

Council Agenda
March 20, 2017 6:30 p.m.
Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Proclamation presented to the American G.I. Forum declaring March 31, 2017 as Cesar Chavez Day.

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

(A list will be provided following submittal deadline)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

Management Update:

1. Davis Road Project Update.

CONSENT AGENDA:

1. Approve the minutes from the March 6, 2017 regular Council meeting.
2. Approve Petition 17-07 from MacDonald Broadcasting/WKCQ to erect a banner at Court Street from May 19 through June 19, 2017 to promote the KCQ Country Music Fest Concert on June 17, 2017.
3. Approve the recommendations for the 2017 Single Lot Special Lot Assessment Tax Roll.
4. Approve the Walkway Easement and Agreement with SVRC Industries, Inc. for the property located adjacent to the Farmers Market parking lot and Saginaw River.
5. Approve a purchase order to B&B Truck Equipment for \$40,942.17 for the replacement of the frame rails on Fire Department Engine 4.
6. Approve to increase the purchase orders to six engineering firms by \$200,000, for a new total not to exceed the annual amount of \$700,000, to provide engineering assistance on various projects for the Engineering Division for fiscal years 2017, 2018, and 2019.

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7. Approve to increase purchase order no. 499574 with BM Construction Consultants by \$15,000, for a new total of \$158,000, for construction inspection services to be completed during the 2017 construction season.
8. Approve to increase purchase order no. 500366 to Engel's Auto Body by \$435.80, for a new total of \$2,938.60, for repairs to Maintenance and Service Truck No. 57-0253.
9. Approve ratification of emergency purchase order No. 0500543 to G.W. Heating and Cooling, Inc. for \$2,598 for the furnace replacement at the Andersen Enrichment Center.
10. Approve a purchase order to MSC Industrial Supply for \$3,325 for a replacement Band Saw for the Motor Pool Division.
11. Approve the contract agreement with Zito Construction Co for \$12,927,384 for the Davis Road Water Main Improvements Contract Number 2 (C-1636).
12. Approve the Municipal Consent for Right of Entry form with the United States Department of the Interior, Office of Surface Mining Reclamation and Enforcement for mine shaft reclamation work in the right of way of Newberry Street and Malzahn Street.
13. Approve the Municipal Consent for Right of Entry form with the United States Department of the Interior, Office of Surface Mining Reclamation and Enforcement for mine shaft reclamation work within the Shiawassee Nature Preserve.
14. Approve the agreement with OHM Advisors and issue a purchase order in an amount not to exceed \$425,887 to develop an Asset Management Program and Asset Management Plan for the City's Water Treatment and Distribution Systems.
15. Approve ratification of an emergency purchase order to Hesco, a sole source, for \$2,236 for rebuild kits to repair the fill valve at the Gratiot Pump Station for the Water Treatment Division.
16. Approve a purchase order to Detroit Pump & Manufacturing Company, a sole source, for \$4,351 for a Peerless industrial water pump at the Wastewater Treatment Division.
17. Approve purchase orders to Shred Legal, LLC in an amount not to exceed \$7,000 per year, for a three year total not to exceed \$21,000, for shredding services as needed for all city locations through June 30, 2020.

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

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INTRODUCTION OF ORDINANCES:

1. An Ordinance to amend §151.095 "Findings and Purpose," §151.096 "Definitions," §151.097 "Non-Owner Occupied Property; Prohibited Conduct," §151.098 "Non-Owner Occupied Property; Registry," §151.099 "Unoccupied Property Registry," and to Retitle §151.100 "Inspection," §151.101 "Violation; Abatement," and add §151.102 "Fees," of Chapter 151 "Housing Regulations," Title XV "Land Usage," of the City of Saginaw Code of Ordinances, O-1.
2. An Ordinance to amend the official city map to vacate Esop Street from the east right of way of Veterans Memorial Parkway east approximately 100 feet to the east line of the Buena Vista Gardens plat.
3. An Ordinance to amend the official city map to vacate Galen Street from the east right of way of Veterans Memorial Parkway east approximately 100 feet to the east line of the Buena Vista Gardens plat.
4. An Ordinance to amend the official city map to vacate Meredith Street between the westerly line of Lot 1, Block 37, Emerson's Addition extended to the northerly line of Block 38, Emerson's Addition east to the section of Meredith Street.
5. An Ordinance to amend the official city map to vacate Mackinaw Street between the east right of way of Niagara Street and the west bank of the Saginaw River.

CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

1. Resolution certifying the 2017 Single Lot Assessment Tax Roll.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

ADJOURN:

Timothy Morales
City Manager

IF YOU ARE DISABLED AND NEED ACCOMMODATION TO PROVIDE YOU WITH AN OPPORTUNITY TO PARTICIPATE OR OBSERVE IN PROGRAMS, SERVICES, OR ACTIVITIES, PLEASE CALL THE SAGINAW CITY CLERK, 1315 S. WASHINGTON AVENUE, 989.759.1480.

PROCLAMATION

WHEREAS, Cesar Chavez, the most important Latino leader in U. S. history, was born March 31, 1927 in Yuma, Arizona to Librado and Juana Chavez; and

WHEREAS, Young Cesar and his family moved to California following seasonal work after losing both their farm and store in 1937 as depression intensified and years of drought forced thousands off the land; and

WHEREAS, Cesar Chavez toiled as a migrant farm worker alongside men, women, and children who performed daily, backbreaking labor for meager pay and in deplorable conditions. Cesar Chavez devoted his life to correcting these injustices, and to remind us that every job has dignity, every life has value, and every person should have the chance to get ahead; and

WHEREAS, Cesar Chavez founded the National Farm Workers Association, also known as the UFW. Through decades of tireless organizing Chavez grew a movement to advance "La Causa" across the country. Chavez led his demonstrations with non-violence and was instrumental in defending and protecting the rights for farm workers; and

WHEREAS, the values that Cesar Chavez strove to live out in all his endeavors include: service to others, sacrifice, a preference to help the most needy, determination, non-violence, tolerance, respect for life, celebrating community, knowledge and innovation; and

WHEREAS, the American GI Forum of Saginaw, a Veterans Organization, continues to celebrate and honor Cesar E. Chavez. We forge his legacy of service, conviction and principled leadership that serves as an inspiration for all Americans;

NOW, THEREFORE BE IT RESOLVED, I, Dennis D. Browning, Mayor of the City of Saginaw, on behalf of my fellow Councilmembers, do hereby proclaim Thursday, March 31, 2017 as **Cesar Chavez Day** in the City of Saginaw and call upon the citizens of this community to reflect on and honor the life of this distinguished leader, veteran, and American.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Saginaw to be affixed this 20th day of March in the year of our Lord two thousand seventeen.



Dennis D. Browning, Mayor

Councilpersons

*Floyd Kloc, Mayor Pro Tem
Michael D. Balls, Annie Boensch, Clint Bryant,
John Humphreys, John Milne, Brenda F. Moore,
and Demond L. Tibbs*

March 20, 2017

Timothy Morales, City Manager

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, WAS HELD MONDAY, MARCH 6, 2017, 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 Browning called the meeting to order. Council Members present: John Milne, Demond Tibbs, Annie Boensch, Floyd Kloc, Brenda Moore, Clint Bryant, Michael Balls, John Humphreys, and Dennis Browning: 9. Council Members absent: 0.

ANNOUNCEMENTS

City Clerk Janet Santos announced the following:

- the City Manager issued a revised agenda with the removal of the Introduction of an Ordinance; and
- the 2017 Yard Waste service will begin the first week of April. Yard waste collection is the same day as your regular trash service day. Yard waste materials must be in paper yard waste bags, or in 35 gallon or smaller garbage cans not weighing more than 50 pounds and have a "Yard Waste" sticker affixed to the front of the can; and
- staff members of the Downtown Development Authority will conduct an informational meeting regarding a 2 mill levy proposal and the potential improvements for the DDA District. The meeting will be held Tuesday, March 14 at 4:00 pm in Council Chamber.

PERSONAL APPEARANCES

The following personal appearances addressed Council: Roy Manning, Cleveland Ducre, and Mildred Dorsey-Bell.

REMARKS OF COUNCIL

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

REPORTS FROM CITY MANAGER

Management Update

City Manager Tim Morales provided updates on events and various City projects. Manager Morales announced that the City received an award from the Government Finance Officers Association for budget reporting for the ninth consecutive year. He congratulated Director of Office of Management and Budget Yolanda Jones and staff for their work to achieve this honor for the City.

Manager Morales introduced JoAnn Crary, President & CEO of Saginaw Future. Ms. Crary reported that the focus of Saginaw Future is to retain and help businesses expand in the area, while assisting businesses to be competitive. Ms. Crary presented a list of companies that they have assisted with expanding in the City.

Mayor Browning left the meeting at 7:11 p.m. and returned at 7:15 p.m.

Ms. Cray introduced Tom Miller, VP Urban Development and Special Initiatives of Saginaw Future. Mr. Miller presented data on City projects and explained the services Saginaw Future provides.

Mr. Miller introduced Delena Spates-Allen, Procurement Manager of Saginaw Future. Ms. Spates-Allen explained the Procurement Technical Assistance

Centers (PTAC) program which assists businesses with the government federal contracting.

Ms. Cray closed the presentation with information regarding the Community Ventures component and since 2013 their assistance has provided 1,371 employee placements in Saginaw.

CONSENT AGENDA:

1. Approve the minutes from the February 20, 2017 regular Council meeting.
2. Approve the amendments to the FY 2017 Approved Budget to recognize any changes that have occurred during the February period.
3. Approve the auditing contract extension with Yeo & Yeo, CPAs & Business Consultants, for a five year period in an amount not to exceed \$286,500.
4. Approve the agreement with Sentinel Technologies, Inc. and issue a purchase order for \$16,624 to replace the current Cisco Firewall and network security enhancements for the City of Saginaw.
5. Approve ratification of emergency purchase order no. 500430 to Spence Brothers for \$212,873 for emergency repairs to 124/126 N. Washington Avenue.
6. Approve ratification of emergency purchase order no. 500664 to Diesel Truck Sales and Service for \$2,500.06 for repairs to Streets Forestry truck no. 53-0846.
7. Approve a purchase order to Todd Wenzel Buick GMC, for \$28,758.55 for a 2017 GMC Sierra 3500 Cab and Chassis for the Motor Pool Division.
8. Approve a purchase order to Morton Salt, Inc. for \$119,325 for 2,500 tons of back-up salt delivery for FY 2017 for the Public Service Department.
9. Approve a purchase order to Snap-On Industrial, a sole source, for \$7,946.36 for the purchase of a Pro-link Ultra starter kit and additional needed software for the Motor Pool Division.
10. Adopt the Resolution to approve Cost Agreement No. 17-5035 with the Michigan Department of Transportation for road rehabilitation work on Williamson Street from Thayer Street to Treanor Street.

11. Adopt the Resolution to approve Cost Agreement No. 17-5039 with the Michigan Department of Transportation for road rehabilitation work on Veterans Memorial Parkway from Wadsworth Street to Washington Avenue (M-13).
12. Approve a purchase order to Berger Chevrolet, Inc., at State bid pricing, for \$76,679 for three fully equipped 2016 Chevrolet Impala Police Patrol vehicles.
13. Approve a purchase order to Anderson Radio for \$3,833.60 for four Motorola Radios for the Maintenance and Services Division.
14. Approve the contract agreement with Pumford Construction, Inc. for \$37,533 for repairs at the Brady Hill Cemetery entrance fence and wall.

Moved by Council Member Bryant, seconded by Council Member Humphreys to approve consent agenda items 1 through 14 as presented. 9 ayes, 0 nays, 0 absent. Motion approved.

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

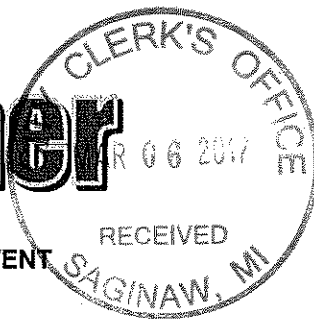
Council Member Humphreys reported that the Riverfront Development Commission's (RFDC) 2017 "Art & About" event will feature artist David Zinn. The RFDC created a sub-committee to work on the Ojibway Island rehabilitation project. The work includes fund raising for improvements and promotion of the venue.

ADJOURNMENT

Moved by Council Member Boensch, seconded by Council Member Balls to adjourn the meeting at 8:10 p.m. 9 ayes, 0 nays, 0 absent. Motion approved.

Janet Santos, CMMC/CMC/MMC
City Clerk

Petition for Banner



PETITION CAN NOT BE ACCEPTED SIX (6) MONTHS PRIOR TO EVENT

TO SAGINAW CITY COUNCIL:

We, the undersigned, do hereby petition the Honorable City Council to give favorable consideration to erect a banner at not more than two of the locations listed below. We understand that the \$150.00 banner fee per location must be paid to the Department of Engineering prior to hanging the banner and that the banner/s must be picked up within ten days after the FINAL display date. Fee established by Council resolution on June 7, 2004.

- ☒ 500 Block of Court Street ☐ 300 Block of South Michigan
☐ 200 Block of West Genesee ☐ 1000 Block of East Genesee Avenue

MacDonald Broadcasting / 98FM KCQ

Organization Name

Country Music Fest promotional tool

Purpose of Banner

MESSAGE ON BANNER: KCQ COUNTRY MUSIC FEST FREE CONCERT JUNE 17, 2017

Display Dates Requested: 05/19/2017 to 06/17/2017
Not to exceed 30 days 19 Jul

PETITIONERS

1 Sarah Hillenbrand

2 Angela R. Martin

3 Murray Yonell

4 Brian Borcia

CONTACT PERSON INFORMATION:

NAME Sarah Hillenbrand PHONE (989) 752-8161

ADDRESS 2000 Whittier St Saginaw, MI 48605

EMAIL marketingcoordinator@98fmkcq.com

-----CLERK'S OFFICE USE ONLY-----

EMAIL TO ENGINEERING: _____ BY: _____

APPROVED BY COUNCIL: _____

CITY CLERK

From: Timothy Morales, City Manager
Subject: 2017 Single Lot Special Assessment Tax Roll
Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

It is recommended that Council consideration be given to the responses provided for all objections received prior to the closing of the public hearing held on February 20, 2017, and that the recommendations be approved and Council consider the resolution confirming the 2017 Single Lot Special Assessment Tax Roll.

Justification:

City Council conducted a public hearing on February 20, 2017 on the Single Lot Special Assessment Tax Roll for: Sewer Line Replacements, Nuisances of Yard Violations/Trash Removal, Board Ups, Weed Cutting, Junk Vehicles, Fire False Alarms, and Police False Alarms. Notice of the hearing was mailed to approximately 189 owners of property affected by the assessments as shown on the City Assessor records. These assessments represent fees and expenses incurred by the City for improvements constructed, false alarms, alarm system registration, and for abatement of nuisances of which expenses are charged against individual properties.

The recommendation of the City Manager is based upon review of the appropriate department research and response. A recap of the written objections filed with the City Clerk's Office and the oral objections presented to City Council up to the close of the public hearing is as follows:

Written objections received and filed with the City Clerk for Council consideration

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
20 3100 00000	2719 Congress	Antonio Guerra	\$125.00	Junk Vehicle

Objection: Claims that the property was surrendered to TCF National Bank due to filing Chapter 13.
Department Reply: Mr. Guerra was the current property owner at the time of the violation and properly notified.
Recommendation: The single lot special assessment should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
20 3100 00000	2719 Congress	Antonio Guerra	\$148.68	Trash

Objection: Claims that the property was surrendered to TCF National Bank due to filing Chapter 13.
Department Reply: Mr. Guerra was the current property owner at the time of the violation and properly notified.
Recommendation: The single lot special assessment should remain on the tax roll.

<u>Tax Roll #</u>	<u>Property</u>	<u>Property Owner</u>	<u>Fee Due</u>	<u>Code</u>
20 0538 00000	703 S. Woodbridge	Diana Peters Michalak	\$89.50	Trash

Objection: Out of town and had someone watch her property. Claims the violation was on curb

across the street from her.

Department Reply: Two violation notices posted on property on May 6 and May 18, 2016. Both violations were for trash located on said property.

Recommendation: The single lot special assessment should remain on the tax roll.

There were no public comments made during the Public Hearing on February 20, 2017

Council Action:

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

From: Timothy Morales, City Manager

Subject: Easement Agreement with SVRC Industries, Inc.

Prepared by: Tom Miller, Jr., VP Urban Development and Special Initiatives Project Development, Saginaw Future Inc.

Manager's Recommendation:

I recommend that the Walkway Easement and Agreement of the Parties with SVRC Industries, Inc. for the property located adjacent to the Farmers Market parking lot and Saginaw River, be approved. The Walkway Easement and Agreement of the Parties have been approved by the City Manager as to substance and the City Attorney as to form.

It is further recommended that the City Manager or his designee be authorized to sign the agreement.

Justification:

SVRC is undertaking the transformative redevelopment of the former Saginaw News building. This building will be transitioned into a mixed-use facility supporting an indoor/outdoor farmer's market, food processing hub, small business incubator space, offices, and retail spaces.

The City's long-term goal is to construct and develop a contiguous river walk loop. SVRC has agreed to grant the City a Walkway Easement for an extension of the proposed river walk, for a fee of \$1.00. The Walkway Easement and Agreement of the Parties will preserve the City's rights to extend the river walk at a future date when funds become available. This initiative is in compliance with direction given to staff at the January 2017 Strategic Planning Session concerning improvements and enhancements to the Downtown and Riverfront.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Frame Rail Replacement on Engine 4
Prepared by: Christopher Van Loo, Fire Chief

Manager's Recommendation:

I recommend that the low quote from B&B Truck Equipment, Comstock Park, Michigan be approved and that a purchase order be issued to them in the amount of \$40,942.17 for the replacement of the frame rails on the Fire Department's Engine 4.

Justification:

On February 7, 2017 the Fire Department was notified by our preventive maintenance vendor that Engine 4 failed a visual DOT inspection due to excessive corrosion found on its frame rails. Engine 4 was immediately removed from service for safety reasons. Subsequent inspections were performed on Engine 4 by 3 additional vendors and the findings of our preventative maintenance provider were confirmed. On February 21, 2017, Pierce Fire Apparatus the manufacturer of Engine 4, performed an inspection and provided a report that indicated that Engine 4 had lost 1/3rd of the original base material on some portions of its frame rails due to corrosion. It was further recommended that the apparatus remain out of service until repairs could be made. Though Pierce Fire Apparatus provides a lifetime warranty on their frame rails, corrosion is not covered under the warranty; therefore a manufacturer's warranty replacement of the frame rails is not available.

Engine 4 is a 2002 Pierce Enforcer fire engine. National Fire Protection Association (NFPA) Standard 1901, Standard for Automotive Fire Apparatus, recommends that fire apparatus be removed from front line service after 15 years. Engine 4 has been well maintained and is in overall good condition. Replacing the frame rails is considered to be the most cost effective option at this point and should extend the useful life of Engine 4. Due to the scope and size of this project, only 3 qualified vendors were interested in providing quotes and performing the work.

The following is a listing of the quotes received:

<u>Vendor</u>	<u>Cost</u>
B&B Truck Equipment Comstock Park, MI	\$ 40,942.17
Front Line Services Inc. Freeland, MI	\$ 57,380.00
Pierce Manufacturing Inc. Weyauwega, WI	\$ 92,741.00

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

Funds for this repair are budgeted for and available in the Community Public Safety – Fire, Fire Apparatus Operations and Maintenance, Motor Vehicle Repairs, Account No 101-3554-931.000

Council Action:

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

From: Timothy Morales, City Manager
Subject: Authorization Amount Increase for Engineering Services – ROW Division
Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend that the total yearly maximum amount of individual purchase orders of various amounts that the City Engineer is authorized to approve and issue to the six firms currently under contract to perform engineering services for the City, be increased by \$200,000, from \$500,000 to \$700,000 for the duration of the existing agreements with each firm which includes the remainder of FY 2017, and FY 2018 and FY 2019.

Justification:

On June 23, 2014, City Council approved professional services agreements with the following six prequalified firms, and authorized the City Engineer to approve and issue to them, individual purchase orders of various amounts up to the total yearly maximum amount of \$500,000: Orchard, Hiltz and McCliment Advisors, Inc. (OHM) of Saginaw, MI (Out City); ROWE Professional Services Company (Rowe) of Flint, MI; Spicer Group (Spicer) of Saginaw, MI (In City); Surveying Solutions Incorporated (SSI) of Saginaw, MI (Out City); Wade Trim of Bay City, MI and William A Kibbe and Associates (Kibbe) of Saginaw, MI (In City).

The services of these firms are necessary to support City Engineering, Facilities, Water and Sewer Maintenance and Service, Water Treatment, and Wastewater Treatment staff to carry out their duties and responsibilities whenever workload demands additional staff or consultant's expertise. The City Engineer distributes work between the six (6) firms on a rotational basis for small projects and on a competitive basis for larger projects. The terms of the existing agreements are for 5 years, and commenced on July 1, 2014. These agreements will expire on June 30, 2019.

Due to the increased amount of public infrastructure, facilities and park improvements being undertaken by the City, it has become necessary to increase the total maximum amount of the individual purchase orders that can be approved by the City Engineer in a given fiscal year from \$500,000 to \$700,000, or by \$200,000. The maximum amount of individual purchase orders that the City Engineer can approve yearly for engineering services has been \$500,000 since 2002.

OHM, Rowe, Spicer, SSI, Wade Trim and Kibbe meet all the requirements of §14.23, "Vendors", of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing", of Title I, "General Provisions" of the Saginaw Code of Ordinances O-1.

Funds for these services are budgeted and available in the FY 2017 budget in various departmental engineering services accounts, and will be budgeted and made available in various departmental engineering services accounts in FY 2018 and FY 2019, pending Council approval of FY 2018 and FY 2019 budgets.

Council Action:

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

From: Timothy Morales, City Manager

Subject: Purchase Order Increase (Construction Services) – ROW Division

Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend that purchase order 499574 with BM Construction Consultants for construction inspection services during the 2017 construction season be increased by \$15,000, from \$143,000 to \$158,000, to complete project as-built drawings and water and sewer record updates for construction completed and inspected in 2016.

Justification:

On June 17, 2016, the City received technical and cost proposals from four firms to provide as-needed construction inspection for FY 2017. The review panel ranked each firm as to their qualifications of the team, understanding of the services, and past performance (60% of point value weight); along with their hourly rate cost proposal (40% of point value weight). BM Construction Consultants had the highest ranking score based on all factors.

On July 11, 2016, City Council approved the professional services agreement with BM Construction Consultants and the issuance of a purchase order (499574) to them in the amount of \$130,000. On January 11, 2017, purchase order 499574 to BM Construction Consultants was increased by 10% or \$13,000, so that BM Construction personnel could work on final project quantities and paperwork, as-built records and drawings, and updates to water and sewer records as it relates to last season's construction. It is estimated that another 200 hours or \$15,000 will be required to actually finish all project paperwork and close out these construction projects. Per the Purchasing Ordinance, any non-construction purchase order increase greater than 10% must be approved by City Council.

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

Funds for this purchase are budgeted in the Major Street Fund – Engineering Administration Division's, Professional Services Account No. 202-4612-801.000.

Council Action:

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

From: Timothy Morales, City Manager

Subject: Purchase Order Increase, Vehicle Collision Repair – Maintenance and Service

Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend that purchase order no. 500366 issued to Engel's Auto Body, Saginaw, Michigan, in the amount of \$2,502.80 be increased by \$435.80, for a new total of \$2,938.60, for repairs to Maintenance and Service Truck No. 57-0253.

Justification:

On December 6, 2016, Council approved repairs to Maintenance and Service Truck No. 57-0253, a 2012 Ford F150 with 37,846 miles involved in an accident on November 17, 2016, at Schaefer St. near Oak St. Manufacturer parts pricing changes to the replacement bedside panel and tail lamp have increased the repair cost by \$435.80. The City is being reimbursed for these repairs through the insurance of the at fault driver. These repairs are necessary in order to maintain the vehicle in a safe and operable condition.

The Purchase Order Number, Vendor, Estimate quote, and the recommended increase amount are as follows:

<u>PO#</u>	<u>Vendor</u>	<u>Original Estimate</u>	<u>Additional</u>	<u>Total Cost</u>
500366	Engel's Auto Body Saginaw, MI (out-city)	\$ 2,502.80	\$435.80	\$2,938.60

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

Funds for this purchase are available in the Motor Pool Operation Fund – Garage Operations Division's, Motor Vehicle Repairs Account No. 661-4481-931.000.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Ratification of Emergency Purchase–Andersen Center Furnace Replacement
Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend ratification for emergency purchase order No. 0500543 that was issued to G.W. Heating and Cooling, Inc., Saginaw, Michigan, on February 2, 2017, and that payment in the amount of \$2,598 be made to them for the furnace replacement at the Andersen Enrichment Center.

Justification:

On January 27, 2017, quotes were received from three local mechanical contractors for emergency replacement of one of the four furnaces at the Andersen Enrichment Center after it had failed working.

Due to freezing temperatures and impending rentals, emergency phone quotes were solicited for replacement of a furnace at the Andersen Center. The City of Saginaw requested quotes from three local Mechanical Contractors. G.W. Heating and Cooling, Inc. submitted the lowest quote and could replace the furnace the quickest, allowing the Center to continue to operate with no cancellations due to the heat issue.

The following is a tabulation of the quotes received:

<u>Vendor</u>	<u>Cost</u>
G.W. Heating and Cooling, Inc. Saginaw, MI (In City)	\$2,598
A.C. Klopf Saginaw, MI	\$3,500
Answer Heating and Cooling Freeland, MI	\$4,000

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

Funds for this purchase are available in the following account General Fund Department of Public Services, Facilities Division's General Repairs Account No. 101-7575-930.000.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Band Saw Replacement – Motor Pool
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend that the low bid from MSC Industrial Supply of Livonia, MI be accepted and that a purchase order be issued to them in the amount of \$3,325.00 for the purchase of a replacement Band Saw for the Motor Pool Division.

Justification:

On February 28, 2017, bids were received for a replacement Band Saw. The Motor Pool Division is replacing a 38 year old 1979 WF Wells Model that has become obsolete making unavailable some of the parts that are required in order to maintain it in a safe and functional condition. This band saw is used for the cutting of many various types of materials such as steel, aluminum, plastic etc. for use in the fabrication and repair of City vehicles and equipment. Operator safety, fleet maintenance and motor pool productivity are the major factors necessitating the replacement of this Band Saw.

The following is a listing of the bids received:

<u>Vendor</u>	<u>Total Cost</u>
MSC Industrial Supply Livonia, MI (out-city)	\$3,325.00
Fasteners INC. Saginaw, MI (out-city)	\$3,597.00
Marsh Power Tools Livonia, MI (out-city)	\$3,639.00
Wright Tool Co. Troy, MI (out-city)	\$3,820.00
The Home Depot Saginaw, MI (out-city)	\$3,882.53
Factory Outlet Tooling Richardson, TX (out-city)	\$4,023.53
Airgas Saginaw, MI (out-city)	\$4,044.00

Iwen Tool Supply Saginaw, MI (in-city)	\$4,062.50
AVE Office Supplies Detroit, MI (out-city)	\$4,350.00
Unique Truck Equipment Grand Rapids, MI (out-city)	\$5,119.00

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

Funds for this purchase are available in the Motor Pool Operations Fund – Garage Operations Division's, Shop Equipment Account No. 661-4481-979.000.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Contract Zito Construction Co. (C-1636) – M&S Division
Prepared by: Paul Reinsch, Public Services Department

Manager's Recommendation:

I recommend that the low bid, with selected alternates, from Zito Construction Co, for the Davis Road Water Main Improvements Contract Number 2 (C-1636) be accepted and a contract awarded to them in the amount of \$12,927,384.00. Contract documents have been signed by the contractor. The contract has been approved by me as to substance and is subject to the City Attorney's review as to form.

Justification:

On February 21, 2017 the City received five qualified bids for the Davis Road Water Main Improvements Contract Number 2 (C-1636). This contract includes the installation of new water main, 16 inch (1,200 feet), 24 inch (5,600 feet), 36 inch (5,260 feet) and 48 inch (10,800 feet), with valves, structures and appurtenances between the connection points for Contract Number 1 (C-1635). Contract Number 2 also includes restoration and improvements to the Kochville Pump Station and associated infrastructure.

Contract Number 1, approved January 9, 2017, included existing main tie in connections at the intersections of Pierce Road and Davis Road, and Trautner Drive between Davis Road and Hampton Place. Contract Number 1 allows for the connection work to be completed prior to the main utility and roadway work.

In summary these contracts are necessary due to the age, depth and condition of the existing water transmission mains and necessary modifications to the Kochville Reservoir to improve operational efficiencies. The existing water transmission mains will be at additional risk due to planned road work by the Saginaw County Road Commission to rebuild deteriorated Davis Road in 2018. The existing water transmission mains are 50 to 70 years old. The amount of cover over these important water transmission mains is, in places, only 2 feet. The 70 year old original 36 inch water transmission main has known condition issues due to the pipe construction methods used at the time. It is also evident that the time to move these water transmission mains is now due to the development of the area. The viability and availability of acceptable alternate paths is more restrictive every day.

The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Base Bid</u>	<u>w/Sel. Alternates</u>
Zito Construction Co. Grand Blanc, MI	\$13,013,734.00*	\$12,927,384.00*
L D'Agostini & Sons, Inc. Macomb, MI	\$13,990,350.00*	\$14,264,950.00*
Fisher Contracting Co. Midland, MI	\$14,494,972.00	\$14,593,352.00
Rohde Brothers Excavating Saginaw, MI (out-city)	\$14,538,310.00	\$14,818,910.00
American Excavating, Inc. Saginaw, MI (out-city)	\$14,902,021.00*	\$15,035,579.00*

*Corrected bid total

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

Funds for this project are available in the FY 2017 Water Operations & Maintenance Fund – Water Refunding Bonds Division's Construction Projects Account No. 591-4741-822.000.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Municipal Consent for Right of Entry Form - ROW Division
Prepared by: Beth D. London, Public Services Department

Manager's Recommendation:

I recommend approval of the Municipal Consent for Right of Entry form between the City of Saginaw and the United States Department of the Interior, Office of Surface Mining Reclamation and Enforcement (OSMRE). The Right of Entry form will give the OSMRE permission to perform mine reclamation work on the Pere Marquette No. 2 Main Shaft located in the right of ways of Newberry Street and Malzahn Street. It is further recommended that the City Council authorize the Mayor or his designee to sign this form on behalf of the City of Saginaw. The form has been approved by me as to substance and the City Attorney as to form.

Justification:

The approval of this form is necessary for OSMRE to conduct mine shaft reclamation work in the right of way of Newberry Street and Malzahn Street. The reclamation work is necessitated by abandoned coal mining activity and will help to protect the health, safety and general welfare of the public from the adverse effects of past coal mining activities. The abandoned shaft may be a potential hazard to residents and the general public. As part of OSMRE's exploration and possible abatement work it will be necessary to have equipment and materials in the right of way of Newberry Street and Malzahn Street, and possibly other nearby City streets and right-of-ways. OSMRE has stated that prior to starting their work it is necessary to receive written permission from all property owners. The City understands and acknowledges that the success of the project cannot be warranted.

Work performed in the project area shall be done by contractors for OSMRE, and OSMRE is without authority to assume the risk of injury to persons or damage to persons or property resulting from the action of the contractors, but OSMRE shall require contractors performing the work on the property to obtain and keep in force liability insurance.

The City acknowledges that OSMRE has no responsibility or liability for any mine related damage to City property which occurred prior to, or which might occur during or after the abatement work. However, upon completion of the reclamation work, the property shall be restored to a condition judged to be safe and acceptable to the Contracting Officer's Representative. Any construction related damage shall be restored to a condition similar to that existing before OSMRE's entry. OSMRE and its contractors are still required to apply for, and obtain all necessary permits as required for this work by the Engineering Division, prior to starting the reclamation work.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Municipal Consent for Right of Entry Form - ROW Division
Prepared by: Beth D. London, Public Services Department

Manager's Recommendation:

I recommend approval of the Municipal Consent for Right of Entry form between the City of Saginaw and the United States Department of the Interior, Office of Surface Mining Reclamation and Enforcement (OSMRE). The Right of Entry form will give the OSMRE permission to perform mine reclamation work on the Riverside No. 2 Air Shaft located on parcel 19 2250 00000, within the Shiawassee Nature Preserve. It is further recommended that the City Council authorize the Mayor or his designee to sign this form on behalf of the City of Saginaw. The form has been approved by me as to substance and the City Attorney as to form.

Justification:

The approval of this form is necessary for OSMRE to conduct mine shaft reclamation work on Parcel 19 2250 00000, within the Shiawassee Nature Preserve. This parcel is owned by the City of Saginaw. The reclamation work is necessitated by abandoned coal mining activity and will help to protect the health, safety and general welfare of the public from the adverse effects of past coal mining activities. The abandoned shaft may be a potential hazard to residents and the general public. As part of OSMRE's exploration and possible abatement work it will be necessary to have equipment and materials in the Nature Preserve, on parcel 19 2250 00000. OSMRE has stated that prior to starting their work it is necessary to receive written permission from all property owners. The City understands and acknowledges that the success of the project cannot be warranted.

Work performed in the project area shall be done by contractors for OSMRE, and OSMRE is without authority to assume the risk of injury to persons or damage to persons or property resulting from the action of the contractors, but OSMRE shall require contractors performing the work on the property to obtain and keep in force liability insurance.

The City acknowledges that OSMRE has no responsibility or liability for any mine related damage to City property which occurred prior to, or which might occur during or after the abatement work. However, upon completion of the reclamation work, the property shall be restored to a condition judged to be safe and acceptable to the Contracting Officer's Representative. Any construction related damage shall be restored to a condition similar to that existing before OSMRE's entry. OSMRE and its contractors are still required to apply for, and obtain all necessary permits as required for this work by the Engineering Division, prior to starting the reclamation work.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Water Asset Management Engineering Services
Prepared by: Phillip Karwat, Director of Public Services

Manager's Recommendation:

I recommend that a Professional Services Agreement between the City of Saginaw and OHM Advisors, Saginaw MI be approved and a purchase order be approved and issued to them in an amount not to exceed \$425,887.00, to partner with the City in the development of an Asset Management program and Plan ("AMP") for the City's Water Treatment and Distribution Systems. The agreement has been approved by me as to substance and the City Attorney as to form.

Justification:

At the May 4, 2015 City Council meeting, City Council approved a professional services agreement with Greeley and Hansen, in the amount of \$1,367,098 for professional services to partner with the City in the development of an AMP for the City's Wastewater Treatment Facilities and Collection Systems ("Wastewater AMP") as required by the Michigan Department of Environmental Quality ("MDEQ"). The overall program included the need to assess the condition of, assign a criticality to, and develop a financial plan to maintain all of the City's assets related to wastewater treatment, wastewater collection, wastewater pumping stations, and retention and treatment basins.

In February of 2014, the City, through a very competitive request for proposals process reviewed and evaluated three proposals from engineering firms to partner with the City in the development of a Wastewater AMP. The Review Panel evaluated, scored, and ranked each firm based on their submitted proposals, presentation and interview. As a result of this process, the Review Panel selected Greeley and Hansen, the highest ranking firm. The firm selection also included a team of other engineering firms to assist in the completion of the AMP, including Tetra Tech and Eramosa. This firm was selected at the time utilizing Jennifer Drinan as their Project Manager; however at the onset of the project, Jennifer Drinan, the Project Manager, changed positions and is now with OHM. At the time of the change, the City requested through Greeley and Hansen that Jennifer be kept in charge as the Project Manager for this project. The request was approved.

The City is nearing completion of its Wastewater AMP and is now required by the MDEQ to have an approved AMP for the City's Water Treatment and Distribution System ("Water AMP") as well. The City of Saginaw has invested a tremendous amount of time and resources and has developed a great working relationship with Jennifer Drinan from OHM Advisors and its team in developing our Wastewater AMP. Also many of the spreadsheets, databases, programs and reporting tools developed for the

Wastewater AMP will also be used for the Water AMP. Therefore in an effort to keep the costs to the City at a minimum and for successful completion of a Water AMP, we request that City Council approve the agreement with OHM Advisors.

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

Funds for this project are budgeted and available in the FY 2017 Water Operations and Maintenance Fund, Surplus Division's Engineering Services Account No. 591-4740-802.000 (\$75,000). Upon Council approval of the FY 2018 budget, funds will also be made available in the FY 2018 Water Operations and Maintenance Fund, Surplus Division's Engineering Services Account No. 591-4740-802.000 (\$350,887).

Council Action:

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

From: Timothy Morales, City Manager
Subject: Ratification of Emergency Purchase of Rebuild Kits
Prepared by: Theodore Bomba, Water and Wastewater

Manager's Recommendation:

I recommend ratification of an emergency purchase order to Hesco, Warren, MI, a sole source, in the amount of \$2,236.00 for the purchase of rebuild kits to repair the fill valve at the Gratiot Pump Station for the Water Treatment Division.

Justification:

On March 6, 2017, emergency purchase order number 500695 was issued to Hesco in the amount of \$2,236.00 for rebuild kits for the ground storage tank fill valve at the Gratiot Road Pump Station. The fill valve allows remote control of water flow to the ground storage tank through the Water Treatment Division's Supervisory Control And Data Acquisition System.

The ground storage provides additional storage for the City of Saginaw wholesale customers located in the southwest area of the distribution system. The water in this tank should be turned over regularly to maintain water quality and this is not possible without proper function of this valve. The rebuild kits purchased are for a Golden Andersen Piston valve and Hesco is the single source supplier in the State of Michigan.

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

Funds for this purchase are budgeted in the Water Operations and Maintenance Fund, Treatment & Pumping Division's Parts and Supplies Account No. 591-4730-742.000 for Fiscal Year 2017.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Industrial Water Pump Replacement
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the quote from Detroit Pump & Manufacturing Company of Ferndale, MI, a sole source, be accepted and a purchase order be issued to them in the amount of \$4,351.00 for the purchase of a Peerless industrial water pump at the Wastewater Treatment Division.

Justification:

The Wastewater Plant utilizes a break tank for all potable water for maintenance purposes for backflow purposes. The water in the break tank is then pumped where needed. Pressure in these water lines has been falling and when maintenance staff inspected the pump they determined that it has deteriorated beyond repair. These pumps are Peerless pumps installed in 1972. A direct replacement is available that eliminates the need to modify the base or plumbing. On January 30, 2017, we received a quote from Detroit Pump & Manufacturing Company for a replacement pump. Detroit Pump is the manufacturer's representative for Peerless Pumps and a sole source in our area.

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

Funds for this purchase are available in the Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Repairs and Replacements Account No. 590-4830-974.000 for Fiscal Year 2017.

Council Action:

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

From: Timothy Morales, City Manager

Subject: Shredding Services – City Wide

Prepared by: Jim Nichols, Purchasing Officer

Manager's Recommendation:

I recommend that the low bid from Shred Legal, LLC, Novi, MI for City Wide Shredding Services be accepted and respective purchase orders issued to them as needed by department, for a total estimated amount not to exceed \$7,000 per year totaling \$21,000 over the next 3 years through June 30, 2020.

Justification:

On February 14, 2017, the City received three (3) bids for the purpose of shredding different size boxes and tote receptacles containing various shreddable materials for all city locations for a 3 year agreement through June 30, 2020. Pricing will remain constant through the duration of the agreement. This is the first time this service has been bid out but since the service is based on accumulated need, there's no history of how much will be spent. Preliminary calculations of last fiscal year's invoices total under \$7,000.00.

The following is a tabulation of the bids received:

Vendor	Shred Legal, LLC	Xtreme Experts, LLC	Shred Experts, LLC
Standard Box	\$1.95	\$2.00	\$4.00
Large Box	\$2.50	\$3.00	\$6.00
Large Legal Box	\$2.95	\$4.00	\$8.00
64 Gal. Tote	\$13.95	\$15.00	\$22.50
Container cost	\$0	\$7.00	\$0
96 Gal. Tote	\$17.95	\$20.00	\$27.50
Container cost	\$0	\$7.00	\$0
Minimum Charge	\$0	\$30.00	

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

Funds for these services are available in the various budgets of each respective department's Professional Services and Operating Services accounts.

Council Action:

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

From: Tim Morales, City Manager
Subject: Unsupervised Properties Ordinance Amendment
Prepared by: John Stemple, Chief Inspector, and Amy Lusk, City Attorney

Manager's Recommendation:

I recommend approval to amend Chapter 151, "Housing Regulations," of Title XV, "Land Usage," of the City of Saginaw Code of Ordinances, O-1.

Justification:

In 2016, the U.S. Department of Housing and Urban Development's Office of General Counsel issued guidance pertaining to fair housing and civil rights. Based on the recommendations provided in that guidance, amendments to the City's ordinance are proposed specifically pertaining to the use and application of the Crime Free Lease Addendum. As amended, the ordinance would allow exception of victims of crime from potential penalties (such as eviction) for quality of life violations occurring on property they are leasing. The amendments would also require conviction of or plea to a quality of life violation, rather than just arrest or citation, before the City or a landlord could take additional action.

Additionally, amendments to the ordinance require owners/controllers of certain property to acquire, at their own expense, professional inspections of the structures on their property at least once every five years. Copies of such inspection reports must be provided to the City. Upon successful completion of such inspection, a certificate of compliance shall be issued. Structures without a certificate of compliance may not be occupied, and structures found unsound can be deemed a nuisance and an order to repair may issue.

This ordinance has been reviewed by me for substance and the City Attorney as to form. It appears under the regular order of business.

Council Action:

This Council 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 §151.095 "FINDINGS AND PURPOSE," §151.096 "DEFINITIONS," §151.097 "NON-OWNER OCCUPIED PROPERTY; PROHIBITED CONDUCT," §151.098 "NON-OWNER OCCUPIED PROPERTY; REGISTRY," §151.099 "UNOCCUPIED PROPERTY REGISTRY," AND TO RETITLE §151.100 "INSPECTION," §151.101 "VIOLATION; ABATEMENT," AND TO ADD §151.102 "FEES," OF CHAPTER 151 "HOUSING REGULATIONS," TITLE XV "LAND USAGE," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

Laid over under the Charter provision.

Moved by Council Member _____, seconded by Council Member _____ that an ordinance introduced on March 20, 2017, be taken up and enacted, entitled and reading as follows:

O- _____

AN ORDINANCE TO AMEND §151.095 "FINDINGS AND PURPOSE," §151.096 "DEFINITIONS," §151.097 "NON-OWNER OCCUPIED PROPERTY; PROHIBITED CONDUCT," §151.098 "NON-OWNER OCCUPIED PROPERTY; REGISTRY," §151.099 "UNOCCUPIED PROPERTY REGISTRY," AND TO RETITLE §151.100 "INSPECTION," §151.101 "VIOLATION; ABATEMENT," AND ADD §151.102 "FEES," OF CHAPTER 151 "HOUSING REGULATIONS," TITLE XV "LAND USAGE," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw Ordains:

§151.095 FINDINGS AND PURPOSE.

- (A) Unsupervised properties have a negative impact on surrounding properties and neighborhoods. Owners of such properties should be held accountable for the condition of same, because properties which are not maintained constitute a hazard to the public health, safety, and welfare, create blight and nuisances, and lower property values and neighborhood integrity.
- (B) It is the purpose and intent of the city, through the adoption of this subchapter, to establish a non-owner occupied property registry and unoccupied property registry as a mechanism to protect residential neighborhoods from becoming blighted through the lack of adequate maintenance and security of such properties.

§151.096 DEFINITIONS.

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CITY. The City of Saginaw.

CONTROLLER. The person under contract with the owner for the management and/or maintenance of the property or who is otherwise authorized by the owner to exercise any physical control over the property, including but not limited to any property management or property preservation company responsible for the maintenance and security of the property.

DRUG RELATED ACTIVITY. The illegal manufacture, sale, distribution, possession, or use of a controlled substance (as defined by the Controlled Substance Act and/or Michigan's Public Health Code).

LOCAL AGENT. A Michigan-based person or business entity appointed in writing by the owner to be the contact person on behalf of the owner and/or controller with the City.

NON-OWNER OCCUPIED PROPERTY. Any dwelling, dormitory, dwelling unit, apartment house, or guest room in a lodging house, rooming house, bed and breakfast establishment, hotel or motel within the City which is occupied by someone other than the owner.

NUISANCE. A nuisance as defined by §94.01 of the Saginaw Code of Ordinances.

OWNER. The person noted as the last owner of record (i.e. person holding legal title to the property) in the records of the City Assessor.

PERSON. An individual, firm, corporation, trust, estate, partnership, incorporated or unincorporated association, limited partnership, limited liability company, or any other legal entity.

QUALITY OF LIFE VIOLATION.

- (1) Occurs when the resident, any members of the resident's household or a guest or other person under the resident's control has been ~~issued one or more court appearance tickets, complaints, or citation for~~ **convicted of, defaulted on, or otherwise held responsible for, by or in a court of competent jurisdiction,** a violation of any state law or local ordinance on the non-owner occupied property that involves:
 - (a) Drug related activity,
 - (b) Prostitution,
 - (c) Criminal gang activity,
 - (d) Assaultive, threatening, or intimidating behavior (including but not limited to unlawful discharge of firearms),
 - (e) Malicious destruction of property, or
 - (f) Conduct that jeopardizes the health, safety, and/or welfare of others.
"Conduct that jeopardizes the health, safety, and/or welfare of others" could include, but is not limited to, the following:
 1. Dangerous Dog Violation contrary to § 94.17,
 2. Unlawful Discharge of a Firearm violation contrary to § 130.03(D),
 3. Illegal Business or Occupation violation contrary to § 130.33,
 4. Noise violation contrary to § 94.22, and
 5. Violation of the maximum occupancy overcrowding, illegal use of space provisions of the City Ordinance contrary to Chapter 153.
- (2) ~~Unless otherwise provided by law, proof of a violation shall not require a criminal conviction but shall require only a preponderance of the evidence.~~ A violation shall be deemed to have occurred in the vicinity of non-owner occupied property if it occurs in an adjacent common area or in the adjacent public right-of-way in front of the non-owner occupied property.

REPEATED QUALITY OF LIFE VIOLATIONS. Will be considered to be three (3) quality of life violations by one (1) or more tenants or their guests, with respect to any dwelling unit within any twelve (12)-month period.

UNOCCUPIED PROPERTY. Any property or lot that is vacant, regardless of whether such property contains a vacant dwelling or other structure.

VICTIM. The term victim as used herein shall be afforded the same meaning as provided in the William Van Regenmorter Crime Victim's Rights Act, Public Act 87 of 1985, as amended.

§151.097 NON-OWNER OCCUPIED PROPERTY; PROHIBITED CONDUCT.

- (A) No owner or controller of non-owner occupied property shall allow it to be occupied by someone other than the owner without first registering the property with the Office of the City Clerk.
- (B) No owner or controller of non-owner occupied property shall allow occupancy of the property without first being in compliance with this subchapter.
- (C) No owner or controller of non-owner occupied property shall allow occupancy of the property without first paying any property taxes **or other debts, such as rubbish and water**, due and owing on the property.
- (D) No owner or controller shall allow a non-owner occupied property to fall into a state of disrepair, to become in violation of applicable Michigan statutes or City of Saginaw codes, or to otherwise become a nuisance or create a nuisance condition.
- (E) Once registered, no owner or controller shall allow non-owner occupied property to remain occupied if it is in a state of disrepair, in violation of applicable Michigan statutes or City of Saginaw codes, or otherwise has become a nuisance condition or created a nuisance condition.
- (F) No owner or controller shall knowingly permit a resident to remain in occupancy of non-owner occupied property if that resident, members of the resident's household, or guests or other persons under the resident's control commit repeated quality of life violations.
 - (1) **Exception: A resident who is the victim of a quality of life violation that is committed by another resident, a member of the resident's household, or guest or other person under the resident's control, shall not be penalized for the occurrence of a quality of life violation at that property.**
- (G) No owner or controller of non-owner occupied property shall transfer title, possession, or occupancy of the property without first being in compliance with this subchapter.

§151.098 NON-OWNER OCCUPIED PROPERTY; REGISTRY.

- (A) To register non-owner occupied property, the owner or controller shall:
 - (1) Complete and file with the City Clerk, online or in-person, a registration application for each non-owner occupied property, which shall state or have attached, as applicable:

- (a) The name, date of birth, driver's license number, mailing address, telephone number, email address, and webpage address of the owner and of any controller of the property. If the owner of the property resides out-of-state, the applicant shall designate a local agent by name, mailing address, telephone number, email address, and webpage address.
- (b) A copy of the written agreement appointing a local agent for the owner or controller.
- (2) Pay in full the registration fees, as well as any applicable late fees, owed to the City for each non-owner occupied property.
- (3) ~~Provide verification to the City Clerk that the property is not condemned nor under an order to vacate.~~ Provide a copy of a current certificate of compliance to the City Clerk, where such is required pursuant to §151.100.
- (4) Pay in full any property taxes and other debts due and owing on the property.
- (5) Pay in full any fines that may be owed due to a violation of this subchapter.
- (6) Agree to provide all residents a lease disclosure letter which provides information regarding frequently violated City regulations, including:
 - (a) The City's Noise Ordinance (§§ 94.20, *et seq.*);
 - (b) The City's Curfew for Minors Ordinance (§§ 130.50, *et seq.*);
 - (c) The City's Disturb the Peace of Neighborhoods Ordinance (§ 130.32);
 - (d) The City's Housing Regulations (including §§ 151.082 and 151.083); and
 - (e) The City's Parking Regulations (including § 72.28);
- (7) Agree that each lease or rental agreement entered into for non-owner occupied property shall include the following addendum:

CRIME FREE LEASE ADDENDUM

In consideration of the execution or renewal of a lease of the dwelling unit identified in the lease, Owner and Resident agree as follows:

1. Resident, members of the resident's household, and a guest or other person under the resident's control shall not engage in criminal activity, or any act intended to facilitate criminal activity, including drug-related criminal activity, on or near said premises.

2. Resident and members of resident's household will not permit the dwelling unit to be used for, or facilitate criminal activity, including drug-related criminal activity, regardless of whether the individual engaging in such activity is a member of the household or a guest.

VIOLATION OF THE ABOVE PROVISIONS SHALL CONSTITUTE A QUALITY OF LIFE VIOLATION AND BE A MATERIAL AND IRREPARABLE VIOLATION OF THE LEASE AND GOOD CAUSE FOR IMMEDIATE TERMINATION OF THE TENANCY.

A single violation of any of the provisions of this addendum shall be deemed a serious violation and material and irreparable noncompliance with your lease. ~~Unless otherwise provided by law, proof of violation shall not require~~

~~criminal conviction, but shall be by substantial evidence of the type reasonably relied upon by property managers in the usual and regular course of business.~~

In case of conflict between the provisions of this addendum and any other provisions of the lease, the provisions of this addendum shall govern.

This LEASE ADDENDUM is incorporated into the lease executed or renewed this day between Owner and Resident.

This LEASE ADDENDUM is not intended to diminish Resident's or broaden Owner's rights with regard to Michigan's laws pertaining to the recovery of possession of property.

(B) Upon the City Clerk's receipt of the completed registration application and applicable fees, the City Clerk shall verify whether the property is eligible for registration and, if so, shall register the property.

(1) If the property is not eligible for registration, the City Clerk shall inform the owner or controller of the deficiencies preventing registration, including what additional information, documentation, and/or fees are required.

(C) After a non-owner occupied property has been registered, the owner or controller shall:

(1) Notify the City Clerk of any change in the information provided in the original registration application, including but not limited to a change in occupancy status or a change in contact information for the owner, controller, or local agent, within thirty (30) days of the date of the change.

(2) Cause the dwelling to be inspected ~~by designated employees or other representatives of the owner or controller or by~~ appropriate representatives of the City for compliance with this subchapter **within twelve (12) months of a new application for registration** ~~at least once annually~~. Proof of such inspections must be provided to the City Clerk upon renewal of registration to document that the property remains in compliance with this subchapter.

(3) If the non-owner occupied property has become ineligible for this registry, the City Clerk shall remove the property from the registry and shall provide the owner or controller with written notification of this action, the reason therefor, and shall inform the owner or controller of the deficiencies preventing continued registration, including what additional information, documentation, and/or fees are required.

(D) Exceptions:

(1) Owners or purchasers of structures which contain only one (1) dwelling unit, with or without an accessory garage, carport or shed, and which contain no other occupancy, may occupy that dwelling unit themselves without registering the unit or paying a fee. The owner's immediate family, defined as the owner's spouse or significant other, children, and up to two (2) grandparents, may also occupy that dwelling with the owner. All other requirements of this chapter shall apply in such instances.

(2) Owners and controllers of property properly registered under this section who are actively advertising and holding the property out for rental and/or sale shall not

be required to register the property as unoccupied property under § 151.099. Evidence of same, such as a copy of any advertisement or listing, shall be provided to the City Clerk.

§151.099 UNOCCUPIED PROPERTY REGISTRY.

- (A) The Office of the City Clerk shall maintain a registry of all unoccupied properties within the City of Saginaw.
- (B) An owner or controller of unoccupied property shall register the property with the City Clerk within sixty (60) days of transfer of title to the property to the name of the new owner. If the title was transferred prior to the effective date of this subchapter, the owner or controller of the property shall register the property with the City Clerk no later than sixty (60) days after the effective date of this subchapter.
- (C) To register unoccupied property, the owner or controller shall:
 - (1) Complete and file with the City Clerk, online or in-person, a registration application for each unoccupied property, which shall state or have attached, as applicable:
 - (a) The name, date of birth, driver's license number, mailing address, telephone number, email address, and webpage address of the owner and of any controller of the property. If the owner of the property resides out-of-state, the applicant shall designate a local agent by name, mailing address, telephone number, email address, and webpage address.
 - (b) A copy of the written agreement appointing a local agent for the owner or controller.
 - (c) A statement describing the expected period of vacancy, a detailed plan for the regular maintenance of the property during the period of vacancy (for example, lawn maintenance and securing of any structures), and a timeline for the lawful re-occupancy of the property, the rehabilitation of the property, or the demolition of the dwelling and/or structure(s) on the property.
 - (2) Pay in full the registration fees, as well as any applicable late fees, owed to the City for each unoccupied property.
 - (3) **Provide a copy of a current certificate of compliance to the City Clerk, where such is required pursuant to §151.100.**
 - (4) Pay in full any property taxes **and other debts** due and owing on the property.
- (D) Any change in the information provided in the registry, including but not limited to a change in ownership, change in vacancy status, or a change in contact information for the owner, controller, and/or local agent shall be provided to the City Clerk within thirty (30) days of the date of the change.
- (E) Unoccupied property may not be occupied until all outstanding taxes, costs, assessments, and/or liens owed to the City of Saginaw have been paid in full and a certificate of occupancy has been issued by the City of Saginaw.
- (F) Exceptions:
 - (1) Unoccupied properties owned by governmental subdivisions/agencies need not be registered in accordance with this chapter.

§151.100 CERTIFICATES OF COMPLIANCE.

(A) All owners/controllers of non-owner occupied property and unoccupied property that is more than one story and less than ten (10) feet from the City's right-of-way shall have all roof-mounted structures and every exterior wall of or part of the building's exterior, including connecting bridges, cornices, copings, eaves, bays, or similar projections, thoroughly inspected and examined by competent professionals, at their own expense, at intervals not to exceed five (5) years and shall furnish the City's Chief Inspector with a written report setting forth the true condition of the structure inspected. The Chief Inspector shall be notified in advance of such an inspection of an existing building and may have an authorized designee present. Where conditions of a structure or wall cannot be determined by inspection of the exterior of the structure or wall, the Chief Inspector, or his or her designee, may require portions thereof to be removed for a more thorough examination.

(1) A competent professional shall be defined as a licensed architect, structural engineer, or other professional deemed acceptable by the City's Chief Inspector.

(B) Upon successful completion of such inspection, a certificate of compliance shall be issued by the Chief Inspector, or his or her designee. With regard to unoccupied property, the certificate of compliance shall be posted in a conspicuous place within the building or structure and readily available for inspection. Certificates of compliance for non-owner occupied property shall be maintained by the owner/controller and made available upon request by the Chief Inspector, or his or her designee, or by any current or prospective tenant.

(C) It shall be unlawful to occupy or use a building, premises, or structure required to have a certificate of compliance under this section, or cause same to be occupied, without the required certificate of compliance for the building, premises, or structure.

(D) Upon a finding that the building, premises, or structure is unsatisfactory for human habitation or is otherwise structurally unsound, the Chief Inspector may deem such property to be a nuisance and order such building, premises, or structure vacated, as well as issue a written order to repair/correct.

§151.101 VIOLATION; ABATEMENT.

(A) Except as otherwise stated, violations of this chapter shall be treated as strict liability offenses regardless of intent.

(B) An owner or controller of non-owner occupied property or unoccupied property that is found to be in violation of any article of this chapter shall be responsible for a municipal civil infraction as set forth in Chapter 37 of this Code of Ordinances.

(C) Properties subject to this subchapter shall at all times be kept free of weeds, dry brush, dead vegetation, trash, junk, building materials, and the accumulation of other debris and shall otherwise comply with the Saginaw Housing Code. Additionally, the property shall be maintained free of graffiti, tagging, and similar markings. Yards shall be landscaped and maintained pursuant to this subchapter.

- (1) If the property has not been maintained, the City may maintain the property and assess costs to the owner or controller. Such assessments may become a lien against the property.
- (D) Properties subject to this subchapter shall at all times be maintained in a secure manner so as not to be accessible by unauthorized persons. The City shall have the authority to require the owner or controller to implement additional maintenance and/or security measures as deemed necessary.
- (1) If a property has not been secured, the City may secure the property and assess costs to the owner or controller. Such assessments may become a lien against the property.
- (E) Failure to properly maintain or secure either non-owner occupied property or unoccupied property will be deemed a nuisance for which the City may issue a written notice to correct. The City may abate any such nuisance upon the failure of the owner or controller of the property to take abatement action within ten (10) days of the written notice to correct. When the City has abated such a nuisance, the cost of the abatement, including any applicable administrative charges, will be billed to the owner of the property. Such billing shall be a personal debt of the owner to the City, which may be collected as other personal debts, as enforcement costs or by restitution orders as allowed by law, or which may be assessed as a lien against the property, including interest thereon, until paid.
- (1) The owner of the property where such a nuisance exists is also responsible for a Class D municipal civil infraction as set forth in § 94.02 of this Code of Ordinances.
- (F) On each occasion that a resident in a non-owner occupied property, **any members of the resident's household, or a guest or other person under the resident's control** ~~or such resident's guest~~ commits a quality of life violation, the City Manager or designee shall send notice of such violation to the owner or controller. Upon the occurrence and notice of three (3) quality of life violations by ~~one (1) or more a~~ **resident, any members of the resident's household or a guest or other person under the resident's control** ~~or their guests~~, with respect to any non-owner occupied property within any twelve (12)-month period, the non-owner occupied property will be deemed a nuisance. An unsuccessful good faith attempt to evict the offending resident, after commission of two (2) quality of life violations, shall constitute an absolute defense. It is not a violation if the owner or controller reported the violation.
- (1) The owner of the property where such nuisance exists is responsible for a Class F municipal civil infraction, subject to payment of a civil fine as set forth in § 37.07, plus costs and other sanctions for each infraction. Repeat offenses shall be subject to increased fines as provided by § 37.07.
- (2) **Exception: A resident who is the victim of a quality of life violation that is committed by another resident, a member of the resident's household, or guest or other person under the resident's control, shall not be penalized for the occurrence of a quality of life violation at that property.**

§151.102 FEES.

- (A) Fees for each registry shall be established by City Council and posted in the Office of the City Clerk.
- (B) All registration/license cycles for non-owner occupied property shall start on March 15 of each year.
 - (1) For the period from the effective date of this section to March 15, 2014 all properties with a valid registration shall continue to be registered until March 15, 2014. Registrations shall all expire on March 15 of each year regardless of application date. If March 15 should fall on a holiday or weekend the fee shall be due on the next regular business day.
- (C) All registration/license cycles for unoccupied property shall start on December 30 of each year.
 - (1) All unoccupied properties must be registered within sixty (60) days of the enactment of this subchapter. For the period from the effective date of this section to December 30, 2013, the annual registration fee shall be reduced by fifty (50%) percent.
 - (2) Registrations shall expire on December 30 of each year regardless of application date. If December 30 should fall on a holiday or weekend the fee shall be due on the next regular business day.
- (D) An additional late charge of one hundred (100%) percent of the base fee shall apply and be assessed in the event of any of the following:
 - (1) Failure to register unoccupied property within sixty (60) days of the enactment of this subchapter.
 - (2) Failure to register a non-owner occupied or unoccupied property within fifteen (15) days of date of written notice from the City that the property is in violation of this subchapter.
 - (3) Failure to pay the registration renewal fee by the required date each year.
 - (4) Failure to register a non-owner occupied or unoccupied property within sixty (60) days of transfer of title in the property.
 - (5) Failure to provide the City Clerk the required notice of any change in the information provided in the registry, including but not limited to a change in vacancy status or a change in contact information for the owner and/or controller within thirty (30) days of the date of the change.
- (E) Failure to pay any applicable fees or late fees shall be deemed a personal debt of the owner to the City, which may be collected as other personal debts, as enforcement costs or by restitution orders as allowed by law, or assessed as a lien against the property, including interest thereon, until paid.

This ordinance shall become effective April 20, 2017.

Enacted: April 10, 2017.

Yeas:

Nays:

Absent:

Abstain:

ORDINANCE DECLARED ADOPTED

Dennis D. Browning
Mayor

Janet Santos, CMMC/CMC/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 April 10, 2017, the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMMC/CMC/MMC
City Clerk

From: Tim Morales, City Manager

Subject: Amend the City Map by vacating Esop Street from the east right of way of Veterans Memorial Parkway east approximately 100 feet to the east line of Buena Vista Gardens plat.

Prepared by: City Planning Commission

Manager's Recommendation:

We recommend that the official City map be amended by vacating Esop Street from the east right of way of Veterans Memorial Parkway east approximately 100 feet to the east line of the Buena Vista Gardens plat. The Engineering Department has reviewed this request and requires an easement be retained for public utilities and that nothing be built on the vacated street without written permission from the City. This language is included in the proposed ordinance. The petition signed by Menards Inc., the only owner with property abutting the street to be vacated was referred to the City Planning Commission (PC) for investigation and to report recommendations. The PC held a public hearing on January 24, 2017 and all interested parties were given the opportunity to be heard. The PC found in favor of the petition to vacate the above referenced street.

Justification:

Esop Street is in the southwest section of land owned by Menards Inc. Menards manufactures blocks at this site and made a sizeable expansion to their operation in 2016. Esop Street exists on the plat but was never actually developed. Esop Street is approximately 400 feet north of the Washington Avenue/Veterans Memorial Parkway intersection. Menards would like to have the street vacated so that they can control all of the land within its development. No construction may take place without the written permission from the City of Saginaw.

Council Action:

This communication is for explanation purpose only of the ordinances to be introduced.



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

AN ORDINANCE TO AMEND THE CITY ZONING MAP BY VACATING ESOP STREET FROM THE EAST RIGHT OF WAY OF VETERANS MEMORIAL PARKWAY EAST APPROXIMATELY 100 FEET TO THE EAST EDGE OF THE BUENA VISTA GARDENS PLAT.

Laid over under the Charter Provision.

Council Member _____ moved, seconded by Council Member _____ that an ordinance introduced on March 20, 2017 be taken up and enacted, entitled and reading as follows:

O- _____

AN ORDINANCE TO AMEND THE OFFICIAL CITY MAP TO VACATE ESOP STREET FROM THE EAST RIGHT OF WAY OF VETERANS MEMORIAL PARKWAY EAST APPROXIMATELY 100 FEET TO THE EAST LINE OF THE BUENA VISTA GARDENS PLAT.

The City of Saginaw Ordains:

Section 1. That the portion of Esop Street from the east right of way of Veterans Memorial Parkway east approximately 100 feet to the east line of the Buena Vista Gardens plat, City of Saginaw, Michigan be and the same is hereby vacated.

Section 2. That there is hereby reserved in the street vacated hereby an easement for public utilities, cable TV, and telecommunications 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 4, 2017

Enacted: April 24, 2017.

Yeas:

Nays:

Absent:

Abstain:

Motion Carried.

Dennis Browning
Mayor

Janet Santos, CMC/CMMC/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 April 24, 2017; the original thereof is on file in the records of my office; the meeting was conducted and

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public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMMC/CMC/MMC
City Clerk

From: Tim Morales, City Manager

Subject: Amend the City Map by vacating Galen Street from the east right of way of Veterans Memorial Parkway east approximately 100 feet to the east line of Buena Vista Gardens plat.

Prepared by: City Planning Commission

Manager's Recommendation:

The City Planning Commission recommends that the official City map be amended by vacating Galen Street from the east right of way of Veterans Memorial Parkway east approximately 100 feet to the east line of the Buena Vista Gardens plat.

Justification:

The Engineering Department has reviewed this request and requires an easement be retained for public utilities and that nothing be built on the vacated street without written permission from the City. This language is included in the proposed ordinance. The petition signed by Menards Inc., the only owner with property abutting the street to be vacated was referred to the City Planning Commission (PC) for investigation and to report recommendations. The PC held a public hearing on January 24, 2017 and all interested parties were given the opportunity to be heard. The PC found in favor of the petition to vacate the above referenced street.

Galen Street is in the northwest section of land owned by Menards Inc. Menards manufactures blocks at this site and made a sizeable expansion to their operation in 2016. Galen Street exists on the plat but was never actually developed. Menards would like to have the street vacated so that they can control all of the land within its development. There is a 72 inch interceptor sewer line that runs about thirty to forty feet under part of the street to be vacated. With the language in the ordinance, Menards would be required to have written permission before building anything over this sewer line. In conversations with them, they have acknowledged the need for written permission before any development could take place in this area.

Council Action:

This communication is for explanation purpose only of the ordinances to be introduced.



City of Saginaw - Ordinance #3 to Amend Official Map to Vacate Galen St



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

AN ORDINANCE TO AMEND THE CITY ZONING MAP BY VACATING GALEN STREET FROM THE EAST RIGHT OF WAY OF VETERANS MEMORIAL PARKWAY EAST APPROXIMATELY 100 FEET TO THE EAST EDGE OF THE BUENA VISTA GARDENS PLAT.

Laid over under the Charter Provision.

Council Member _____ moved, seconded by Council Member _____ that an ordinance introduced on March 20, 2017 be taken up and enacted, entitled and reading as follows:

O- _____

AN ORDINANCE TO AMEND THE OFFICIAL CITY MAP TO VACATE GALEN STREET FROM THE EAST RIGHT OF WAY OF VETERANS MEMORIAL PARKWAY EAST APPROXIMATELY 100 FEET TO THE EAST LINE OF THE BUENA VISTA GARDENS PLAT.

The City of Saginaw Ordains:

Section 1. That the portion of Galen Street from the east right of way of Veterans Memorial Parkway east approximately 100 feet to the east line of the Buena Vista Gardens plat, City of Saginaw, Michigan be and the same is hereby vacated.

Section 2. That there is hereby reserved in the street vacated hereby an easement for public utilities, cable TV, and telecommunications 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 4, 2017

Enacted: April 24, 2017.

Yeas:

Nays:

Absent:

Abstain:

Motion Carried.

Dennis Browning
Mayor

Janet Santos, CMMC/ CMC/MMC
City Clerk

ORDINANCE DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on April 24, 2017; the original thereof is on file in the records of my office; the meeting was conducted and

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public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMMC/ CMC/MMC
City Clerk

From: Tim Morales, City Manager

Subject: Amend the City Map by vacating Meredith Street between the westerly line of Lot 1, Block 37 Emerson's Addition extended to the northerly line of Block 38, Emerson's Addition east to the section of Meredith Street that was vacated by ordinance D1754 on November 6, 1995.

Prepared by: City Planning Commission

Manager's Recommendation:

The City Planning Commission recommends that the official City map be amended by vacating Meredith Street between the westerly line of Lot 1, Block 37, Emerson's Addition extended to the northerly line of Block 38, Emerson's Addition east to the section of Meredith Street that was vacated by ordinance D1754 on November 6, 1995, being approximately 303 feet in length.

Justification:

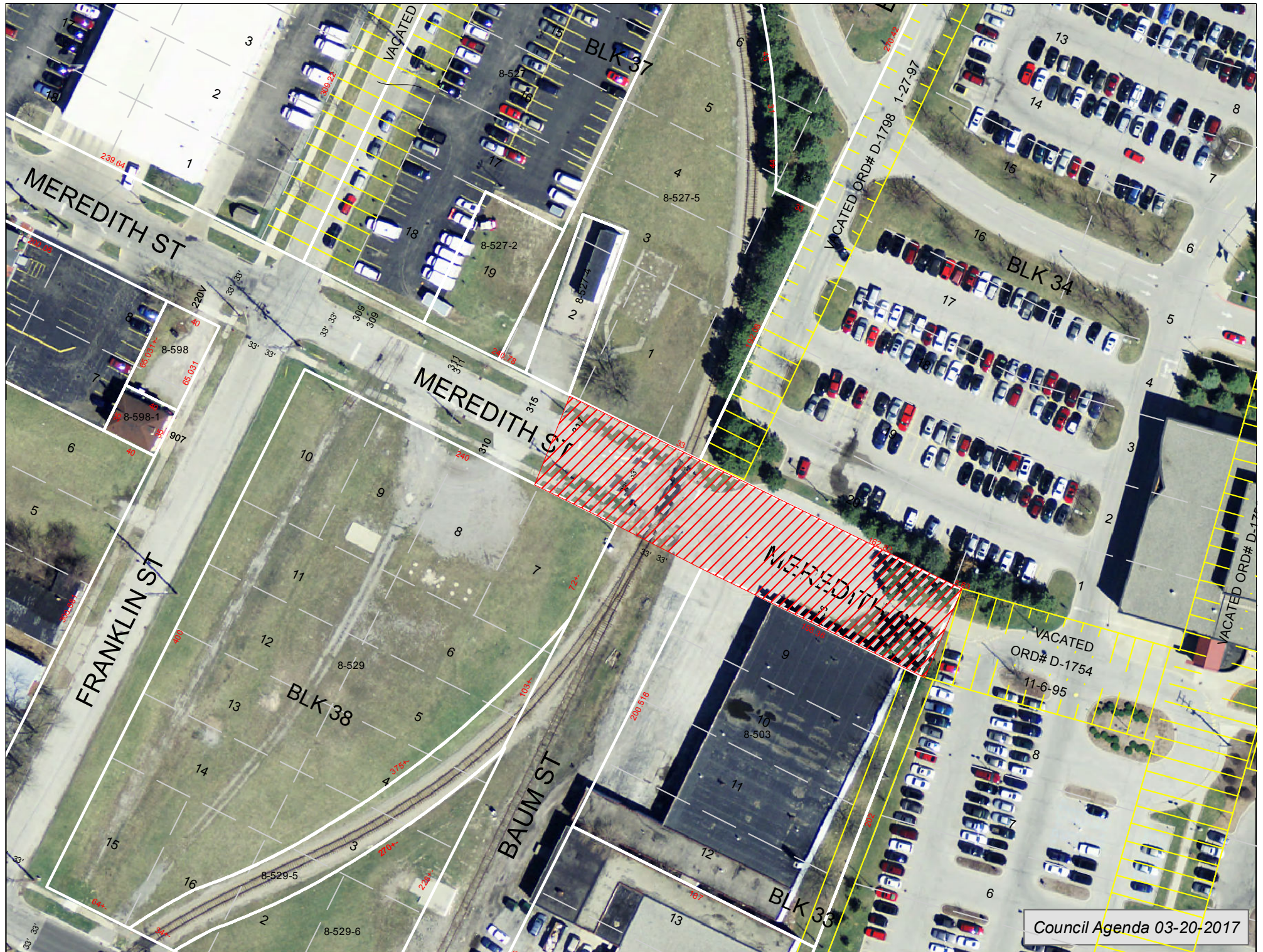
The Engineering Department has reviewed this request and requires an easement be retained for public utilities and that nothing be built on the vacated street without written permission from the City. This language is included in the proposed ordinance. The petition signed by all property owners abutting the street to be vacated was referred to the City Planning Commission (PC) for investigation and to report recommendations. The PC held a public hearing on January 24, 2017 and all interested parties were given the opportunity to be heard. The PC found in favor of the petition to vacate the above referenced street.

Vacation of this section of street was requested by CSX Transportation. Most of the surrounding property is owned by St Mary's Hospital and they are in favor of vacating this section of street as it ends at their campus. There will be a gate installed on the west side of the railroad tracks that will block traffic from crossing the railroad track. All property owners to the west of the proposed vacated street will have access to their properties.

Council Action:

This communication is for explanation purpose only of the ordinances to be introduced.

City of Saginaw - Ordinance #4 to Amend Official Map to Vacate Meredith St



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

AN ORDINANCE TO AMEND THE CITY ZONING MAP BY VACATING A SECTION OF MEREDITH STREET FROM THE WESTERLY LINE OF LOT 1, BLOCK 37 EXTENDED TO THE NORTHERLY LINE OF BLOCK 38 EMERSON'S ADDITION EAST TO THE SECTION OF MEREDITH STREET THAT WAS VACATED BY ORDINANCE D1754 ON NOVEMBER 6, 1995, A DISTANCE OF APPROXIMATELY 303 FEET

Laid over under the Charter Provision.

Council Member _____ moved, seconded by Council Member _____ that an ordinance introduced on March 20th, 2017 be taken up and enacted, entitled and reading as follows:

O- _____

AN ORDINANCE TO AMEND THE OFFICIAL CITY MAP TO VACATE MEREDITH STREET FROM THE WESTERLY LINE OF LOT 1, BLOCK 37 EMERSON'S ADDITION EXTENDED TO THE NORTHERLY LINE OF BLOCK 38, EMERSON'S ADDITION EAST TO THE SECTION OF MEREDITH STREET THAT WAS VACATED BY ORDINANCE D1754 ON 11-6-1995.

The City of Saginaw Ordains:

Section 1. That the section of Meredith Street that begins at the westerly line extended of Lot 1, Block 37 of Emerson's Addition to the northerly line of Block 38, Emerson's Addition east to the section of Meredith Street that was vacated by Ordinance D1754 on 11-6-1995, City of Saginaw, Michigan be and the same is hereby vacated. This section is approximately 303 feet in length.

Section 2. That there is hereby reserved in the street vacated hereby an easement for public utilities, cable TV, and telecommunications 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 4, 2017

Enacted: April 24, 2017.

Yeas:

Nays:

Absent:

Abstain:

Motion Carried.

Dennis Browning
Mayor

Janet Santos, CMC/MMC
City Clerk

ORDINANCE DECLARED ADOPTED

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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 April 24, 2017; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMMC/CMC/MMC
City Clerk

From: Tim Morales, City Manager

Subject: Amend the City Map by vacating Mackinaw Street between the east right of way of Niagara Street and the west bank of the Saginaw River.

Prepared by: City Planning Commission

Manager's Recommendation:

The City Planning Commission recommends that the official City map be amended by vacating Mackinaw Street between the east right of way of Niagara Street and the west bank of the Saginaw River. This section of street lies between Blocks 14 and 21 of the City of Saginaw in Division South of Cass Street plat.

Justification:

The Engineering Department has reviewed this request and requires an easement be retained for public utilities and that nothing be built on the vacated street without written permission from the City. This language is included in the proposed ordinance. The petition signed by all property owners abutting the street to be vacated was referred to the City Planning Commission (PC) for investigation and to report recommendations. The PC held a public hearing on January 24, 2017 and all interested parties were given the opportunity to be heard. The PC found in favor of the petition to vacate the above referenced street.

This section of street has been used for years as the entrance to the grain silos to the south. If this section of street was to be vacated, the owners on either side would receive ownership of half of the vacated street so that the property owners could continue to use the vacated section as a drive to their properties. The vacation of this street was requested by CSX Transportation and the Engineering Department. The railroad will maintain its right of way along the western edge of the above description.

The block of Mackinaw Street to the west of Niagara Street was vacated on May 19, 2004.

Council Action:

This communication is for explanation purpose only of the ordinances to be introduced.

City of Saginaw - Ordinance #5 to Amend Official Map to Vacate Mackinaw St



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

AN ORDINANCE TO AMEND THE CITY ZONING MAP BY VACATING A SECTION OF MACKINAW STREET FROM THE EAST RIGHT OF WAY OF NIAGARA STREET EAST TO THE SAGINAW RIVER.

Laid over under the Charter Provision.

Council Member _____ moved, seconded by Council Member _____ that an ordinance introduced on March 20, 2017 be taken up and enacted, entitled and reading as follows:

O- _____

AN ORDINANCE TO AMEND THE OFFICIAL CITY MAP TO VACATE MACKINAW STREET EAST FROM THE EAST RIGHT OF WAY OF NIAGARA STREET BETWEEN BLOCKS 14 AND 21 PLAT OF THE CITY OF SAGINAW IN DIVISION SOUTH OF CASS STREET TO THE WEST EDGE OF THE SAGINAW RIVER.

The City of Saginaw Ordains:

Section 1. That the portion of Mackinaw Street between the east line of the Niagara Street right of way and the west line of the Saginaw River running between Blocks 14 and 21 of the City of Saginaw in Division South of Cass Street plat, City of Saginaw, Michigan be and the same is hereby vacated.

Section 2. That there is hereby reserved in the street vacated hereby an easement for public utilities, cable TV, and telecommunications 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 4, 2017

Enacted: April 24, 2017.

Yeas:

Nays:

Absent:

Abstain:

Motion Carried.

Dennis Browning
Mayor

Janet Santos, CMC/CMMC/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 April 24, 2017; the

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O - Ordinance

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

Janet Santos, CMMC/CMC/MMC
City Clerk

CERTIFYING THE 2017 SINGLE LOT SPECIAL ASSESSMENT TAX ROLL

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

WHEREAS: the City Council has complied with the requirements of ordinances of the City relative to making special assessments to include: Weed/Grass Cutting, Police False Alarms, Fire False Alarms, Sewer Connections, Water Connections, Demolitions, and Nuisances: Trash Removal, Board-Ups, Junk Vehicles; and

WHEREAS: a Public Hearing was conducted on February 20, 2017 during which objections were heard and written objections were accepted until the time of said Hearing; and

WHEREAS: all objections have been reviewed and the single lot special assessments are determined to be the responsibility of the property owners.

NOW THEREFORE BE IT RESOLVED: that the City Clerk is hereby directed to transmit immediately said assessment rolls to the City Treasurer for collection of the assessments therein contained together with interest and penalties as provided in the City Charter and in Title III, Section 33.29, of the City of Saginaw Code of Ordinances; and

BE IT FURTHER RESOLVED: that all single lot special assessments assessed to properties owned by the Saginaw County Land Bank Authority or the Michigan Land Bank Fast Track Authority shall be removed from the Tax Roll; and

BE IT FURTHER RESOLVED: that each assessment in rolls in Sewer and Water are payable in 10 annual installments, assessments in rolls for Nuisances: Board-Ups, Junk Vehicles, Weed Cutting, Police False Alarms, and Fire False Alarms are payable in one installment; and the rate of interest to be charged on unpaid installments shall be eight (8) percent per annum.

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 March 20, 2017; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos, CMMC/CMC/MMC
City Clerk