Overview of the Fiscal Year 2022-2023 Proposed Budget, Yolanda M. Jones, Director of the Office of Management and Budget.

CONSENT AGENDA:

1. Approve the April 18, 2022 regular council meeting minutes.
2. Approve Petition #22-02 to approve the capital expenditure items for the 2022-2023 Budget for Operations, Capital Improvement, and Emergency Repair for the Saginaw-Midland Municipal Water Supply Corporation.
3. Approve the acceptance of the grant award of \$3,000 from the Saginaw Community Foundation for the City of Saginaw's 2022 Team Up to Clean Up efforts. Further, approve a budget adjustment for FY 2022 to recognize the additional grant monies.
4. Approve the acceptance of the grant award of \$1,000 from the Saginaw Community Foundation for the City of Saginaw's 2022 Neighborhood Recognition Award Program. Further, approve a budget adjustment for FY 2022 to recognize the additional grant monies.
5. Approve the purchase with SAFEWARE for \$5,993 for an Arizona Vortex Rescue Kit for the Fire Department.
6. Approve to increase the blanket purchase with Michigan CAT by \$9,500, for a new total of \$22,000, for vehicle repair services for the Public Services Department, Motor Pool Division.
7. Approve the purchase with Westside Decorating Center for \$6,807 for the replacement of flooring in the Public Services building for the Public Services Department, Motor Pool Division.

8. Approve the purchase with Standard Electric, a sole source, for \$27,758 for Whatley street light poles for the Public Services Department, Traffic Maintenance Division.
9. Approve the purchase with AIS Construction Equipment for \$124,205 for a 2022 John Deer 324L Wheel Loader for the Public Services Department, Streets Division.
10. Approve the purchase with Corpro Companies, Inc. for an annual amount of \$1,860 for FY 2022, and pending budget approval, for FY 2023 and FY 2024, for a 3-year total of \$5,580, for preventative maintenance services of the cathodic protection systems for the Water and Wastewater Treatment Services Department, Water Treatment Division.
11. Approve the purchase with Advanced Rehabilitation Technology for \$98,000 for the rehabilitation of primary settling tank No. 4 for the Water and Wastewater Treatment Services Department, Wastewater Treatment Division.
12. Approve the purchase with Kerr Pump & Supply for \$38,379 to replace the front head on raw sewage pump No. 4 for the Water and Wastewater Treatment Department, Wastewater Treatment Division.
13. Approve the purchase with Bay Farm Services, Inc. for \$5,780 for a vehicle swing gate at the Webber Street Retention Treatment Basin for the Water and Wastewater Treatment Services Department, Remote Services Division.
14. Approve the purchase with CDW-G for \$36,203 for Cisco network equipment to complete a SCADA Main Network switch upgrade at the Water and Wastewater Treatment Divisions, for the Water and Wastewater Treatment Services Department, Instrumentation and Process Controls Division.
15. Approve the purchase with Kendall Electric, a sole source, for \$53,393 for Rockwell network equipment to complete a SCADA Remote Network switch upgrade at the Water and Wastewater Treatment Divisions for the Water and Wastewater Treatment Services Department, Instrumentation and Process Controls Divisions.

BOARD/COMMISSION/COMMITTEE REPORTS:

APPOINTMENT OF BOARD/COMMISSION/COMMITTEE MEMBERS:

1. Approve the Manager's appointment of Floyd Kloc to the Planning Commission with a term to expire December 31, 2024.
2. Approve the Manager's appointment of John Milne to the Planning Commission with a term to expire December 31, 2024.

ORDINANCE INTRODUCTION:

1. An ordinance to amend Chapter 95, "Trees, Shrubs, and Plants," of Title IX, "General Regulations," by amending §95.03, "Abatement of Nuisances," of the City of Saginaw Code of Ordinances, O-204.

ORDINANCE CONSIDERATION AND ADOPTION:

1. An ordinance to amend the official City map to vacate entire blocks 12, 13, 19, 20, 27, 28, 34 & 35, frl. blks. 29, 26, 21, 18, 33 & 30, Williams N. Littles Addition.

2. An ordinance to amend Chapter 153, "Zoning Code," of Title XV, "Land Usage," by adding §153.534 "Definitions," and amending §153.537 "Regulation of Structures," §153.538 "Historic District Commission," §153.539 "Procedure for the Review of Plans," §153.540 "Appeals," §153.541 "Establishing New Districts and Identifying Historic Resources, Modifying or Eliminating Existing Districts," and by adding §153.545 titled "Violation; Fine; Payment of Costs," and §153.546 "Acquisition of Historic Resources," of the City of Saginaw Code of Ordinances, O-204.

RESOLUTIONS:

UNFINISHED BUSINESS:

MISCELLANEOUS BUSINESS:

1. Consideration of a motion to go into closed session to discuss pending litigation in Bradley v. City of Saginaw per MCL 15.268(e).

ADJOURNMENT:

Timothy Morales
City Manager

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

CITY OF SAGINAW

PROCLAMATION

WHEREAS, Americans are served every day by public servants at the federal, state, county and city levels, who supply continuity to our democratic society. These unsung heroes do the work that keeps our nation working; and

WHEREAS, public employees serve in areas such as, public safety, elections, human resources, finance and budget, environment, public infrastructure, community services, human rights, recreation, and more; and

WHEREAS, the public employees of the City of Saginaw are committed to exhibiting the highest standards of professional excellence, creativity, skill, and customer service; and

WHEREAS, the dedicated citizens who serve on City of Saginaw boards and commissions are integral to the advancement of the quality of life that we enjoy here; and

WHEREAS, the efficiency of government relies on public employees who provide services in the quality and quantity required and expected by the public. Without these public employees at every level, continuity would be impossible in a democracy that regularly changes its leaders and elected officials; and

WHEREAS, the City of Saginaw recognizes the generous contributions of time and talent by public employees and community volunteers and the importance of the services they render; and

WHEREAS, though the work and efforts of public servants are specially recognized this week, the City of Saginaw remains grateful each and every day.

NOW THEREFORE BE IT RESOLVED, I, Brenda F. Moore, Mayor of the City of Saginaw, do hereby proclaim May 9 -13, 2022 as:

“PUBLIC SERVICE RECOGNITION WEEK”

in the City of Saginaw and urge all citizens to recognize and express their appreciation for the important contributions of public employees and community volunteers through the city, county, state and nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Saginaw to be affixed this 9th day of May in the year of our Lord two thousand twenty-two.



May 9, 2022

Brenda F. Moore, Mayor

Councilpersons

Michael D. Balls, Mayor Pro Tem,
Annie Boensch, George Copeland, Jr.,
Michael Flores, Monique Lamar-Silvia, Bill Ostash,
Autumn L. Scherzer, and Reggie Williams II

Timothy Morales, City Manager

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, WAS HELD MONDAY, APRIL 18, 2022, AT 6:30 P.M. IN COUNCIL CHAMBERS AT CITY HALL, 1315 S. WASHINGTON AVENUE, SAGINAW, MICHIGAN.

PRAYER AND PLEDGE OF ALLEGIANCE

Mayor Brenda F. Moore offered a prayer and led the pledge of allegiance of the United States of America.

ROLL CALL

Mayor Moore called the meeting to order. Council Members present: Monique Lamar-Silvia, Reggie Williams, Annie Boensch, Michael Balls, Autumn Scherzer, Michael Flores, George Copeland, and Brenda Moore: 8. Council Members absent: William Ostash: 1.

ANNOUNCEMENTS

City Clerk Janet Santos announced that yard waste is collected on the regular trash service day. Residents must use a separate container and yard waste stickers are available in the City Clerk's Office.

Council Member Lamar-Silvia read a proclamation declaring April 29, 2022 as Arbor Day. Beth London, Assistant Director of Public Services, accepted the proclamation.

PUBLIC HEARINGS

Clerk Santos announced the public hearing regarding the request for an Obsolete Property Rehabilitation (OPRA) Certificate at 2138 N. Carolina Street. Mayor Moore called for public comment. Cassi Zimmerman of Saginaw Future spoke in favor of the project to develop the property for an assisted living center for up to forty-two (42) residents creating twenty-six (26) jobs in the healthcare field. She also explained what the benefits of the district creation will bring to the development and the City. Mayor Moore called for public comments two additional times. No additional comments were made.

Moved by Council Member Lamar-Silvia, seconded by Council Member Boensch to close the public hearing. 8 ayes, 0 nays, 1 absent. Motion approved.

PUBLIC INPUT

Members of the Public that addressed the Council: Megan Cottington-Heath.

Moved by Council Member Flores, seconded by Council Member Lamar-Silvia to extend the time for Megan Cottington-Heath by one minute. 8 ayes, 0 nays, 1 absent. Motion approved.

Public Input continued with Pharrington Douglass, Debbie Melkonian, Alan Tobias, Nicholas Herd, Dr. Fenobia Dallas, Lance Cope, Cirven Merrill, Felicia Hogan, Edward Connolly.

Moved by Council Member Flores, seconded by Council Member Lamar-Silvia to extend the time for Edward Connolly by one minute and thirty (30) seconds. 8 ayes, 0 nays, 1 absent. Motion approved.

Public Input continued with Jeffrey Bulls.

Moved by Council Member Flores, seconded by Council Member Lamar-Silvia to extend the time for Jeffrey Bulls by one minute. 8 ayes, 0 nays, 1 absent. Motion approved.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Flores, Copeland, Lamar-Silvia, Williams, Boensch, Scherzer, Balls.

Council Member Flores left the meeting at 7:26 p.m. and returned at 7:28 p.m.

Moved by Council Member Flores, seconded by Council Member Lamar-Silvia to extend the time for Mayor Pro Tem Balls by one minute and thirty (30) seconds. 8 ayes, 0 nays, 1 absent. Motion approved.

Council remarks continued with Mayor Moore.

Moved by Council Member Flores, seconded by Council Member Lamar-Silvia to extend the time for Mayor Moore by one minute and thirty (30) seconds. 8 ayes, 0 nays, 1 absent. Motion approved.

REPORTS FROM CITY MANAGER

Manager Morales provided information and updates regarding City projects. He introduced Bob Brown, Executive Director of Region VII Area Agency on Aging. Mr. Brown presented an update of services and activities provided by the agency.

Council Member Lamar-Silvia left the meeting at 7:50 p.m. and returned at 7:53 p.m.

Manager Morales introduced City Urban Planner Robert Gollin. Mr. Gollin presented an update and details on the proposed rezoning of the N. Washington Avenue – Farwell corridor.

Council Member Lamar-Silvia left the meeting at 8:17 p.m. and returned at 8:18 p.m.

CONSENT AGENDA:

Moved by Council Member Lamar-Silvia, seconded by Council Member Boensch to approve the consent agenda, allowing room for exceptions. No exceptions were made. 8 ayes, 0 nays, 1 absent. Motion approved.

1. Approve the April 4, 2022 regular council meeting minutes.
2. Approve the auditing contract extension with Yeo & Yeo, CPAs & Business Consultants for \$65,200 for FY 2022, with a not to exceed five year cost of \$365,850 for auditing services.
3. Approve the purchase with Pivot Point Partners, LLC for \$11,500 for mobile appraisal software for the Fiscal Services Department, Assessing Division.
4. Approve the service agreements with Mercury Consulting for \$31,878 for email migration, application migration, and development services and software for the Technical Services Department.
5. Approve the purchase with Yeo & Yeo Computer Consulting, LLC for \$7,094 for an uninterruptible power supply for the City's core network switch.

6. Approve the transfer of the property known as 3408 Bundy Street to the Saginaw County Land Bank for \$1.
7. Approve the purchase with WatchGuard, Inc. for \$24,890 for FY 2022; and pending budget approval, for an annual amount of \$13,524 for FY 2023 through FY 2026 for body camera system upgrades for the Police Department.
8. Approve the purchase with Ferguson Waterworks for \$3,772 for an outdoor pedestal mounted drinking fountain for the Garber Tennis Courts for the Public Services Department, Parks and Grounds Division.
9. Approve the purchase with Vehicle Services Group, LLC for \$10,954 for a Two Post Turf Equipment Lift for the Public Services Department, Abatement of Nuisances Division.
10. Approve the purchase with Vehicle Services Group, LLC for \$9,530 for a Two Post Surface Lift for the Public Services Department, Motor Pool Division.
11. Approve to increase the blanket purchase orders issued to specific vendors by \$14,500, for a new total of \$94,500, for vehicle parts for the Public Services Department, Motor Pool Division.
12. Approve the Community Development Block Grant contract with Rohde Brothers Excavating, Inc. for \$1,438,154 for the Lapeer Avenue Reconstruction project for the Public Services Department, Engineering Division.
13. Approve the recommendation that a public hearing be held at the regular City Council meeting on Monday, June 6, 2022 at 6:30 p.m. related to the Drinking Water State Revolving Fund Elevated Tower application.

APPOINTMENT OF BOARD AND COMMISSION MEMBERS

Moved by Council Member Lamar-Silvia, seconded by Council Member Scherzer to approve the appointments as follows:

1. Council appointment of Heather Collins to the Human Planning Commission with a term to expire December 31, 2022.
2. Council reappointment of Trisha Baker to the Public Libraries of Saginaw with a term to expire June 30, 2026.
3. Mayoral reappointment of Richard Spitzer to the Saginaw Economic Development Corporation with a term to expire June 30, 2025.

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

ORDINANCE CONSIDERATION AND ADOPTION

Moved by Council Member Scherzer, seconded by Council Member Boensch to adopt an ordinance to amend the official city map to rezone 3617 Mackinaw St. from R-1, Single Family Residential to R-2, Two Family Residential. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Scherzer, seconded by Council Member Boensch to adopt an ordinance to amend the official city map to rezone 2138 N. Carolina from R-1, Single Family Residential to R-3, Low Density Multi-Family Residential. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Mayor Pro Tem Balls, seconded by Council Member Scherzer to adopt an ordinance to amend the official city map to rezone the area between N. Washington Avenue and Farwell and from Roosevelt Austin to N. 10th Street from the current zoning to M-1, Light Industrial. Discussion held.

Moved by Council Member Boensch, seconded by Council Member Flores to postpone the adoption consideration of the ordinance to amend the official city map to rezone the area between N. Washington Avenue and Farwell and from Roosevelt Austin to N. 10th Street from the current zoning to M-1, Light Industrial until the time when the City's Master Plan is introduced. Discussion held. Mayor Moore asked Clerk Santos to conduct a roll call vote.

Ayes: Flores, Copeland, Lamar-Silvia, Williams, Boensch, Moore

Nays: Balls, Scherzer

Absent: Ostash

6 ayes, 2 nays, 1 absent. Motion approved.

RESOLUTIONS

Moved by Council Member Scherzer, seconded by Council Member Williams to adopt the resolution authorizing an Obsolete Property Rehabilitation Certificate at 2138 N. Carolina Street. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Boensch, seconded by Council Member Scherzer to adopt the resolution authorizing the appropriation of American Rescue Plan Act funds to pay for the general governmental services to the extent of lost revenues and employee workers compensation and medical expense due to the COVID-19 virus. Discussion was held. Mayor Moore asked Clerk Santos to conduct a roll call vote.

Ayes: Copeland, Williams, Boensch, Balls, Scherzer, Moore

Nays: Flores, Lamar-Silvia

Absent: Ostash

6 ayes, 2 nays, 1 absent. Motion approved.

Council Member Copeland left the meeting at 9:20 p.m.

UNFINISHED BUSINESS

Moved by Mayor Pro Tem Balls, seconded by Council Member Boensch to adopt the resolution pledging to follow best practices of civility and civil discourse.

Council Member Copeland returned to the meeting at 9:22 p.m.

Discussion was held.

Moved by Council Member Flores, seconded by Council Member Lamar-Silvia to amend the resolution by replacing it in its entirety with a proposed resolution as drafted by Council Member Flores. The proposed resolution was distributed to Council.

Council Member Williams left the meeting at 9:24 p.m. and returned at 9:27 p.m.

A lengthy discussion was held.

Moved by Mayor Pro Tem Balls, seconded by Council Member Scherzer to call for the question. Mayor Moore asked Clerk Santos to conduct a roll call vote.

Ayes: Copeland, Lamar-Silvia, Williams, Boensch, Balls, Scherzer, Moore

Nay: Flores
Absent: Ostash
7 ayes, 1 nay, 1 absent. Motion approved.

Council Member Lamar-Silvia left the meeting at 9:33 p.m.

Mayor Moore called for the vote on the motion to amend the resolution by replacing it in its entirety with a proposed resolution as drafted by Council Member Flores. Mayor Moore asked Clerk Santos to conduct a roll call vote.

Aye: Flores
Nays: Copeland, Williams, Boensch, Balls, Scherzer, Moore
Absent: Lamar-Silvia, Ostash
1 aye, 6 nays, 2 absent. Motion denied.

Council Member Lamar-Silvia returned to the meeting at 9:36 p.m.

Discussion was held on the main motion to adopt the resolution pledging to follow best practices of civility and civil discourse.

Moved by Council Member Scherzer, seconded by Council Member Boensch to call for the question. 8 ayes, 0 nays, 1 absent. Motion approved.

Mayor Moore called for the vote on the main motion to adopt the resolution pledging to follow best practices of civility and civil discourse. 8 ayes, 0 nays, 1 absent. Motion approved.

MISCELLANEOUS BUSINESS

Moved by Council Member Lamar-Silvia, seconded by Council Member Scherzer to enter a closed session for a strategy session connected with the negotiations of collective bargaining agreements per MCL 15.268 (c). Mayor Moore asked Clerk Santos to conduct a roll call vote.

Ayes: Lamar-Silvia, Williams, Boensch, Balls, Scherzer, Flores, Copeland, Moore
Nays: None
Absent: Ostash
8 ayes, 0 nays, 1 absent. Motion approved.

Council entered a closed session at 9:40 p.m.

Moved by Council Member Copeland, seconded by Council Member Lamar-Silvia to return to regular session at 10:03 p.m. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Scherzer, seconded by Council Member Boensch to approve the tentative agreement that was discussed in closed session with the American Federation of State, County and Municipal Employees (AFSCME), for the term to commence on July 1, 2022 and to expire on June 30, 2026. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Scherzer, seconded by Council Member Copeland to approve the tentative agreement that was discussed in closed session with the Police Officers Association of Michigan (POAM), for the term to commence on July 1, 2022 and to expire on June 30, 2026. 8 ayes, 0 nays, 1 absent. Motion approved.
8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Scherzer, seconded by Council Member Boensch to approve the tentative agreement that was discussed in closed session with the International Association of Fire Fighters (IAFF), for the term to commence on July 1, 2022 and to expire on June 30, 2026. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Scherzer, seconded by Council Member Copeland to approve the tentative agreement (pending union ratification) with the Service Employees International Union (SEIU), including the Salaried, Hourly and Part-Time Collective Bargaining Units, for the term to commence on July 1, 2022 and to expire on June 30, 2026. 8 ayes, 0 nays, 1 absent. Motion approved.

ADJOURNMENT

Moved by Council Member Boensch, seconded by Council Member Copeland to adjourn the meeting at 10:06 p.m. 8 ayes, 0 nays, 1 absent. Motion approved.

As recorded by,

Janet Santos, MiPMC/MMC
City Clerk



4678 S. THREE MILE ROAD • BAY CITY, MI 48706 • PH. 989-684-2220 • FAX 989-684-7741

April 21, 2022

Ms. Janet Santos, City Clerk
City of Saginaw
1315 S. Washington
Saginaw, MI 48601

Dear Ms. Santos:

Please be advised that the Board of Trustees of the Saginaw-Midland Municipal Water Supply Corporation, at their regular meeting this date have approved the 2022-2023 Operating, Capital Improvement, and Debt Service Budgets for the Corporation.

In accordance with the 1946 agreement between the City of Saginaw and the City of Midland, it is necessary for capital improvement expense to be additionally approved by the governing bodies of both owner Cities.

The Management and Board of Trustees of the Saginaw-Midland Municipal Water Supply Corporation; therefore, recommend that the City of Saginaw approve the capital expenditure items as shown on the attached Budget for Capital Improvement and Emergency Repair Fund in the amount of \$685,000 for the 2022-2023 budget year, with a fund income allocation set at \$.03 per 1,000 gallons pumped.

We request that this petition for approval be advanced to the council as soon as possible. Please notify our office when Saginaw-Midland's Budget for Capital Improvement and Emergency Repair Fund has been approved. Thank you for your efforts in this regard.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Dan Stickel".

Daniel Stickel
Manager

DS:ld

Enc.

**SAGINAW-MIDLAND MUNICIPAL WATER SUPPLY CORPORATION
2022-2023 FISCAL YEAR**

BUDGET FOR CAPITAL IMPROVEMENT AND EMERGENCY REPAIR FUND

I.	Projected I&ER Fund Ending Balance (June 30, 2022)		\$3,430,219
II.	Proposed Improvement Expenses for 2022-2023 Fiscal Year		
a.	SCADA Improvements	\$50,000	
b.	Pressure Relief Vault Repair at Whitestone (Carryover)	\$70,000	
c.	Chlorine System Replacement	\$540,000	
d.	Chlorine Room Door/Lintel Replacement	\$25,000	
			(\$685,000)
III.	Projected Improvement Income for the 2022-2023 Fiscal Year		
a.	Income forecasted (\$0.03 per 1000 gallons)	\$450,000	
b.	Projected interest income	<u>\$2,000</u>	
			<u>\$452,000</u>
IV.	Projected I&ER Fund Ending Balance (June 30, 2023)		<u><u>\$3,197,219</u></u>

From: Timothy Morales, City Manager

Subject: Approval of the 2022 Team Up to Clean Up Grant Award from the Saginaw Community Foundation

Prepared by: Darrin Jerome, Department of Neighborhood Services and Inspections

Manager's Recommendation:

I recommend the acceptance of the grant award for \$3,000 from the Saginaw Community Foundation to assist the City of Saginaw's 2022 Team Up to Clean Up efforts.

In addition, a budget adjustment should be completed to recognize these funds in the General Fund Revenues, Contribution Account No. 101-0000-674.000 in the amount of \$3,000. To offset the increase in revenues will be the same increase in the Department of Neighborhood Services and Inspections, Inspections Division, Operating Services Account No. 101-3865-805.000.

Justification:

This grant was sought to assist the City of Saginaw with our 2022 Team Up to Clean Up event. The citywide event is scheduled for Saturday, May 14 from 8am to 12pm at key locations throughout the city. The event is a community-wide day of service where residents, neighborhood groups, and local community organizations can come together to help beautify the city. The event is an effort to not only clean-up litter and debris throughout the City, but also prompt individuals to take greater responsibility for their local neighborhoods and community.

The City of Saginaw submitted a request totaling \$3,000 to the Saginaw Community Foundation for funds to promote the 2022 Team Up to Clean Up event. On April 25, 2022, the city was notified that our grant request was approved. The total award will be \$3,000 with no matching fund requirement by the City of Saginaw.

Monies received will provide funding for supplies for the event, which include t-shirts, gloves and trash bags, along with a light breakfast and lunch for volunteers. The date and time of the event is tentative and may change due to weather.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager

Subject: Accept a Donation from the Saginaw Community Foundation for the Neighborhood Recognition Award Program

Prepared by: Darrin Jerome, Neighborhood Services and Inspections

Manager's Recommendation:

I recommend the acceptance of the grant award for \$1,000 from the Saginaw Community Foundation to assist the City of Saginaw's 2022 Neighborhood Recognition Award Program.

In addition, a budget adjustment be completed to increase the General Fund Revenue, Contribution Account No. 101-0000-674.000 in the amount of \$1,000. To offset the increase in revenues will be the same increase to the General Fund, Department of Neighborhood Services, Inspections Division, Operating Services Account No. 101-3865-805.000.

Justification:

The Neighborhood Recognition Awards are intended to recognize those residents and business owners who take pride in their properties and care about the look of their neighborhood. Residents, Neighborhood Groups, and City of Saginaw employees can nominate local homes and businesses for exceptional yardwork and landscaping improvements. This is the 5th year for the successful program. The City will award one winner from each Neighborhood Quadrant in June, July, and August; and a grand prize winner will be selected from the monthly winners and announced at the October Neighborhood Association Action Group meeting.

On April 25, 2022, the city was notified that our grant request was approved. The total award will be \$1,000 with no matching fund requirement by the City of Saginaw. These funds will be used to purchase yard signs to recognize the winning properties throughout the summer as well as prizes for the grand prize package, which will include gift cards to local businesses and items to assist with lawn maintenance.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager

Subject: Arizona Vortex Rescue Kit

Prepared by: Thomas Raines, Fire Chief

Manager's Recommendation:

I recommend the approval of a purchase with SAFEWARE for \$5,992.10 for an Arizona Vortex Rescue Kit for the Fire Department.

Justification:

The Arizona Vortex system is designed to facilitate the rescue of persons trapped in locations requiring the use of a rope rescue system. The Saginaw Fire Department is the designated rescue team for confined space operations performed by City of Saginaw employees and this equipment is necessary to provide that service. The Saginaw Fire Department is a member of the Region 3 Technical Rescue team and this equipment has been approved for reimbursement using Region 3 funds.

On April 11, 2022, Region 3 received a quote for \$5,992.10. This purchase will be made using the State of Michigan MiDeal contract # 180000001151.

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, Parts & Supplies Account No. 101-3551-742.000.

Council Action:

Motion to approve the recommendation of the City Manager.

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

Manager's Recommendation:

I recommend the approval to increase blanket purchase order 51153 to Michigan Cat by \$9,500, for a new total of \$22,000, for vehicle repair services for the Public Services Department, Motor Pool Division.

Justification:

In FY 2022, the purchase order listed below was issued to Michigan Cat in the amount of \$12,500. The City's Municipal Garage requires the services of this vendor for various repairs from July 1, 2021 to June 30, 2022.

In FY 2021, the Garage spent \$8,779.46 on services from Michigan Cat. In the current fiscal year, we have spent \$6,143.50 leaving a balance of \$5,356.50. The Motor Pool has received a quote for needed repairs, due to regular wear, on a hammer used by The Maintenance and Service Division, in the amount of \$10,379.28, and a quote for emissions system repairs, to a Backhoe, also used by The Maintenance and Service Division, in the amount of \$4,311.68. The Motor Pool Division uses Michigan Cat for repairs to excavators and backhoes used by the Maintenance and Services Division in daily and emergency work.

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

<u>PO Number</u>	<u>Vendor</u>	<u>Current Amount</u>	<u>Recommended Increase</u>	<u>New Total Amount</u>
511153	Michigan Cat	<u>\$12,500</u>	<u>\$9,500</u>	<u>\$22,000</u>
	Total:	\$12,500	\$9,500	\$22,000

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 Motor Pool Operation Fund, Garage Operations Division's Motor Vehicle Repairs Account No. 661-4481-931.000 \$22,000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Replacement Flooring at Public Services Building
Prepared by: Jay Gustin, Public Services Department

Manager's Recommendation:

I recommend the approval of a purchase with Westside Decorating Center for \$6,806.71 for the replacement of flooring in the Public Services Building for the Public Services Department, Motor Pool Division.

Justification:

On March 5, 2022, a quote was received to replace the flooring in the Main Office and Stock Room Office in the Public Services Building. The existing flooring in this area is the original flooring installed when the building was constructed in the 1970s and is in need of replacement. The flooring that will be installed will match new flooring previously installed in other 1st floor administrative areas of the Public Services Building.

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 Motor Pool Operation, Garage Operation's General Repairs Account No. 661-4481-930.000 \$6,806.71.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Purchase of Whatley Street Light Poles
Prepared by: Joseph Nugent, Public Services Department

Manager's Recommendation:

I recommend the approval of a purchase with Standard Electric, a sole source, for \$27,757.77 for Whatley street light poles for the Public Services Department, Traffic Maintenance Division.

Justification:

On April 6, 2022, the City received a quote from Standard Electric of Saginaw for various Whatley street light poles. The Traffic Maintenance Division is required to maintain and replace when necessary, the street lighting equipment throughout the City. Standard Electric is a sole source provider for this equipment. The following is a list of the poles being purchased:

<u>Item</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Cost</u>
Whatley Foundation Mount Decorative Light Pole with 2-Piece Base	3	\$5,631.11	\$16,893.33
Whatley Direct Bury Decorative Light Pole With 2-Piece Base	2	\$5,432.22	\$10,864.44
Total Quote			\$27,757.77

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

Funds are budgeted in the General Fund, Department of Public Services Street Lighting Division's Parts and Supplies Account No. 101-4620-742.000 \$16,893.33 and the Street Lighting Division's Operating Services Account No. 101-4620-805.000 \$10,864.44.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Replacement Wheel Loader
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend approval of a purchase with AIS Construction Equipment for \$124,204.08 for a 2022 John Deere 324L Wheel Loader for the Public Services Department, Streets Division.

Justification:

The Streets Division has budgeted for FY 2022 to purchase a 2022 John Deere 324L Wheel Loader replacing a 2002 loader with over 11,600 hours. This unit is scheduled for replacement in 2022. It has extensive rust, fatigue to the body and frame, along with mechanical issues that make it expensive to maintain to DOT and OSHA standards. This loader is used for street repairs and maintenance, right of way tree removal and maintenance, brush pick-up, and storm event clean-up. This purchase will be made using State bid pricing per MIDeal contract numbers 071B7700090 and 071B7700093.

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

Funds are budgeted in the Major Streets Fund, Routine Maintenance Division's Maintenance Equipment Account No. 202-4651-978.000 \$62,102.04, and the Rubbish Collection Fund, Brush Collection Division's Maintenance Equipment Account No. 226-4585-978.000 \$62,102.04.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Cathodic Protection Maintenance Services
Prepared by: Theodore Bomba, Water and Wastewater

Manager's Recommendation:

I recommend the approval of a purchase with Corrpro Companies, Inc. for \$1,860.00 for FY 2022; and pending budget approval for FY 2023 and FY 2024, for a 3-year total of \$5,580.00, for preventative maintenance services of the cathodic protection systems for the Water and Wastewater Treatment Services Department, Water Treatment Division.

Justification:

On July 13, 2021, the City received two qualified bids to perform three years of cathodic protection systems preventative maintenance. The service is conducted annually each spring and includes a site visit to analyze the system for proper operations. Cathodic protection systems extend the life of metallic components and provide for more efficient use of existing infrastructure by effectively reducing the capital outlay necessary for repair and replacement. The Water Treatment Division operates cathodic protection systems on the steel ground storage tanks at the Aqua Pump Station, Gratiot Pump Station and the Treatment Plant's wash water tank. Corrpro has agreed to honor their bid pricing. Following is a tabulation of the bids received:

	<u>FY2022</u>	<u>FY2023</u>	<u>FY2024</u>	<u>Total Bid</u>
Corrpro Companies, Inc. Medina, OH	\$1,860.00	\$1,860.00	\$1,860.00	\$5,580.00
Universal Tech Resource Svs., Inc. Cherry Hill, NJ	\$4,233.00	\$4,360.00	\$4,491.00	\$13,084.00

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 Water Operations and Maintenance Fund, Treatment & Pumping Division's Service Fees Account No. 591-4730-824.000 and will be budgeted in the same account for FY 2023 and FY 2024, pending budget approval.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: No. 4 Primary Settling Tank Concrete Repairs
Prepared by: John Frollo, Water and Wastewater

Manager's Recommendation:

I recommend approval of a purchase with Advanced Rehabilitation Technology for \$98,800.00 for the rehabilitation of primary settling tank No. 4 for the Water and Wastewater Treatment Services Department, Wastewater Treatment Division.

Justification:

On April 12, 2022, the City received one qualifying bid from Advanced Rehabilitation Technology for concrete repairs on No. 4 primary settling tank. The Wastewater Treatment Division operates and maintains six primary settling tanks that are used to remove settleable and floatable solids. Four of these tanks are original to the plant and are over 70 years old. Years of freeze-thaw conditions have led to deterioration of their concrete surfaces. To prevent further deterioration and possible catastrophic failure, concrete repairs to the leaking influent channel, tank bottom, and walls on primary settling tank No. 4 are required. If this process is successful, the remaining original primary settling tanks will be budgeted for repair in subsequent budget years.

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

Funds are budgeted in the Sewer Operations and Maintenance Fund, Sewer Surplus Division's Repairs and Replacements Account No. 590-4840-974.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Raw Sewage Pump No. 4, Front Head
Prepared by: John Frollo, Water and Wastewater

Manager's Recommendation:

I recommend approval of a purchase with Kerr Pump & Supply for \$38,378.94 to replace the front head on raw sewage pump No. 4 for the Water and Wastewater Treatment Services Department, Wastewater Treatment Division.

Justification:

The Wastewater Treatment Division's six raw sewage pumps have been in service since 1950. These pumps combine raw sewage from fifty feet below ground level and into the grit channels several feet above ground level. This change in elevation enables raw sewage to flow hydraulically through the plant without the aid of any additional pumps. On Sunday, February 13, 2022, operations personnel found a leak on the front head of raw sewage pump No. 4. The pump was placed out of service, drained and inspected. Inspection revealed excessive erosion of the front head, just below the casing wearing ring. Temporary repairs were completed by Monarch Welding and Engineering to return the damaged unit back to service. On April 12, 2022, sealed bids were opened for pump front head replacement on raw sewage pump No. 4. Following is a summary of the bids received:

Kerr Pump & Supply Oak Park, MI	\$38,378.94
ABBA Pump Parts & Service Burlington, Ontario, Canada	\$42,384.00

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, Sewer Surplus Division's Repairs and Replacements Account No. 590-4840-974.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Webber Retention Treatment Basin Gate
Prepared by: John Frollo, Water and Wastewater

Manager's Recommendation:

I recommend the approval of a purchase with Bay Farm Services, Inc. for \$5,779.28 for the installation of a vehicle swing gate at the Webber Street Water Retention Basin for the Water and Wastewater Treatment Services Department, Remote Facilities Division.

Justification:

The City operates seven Retention and Treatment Basins, each requiring different levels of security. The Webber Street Retention Treatment Basin is surrounded by fencing and had a locked vehicle swing gate. On New Year's Eve, a vehicle ran into the swing gate and damaged it beyond repair. Police reports were submitted at the time of the incident. On March 14, 2022, we received a quote from Bay Farm Services, Inc. for the replacement of the damaged gate. A mandatory walk thru was held, but no other vendors were in attendance. The repair amounts to less than the City's \$100,000 deductible; therefore, no reimbursement from the insurance company is warranted. Bay Farm Services, Inc. was subsequently contacted and agreed to honor their quoted price.

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, Remote Facilities Division's Professional Services Account No. 590-4835-801.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: SCADA Main Network Switch Upgrade
Prepared by: Dan Simmer, Water and Wastewater

Manager's Recommendation:

I recommend the approval of a purchase with CDW-G for \$36,202.27 for Cisco network equipment to complete a Supervisory Control and Data Acquisition Main Network Switch Upgrade at the Water and Wastewater Treatment Divisions, for the Water and Wastewater Treatment Services Department, Instrumentation and Process Controls Division.

Justification:

On April 11, 2022, we received a quote from CDW-G for Cisco network equipment to upgrade the existing Cisco switches located in the main network panels at the Water and Wastewater Treatment Divisions. These switches are the backbone of the Supervisory Control and Data Acquisition (SCADA) network. They route operational data between the control computers and the remote panels. They also allow plant operations staff to remotely monitor pressures, levels and flows, and remotely operate the pumps and valves that control them. The existing switches are aging and past their four-year operational life span. CDW-G was awarded the MiDEAL State Bid Contract #071B6600110 to provide these items for governmental agencies in the State of Michigan.

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, Sewer Surplus Division's Repairs and Replacement Account No. 590-4840-974.000 \$15,268.52 and Water Operations and Maintenance Fund, Water Surplus Division's Repairs and Replacement Account No. 591-4740-974.000 \$20,933.75.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: SCADA Remote Network Switch Upgrade
Prepared by: Dan Simmer, Water and Wastewater

Manager's Recommendation:

I recommend the approval of a purchase with Kendall Electric for \$53,392.24 for Rockwell network equipment to complete a SCADA Remote Network Switch Upgrade at the Water and Wastewater Treatment Divisions, for the Water and Wastewater Treatment Services Department, Instrumentation and Process Controls Division.

Justification:

On March 22, 2022, we received a quote from Kendall Electric, a sole source, for Rockwell network equipment to upgrade existing Rockwell switches in the Rockwell Programmable Logic Controller (PLC) panels. These switches are the end point of the Supervisory Control and Data Acquisition (SCADA) network at the Water and Wastewater Treatment Divisions. They allow operations staff to remotely monitor pressures, levels and flows, and to remotely operate the pumps and valves that control them. The existing network switches are aging and past their four-year operational life span. Kendall Electric is the authorized Rockwell Automation Distributor in our area.

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, Sewer Surplus Division's Repairs and Replacement Account No. 590-4840-974.000 \$31,879.04 and Water Operations and Maintenance Fund, Repairs and Replacement Division's Repairs and Replacements Account No. 591-4740-974.000 \$21,513.20.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Tim Morales, City Manager

Subject: §95.03 Ordinance Amendment

Prepared by: Phil Karwat, Public Services Director

Manager's Recommendation:

I recommend approval of the ordinance to amend Chapter 95, "Trees, Shrubs, and Plants," of Title IX, "General Regulations," by amending §95.03, "Abatement of Nuisances," of the City of Saginaw Code of Ordinances, O-204.

Justification:

This amendatory language is being proposed to clarify the responsibilities of both the City and private property owners with regard to trees located within the public right-of-way.

Council Action:

This communication is for explanation purposes of the ordinance to be introduced and enacted according to City Charter, 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 CHAPTER 95, "TREES, SHRUBS, AND PLANTS," OF TITLE IX, "GENERAL REGULATIONS," BY AMENDING §95.03, "ABATEMENT OF NUISANCES," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

Laid over under Charter provision.

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced May 9, 2022, entitled and reading as follows, be taken up and enacted:

O- _____

AN ORDINANCE TO AMEND CHAPTER 95, "TREES, SHRUBS, AND PLANTS," OF TITLE IX, "GENERAL REGULATIONS," BY AMENDING §95.03, "ABATEMENT OF NUISANCES," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

The City of Saginaw Ordains:

Section 1. An ordinance to amend Chapter 95, "Trees, Shrubs, and Plants," of Title IX, "General Regulations," by amending §95.03, "Abatement of Nuisances," of the City of Saginaw Code of Ordinances, O-204.

§ 95.03 ABATEMENT OF NUISANCES.

(A) Any tree, shrub, grass, or plant which endangers public property or the health or safety of the public, or any noxious weed as defined in § 95.02, is hereby declared to be a public nuisance.

(B) Any public nuisance under this section shall be abated by the owner or occupant of the premises upon which such nuisance is located or which adjoins that portion of a street or alley where such nuisance is located. Abatement shall, except as to proceedings under division (D) below, be in compliance with notice from the City Manager specifying the action required to abate the nuisance and stating the reasonable time within which abatement shall be accomplished. Notice shall be served in accordance with the provisions of § 36.02.

(C) If, at the expiration of the time limit in said notice, the owner or occupant has not complied with the requirements thereof, the City Manager may cause the requirements of said notice to be carried out. The cost of such abatement shall be charged against the premises and the owner thereof in accordance with the provisions of § 33.21.

(D) The City Manager may abate any such public nuisance without giving notice if the public health or safety requires immediate action. Thereafter the cost of abating such nuisance shall be charged against the premises and the owner thereof in accordance with the provisions of § 33.21.

~~(E) Exemptions: exempt from this section are tree(s) within the city's right-of-way. The city shall assume the cost of removal of said tree(s). No cost shall be placed upon the property owner under this section.~~ Property owners shall contact the Streets Division of the City's Department of Public Services with regard to concerns they may have as to the condition of any tree in the public right-of-way or on public property. City staff shall conduct an assessment of any tree in the public right-of-way or on public property for

which they receive a complaint. After such assessment, the City shall, at its own cost, maintain or remove any tree as necessary. Property owners may also maintain or remove any tree in the public right-of-way portion of their property, at their own cost, upon receiving any necessary permits or approvals as required by this Code.

This ordinance shall become effective June 2, 2022.

Enacted: May 23, 2022.

Yeas:

Nays:

Absent:

Brenda F. Moore
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 May 23, 2022, 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

Council Member _____ moved, seconded by Council Member _____ that an ordinance introduced on March 21, 2022, be taken up and enacted, entitled and reading as follows:

O-_____

AN ORDINANCE TO AMEND THE OFFICIAL CITY MAP TO VACATE ENTIRE BLOCKS 12, 13, 19, 20, 27, 28, 34 & 35, FRL. BLKS. 29, 26, 21,18, 33 & 30, WILLIAM N. LITTLES ADDITION.

THE CITY OF SAGINAW ORDAINS:

Section 1. An Ordinance to amend the official City map to vacate entire blocks 12, 13, 19, 20, 27, 28, 34 & 35, frl. blks. 29, 26, 21,18, 33 & 30, Williams N. Littles Addition, which includes the following portions of streets of the City of Saginaw, Michigan, be and the same hereby vacated.

Bartow Street – The southern half of Bartow Street, between the centerline of 8th Street on the West and Eastern Property line of Parcel No. 01-0687-00000 (800 N. 8th Street) on the East.

Carlisle Street – Commencing at a point on Carlisle Street where 10th Street and the North Line of the C. & O. Railroad right of way intersect near the Northwest corner of Block 17; thence East to the Eastern Property line of Parcel No. 0-10687-00000 (800 N. 8th Street).

Carroll Street – Commencing at a point on Carroll Street where the North Line of the C. & O. Railroad right of way intersects said Street; thence East to the Eastern Property Line of Parcel No. 0-10687-00000 (800 N. 8th Street).

9th Street – Commencing at a point on 9th Street where the North Line of the C. & O. Railroad right of way intersects said Street; thence North along 9th Street to the South 1/8 line of Parcel No. Parcel No. 0-10687-00000 (800 N. 8th Street).

10th Street – Commencing at a point on 10th Street where Carlisle Street and the North Line of the C. & O. Railroad right of way intersect with said Street; thence North along 10th Street to the South 1/8 line of Parcel No. Parcel No. 0-10687-00000 (800 N. 8th Street).

11th Street – Commencing at a point on 11th Street where the North Line of the C. & O. Railroad right of way intersects with said Street; thence North along 11th Street to the South 1/8 line of Parcel No. Parcel No. 0-10687-00000 (800 N. 8th Street).

12th Street – Commencing at a point on 12th Street where the North Line of the C. & O. Railroad right of way intersects with said Street; thence North along 12th Street to the South 1/8 line of Parcel No. Parcel No. 0-10687-00000 (800 N. 8th Street).

13th Street – Commencing at a point on 13th Street where Carlisle Street and the North Line of the C. & O. Railroad right of way intersects with said Street; thence North along 13th Street to the South 1/8 line of Parcel No. Parcel No. 0-10687-00000 (800 N. 8th Street).

14th Street – Commencing at a point on 14th Street where Carlisle Street and the North Line of the C. & O. Railroad right of way intersects with said Street; thence North along 14th Street to the South 1/8 line of Parcel No. Parcel No. 0-10687-00000 (800 N. 8th Street).

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

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

This ordinance shall become effective May 19, 2022.

Enacted: May 9, 2022.

Yeas:

Nays:

Absent:

Brenda F. Moore
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 May 9, 2022 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

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced April 4, 2022, entitled and reading as follows, be taken up and enacted:

O- _____

AN ORDINANCE TO AMEND CHAPTER 153, "ZONING CODE," OF TITLE XV, "LAND USAGE," BY ADDING §153.534 "DEFINITIONS," AND AMENDING §153.537 "REGULATION OF STRUCTURES," §153.538 "HISTORIC DISTRICT COMMISSION," §153.539 "PROCEDURE FOR THE REVIEW OF PLANS," §153.540 "APPEALS," §153.541 "ESTABLISHING NEW DISTRICTS AND IDENTIFYING HISTORIC RESOURCES, MODIFYING OR ELIMINATING EXISTING DISTRICTS," AND BY ADDING §153.545 "VIOLATION; FINE; PAYMENT OF COSTS," AND §153.546 "ACQUISITION OF HISTORIC RESOURCES," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

The City of Saginaw Ordains:

Section 1. An ordinance to amend Chapter 153, "Zoning Code," of Title XV, "Land Usage," by adding §153.534 "Definitions," and amending §153.537 "Regulation of Structures," §153.538 "Historic District Commission," §153.539 "Procedure for the Review of Plans," §153.540 "Appeals," §153.541 "Establishing New Districts and Identifying Historic Resources, Modifying or Eliminating Existing Districts," and by adding §153.545 titled "Violation; Fine; Payment of Costs," and §153.546 "Acquisition of Historic Resources," of the City of Saginaw Code of Ordinances, O-204.

§153.534 DEFINITIONS

For the purpose of enforcing the provisions of this subchapter, certain terms and words used herein are defined as follows:

- (1) **ALTERATION.** Work that changes the detail of a resource but does not change its basic size or shape.
- (2) **CERTIFICATE OF APPROPRIATENESS.** The written approval of a permit application for work that is appropriate and that does not adversely affect a resource.
- (3) **COMMISSION.** The Saginaw Historic District Commission created by the City Council pursuant to the Local Historic Districts Act, Public Act 169 of 1970, being M.C.L. §399.204, and §12.040 of this Code.
- (4) **COMMITTEE.** A historic district study committee appointed by the City Council pursuant to §153.541.
- (5) **DEMOLITION.** The razing or destruction, whether entirely or in part, of a resource and includes, but is not limited to, demolition by neglect.
- (6) **DEMOLITION BY NEGLECT.** Neglect in maintaining, repairing, or securing a resource that results in deterioration of an exterior feature of the resource or the loss of structural integrity of the resource.
- (7) **DENIAL.** The written rejection of a permit application for work that is inappropriate and that adversely affects a resource.

(8) **FIRE ALARM SYSTEM.** A system designed to detect and annunciate the presence of fire or byproducts of fire and includes smoke alarms.

(9) **HISTORIC DISTRICT.** An area, or group of areas not necessarily having contiguous boundaries, that contains one resource or group of resources that are related by history, architecture, archaeology, engineering, or culture.

(10) **HISTORIC PRESERVATION.** The identification, evaluation, establishment, and protection of resources significant in history, architecture, archaeology, engineering, or culture.

(11) **HISTORIC RESOURCE.** A publicly or privately owned building, structure, site, object, feature, or open space that is significant in the history, architecture, archaeology, engineering, or culture of the City, the State of Michigan, or the United States.

(12) **NOTICE TO PROCEED.** The written permission to issue a permit for work that is inappropriate and that adversely affects a resource, pursuant to a finding under § 153.538(D).

(13) **OPEN SPACE.** Undeveloped land, a naturally landscaped area, or a formal or human-made landscaped area that provides a connective link or a buffer between other resources.

(14) **ORDINARY MAINTENANCE.** Keeping a resource unimpaired and in good condition through ongoing minor intervention, undertaken from time to time, in its exterior condition. *ORDINARY MAINTENANCE* does not change the external appearance of the resource except through the elimination of the usual and expected effects of weathering. *ORDINARY MAINTENANCE* does not constitute work for purposes of this subchapter.

(15) **PROPOSED HISTORIC DISTRICT.** An area or group of areas not necessarily having contiguous boundaries, that has delineated boundaries and is under review by a committee or a standing committee for the purpose of making a recommendation as to whether it should be established as a historic district or added to an established historic district.

(16) **REPAIR.** To restore a decayed or damaged resource to a good or sound condition by any process. A *REPAIR* that changes the external appearance of a resource constitutes work for purposes of this subchapter.

(17) **RESOURCE.** One or more publicly- or privately-owned historic or nonhistoric buildings, structures, sites, objects, features, or open spaces located within a historic district.

(18) **SMOKE ALARM.** A single-station or multiple-station alarm responsive to smoke and not connected to a system. As used in this subchapter, “single-station alarm” means an assembly incorporating a detector, the control equipment, and the alarm sounding device into a single unit, operated from a power supply either in the unit or obtained at the point of installation. “Multiple-station alarm” means 2 or more single-station alarms that are capable of interconnection such that actuation of 1 alarm causes all integrated separate audible alarms to operate.

(19) **STANDING COMMITTEE.** A permanent body established by the City Council pursuant to §153.541 to conduct activities of a historic study committee on a continuing basis.

(20) **WORK.** Construction, addition, alteration, repair, moving, excavation, or demolition.

§153.537 REGULATION OF RESOURCES

(A) No work shall be performed upon a resource located within a historic district as depicted on the City Zoning Map, nor shall the exterior appearance of any resource be altered unless such action complies with the requirements set forth in this subchapter.

(B) The regulatory authority of the Historic District Commission extends only to the exterior features of a resource and does not apply to interior alterations so long as such alterations do not affect the exterior.

(C) Compliance with this subchapter shall not relieve the applicant from complying with all applicable provisions of this chapter and of any other ordinance, rule, or statute.

(D) Nothing in this subchapter shall be construed to prevent ordinary maintenance or repair of a resource within a historic district or to prevent work on any resource under a permit issued by the City or other duly delegated authority before this subchapter was enacted.

§153.538 HISTORIC DISTRICT COMMISSION

(A) *Creation of Historic District Commission.* In order to execute the purposes declared in this subchapter, there is hereby created a commission to be called the Saginaw Historic District Commission.

(B) *Membership of Commission.* The Historic District Commission shall consist of seven members whose reside in the city. Members shall be appointed by the City Council for terms of office of three years, except that the initial appointments of some of the members shall be for less than three years so that the initial appointments are staggered and that subsequent appointments do not recur at the same time. Subsequent members shall be appointed for terms of three years as terms expire. Members of the Historic District Commission may be re-appointed after their terms expire. The terms of office of the members shall begin as of the effective date of Ord. D-1914 (March 7, 2002).

(C) *Membership eligibility.*

(1) A majority of the members shall have a clear and demonstrated interest in or knowledge of historic preservation.

(2) All members must have their principal place of residence within the city; removal from the city causes the member's seat to become vacant. One or more duly organized historic preservation organizations within the city shall be requested to submit a list of citizens' names as nominees for any vacancy; at least two members of the Historic District Commission shall be appointed from these nominations. At least one member of the Historic District Commission shall be a graduate of an accredited school of architecture who has two years of architectural experience or who is an architect registered in the state, if such person resides in the city and is available for appointment.

(3) A vacancy occurring in the membership of the Historic District Commission for any cause shall be filled within 60 calendar days by a person appointed by the City Council for the unexpired or new term.

(4) The members of the Historic District Commission shall serve without compensation.

(D) Duties and powers of the Historic District Commission.

(1) The Historic District Commission shall have the authority to review all work affecting the exterior appearance of a resource in a historic district and shall not consider interior arrangements, nor shall it deny applications except in regard to considerations as set forth in §153.539.

(2) If an application is for work that will adversely affect the exterior of a resource the Commission considers valuable to local unit, state, or nation, and the Commission determines that the alteration or loss of that resource will adversely affect the public purpose of the local unit, state, or nation, the Commission shall attempt to establish with the owner of the resource an economically feasible plan for preservation of the resource.

(3) Work within a historic district shall be permitted through the issuance of a notice to proceed if any of the following conditions prevail and if the proposed work can be demonstrated by finding of the Commission to be necessary to substantially improve or correct any of the following conditions:

- a) The resource constitutes a hazard to the safety of the public or to the structure's occupants;
- b) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances;
- c) Retaining the resource will cause undue financial hardship to the owner when a governmental action, act of God, or other events beyond the owners control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district have been attempted and exhausted by the owner; and
- d) Retaining the resource is not in the interest of the majority of the community.

(4) The Historic District Commission shall have the following powers and duties in regard to the identification of historic resources:

- (a) To establish basic standards for the selection of sites, buildings, structures, and districts to be placed on the list of potential historic districts;
- (b) To compile and maintain a current list of potential landmarks and districts, such list to include a description setting forth the general characteristics and location thereof, and the reasons for its inclusion in the list.

(E) Rules of the Historic District Commission

(1) The Historic District Commission shall elect from its membership a Chairperson and Vice Chairperson whose terms of office shall be fixed by the Commission. The Chairperson

shall preside over the Commission and shall have the right to vote. The Vice Chairperson shall, in the case of the absence or disability of the Chairperson, perform the duties of the Chairperson.

(2) The Associate Planner, or his or her designee, shall be Secretary. The Secretary shall keep a record of all resolutions, proceedings, and actions of the Historic District Commission and report periodically to the City Council.

(3) A quorum will consist of four members. The Historic District Commission shall adopt rules for the transaction of its business which shall provide for the time and place of holding regular meetings. They shall provide for the calling of special meetings by the Chairperson or by at least two members of the Historic District Commission. All meetings of the Historic District Commission shall be open to the public and any person or his or her duly constituted representative shall be entitled to appear and be heard on any matter before it reaches its decision.

(4) The Historic District Commission shall keep a record, which shall be open to public view, of its resolutions, proceedings, and actions. The concurring affirmative vote of a majority of members shall constitute approval of plans before it for review or for the adoption of any resolution, motion, or other action of the Historic District Commission.

(5) The Historic District Commission shall promulgate regulations, guidelines, and standards to enable the Commission and applicants to evaluate proposals. The commission may delegate the issuance of Certificates of Appropriateness for specified minor classes of work to the Chief Inspector. The Commission shall provide to the Chief Inspector specific written standards for issuing Certificates of Appropriateness under this subsection. The Commission shall review the Certificates of Appropriateness issued by the Chief Inspector on at least a quarterly basis to determine whether or not the delegated responsibilities should be continued.

(6) The Historic District Commission shall submit an annual report to the Council of the general activities of the Historic District Commission for the preceding year and shall submit such special reports as requested by the City Council.

§153.539 PROCEDURE FOR THE REVIEW OF PLANS

(A) A permit shall be obtained before any work affecting the exterior appearance of a resource is performed within a historic district. Application for a building permit for work on any resource in a historic district shall be made to the Chief Inspector (or his or her designee). The fee for such application shall be established by Council and posted in the office of the City Clerk. It shall be the responsibility of the Chief Inspector to determine whether the property is in an established historic district. The Chief Inspector shall immediately refer a complete application and all required supporting materials to the Historic District Commission. A permit shall not be issued and proposed work shall not proceed until the Commission has acted on the application by issuing a Certificate of Appropriateness or a Notice to Proceed as prescribed in this subchapter.

(B) In reviewing the application and supporting materials, the Historic District Commission must give the applicant an opportunity to present his or her application at a regularly scheduled meeting of the Historic District Commission.

(C) The Historic District Commission shall meet at least once each month in which there are pending applications, said meeting to be at a regularly scheduled day of each month as determined by the Historic District Commission. The business of the Historic District Commission shall be conducted at a public meeting held in compliance with the Open Meetings Act, Public Act 267 of 1976, being M.C.L. §§ 15.261 et seq. Public notice of the time, date, and place of the meeting shall be given in accordance with the Open Meetings Act. A meeting agenda shall be part of the notice and shall include a listing of each permit application to be reviewed or considered by the Historic District Commission.

(D) The Historic District Commission shall approve or deny such plans and if approved shall issue a certificate of appropriateness which is to be signed by the Chairperson, attached to the application for a building permit, and immediately transmitted to the Chief Inspector. The Chairperson shall stamp all prints submitted to the Historic District Commission signifying its approval. The Historic District Commission shall not issue a certificate of appropriateness unless the applicant has certified in the application that the property where work will be undertaken has, or will have before the proposed project completion date, a fire alarm system, or a smoke alarm complying with the requirements of the Stille-DeRossett-Hale Single State Construction Code Act, Public Act 230 of 1972, being M.C.L. §§ 125.1501 et seq. The Commission shall file certificates of appropriateness, notices to proceed, and denials of applications for permits with the Chief Inspector.

(E) If a permit application is denied, the decision shall be binding. A denial ~~it~~ shall be accompanied by a written explanation by the Commission of the reasons for the denial and, if appropriate, a notice that an application may be re-submitted for Commission review when the suggested changes have been made. A record of such action and reasons therefore shall be transmitted in writing to the Chief Inspector and to the applicant. The denial shall also include the notification of the applicant's right to appeal to the State Historic Preservation Review Board.

(F) The failure of the Historic District Commission to approve or disapprove of such plans within 60 days from the date the complete application is filed with the Historic District Commission, unless an extension is otherwise mutually agreed upon by the applicant and Historic District Commission, shall be deemed to constitute approval and the Chief Inspector shall proceed to process the application without regard to a certificate of appropriateness or notice to proceed.

(G) After the certificate of appropriateness has been issued and the building permit granted to the applicant, the Chief Inspector shall, from time to time, inspect the construction, alteration, or repair approved by such certificate and shall take such action as is necessary to ensure compliance with the approved plans.

(H) The Historic District Commission shall have all the powers, duties, and authority as conferred upon it by the Local Historic Districts Act, Public Act 169 of 1970, being M.C.L. §§ 399.201 et seq., as amended. It shall be the duty of the Historic District Commission to review all

applications for work affecting the exterior appearance of a resource in an historic district before a permit for such work can be granted. In reviewing the application, the Commission shall follow the guidelines set forth in the U.S. Secretary of Interior's *Standards for Rehabilitation* as set forth in 36 C.F.R. Part 67. Design review standards and guidelines that address special design characteristics of historic districts administered by the Commission may be followed if they are equivalent in guidance to the Secretary of Interior's Standards and are established or approved by the Michigan State Historic Preservation Office. The Historic District Commission shall also give consideration to:

- (1) The historical or architectural value and significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such resource to the rest of the resources and to the surrounding area;
- (3) The general compatibility of the exterior design, arrangement, texture, and materials proposed to be used; and
- (4) To any other factor, including aesthetic, which it deems pertinent.

§153.540 APPEALS

An applicant aggrieved by a decision of the Historic District Commission concerning a permit application may file an appeal with the State Historic Preservation Review Board. The appeal shall be filed within 60 days after the decision is furnished to the applicant. A permit applicant aggrieved by the decision of the State Historic Preservation Review Board may appeal the decision to the Circuit Court.

Any citizen or duly organized historic preservation organization in the City, as well as resource property owners, jointly or severally aggrieved by a decision of the Historic District Commission may appeal the decision to the circuit court, except that a permit applicant aggrieved by a decision rendered under this subchapter may not appeal to the court without first exhausting the right to appeal to the State Historic Preservation Review Board.

§153.541 ESTABLISHING NEW DISTRICTS AND IDENTIFYING HISTORIC RESOURCES, MODIFYING OR ELIMINATING EXISTING DISTRICTS, REVIEW OF WORK IN PROPOSED DISTRICT, EMERGENCY MORATORIUM

(A) *Establishment of new districts and identifying historic resources.* Before establishing a historic district, City Council shall appoint a historic district study committee, through the appointment of a new study committee, establishment of a standing committee, or retention of an initial study committee. The committee shall contain a majority of the persons who have clearly demonstrated interest in or knowledge of historic preservation and shall contain representation from one or more duly organized local historic preservation organizations. The committee shall do the following:

- (1) Conduct a photographic inventory of resources within each proposed historic district following procedures established by the center;
- (2) Conduct basic research of each proposed historic district and the historic resource located within that district;

(3) Determine the total number of historic and nonhistoric resources within a proposed historic district and the percentage of historic resources of that total. In evaluating the significance of the historic resources, the committee shall be guided by the selection criteria for evaluation issued by the United States Secretary of the Interior for inclusion of resources in the National Register of Historic Places, as set forth in 36 C.F.R. Part 60, and additional criteria in division (F) below;

(4) Prepare a preliminary historic district study committee report that addresses at a minimum all of the following:

- (a) The charge of the committee;
- (b) The composition of the committee;
- (c) The historic district or districts studied;
- (d) The boundaries for each proposed historic district in writing and on maps;
- (e) The history of each proposed historic district; and

(f) The significance of each district as a whole, as well as a sufficient number of its individual resources to fully represent the variety of resources found within the district, relative to the evaluation criteria.

(5) Transmit copies of the preliminary report for review and recommendations to the Planning Commission, to the State Historic Preservation Office, to the Michigan Historical Commission, and to the State Historic Preservation Review Board; and

(6) Make copies of the preliminary report available to the public in compliance with the Freedom of Information Act, Public Act 442 of 1976, being M.C.L. §§ 15.231 et seq.

(B) *Notice of public hearing.* Not less than 60 days after transmittal of the preliminary report, the committee shall hold a public hearing in compliance with the Open Meetings Act, Public Act 267 of 1976, being M.C.L. §§ 15.261 et seq. Public notice of the time, date, and place of the hearing shall be given in the manner required by the Open Meetings Act, Public Act 267 of 1976, being M.C.L. §§ 15.261 et seq.

(C) *Written notice.* Written notice shall be mailed by first-class not less than 14 calendar days before the hearing to the owners of properties within the proposed historic district, as listed on the tax rolls of the local unit.

(D) *Actions.* After the date of the public hearing, the committee and the City Council shall have not more than one year, unless authorized by the City Council, to take the following actions.

(1) The committee shall prepare and submit a final report with its recommendations and the recommendations, if any of the Planning Commission to the City Council. If the recommendation is to establish a historic district or districts, the final report shall include a draft of a proposed ordinance or ordinances.

(2) After receiving a final report that recommends the establishment of a historic or historic districts, the City Council, at its discretion, may introduce and pass or reject an ordinance or ordinances. If City Council passes an ordinance or ordinances establishing one or more historic districts, the city shall file a copy of that ordinance or those ordinances, including the legal description of the property or properties located within the historic district or districts, with the Register of Deeds. The City Council shall not pass an ordinance establishing a contiguous historic

district less than 60 days after a majority of the property owners within the proposed district, as listed on the tax rolls of the local unit, have approved the establishment of the historic district pursuant to a written petition.

(E) *Writing available to the public.* A writing prepared, owned, used, in the possession of, or retained by the Historic District Study Committee in the performance of an official function shall be made available to the public in compliance with the Freedom of Information Act, Public Act 442 of 1976, being M.C.L. §§ 15.231 et seq.

(F) *Establishing additional, modifying, or eliminating historic districts.* City Council may at any time establish by ordinance additional historic districts, including proposed districts previously considered and rejected, may modify boundaries of an existing historic district, or may eliminate an existing historic district. Before establishing, modifying, or eliminating a historic district, a historic district study committee shall be appointed by the City Council, and shall follow such procedures applicable to said committee, as established herein. The committee shall consider any previously written committee reports pertinent to the proposed action.

(1) In considering elimination of a historic district, a committee shall follow the procedures set forth in this subchapter for the issuance of a preliminary report, holding a public hearing, and issuing a final report but with the intent of showing one or more of the following:

- (a) The historic district has lost those physical characteristics that enabled the establishment of the district.
- (b) The historic district was not significant in the way previously defined.
- (c) The historic district was established pursuant to defective procedures.

(G) *Review of work in proposed districts.* Upon receipt of substantial evidence showing the presence of historic, architectural, archaeological, engineering, or cultural significance of a proposed historic district, City Council may, at its *discretion*, adopt a resolution requiring that all applications for permits within the proposed historic district be referred to the Historic District Commission as prescribed in §153.539. The Commission shall review permit applications with the same powers that would apply if the proposed historic district was an established historic district. The review may continue in the proposed historic district for not more than one year, or until such time as the City Council approves or rejects the establishment of the historic district by ordinance, whichever occurs first.

(H) *Emergency moratorium.* If City Council determines that pending work will cause irreparable harm to resources located within an established or proposed historic district, City Council may by resolution declare an emergency moratorium on all such work for a period not to exceed six months. City Council may extend the emergency moratorium for an additional period not to exceed six months, upon finding that the threat of irreparable harm to resources is still present. Any pending permit application concerning a resource subject to an emergency moratorium may be summarily denied.

§153.545 VIOLATION; FINE; PAYMENT OF COSTS

(A) A person that violates this subchapter is responsible for a municipal civil infraction and may be fined not more than \$5,000.00.

(B) A person that violates this subchapter may be ordered by the court to pay the costs to restore or replicate a resource unlawfully constructed, added to, altered, repaired, moved, excavated, or demolished.

§153.546 ACQUISITION OF HISTORIC RESOURCES

If all efforts by the Historic District Commission to preserve a resource fail, or if it is determined by City Council that public ownership of the resource is most suitable, City Council, if considered to be the public interest, may acquire the resource using public funds, public or private gifts, grants, or proceeds from the issuance of revenue bonds. The acquisition shall be based upon the recommendation of the Commission. The Commission is responsible for maintaining publicly owned resources using its own funds, if not specifically designated for other purposes, or public funds committed for that use by City Council. Upon recommendation of the Commission, the City may sell resources acquired under this section with protective easements included in the property transfer documents, if appropriate.

This ordinance shall become effective May 19, 2022.

Enacted: May 9, 2022.

Yeas:

Nays:

Absent:

Brenda F. Moore
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 May 9, 2022, 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