



Saginaw City Council Agenda

1315 S. Washington Avenue
Council Chamber - Room 205
989.399.1311
January 7, 2019
6:30 p.m.

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

PUBLIC HEARINGS:

1. Regarding the Amendment to the Urban Cooperation Agreement with Kochville Township to provide water services.

PUBLIC INPUT:

(A list will be provided following submittal deadline.)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

CONSENT AGENDA:

1. Approve the December 17, 2018 regular council meeting minutes.
2. Approve the amendment to the City Fees and Rates Schedule to increase the Non-Owner Occupied Dwelling fee.
3. Approve the purchase with Pressure Vessel Testing for \$7,725.04 for eight 6000-psi air cylinders for the Fire Department.
4. Adopt the resolution authorizing sponsors of various community events to use amplifying equipment for 2019.
5. Adopt the resolution authorizing the sale and consumption of alcoholic beverages during various community events for 2019.
6. Approve the purchase with Tri County International Trucks for \$76,145 for a 2020 International MV607 SBA Cab and Chassis; and to Cannon Truck Equipment for \$120,796 for equipment installation for the Streets Section, Right of Way Division.
7. Adopt the resolution to approve the Cost Agreement with the Michigan Department of Transportation for the reconstruction of Mackinaw Street from Congress Avenue to State Street.
8. Ratification of a purchase with Ferguson Enterprises for \$5,439.39 for the rebuild of a boiler at the Weiss Retention Treatment Basin for the Remote Facilities Division.

9. Approve the purchase with DTN, LLC, a sole source, for \$4,368 to provide weather services for the Water Treatment Division.
10. Approve the purchase with Visual Inspection Systems, LLC for a total of \$3,000 for FY 2019 through FY 2021 for Pump and Motor Set Vibration Analysis for the Water Treatment Division.
11. Approve the extension of the Water Service Agreement with Kochville Township.
12. Approve the extension of the Urban Cooperation Agreement with Kochville Township.

BOARD/COMMISSION/COMMITTEE REPORTS:

APPOINTMENT OF BOARD/COMMISSION/COMMITTEE MEMBERS:

1. Approve the City Manager's appointment of Jeffrey Wood to the Downtown Development Authority with a term to expire December 31, 2022.
2. Approve the City Manager's reappointment of Todd Gregory to the Downtown Development Authority with a term to expire December 31, 2022.
3. Approve the Council reappointment of Bonnie Arnst to the Human Planning Commission with a term to expire December 31, 2020.

ORDINANCE INTRODUCTION:

ORDINANCE CONSIDERATION AND ADOPTION:

1. An ordinance to amend Chapter 110, of Title XI, "Business Regulations," by amending §110.37 titled, "General Business License," of the City of Saginaw Code of Ordinances, O-204.

RESOLUTIONS:

UNFINISHED BUSINESS:

MISCELLANEOUS BUSINESS:

ADJOURNMENT:

Timothy Morales
City Manager

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



CITY OF SAGINAW

PUBLIC HEARING SAGINAW CITY COUNCIL

**In compliance with requirements of Act 267, P.A. 1976,
the following notice is posted:**

URBAN COOPERATION AGREEMENT BETWEEN CITY OF SAGINAW AND KOCHVILLE TOWNSHIP

Notice is hereby given that the Saginaw City Council has scheduled a public hearing on the proposed Amendment to the Urban Cooperation Agreement between the City of Saginaw and Kochville Township to provide water service to Kochville Township.

The public hearing will be held **January 7, 2019 at 6:30 p.m.** in the Council Chamber of the City Hall located at 1315 S. Washington Avenue. The proposed Amendment is on file in the City Clerk's Office. All interested persons are invited to attend this public hearing.

Janet Santos, CMMC/MMC
City Clerk

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 AT 989.759.1480.

Posted: 1-02-19
By: __jks_____

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, WAS HELD MONDAY, DECEMBER 17, 2018, AT 6:30 P.M. IN THE COUNCIL CHAMBER AT CITY HALL, 1315 S. WASHINGTON AVENUE, SAGINAW, MICHIGAN.

PRAYER AND PLEDGE OF ALLEGIANCE

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

ROLL CALL

Mayor Kloc called the meeting to order. Council Members present: Jamie Forbes, Clint Bryant, Brenda Moore, Autumn Scherzer, John Milne, Michael Balls, Bill Ostash, and Mayor Floyd Kloc: 8. Council Members absent: Annie Boensch: 1.

ANNOUNCEMENTS

City Clerk Janet Santos announced the following:

- A revised agenda has been issued that includes the change to consent item #13 to read "for the Maintenance Service Division" rather than "for the Water Treatment Plant," and adding "the Wright case" to Miscellaneous Business item #1 for the closed session.
- City Hall will be closed for the Christmas Holiday on December 24th and 25th, and for New Year's Day on January 1, 2019.
- The Holidays will impact solid waste collection services. Residents should prepare and set out materials one day later than normal during the holiday weeks. However, residents with a Monday service day will not be impacted and should put their materials out on their regular collection day.
- The next regular Council meeting will be Monday, January 7, 2019 at 6:30 p.m.

Clerk Santos administered the oath of office to Saginaw Police Officers Raymond Bady, Robert Frazier, Kathryn Jeffers, Alex Mawer, Rebecca Muladore, Klebear Northrup, Jacob Polzin, and Brad Williamson.

Mayor Kloc presented a proclamation to Robert Van Deventer recognizing his years of service as President of the Saginaw Chamber of Commerce.

Council Member Scherzer left the meeting at 6:52 p.m.

PUBLIC INPUT

Public input addressing the Council was: David Chesney, Levante Carrington, Wes Banning, and Christina Chingman.

REMARKS OF COUNCIL

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

REPORTS FROM CITY MANAGER

Manager Tim Morales provided information updates on various meetings, events and City projects.

City Manager Tim Morales stated that the Saginaw African Cultural Festival Committee was present to provide an update on the proposed Sister City relationship with Amanokrom, Ghana. Dr. Dawn Hinton presented information details of the proposed

expectations of each agency pending the agreed relationship.

CONSENT AGENDA:

1. Approve the December 3, 2018 regular council meeting minutes.
2. Approve the amendments to the FY 2019 Approved Budget to recognize changes that have occurred during the December period.
3. Approve the purchase with Advanced Business Communications, LLC for \$18,401.53 for City Hall security camera upgrades.
4. Approve the purchase with Sentinel Technologies, Inc. for \$3,161 for additional Cisco network switch installation services for the Water Treatment Plant.
5. Approve a FY 2019 budget adjustment to recognize a \$750 donation from The Saginaw Jaycees to the Fire Department.
6. Approve to increase the blanket purchase order to CSI Emergency Apparatus by \$15,000 for a new total of \$16,999 and decrease a purchase order to Apollo Apparatus by \$15,000 for a new total of \$10,000 for the Fire Department.
7. Approve a 2019 budget adjustment to recognize a \$30,633 donation from the Saginaw Police Reserves Unit to the Police Department.
8. Approve the Service, Support & Justice: A Strategy to Enhance Law Enforcement Response to Victims Initiative Grant funded by the Department of Justice and administered by the International Association of Chiefs of Police for \$138,750 for FY 2019 and \$46,250 for FY 2020 for a total of \$185,000. Further, approve a budget adjustment for FY 2019 to recognize these funds.
9. Approve the Professional Services Contract Agreement with the Child Abuse and Neglect Council for \$52,500 for a one-year period for a Victim's Services Coordinator at the Police Department.
10. Approve the purchase with MacAllister Rentals for \$20,970.82 for a 2019 Atlas Copco 185 CFM portable trailer mounted air compressor for the Maintenance and Service Division.
11. Approve to increase the blanket purchase orders to various vendors by \$8,521.36, for a new total of \$21,089.29, for vehicle parts and supplies for the Garage Division.
12. Approve the purchase with Signature Ford Lincoln for \$165,525 for five 2019 Police Interceptor Utility vehicles for the Police Department.
13. Approve the purchase with Corrpro Companies, Inc. for \$2,894 for FY 2019; and pending budget approval for \$2,997 for FY 2020 and \$3,142 for FY 2021 for maintenance services of the cathodic protection systems for the Maintenance and Service Division.
14. Approve the purchase with Anderson Radio for \$21,058 for a two-way radio communication system for the Traffic Maintenance Section, Right of Way Division.

15. Approve the purchase with Home Craft, LLC for \$15,055 for the replacement of the office at the Compost Site Building for the Streets Section, Right of Way Division.

16. Approve the Andersen Splash Park Rehabilitation Contract with American Walls Systems, Inc. for \$151,581.75 for the Engineering Section, Right of Way Division.

Moved by Council Member Balls, seconded by Mayor Pro Tem Moore to approve consent agenda items 1 through 16, as presented. 7 ayes, 0 nays, 2 absent. Motion approved.

BOARD/COMMISSION/COMMITTEE REPORTS

Council Member Milne reported that the MBS International Airport Commission meeting will be held this Thursday.

Mayor Kloc reported that the Saginaw Transit Authority Regional Services held their meeting today and that a grant was received for the purchase of fifteen buses for their fleet.

Mayor Pro Tem Moore reported that the Saginaw County 911 Communications Center Authority is making improvements to their process.

APPOINTMENT OF BOARD/COMMISSION/COMMITTEE MEMBERS

Moved by Mayor Pro Tem Moore, seconded by Council Member Forbes to approve the following:

- the City Manager's reappointment of Thomas Basil, John Markey, and Denny Whalen to the Downtown Development Authority each with a term to expire December 31, 2022.
- the City Manager's reappointment of Lori Brown to the Brownfield Redevelopment Authority with a term to expire December 31, 2021.
- the Council reappointment of Ricardo Longoria to the Human Planning Commission with a term to expire January 31, 2021.
- the Mayoral appointment of Craig Bell to the Saginaw Arts and Enrichment Commission with a term to expire June 30, 2020.
- the Mayoral appointment of Mary Couillard to the Saginaw Arts and Enrichment Commission with a term to expire June 20, 2021.
- the Mayoral reappointment of Thomas Darnell to the Building and Fire Code of Appeals with a term to expire December 31, 2020.
- the appointment of Alexander Mixter to the Historic District Commission with a term to expire July 31, 2020.
- the City Manager's reappointment of Robert Hanley and Jim Nightingale to the City Planning Commission with a term to expire December 31, 2021.

7 ayes, 0 nays, 2 absent. Motion approved.

ORDINANCE INTRODUCTION

Moved by Mayor Pro Tem Moore, seconded by Council Member Ostash to approve an ordinance to amend Chapter 110, of Title XI, "Business Regulations," by amending §110.37 titled, "General Business License," of the City of Saginaw Code of Ordinances, O-204. 7 ayes, 0 nays, 2 absent. Motion approved.

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

RESOLUTIONS

Moved by Council Member Ostash, seconded by Council Member Bryant to adopt the resolution to appoint Phil Karwat as trustee and Beth London as alternate trustee to the Mid-Michigan Waste Authority Board. 7 ayes, 0 nays, 2 absent. Motion approved.

Moved by Council Member Bryant, seconded by Mayor Pro Tem Moore to adopt the resolution to approve the Michigan Department of Transportation Cost Agreement for bridge rehabilitation work on the Holland Avenue Bridge. 7 ayes, 0 nays, 2 absent. Motion approved.

Moved by Council Member Bryant, seconded by Mayor Pro Tem Moore to adopt the resolution to approve the City of Saginaw annual apportionment of \$5,453.33 for the Saginaw Area Storm Water Authority Budget for FY 2019. 7 ayes, 0 nays, 2 absent. Motion approved.

Moved by Council Member Milne, seconded by Council Member Forbes to go into closed session to discuss pending litigation in Burnside v. City of Saginaw, and Wright v. City of Saginaw per MCL 15.268(e). Mayor Kloc asked Clerk Santos to conduct a roll call vote.

Ayes: Moore, Ostash, Forbes, Bryant, Balls, Milne, and Mayor Kloc

Nays: None

Absent: Boensch, and Scherzer

Abstain: None

Motion approved.

Council Member Scherzer entered the meeting at 7:44 p.m.

Council entered a closed session at 7:44 p.m.

Moved by Council Member Balls, seconded by Council Member Scherzer to return to regular session. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Milne, seconded by Council Member Bryant to approve recommendation of legal counsel regarding pending litigation as discussed in closed session regarding the Burnside case, and the Wright case. 8 ayes, 0 nays, 1 absent. Motion approved.

Council consent was given to have the City Manager proceed with preparing the documentation required for consideration regarding the Amanokrom, Ghana Sister City proposal presented by the Saginaw African Cultural Festival Committee.

ADJOURNMENT

Moved by Council Member Bryant, seconded by Council Member Scherzer to adjourn the meeting at 8:02 p.m. 8 ayes, 0 nays, 1 absent. Motion approved.

Janet Santos, CMMC/MMC
City Clerk

COUNCIL COMMUNICATION

CC-2

From: Tim Morales, City Manager
Subject: City Fees and Rates Schedule
Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

I recommend approval of the amendment to the City Fees and Rates Schedule regarding the Non-Owner Occupied Dwelling fee to increase over a three-year period.

Justification:

On August 27, 2018 City Council approved the City Fees and Rates Schedule. City ordinance contains the language "the fee shall be established by Council and available in the Office of the City Clerk." The City Council has the authority to establish fees and rates by amending the City Fees and Rates Schedule as necessary for the operation of City business.

The Non-Owner Occupied (NOO) dwelling fee has been reviewed by City staff. This review reflects that the current fee does not sufficiently cover the administrative costs and has not for several years. Therefore, an increase of this fee is proposed over a three year period. The NOO fee is listed on page 20 of the City Fees and Rates Schedule under the City Clerk department. The NOO fee will be amended as follows:

Description	# of units	Current Fee	FY 2019 Fee	FY 2020 Fee	FY 2021 Fee
Non-Owner Occupied	each unit up to 2 units	\$50.00	\$75.00	\$125.00	\$150.00
Non-Owner Occupied	each additional unit for 3 or more units	\$5.00	\$10.00	\$10.00	\$10.00

The NOO fee will have immediate effect each Fiscal Year beginning on July 1. The City Fees and Rates Schedule will be maintained by and on file at the City Clerk's Office, available at all Departments, and posted on the City website.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Cascade Air Cylinders Purchase
Prepared by: Christopher Van Loo, Fire Chief

Manager's Recommendation:

I recommend the approval of a purchase with Pressure Vessel Testing of Clinton Twp., MI for \$7,725.04 for eight 6000-psi air cylinders for the Fire Department.

Justification:

On November 5, 2018, Council approved the replacement of the Fire Department's self-contained breathing apparatus (SCBA) inventory. The new SCBAs, which are on order, will utilize high pressure (4500 psi) air cylinders in accordance with the current edition of NFPA 1981 - Standard on Open-Circuit Self-Contained Breathing Apparatus (SCBA) for Emergency Services. In order to fill the new SCBAs with the proper pressure of clean breathing air, we are able to turn up the pressure on our two breathing air cascade fill stations. However, the high pressure air storage cylinders that each breathing air fill station has must be replaced to accommodate the higher pressures required for the new SCBAs. The Fire Department has breathing air fill stations at Station 1 and Station 2 and each fill station has four breathing air storage cylinders.

The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Cost</u>
Pressure Vessel Testing Clinton Twp., MI	\$7,725.04
West Shore Fire Inc. Allendale, MI	\$8,320.52
Breathing Air Systems Reynoldsburg, OH	\$8,643.00
Douglass Safety Systems Sanford, MI	\$13,633.04

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.

**AUTHORIZE
SPONSORS OF VARIOUS COMMUNITY EVENTS
THE USE OF AMPLIFYING EQUIPMENT**

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

WHEREAS: the sponsors (as listed below) plan to hold the following events:

Name of Event	Location	Date	Sponsor
Bring Back The Ice	Hoyt Park	1/19 to 2/16	PRIDE/Friends of Hoyt Park
National Crime Victims	City Hall	4/3	Saginaw Police Department
Cinco 5K Run	Andersen Enrichment Center to Covenant	5/5	Cinco K Martial Arts Connection
National Day of Prayer	City Hall – Front Entrance	5/4	Rev. James & Leona Glenn
Cinco De Mayo	Ojibway Island	5/4	Union Civica Mexicana
Arthur Hill High School Pre Prom Gathering	Ojibway Island	5/11	Saginaw Public School District
First Merit Events	First Merit Event Park	5/10 to 9/20	Dow Event Center
Bringing Hope Changing Lives	Ojibway Island	5/11	Holy Cross Children's Services
SASA Unity Day - High School	Bliss Park	5/24	Saginaw Arts & Sciences Academy
Saginaw High School Pre Prom Gathering	Ojibway Island	5/25	Saginaw Public School District
Memorial Day Parade	Washington Ave.	5/27	Saginaw Co. Veterans Memorial Plaza., Inc.
Row-Ride-Run	Ojibway Island	6/1	Great Lakes Bay Regional Trail
Jazz on Jefferson	Jefferson Avenue Downtown	6/5	Historical Society of Saginaw County
Kid's Free Fishing Day	Ojibway Island	6/8	Shiawassee NWR/ Green Point ELC
Saginaw Community Foundation Annual Celebration	Morley Plaza	6/12	Saginaw Community Foundation
Light Up The City	Ojibway Island	6/12	Michigan State Police
Brew at the Zoo	Children's Zoo	6/20	Children's Zoo at Celebration Square
Rock and Roll Fest	Ojibway Island	6/15	Crecencio C.J. Moncada
St. Mary's Run for Life	Ojibway Island	6/23	St. Mary's of Michigan
Fireworks	Ojibway Island	7/4	Saginaw Area Fireworks
St. Joseph Catholic Church Festival	N. 7 th between Kirk St. & Sears St.	7/8 & 7/09	St. Joseph Catholic Church
Lady Antebellum Country Concert	Ojibway Island	7/12	Ken Shelton Promotions

Name of Event	Location	Date	Sponsor
Lawn Chair Film Festival	Old Town / Hamilton St.	6/23, 6/30, 7/07, 7/14, 7/21, 7/28, 8/4, 8/11	West Saginaw Civic Association
Friday Night Live	Morley Plaza	7/12, 7/19, 7/26, 8/2, 8/9, 8/16	PRIDE in Saginaw, Inc.
Rock The Island	Ojibway Island	7/27	Rock The Island Committee
Gospel Fest	Ojibway Island	8/3	Vicki Hill
African American Cultural Festival	Morley School/Park 2701 Lapeer St.	8/9, 8/10, 8/11	Saginaw African Cultural Fest Committee
Praise in the Parking Lot	14 N. 6 th St.	8/13	Mt. Olive Baptist Church
St. Paul Baptist Church Neighborhood Picnic	S. 15 th between Lapeer & Tuscola St.	8/20	St. Paul Baptist Church
Great Purpose Streetball	Vets/McKinney	8/10-8/11	Demarcus Laury
Christ Community Church Picnic	Fordney Park	8/26	Christ Community Church
MCVI Run for Your Heart Race	Ojibway/River-Walk	9/7	Michigan Cardio-Vascular Inst. Found.
Saginaw Harvest Table	500 S. Water Street	9/8	Lisa Purchase Kelly
Team One Run for Wine	Riverwalk/South Washington Ave.	9/19	Andrew Brady
Trunk or Treat	1114 N. 6 th St.	10/31	Mt. Olive Baptist Church
Dia De Los Muertos/Cinco K Run	Andersen Enrichment Center to Covenant Health	11/6	Cinco K Martial Arts Connection
Holidays in the Heart of the City	Various Locations	11/15	PRIDE in Saginaw, Inc.
PRIDE Christmas Parade	N. Michigan.- Court & Ezra Rust St.	11/16	PRIDE in Saginaw, Inc.

WHEREAS: the above sponsors have annual events and request permission to use amplifying equipment on the dates listed above; and

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment during the above events listed with dates and locations subject to change, between the hours of 10:00 a.m. and 10:00 p.m., to be held at the various locations listed in the above chart.

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 January 7, 2019; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMMC/MMC
City Clerk

AUTHORIZE SPONSORS OF VARIOUS COMMUNITY EVENTS TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES

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

WHEREAS: the sponsors (as listed below) plan to hold the following events:

Name of Event	Location	Date	Sponsor
Outhouse Races	Hoyt Park	2/16	PRIDE/Friends of Hoyt Park
Row-Ride-Run	Ojibway Island	6/1	Great Lakes Bay Regional Trail
Jazz on Jefferson	Jefferson Avenue Downtown	6/5	Historical Society of Saginaw County
Brew at the Zoo	Children's Zoo	6/20	Children's Zoo at Celebration Square
Rock and Roll Music Fest	Ojibway Island	6/15	Crecencio C.J. Moncada
Fireworks	Ojibway Island	7/4	Saginaw Area Fireworks
Friday Night Live	Morley Plaza	7/12, 7/19, 7/26, 8/2, 8/9, 8/16	PRIDE in Saginaw, Inc.
Lady Antebellum Country Concert	Ojibway Island	7/12	Ken Shelton Promotions
Saginaw Harvest Table	500 S. Water Street	9/8	Lisa Purchase Kelly
Team One Run for Wine	Riverwalk/South Washington Ave.	9/19	Andrew Brady

WHEREAS: the above sponsors have annual events and request permission to sell alcoholic beverages on the dates listed above; and

WHEREAS: City Council can provide authorization for the sale of alcoholic beverages on public property.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the sale of alcoholic beverages during the above events listed with dates and locations subject to change, between the hours of 10:00 a.m. and 10:00 p.m., to be held at the various locations listed in the above chart.

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 January 7, 2019; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMMC/MMC
City Clerk

From: Timothy Morales, City Manager
Subject: Replacement Forestry Aerial Truck
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend approval of purchases with Tri County International Trucks for \$76,145.00 for a 2020 International MV607 SBA Cab and Chassis; and Cannon Truck Equipment for \$120,796.00 for equipment installation for the Streets Section of the Right of Way Division.

Justification:

The Streets Section of the Right of Way Division has budgeted in FY 2019 to purchase a 2020 International MV607 Forestry Aerial Truck replacing a 2001 Freightliner with over 7400 hours, scheduled for replacement in 2016 that will be sold at auction. It has extensive rust, fatigue to the body, and frame along with mechanical issues that make this vehicle expensive to maintain to DOT and OSHA standards. This truck is one of two Aerial Trucks used in the daily maintenance of the City's 60,000+ parkway trees and also in emergency situations for storm damage trimmings and removals. As an emergency response vehicle, it must be maintained in a constant state of readiness. This purchase will be made using MiDeal State bid pricing contract numbers 071B6600122 and 071B7700166.

The 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 Major Street Fund, Routine Maintenance Division's Vehicle Account No 202-4651-982.000 \$196,941.00.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager

Subject: MDOT Cost Agreement 18-5514, Mackinaw Street, Congress to State

Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend the approval of Michigan Department of Transportation Cost Agreement 18-5514 for the reconstruction of Mackinaw Street from Congress Avenue to State Street (M-58) for the Engineering Section, Right of Way Division.

Justification:

Michigan Department of Transportation Cost Agreement 18-5514 fixes the rights and obligations of the parties in agreeing to the following road improvements:

Part A - Federal Participation

Hot mix asphalt surfacing for roadway reconfiguration work from 2 to 3 lanes along Mackinaw Street from Congress Avenue northerly to State Street (M-58); including pavement removal, machine grading, sand subbase, aggregate base, drainage improvements, concrete curb and gutter, and concrete sidewalk and ramp installation work; and all together with necessary related work.

Part B – No Federal Participation

Water main installation work within the limits as described in Part A; and all together with necessary related work.

The total estimated project cost is \$2,399,900. The estimated Part A project cost is \$1,754,600, and is partially funded with Federal Surface Transportation Urban Local (STUL) Funds. Federal STUL Funds shall be applied to the Part A portion of the project cost up to the lesser of (1) \$935,500 or (2) 81.85 percent, the normal Federal participation ratio for such funds. The balance of the Part A project costs, after deduction of all Federal STUL Funds, shall be paid by the City of Saginaw. In summary, Federal STUL Funds will pay for \$935,500 of the Part A project costs. The City's estimated share of the Part A project costs is \$819,100.

The estimated project cost for Part B is \$645,300. Part B work is not eligible for federal funds and all costs associated with Part B are the responsibility of the City. Therefore, the City's cost obligation for this project is \$1,464,400 of the estimated total project cost of \$2,399,900. The City is also responsible for any cost overruns.

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 – Surplus Division's Construction Projects Account No. 591-4740-822.000 \$550,000, and will be budgeted in the FY 2020 Major Street Fund – Street Project Division's Construction Project Account No. 202-4614-822.000 \$590,000, Water Operations and Maintenance Fund – Surplus Division's Construction Projects Account No. 591-4740-822.000 \$95,300, and the Sewer Operations and Maintenance Fund – Surplus Division's Construction Projects Account No. 590-4840-822.000 \$229,100, upon approval of the FY 2020 budget.

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

Council Action:

This council communication is for informational purposes only of the resolution to be adopted.

**APPROVING MDOT COST AGREEMENT No. 18-5514
FOR THE RECONSTRUCTION OF MACKINAW STREET
FROM CONGRESS AVENUE TO STATE STREET (M-58)**

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

WHEREAS: Cost Agreement No. 18-5514 has been submitted by the Michigan Department of Transportation, which requires the City of Saginaw to adopt a resolution indicating its willingness to participate in the cost of hot mix asphalt surfacing for roadway reconfiguration work from 2 to 3 lanes along Mackinaw Street from Congress Avenue northerly to State Street (M-58); including pavement removal, machine grading, sand subbase, aggregate base, drainage improvements, concrete curb and gutter, concrete sidewalk and ramp installation, and water main installation work; and all together with necessary related work; and

WHEREAS: Cost Agreement No. 18-5514 has been approved by the City Manager as to substance and the City Attorney as to form; and

WHEREAS: By virtue of their positions, the Mayor and City Manager are authorized to sign the cost agreement contract.

NOW, THEREFORE, BE IT RESOLVED, that the Council for the City of Saginaw does hereby approve Cost Agreement No. 18-5514 submitted by the Michigan Department of Transportation.

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 January 7, 2019; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMMC/MMC
City Clerk

From: Timothy Morales, City Manager
Subject: Ratification of Emergency Purchase for Weiss Boiler Rebuild
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend the ratification of the emergency purchase to Ferguson Enterprises for \$5,439.39 for the rebuild of a boiler used to heat the Weiss Retention Treatment Basin for the Remote Facilities Division.

Justification:

On December 12, 2018, emergency purchase order number 505090 was issued to Ferguson Enterprises for a new heat exchanger and other parts needed to rebuild a boiler at the Weiss Retention Treatment Basin. In late November, remote facilities staff attempted to put the Weiss boiler in service in preparation for cold weather. The boiler had several leaks and we determined that the heat exchanger had failed. Remer Plumbing and Heating provided us with a quote of \$40,000.00 to replace the existing boiler. Ferguson Enterprises, a local supplier, carries Weil-McClain boiler parts and was able to order a replacement heat exchanger and other replacement parts at a cost of \$5,439.39. Because of the time of year and freezing temperatures, we determined the most prudent course of action was to request an emergency purchase order and immediately order the needed parts for our maintenance staff to rebuild it.

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 Parts and Supplies Account No. 590-4835-742.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: DTN Weather Services
Prepared by: Dan Simmer, Water & Wastewater

Manager's Recommendation:

I recommend approval of a purchase with DTN, LLC, a sole source, for \$4,368.00 to provide weather services for the Water Treatment Division.

Justification:

This service allows the Water Treatment Plant staff to track in-coming storms and properly assess the need for emergency power generation. Information provided by this service includes radar, lightning strike occurrences and wind speeds to allow for faster response for approaching storms. Generators are run when storms approach to help maintain proper water pressure. DTN, LLC of Omaha, NE is the sole provider of this service, which they have been providing to the City since September of 1996.

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, Instrumentation and Process Controls Division's Subscription/Reference Account No. 591-4715-823.002.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Pump Vibration Analysis
Prepared by: Theodore Bomba, Water and Wastewater

Manager's Recommendation:

I recommend the approval of a purchase with Visual Inspection Systems, LLC for a total of \$3,000.00 for FY 2019 through FY 2021 for Pump and Motor Set Vibration Analysis for the Water Treatment Division.

Justification:

The Water Treatment Plant has 15 pump and motor sets to pump raw water, process and deliver potable water to customers. Potential failures to these pump and motor sets may be anticipated based on vibration analysis. Greater than normal vibration typically indicates failure of components/parts or misalignment of the pump and motor sets. Increased or greater than normal vibration may cause premature failure and damage to the unit or components of the unit. Repair or replacement of these high volume pumps and components can cost thousands to tens of thousands of dollars. On November 13, 2018, the City opened sealed bids for annual vibration analysis, including a comprehensive report of results. This service has been performed annually for several years, establishing baseline and continuing results for performance comparisons. Visual Inspection Systems has been providing the service for the last 3 years and has a Metro Detroit Office. Following is a tabulation of the bids received:

Visual Inspection Systems, LLC Cranberry Township, PA	<u>Total Bid</u> \$3,000.00
Heco Psg Kalamazoo, MI	\$4,675.50
Peerless-Midwest, Inc. Ionia, MI	\$10,050.00
Johnson Controls Saginaw, MI	\$11,970.00

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 and Pumping Division's Professional Services Account No. 591-4730-801.000 and will be

budgeted in the same account for subsequent fiscal years as approved, pending approval of future year budgets.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Water Service Agreement with Kochville Township
Prepared by: Kimberly Mason, Water and Wastewater

Manager's Recommendation:

I recommend approval of an extension to the Water Service Agreement with Kochville Township.

Justification:

The City of Saginaw and Kochville Township executed a Water Service Agreement on January 8, 2018 to expire in 2048. Kochville Township has since planned an expansion to its water distribution system, which is being financed by the United States Department of Agriculture Office of Rural Development. As a condition to financing, Rural Development requires that the term of Kochville's Water Service Agreement be co-extensive with the financing term of forty (40) years.

Therefore, the proposed extension will change the term of the Agreement to be a period of forty (40) years from the date on which Kochville Township receives disbursement on its 2019 water main construction loan with Rural Development. All other provisions of the original Water Service Agreement remain unaffected by this extension.

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

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Extension of Urban Cooperation Agreement with Kochville Township
Prepared by: Kimberly Mason, Water and Wastewater

Manager's Recommendation:

I recommend approval of an extension of the Urban Cooperation Agreement between the City of Saginaw and Kochville Township.

Justification:

This Agreement is a revenue sharing component of the Water Service Agreement between the two communities, which will be executed contemporaneously with this Agreement. The City of Saginaw and Kochville Township executed an Urban Cooperation Agreement on January 8, 2018 to expire in 2048 which requires Kochville Township to make payments to the City resulting from new residential, commercial, industrial and manufacturing developments within the Township. These requirements are set forth in the Urban Cooperation Agreement. Kochville Township has since planned an expansion to its water distribution system, which is being financed by the United States Department of Agriculture Office of Rural Development. As a condition to financing, Rural Development requires that the term of Kochville's Water Service Agreement be co-extensive with the financing term of forty years. In addition, the Urban Cooperation Agreement is also being extended to a term of forty years. The required public hearing was held at the January 7, 2019 regular council meeting.

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

Council Action:

Motion to approve the recommendation of the City Manager.

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced December 17, 2018 entitled and reading as follows, be taken up and enacted:

O- _____

AN ORDINANCE TO AMEND CHAPTER 110, OF TITLE XI, "BUSINESS REGULATIONS," BY AMENDING §110.37 TITLED, "GENERAL BUSINESS LICENSE," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

The City of Saginaw ordains:

Section 1. An ordinance to amend Chapter 110, of title XI, "Business Regulations," by amending §110.37 titled, "General Business License," of the City of Saginaw Code of Ordinances, O-204, is hereby amended to read as follows:

§110.37 GENERAL BUSINESS LICENSE

(A) *Purpose.* The purpose of this section shall be to generate General Fund revenue to offset the cost of enforcing existing city ordinances and regulate business activity as it relates to zoning, permits, income tax, property tax, and the like.

(B) *License required.*

(1) *Generally.* All persons who conduct, engage in, maintain, operate, carry on, or manage a business for which a license is not otherwise required under any other provisions of this code shall be required to obtain a general business license for said business. A separate license shall be required for each separate place of business. A business shall include, but not be limited to, for profit businesses and not for profit businesses.

(2) *Exceptions.*

- (a) Churches;
- (b) Public libraries;
- (c) Schools (public, parochial and charter, K-12); and
- (d) Government offices or operations.

(C) *Application.* An application for a license required by this code shall be made in writing on a form prescribed by the City Clerk. Each application shall contain any information as may be required to determine whether a license should be issued.

(D) *Issuance of license.* The City Clerk shall issue the license pursuant to the application if:

- (1) The appropriate fees have been paid according to the fee schedule as set by City Council and available in the City Clerk's Office;

- (2) The Planning and Development Divisions have approved the use of said parcel for the requested use;
- (3) There are no outstanding building code violations;
- (4) There are no outstanding fire code violations; and
- (5) All current and past due fees and/or fines associated with the property or applicant have been paid or arrangements have been made to pay, including, but not limited to:
 - (a) Permit fees;
 - (b) Zoning fees;
 - (c) Water or sewer services;
 - (d) Engineering fees;
 - (e) False alarm fees;
 - (f) Property tax (real and personal); and
 - (g) Income tax.
- (6) Exception. An applicant shall not be denied a license if neither the applicant, nor any business in which the applicant has an interest, is responsible for the above-referenced fees and/or fines. As used in this subsection, the term business shall include sole proprietorships acting under an assumed name, partnerships, corporations, and limited liability companies.

(E) *Term of license, renewal.* All licenses provided in this section shall expire on May 30 following the date of issuance.

(F) *License fees.*

- (1) *Fees; generally.* Fees shall be established by City Council and listed in the Office of the City Clerk.
- (2) *Late payment penalty.* An additional late charge of 50% of the base fee shall be incurred as a result of the following:
 - (a) Failure to obtain a business license within 15 days from the effective date of the ordinance or any applicable amendment;
 - (b) Failure to obtain a business license within 15 days of commencement of a business; or
 - (c) Failure to renew a business license by the license expiration.

(G) *Regulations.*

- (1) No license shall be assigned, sold, or transferred, nor shall any license authorize any person other than the applicant to conduct business under such license.
- (2) The applicant or licensee shall have a duty to notify the City Clerk of any changes in the information contained in an application which is pending or which was the basis for the issuance of a license.
- (3) All licenses shall be prominently displayed on the business premises at all times.
- (4) No person shall add to, alter, deface, forge, or counterfeit any license which is required under this section.
- (5) All licensees shall comply with all applicable city, state, and federal laws.

(H) *Suspension and revocation.* In addition to any other penalty provided for in this code or other city ordinances, the City Clerk may suspend or revoke any license issued pursuant to this section for:

- (1) Failure to comply with any provisions of this chapter and any applicable ordinances; and
- (2) Failure to allow required inspection. The City Clerk shall notify the licensee that his or her license has been suspended or revoked and the reason for said suspension or revocation. Notification may be made by first-class mail and shall state that the licensee has the right to appeal the suspension or revocation provided the appeal is made in writing to the City Clerk within ten days of notification. Upon receipt of the written appeal the City Clerk shall proceed with scheduling an appeal hearing as provided for in divisions (I) and (J) below.
- (3) *Notice of hearing.* Notice of the above described hearing shall be served on the licensee by first-class mail and posting at the location of the licensed business not less than five days before the date of said hearing.

(J) *Hearings.* The hearing shall be conducted by the Chief Inspector or his or her designee affording the licensee an opportunity to appear and defend the charges. The Chief Inspector shall make a final decision in writing, including the reasons for such decision and shall serve said decision on the licensee within ten days after conclusion of the hearing.

(K) *Summary suspension.* Where the Chief Inspector presents to the City Manager sufficient evidence demonstrating probable cause to believe that the licensee has violated the provisions of this code or the laws of the United States or the state, and that said violation will immediately threaten the public health, safety, or welfare, the City Manager may, upon the issuance of a written order stating the reason for such conclusion and without prior notice or hearing, order the licensed premises closed and the license summarily suspended pending a public hearing and determination on suspension or revocation. Said hearing shall be commenced not more than 17 days following entry of such an order, unless the licensee shall agree to a longer period of time. Upon entry of an order of summary suspension, the licensee shall be served with a copy of the order and notice of violation and hearing in the manner provided in this section.

(L) *Penalties and remedies.* In addition to any other penalty or remedy provided for in this code, or other city ordinances, the City Clerk shall have the authority to take the following actions against any business which fails to obtain or renew a business license:

- (1) Cause to be issued a Class C civil infraction citation. A separate offense shall be deemed committed for each day that a violation occurs; and
- (2) Use whatever means necessary to cause said business to cease operations at its location reasonable and proportional to the manner, length, and circumstances surrounding the business' failure to renew or obtain a license, with reasonable costs of same charged to the business owner. Upon

restoration or renewal of the business' license and the satisfaction of any outstanding fees, fines, or costs incurred by the City for actions taken as provided herein, the business owner shall notify the City, in writing, of the date they again commence operations.

(M) *Severability.* The provisions of this section shall be interpreted so as not to be in conflict with the laws of the state or any other limitations imposed by law. In the event, however, that any section, provision, sentence, or clause of this section is declared unconstitutional by a court of competent jurisdiction, that determination will not affect the other remaining provisions of this section.

This ordinance shall become effective January 17, 2019.

Enacted: January 7, 2019.

Yeas:

Nays:

Absent:

Abstain:

ORDINANCE DECLARED ADOPTED

Floyd Kloc
Mayor

Janet Santos, CMMC/MMC
City Clerk

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on January 7, 2019; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMMC/MMC
City Clerk