

Council Agenda

April 10, 2017 12:00 p.m.
Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Proclamation presented declaring April 28, 2017 as "Arbor Day."

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

(A list will be provided following submittal deadline)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

Management Update:

CONSENT AGENDA:

1. Approve the March 20, 2017 regular council meeting minutes.
2. Approve the amendments to the FY 2017 Approved Budget to recognize any changes that have occurred during the March period.
3. Approve the one-year telephone equipment maintenance agreements with I.T.I., Inc. and issue a purchase order for \$21,724.80 for the maintenance of telephone equipment at City Hall, Public Services, the Police Department, Maintenance and Services, the Water and Sewer Division, and the Water and Waste Water Treatment Plants.
4. Approve a purchase order to BS&A Software for \$13,235 for Loan Management Software for the SEDC and CDBG Divisions.
5. Approve a purchase order to Dornbos Sign, Inc. for \$3,101.60 for various street sign aluminum blanks for the Traffic Maintenance Section of the Right of Way Division.
6. Approve a purchase order to 3M at the State bid price of \$8,379.31 for vinyl sheeting and sign faces for the Traffic Maintenance Section of the Right of Way Division.
7. Approve a purchase order to Dornbos Sign, Inc. for \$12,454.50 for various types of street sign posts for the Traffic Maintenance Section of the Right of Way Division.

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8. Approve a purchase order to Michigan Pipe and Valve for \$98,000 for an annual supply of fire hydrants for the Maintenance and Service Division for FY 2017.
9. Approve the ratification of purchase order no. 500815 to West Shore Services for \$14,890 for the emergency repair to the emergency warning siren located at N. Webster Street and Hancock Street.
10. Approve the proposed traffic control and parking regulation changes as recommended by the Transportation Committee.
11. Approve the proposal from Soil and Materials Engineers, Inc. for \$45,000 for professional services associated with well installation, continued environmental services and groundwater evaluations to address contamination at the Weiss Street site.
12. Adopt the Resolution authorizing the sale and consumption of alcoholic beverages at Morley Plaza during the "Friday Night Live" outdoor concert events scheduled on July 14, 21, 28 and August 4, 11, 18, 2017 from 5:30 p.m. to 9:00 p.m.
13. Adopt the Resolution authorizing the sale and consumption of alcoholic beverages at the 500 Block of Federal Avenue during the "Jazz on Jefferson" outdoor concert event scheduled on June 7, 2017 from 4:30 p.m. to 8:00 p.m.
14. Adopt the Resolution authorizing the use of amplifying equipment at City Hall during the "National Day of Prayer" event on May 4, 2017 from 12:00 p.m. to 1:00 p.m.
15. Adopt the Resolution authorizing the use of amplifying equipment at Bliss Park during the "Unity Day" event on May 25 and June 9, 2017 from 8:30 a.m. to 3:00 p.m.
16. Approve the ratification of purchase order no. 500818 to Engel's Auto Body for \$5,495 for emergency repair to Police Patrol Vehicle No. 90-1165.
17. Approve a purchase order to Carbon Activated Corporation for \$25,520 for 40,000 pounds of powdered activated carbon for the Water Treatment Division for FY 2017.
18. Approve a blanket purchase order to Great Lakes Specialty Diving, Inc. for \$20,000 for underwater inspection and repair services of various water control structures and related valves for the Water Treatment Division for FY 2017; and pending approval of the FY 2018 budget, approve a blanket purchase order to Great Lakes Specialty Diving, Inc. for \$10,000 for the same services for FY 2018.
19. Approve a purchase order to H. D. Supply Waterworks for \$2,578.64 for two 4", 90 degree Hammertek elbows for the Wastewater Treatment Division for FY 2017.

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

1. Approve the Mayoral Appointment of Mark Fischer to the Riverfront Development Commission with a term to expire April 1, 2019.
2. Approve the Mayoral Reappointment of John Humphreys to the Riverfront Development Commission with a term to expire April 1, 2022.
3. Approve the City Manager Reappointment of Jack Nash to the City Planning Commission with a term to expire December 31, 2019.
4. Approve the Council Appointment of Mark Fischer to the Board of Review with a term to expire December 31, 2021.

INTRODUCTION OF ORDINANCES:

1. 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:

2. 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.

RESOLUTIONS:

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

1. Consideration of a FOIA Appeal submitted by Marlo Company.

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, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, and for our fires. Trees also increase property values, enhance the economic vitality of business areas, and beautify our community. The City of Saginaw would like to recognize Trees For The Tri-Cities that was established in 2008, and since its inception has planted over 682 trees in various locations that include Hartsuff Street, Lockwood Street, Harmony Court, Congress Court B and Munson Court in the City of Saginaw; and

WHEREAS, trees provide numerous aesthetics and economic benefits, in which Trees For The Tri-Cities has made a significant investment to the community by purchasing, planting, watering and nurturing trees in the City of Saginaw to improve the quality of life for City residents; and

WHEREAS, trees wherever they are planted, are a source of joy and spiritual renewal. Trees For The Tri-Cities has collaborated with the City of Saginaw and committed to monitoring trees and replacing trees that were lost in various locations that include Hartsuff Street, Lockwood Street, Harmony Court, Congress Court B and Munson Court. In 2016, the City of Saginaw, Streets, Section of the Right Of Way Division also planted 73 trees, pruned 195 trees, and removed 232 trees;

NOW, THEREFORE BE IT RESOLVED, I, Dennis D. Browning, Mayor of the City of Saginaw, do hereby proclaim April 28, 2017 as

“ARBOR DAY”

in the City of Saginaw, and invite citizens to join us in observance of this day in the Council Chambers of City Hall on April 25, 2017 at 11:00 am; and

FURTHERMORE, I urge all citizens to plant trees to gladden the heart and promote the well being of this and future generations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Saginaw to be affixed this 10th day of April in the year of our Lord two thousand and seventeen.



April 10, 2017

Dennis D. Browning, Mayor

Councilpersons

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

Timothy Morales, City Manager

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, WAS HELD MONDAY, MARCH 20, 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 Moore offered a prayer and led the pledge of allegiance of the United States of America.

ROLL CALL

Mayor Pro Tem Kloc called the meeting to order. Council Members present: John Milne, Demond Tibbs, Floyd Kloc, Brenda Moore, Clint Bryant, Michael Balls, and John Humphreys: 7. Council Members absent: Annie Boensch, and Dennis Browning: 2.

ANNOUNCEMENTS

City Clerk Janet Santos announced the following:

- that 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
- that Monday, April 3 is the last day to register to vote or change your voter information for the May 2 Special Election for the Saginaw Public School District. Contact the Clerk's Office at 399.1311 for more information.

Council Member Milne presented a proclamation to the American G.I. Forum declaring March 31, 2017 as Cesar Chavez Day. American G.I. Forum members Commander Herlinda Sanchez, Lt. Robert Stricker, Manny Lopez, Adam Gonzales, and Fred Medel accepted the proclamation with expressed appreciation.

PERSONAL APPEARANCES

The following personal appearances addressed Council: Amanda Roupe, and Angie Miller.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Tibbs, Milne, Humphreys, Balls, Bryant, Moore, and Mayor Pro Tem Kloc.

REPORTS FROM CITY MANAGER

Management Update

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

Manager Morales introduced Paul Reinsch, Water Treatment Plant Supervisor. Mr. Reinsch presented an update regarding the Davis Road Water Main Replacement project. Mr. Reinsch spoke about the history, age, and size of the current water main which services the reservoir located in Kochville Township.

Mr. Reinsch introduced Derrick Huff of Spicer Group. Mr. Huff recapped the progress of the project which began in May 2015. He explained the two contracts and the services each will provide to complete the project in December 2017.

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 June 17 KCQ Country Music Fest Concert.
3. Approve the recommendations for the 2017 Single Lot Special 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.
7. Approve to increase purchase order 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 500366 to Engel's Auto Body by \$435.80, for a new total of \$2,938.60, for repairs to Maintenance and Service Truck 57-0253.
9. Approve ratification of emergency purchase order 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 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.

Moved by Council Member Bryant, seconded by Council Member Moore to approve consent agenda items 1 through 17 as presented. 7 ayes, 0 nays, 2 absent. Motion approved.

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

No appointments or reports were presented.

INTRODUCTION OF ORDINANCES

Moved by Council Member Moore, seconded by Council Member Bryant to introduce 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. Discussion was held. Mayor Pro Tem Kloc asked Clerk Santos to conduct a roll call vote.

Ayes: Bryant, Balls, Humphreys, Milne, Mayor Pro Tem Kloc, Moore

Nays: Tibbs

Absent: Boensch, Mayor Browning

Abstained: None

Motion approved.

Moved by Council Member Milne, seconded by Council Member Moore to introduce 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. 7 ayes, 0 nays, 2 absent. Motion approved.

Moved by Council Member Milne, seconded by Council Member Moore to introduce 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. 7 ayes, 0 nays, 2 absent. Motion approved.

Moved by Council Member Balls, seconded by Council Member Humphreys to introduce 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. 7 ayes, 0 nays, 2 absent. Motion approved.

Moved by Council Member Bryant, seconded by Council Member Moore to introduce 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. Discussion was held. 0 ayes, 7 nays, 2 absent. Motion denied.

RESOLUTIONS

Moved by Council Member Balls, seconded by Council Member Moore to adopt the resolution certifying the 2017 Single Lot Special Assessment Tax Roll. 7 ayes, 0 nays, 2 absent. Motion approved.

ADJOURNMENT

Moved by Council Member Bryant, seconded by Council Member Moore to adjourn the meeting at 8:01 p.m. 7 ayes, 0 nays, 2 absent. Motion approved.

Janet Santos, CMMC/CMC/MMC
City Clerk

From: Timothy Morales, City Manager
Subject: 2016/2017 March Budget Adjustment
Prepared by: Yolanda M. Jones, Office of Management and Budget

Manager's Recommendation:

It is recommended that the 2016/2017 Approved Budget for the listed funds be amended. This adjustment is required to recognize any errors, omissions, or changes that have occurred in March.

Justification:

The 2016/2017 annual budget will be adjusted in accordance with Public Act 2 of 1968, Uniform Budgeting and Accounting Act, the City Charter; and the approved 2017 Budget Resolution, which states that the City Manager must provide budget adjustments to City Council quarterly and/or as needed. As a result of the City Manager's previous month's analysis, the below-mentioned budget adjustments take into consideration any errors, omissions, or changes in the funding levels and expenditures approved by City Council as prescribed by the City Charter.

In review of the General Fund, it is recommended that this fund be increased by \$40,891 from \$32,271,591 to \$32,312,482.

- In February 2017, the city received an invoice from the Police and Fire Retirement System attorney in the amount of \$10,778 for services provided in 2013. This budget adjustment is to recognize the payment of this invoice as well as funds received from Michigan Employee Retirement System to cover the outstanding invoice. Funds from the Michigan Employee Retirement System will be recognized in the General Fund Revenues – Reimbursement Account No (101-0000-676.000) in the amount of \$10,778. In order to offset the increase in revenues will be an increase to Community Public Safety – Police, Police Patrol Division's Professional Services Account No (101-3511-801.000) in the amount of \$5,389 and Community Public Safety – Fire, Fire Operations Division's Professional Services Account No (101-3551-801.000) in the amount of \$5,389.
- In October and November 2016, six individuals from Community Public Safety – Fire attended a training that consists of technical rescue and trench operations training. This training is reimbursed through the Department of Homeland Security by way of Michigan Region 3. This budget adjustment recognizes the extra grant funds received. Revenues will be recognized in the General Fund Revenues - FD Overtime Reimbursement Account No (101-0000-676.017) and will be offset by Community Public Safety – Fire, Fire Technical Services Division's Overtime Account No. (101-3552-704.000) in the amount of \$2,523.

- A budget adjustment is required to recognize the additional funds to cover the May 2017 elections. The cost of this election is projected to be \$19,660 and will be recognized in the General Fund – Department of General Government – Election Division. The State of Michigan will be reimbursing the city for this election. Funds will be recognized in the General Fund Revenues – Election Services Account No. (101-0000-627.001) in the amount of \$19,660.
- A budget adjustment to recognize the MERS pension - QEBA payment in the amount of \$7,930 for a retired city employee. Expenditures will be recognized in the General Fund - Other General Fund's Retiree Pension Division's Pension Benefits Account No (101-8515-703.000). Additional funds from the General Fund Revenues – Reimbursement/Medicare D Account No. (101-0000-502.003) will offset the increase in these expenditures.

The Downtown Development Authority (DDA) Fund (243) should be increased from \$593,100 to \$617,501. This represents a \$24,401 increase. This increase is attributed to the sale of the property to SVRC Industries, Inc. from the DDA. Revenues will be recognized in the DDA Fund's Sale of Land and Building Account No. (243-0000-673.001). In order to offset this increase will be an increase to this fund's Fund Equity Account No (243-8559-989.001) by the same amount.

The Brownfield Redevelopment Authority Fund (245) should be increased from \$40,744 to \$41,244. This equates to a \$500 increase. During FY 2017, the city administration has continued reconciling all of the brownfield districts held by the City's Brownfield Redevelopment Authority. As such, city administration has incurred additional legal expenditures to reconcile these funds. Therefore, this budget adjustment will provide the necessary funds to cover these additional expenditures. The Brownfield Redevelopment Authority Fund's Legal Services Account No (245-1775-803.000) will be increased from \$0 to \$500. In order to offset these additional expenditures, the Brownfield Redevelopment Authority Fund's Fund Equity Account No (245-0000-989.000) will be increased by the same.

The Community Development Block Grant Fund (275) should be increased from \$2,106,063 to \$2,118,421. This is a \$400,000 increase from the original budget. This amendment reflects the acceptance of carryover funds from 2014 and 2015 that will be recognized in the Block Grant Entitlement-Special Projects Account No. (275-0000-501.041). The increase in revenues will be offset by an increase to the Special Projects Division's Demolition Account No (275-6511-816.000) by the same amount. These funds will be utilized in part for the demolition of 504 Carrol, 106 Hoyt, 715 North Warren, and 1346 North Washington.

The Motor Pool Operations Fund (661) should be increased from \$2,106,063 to \$2,118,421. This represents a \$12,358 increase. This increase is due to an increase to

Contribution from Other Funds to cover expenditures that have been incurred by other user departments. To offset the increase in revenues will be an increase to the Motor Pool Operations Fund – Garage Division's Motor Vehicle Repair Account No (661-4481-931.000) by the same amount.

Council Action:

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

From: Timothy Morales, City Manager
Subject: I.T.I, Inc., Phone Maintenance Agreements
Prepared by: Jeff Klopccic, Technical Services Department

Manager's Recommendation:

I recommend that the phone equipment maintenance agreements with I.T.I., Inc. be approved and that a purchase order be approved and issued to them in the amount of \$21,724.80. It is further recommended that the City Manager or his designee be authorized and directed to execute the eight maintenance agreements. These agreements were approved by the City Manager as to substance and the City Attorney as to form.

Justification:

The I.T.I. Agreements cover the telephone equipment located at the City Hall, Public Services, Police Department, Maintenance & Service Water & Sewer Division and the Water and Waste Water Treatment Plants for a one-year period. The agreements cover all service under normal wear and tear including parts, labor and travel time. It also includes free user training, no charge for service related software updates, free loaner equipment and 24 hour, seven day service without paying any after-hour premium.

This vendor 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 and available in the Technical Services, Information Services, Operating Services Account No. 658-1720-805.000.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Loan Management Software Purchase
Prepared by: Jeff Klopac, Technical Services Department

Manager's Recommendation:

I recommend that a purchase order be approved and issued to BS&A Software in the amount of \$13,235.00 for the purchase of its Loan Management Software.

Justification:

The City's SEDC and CDBG Divisions administer and manage over 140 business and residential loans. Staff must have the ability to track multiple loan types, print statements, create 1098's, calculate and track fees and penalties and prepare delinquent account reporting. The City uses BS&A as its enterprise software solution and with its new loan software module we will now have the ability to communicate customer information between Miscellaneous Receivables for the loan billing and Cash Receipts for the payments.

This vendor 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 CDBG Residential Loan Fund - Residential Loans Division's - Computer Software, Account No. 276-6540-741.000 (\$6,617.50) and the Saginaw Economic Development Corporation Fund – SEDC Revolving Loan Division's Computer Software Account No 282-8570-741.000 (\$6,617.50).

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 of Street Sign Aluminum Blanks – ROW Division
Prepared by: Beth D. London, Public Services Department

Manager's Recommendation:

I recommend the low bid from Dornbos Sign, Inc. of Charlotte, MI, be accepted and a purchase order be issued to them in the amount of \$3,101.60 for various street sign aluminum blanks.

Justification:

On March 21, 2017, the City received nine (9) bids for the purchase of 460 street sign aluminum blanks in various dimensions to be used for the repair and installation of street signs. The Traffic Maintenance Section of the Right of Way Division is required to maintain and replace, when necessary, approximately 25,000 street signs within the City of Saginaw.

The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Cost</u>
Dornbos Sign and Safety Charlotte, MI	\$3,101.60
Vulcan Aluminum Foley, AL	\$3,126.70
M D Solutions Michigan City, IN	\$3,401.90
Newman Signs Jamestown, ND	\$3,572.40
Tapco Browndeer, WI	\$3,579.10
US Standard Sign Franklin Park, IL	\$3,685.80
Lightle Enterprise of Ohio Frankfort, OH	\$3,851.03
Bullzeye Equipment & Supply Moncks Corner, SC	\$3,974.40
Osburn Associates Logan, OH	\$4,045.50

Dornbos Sign, Inc. meets all requirements of §14.23, "Vendors," 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 Major Streets Fund - Traffic Engineering Division's, Parts and Supplies Account No. 202-4621-742.000.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Traffic Sign Supplies – ROW Division
Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend that the quote from 3M of St. Paul, MN be accepted at the State of Michigan bid price, and that a purchase order be approved and issued to them in the amount of \$8,379.31 for the purchase of vinyl sheeting and sign faces.

Justification:

On March 16, 2016, a quote was received for various sign faces such as stop and yield signs and vinyl sheeting used to produce street signs and construction signs. The Traffic Maintenance Section of the Right of Way Division is required to maintain and replace (as needed) approximately 25,000 street signs within the City of Saginaw. The vinyl sheeting and sign faces are used to replace signs that have been damaged, vandalized, or need to be replaced or upgraded because of age.

3M 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 Streets Fund - Traffic Engineering Division's Parts and Supplies Account No. 202-4621-742.000.

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 of Street Sign Posts – ROW Division
Prepared by: Beth D. London, Public Services Department

Manager's Recommendation:

I recommend the low bid be accepted and a purchase order be approved and issued to Dornbos Sign Inc., Charlotte, MI in the amount of \$12,454.50 for various types of street sign posts for the Traffic Maintenance Section of the Right of Way Division.

Justification:

On March 14, 2017, the City received four (4) bids for 450 various street sign posts to be used for the repair and installation of street signs. The Traffic Maintenance Section of the Right of Way Division is required to maintain and replace, when necessary, approximately 25,000 street signs within the City of Saginaw.

The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Cost</u>
Dornbos Sign Inc Charlotte, MI	\$12,454.50
Traffic and Parking Control Jamestown, ND	\$13,025.00
Unistrut Midwest (only bid one item and not the low bid) Cincinnati, OH	\$ 3,471.00
Rathco Safety Supply (item bid did not meet specs) Portage, MI	\$11,943.00

Dornbos Sign, Inc. provided the lowest bid that included all items as specified. Unistrut Midwest bid only one item and did not have the low unit price for this item. Rathco Safety Supply bid all items but did not have the low unit price on three of the items and the fourth item did not meet specifications. Bid was not listed as an all or none, therefore we reserved the rights to split the bid to the City's benefit.

Dornbos Sign Inc. 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 Major Streets Fund - Traffic Engineering Division's Parts and Supplies Account No. 202-4621-742.000 (\$6,703.13) and Local Streets Fund – Traffic Engineering Division's Parts and Supplies Account No. 203-4621-742.000 (\$5,751.37).

Council Action:

Moved by Council Member_____, seconded by Council Member _____to approve the recommendation from the City Manager.

From: Tim Morales, City Manager
Subject: Annual Supply of Fire Hydrants
Prepared by: Josh Hoffman, Public Services Department

Manager's Recommendation:

I recommend that the low bid from Michigan Pipe and Valve, Saginaw, MI, be accepted and that a purchase order be issued to them in the amount of \$98,000.00 for an annual supply of fire hydrants for the Maintenance and Service Division for FY 2017.

Justification:

On March 7, 2017, bids were received for an annual supply of 60 fire hydrants of various sizes. An annual supply of fire hydrants is needed for the division to maintain adequate inventory and secure the best cost for the City. A comparison to last year's cost shows a 12% increase over previous year's cost. Following is a tabulation of the bids received:

<u>Vendor</u>	<u>Total</u>
Michigan Pipe and Valve Saginaw, MI (out-city)	\$ 98,000.00
East Jordan Iron Works East Jordan, MI	\$100,682.90

Michigan Pipe and Valve 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 Water Operation and Maintenance Fund – Maintenance and Service Division's Parts and Supplies Account No. 591-4721-742.000 (\$98,000.00) and will be accounted for in the Water Operation and Maintenance Fund Water Inventory Account No. 591-0000-110.002.

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 Purchase Order No. 500815 for Emergency Repairs to Emergency Warning Siren – ROW Division

Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend ratification of purchase order no. 500815 to West Shore Services, Allendale, MI in the amount of \$14,890.00, issued on March 27, 2017, for the emergency repair to the emergency warning siren, located at N. Webster Street and Hancock Street.

Justification:

On March 22, 2017 a quote of \$14,890.00 was received from West Shore Services for the repair to the Federal Signal emergency warning siren located at N. Webster Street and Hancock Street, which was damaged when a tree fell on it during a storm on March 8, 2017. West Shore Services installed this equipment in 2009 and is the sole source provider for Federal Signal siren equipment and service in the State of Michigan.

West Shore Services 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 and available in the Radio Fund – Radio Operations Division's Operating Services Account No. 660-4422-805.000.

Council Action:

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

From: Timothy Morales, City Manager

Subject: Traffic Control and Parking Regulation Changes – ROW Division

Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend that the following proposed traffic control and parking regulation changes be approved, each of which is recommended by the Transportation Committee.

1. Abolishment of Parking Prohibition, Berkeley Court (2300 block);
The parking prohibition on the north side of Berkeley Court, east of S. 17th Street, is hereby abolished.
2. Abolishment of Parking Limitation, S. Weadock Avenue (400 block);
The 2-hour parking limitation on the east side of S. Weadock Avenue, between Millard Street and Thompson Street, is hereby abolished.
3. Abolishment of Parking Regulations, S. Water Street (100 block);
All parking limitations and prohibitions on the east and west side of S. Water Street, between E. Genesee Avenue and Federal Avenue, are hereby abolished.
4. Establishment of Stop Sign Control, Madison Street and N. Porter Street;
No person driving a vehicle on Madison Street shall enter or cross N. Porter Street without bringing said vehicle to a complete stop.
5. Establishment of Stop Sign Control, N. Clinton Street and Irving Avenue;
No person driving a vehicle on Irving Avenue shall enter or cross N. Clinton Street without bringing said vehicle to a complete stop.
6. Abolishment of Yield Sign Control, Ortman Street and Russell Street;
The yield sign control for Ortman Street at its intersection with Russell Street is hereby abolished.
7. Establishment of Stop Sign Control, Ortman Street and Russell Street;
No person driving a vehicle on Ortman Street shall enter or cross Russell Street without bringing said vehicle to a complete stop.
8. Establishment of Stop Sign Control, Peale Drive and Traum Drive;
No person driving a vehicle on Traum Drive shall enter or cross Peale Drive without bringing said vehicle to a complete stop.

9. Establishment of Yield Sign Control, Barnard Street and Morgan Street;
No person driving a vehicle on Barnard Street shall enter or cross Morgan Street without first yielding the right-of-way.

Justification:

These proposed changes in traffic control and parking regulations are a result of separate traffic studies performed at the request of the public and the Engineering Section of the Right of Way Division. The City Engineer and the Transportation Committee have approved these changes, which should have a positive impact on the quality of life and traffic safety in these areas.

Council Action:

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

From: Timothy Morales, City Manager
Subject: SME Proposal for Well Installation and Groundwater Monitoring
Prepared by: Phillip Karwat, Public Services Department

Manager's Recommendation:

I recommend approval of the proposal (P00714.17) from Soil and Materials Engineers, Inc. ("SME") and a purchase order in the amount of \$45,000 for professional services associated with well installation, continued environmental services and groundwater evaluations to address contamination at the Weiss Street site. The Proposal has been approved by the City Manager as to substance and the City Attorney as to form. It is further recommended that City Manager and/or his designee be authorized to sign the Proposal.

Justification:

On February 22, 2016, the City Council approved an Agreement in the amount of \$8,000, between the City of Saginaw and SME for professional services associated with preparing the required remediation action plan ("RAP") to address contamination at the Weiss Street site. Services included review of historical data and site inspection. All requirements of the original agreement were completed and a draft report was submitted to the Michigan Department of Environmental Quality ("MDEQ") for their review and comments. Upon review of the draft report and meeting with the MDEQ, testing of the existing wells to determine if current ground water conditions were similar to the historical data was required by the MDEQ. A proposal from SME to the City was requested to complete the required additional information required by the MDEQ.

On September 12, 2016, City Council approved a proposal in the amount of \$19,000 from SME for additional professional services associated with preparing the required remediation action plan ("RAP") to address contamination at the Weiss Street site. All requirements of this proposal have been completed and a draft report has been submitted to the Michigan Department of Environmental Quality ("MDEQ") for their review and comments. Upon review of the draft report and meeting with the MDEQ on March 13, 2017, it was determined that additional testing and gauging would be required by the MDEQ to determine seasonal variations in ground water quality and flow in order to proceed with finalizing the RAP or approving a No Further Action ("NFA") report, which will also facilitate future site development. A proposal dated March 16, 2017 from SME to the City has been provided in hopes to provide the MDEQ with the additional information they have requested.

Pursuant to the terms of this proposal, SME will perform the following duties:

- a. Install two monitoring wells – constructed of 2-inch ID PVC to include screens and risers.
- b. Gauge ground water levels in all 23 existing monitoring wells, the two new monitoring wells, and the Saginaw River on a monthly basis for a period of one year to evaluate groundwater flow and seepage to the Saginaw River.
- c. Conduct groundwater purging and collect groundwater sampling on a quarterly basis in accordance with low flow sampling protocol from 17 monitoring wells.
- d. Submit 17 ground water samples for analytical testing as required by MDEQ.
- e. Prepare a report to document field activities and analytical results that will include groundwater contour drawings, monitoring well construction summaries, tabulated analytical results with current Part 201 criteria and recommendations for additional activities that may be required to prepare a NFA report.
- f. Assist the City with drafting of a declaration of restrictive covenants to be placed on the property.

The services within this proposal will be governed by the agreed upon General Conditions and General Notes associated with SME's proposal P00086.16 and agreement that was approved by City Council on February 22, 2016.

Funds for these services are budgeted and available in the FY 2017 Sewer Operations and Maintenance Fund – Remote Facilities Division's Professional Services Account No. 590-4835-801.000 (\$13,400.00). Upon Council approval of the FY 2018 budget, funds will also be made available in the FY 2018 Sewer Operations and Maintenance Fund – Remote Facilities Division's Professional Services Account No. 590-4835-801.000 (\$31,600.00).

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 to Allow the Sale and Consumption of Alcoholic Beverages at Morley Plaza

Prepared by: Phillip Karwat, Public Services Department

Manager's Recommendation:

I recommend adoption of the attached Resolution authorizing the sale and consumption of alcoholic beverages at Morley Plaza during "Friday Night Live" outdoor concert events scheduled to be held on July 14, 21, 28 and August 4, 11, 18, 2017 from 5:30 p.m. to 9:00 p.m.

Justification:

On July 14, 21, 28 and August 4, 11, 18, 2017, Positive Results Downtown will host the annual "Friday Night Live" outdoor concerts at Morley Plaza, a public property. Positive results Downtown has requested that the City allow them to sell alcoholic beverages for consumption during these events.

Title XIII, Chapter 132, and Section 132.01(C) of the Saginaw Code of Ordinances states that City Council can authorize the consumption and sale of alcoholic beverages on public property, if the vendor provides the following to the City:

- (1) The precise location where said beverages are to be sold and consumed;
- (2) The dates and times for said activities;
- (3) A proper state license for the sale and consumption of alcoholic beverages at the place and times listed in subsections (1) and (2) above;
- (4) Adequate public liability and property damage insurance for the benefit of the City with a company licensed to sell insurance in the State of Michigan;
- (5) Such other insurance as the City Council deems adequate for the benefit of the City;
- (6) Adequate personnel to control the premises where the alcoholic beverages are to be sold and consumed; and
- (7) Such other reasonable requirements as said City Council deems appropriate.

Approval for the consumption and sale of alcoholic beverages for these events is contingent upon the proper required documents being submitted to the appropriate City departments by June 23, 2017, that include the City's insurance requirements and all insurance certificates which must be reviewed and approved by the City. Furthermore, the event sponsor has been advised of the insurance requirements and the deadline for submitting insurance certificates to the City.

Council Action:

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

RESOLUTION TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES DURING FRIDAY NIGHT LIVE AT MORLEY PLAZA ON PUBLIC PROPERTY

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

WHEREAS, Positive Results Downtown (formerly PRIDE) plans to host its annual Friday Night Live events to be held on July 14, 21, 28, 2017 and August 4, 11, 18, 2017 from 5:30 p.m. until 9:00 p.m.; and

WHEREAS, Positive Results Downtown requests that they be allowed to serve alcoholic beverages at the annual events to its guests at Morley Plaza on public property; and

WHEREAS, City Council can provide authorization for the consumption and sale of alcoholic beverages on public property; and

WHEREAS, Positive Results Downtown must provide certain documents prior to the event; and

WHEREAS, if Positive Results Downtown does not provide the documents by the stated date, they will not be allowed to consume and sell alcoholic beverages during the events on July 14, 21, 28, 2017 and August 4, 11, 18, 2017; and

WHEREAS, the City will set all insurance requirements and all insurance certificates must be reviewed and approved by the City;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the consumption and sale of alcoholic beverages on public property during the annual Friday Night Live events located at the Morley Plaza provided that the mandatory information listed in Title XIII, Section 132.01(C) of the Saginaw Code of Ordinances be provided no later than June 23, 2017.

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 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: Timothy Morales, City Manager

Subject: Authorization to Allow the Sale and Consumption of Alcoholic Beverages at 500 Block of Federal Avenue

Prepared by: Phillip Karwat, Public Services Department

Manager's Recommendation:

I recommend adoption of the attached Resolution authorizing the sale and consumption of alcoholic beverages at the 500 Block of Federal Avenue during "Jazz on Jefferson" outdoor concert event scheduled to be held on June 7, 2017 from 4:30 p.m. to 8:00 p.m.

Justification:

On June 7, 2017 Saginaw Historical Society of Saginaw County will host the annual "Jazz on Jefferson" outdoor concerts at the 500 Block of Federal Avenue, a public property. Saginaw Historical Society of Saginaw County has requested that the City allow them to sell alcoholic beverages for consumption during this event.

Title XIII, Chapter 132, and Section 132.01(C) of the Saginaw Code of Ordinances states that City Council can authorize the consumption and sale of alcoholic beverages on public property, if the vendor provides the following to the City:

- (1) The precise location where said beverages are to be sold and consumed;
- (2) The dates and times for said activities;
- (3) A proper state license for the sale and consumption of alcoholic beverages at the place and times listed in subsections (1) and (2) above;
- (4) Adequate public liability and property damage insurance for the benefit of the City with a company licensed to sell insurance in the State of Michigan;
- (5) Such other insurance as the City Council deems adequate for the benefit of the City;
- (6) Adequate personnel to control the premises where the alcoholic beverages are to be sold and consumed; and
- (7) Such other reasonable requirements as said City Council deems appropriate.

Approval for the consumption and sale of alcoholic beverages for these events is contingent upon the proper required documents being submitted to the appropriate City departments by May 23, 2017, that include the City's insurance requirements and all insurance certificates which must be reviewed and approved by the City. Furthermore, the event sponsor has been advised of the insurance requirements and the deadline for submitting insurance certificates to the City.

Council Action:

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

RESOLUTION TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES DURING JAZZ ON JEFFERSON AT 500 BLOCK OF FEDERAL AVENUE ON PUBLIC PROPERTY

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

WHEREAS, the Saginaw Historical Society of Saginaw County plans to host its annual Jazz on Jefferson event to be held on June 7, 2017 from 4:30 p.m. until 8:00 p.m.; and

WHEREAS, the Saginaw Historical Society of Saginaw County requests that they be allowed to serve alcoholic beverages at the annual event to its guest at the 500 Block of Federal Avenue on public property; and

WHEREAS, City Council can provide authorization for the consumption and sale of alcoholic beverages on public property; and

WHEREAS, the Saginaw Historical Society of Saginaw County must provide certain documents prior to the event; and

WHEREAS, if the Saginaw Historical Society of Saginaw County does not provide the documents by the stated date, they will not be allowed to consume and sell alcoholic beverages during the event on June 7, 2017; and

WHEREAS, the City will set all insurance requirements and all insurance certificates must be reviewed and approved by the City;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the consumption and sale of alcoholic beverages on public property during the annual Jazz on Jefferson event located at the 500 block of Federal Avenue provided that the mandatory information listed in Title XIII, Section 132.01(C) of the Saginaw Code of Ordinances be provided no later than May 23, 2017.

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 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

**RESOLUTION TO AUTHORIZE
CENTER OF ATTRACTION
TO USE AMPLIFYING EQUIPMENT
May 4, 2017
LOCATION – CITY HALL**

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

WHEREAS: Center of Attraction plans to host its annual National Day of Prayer at City Hall located at 1315 S. Washington Avenue on May 4, 2017; and

WHEREAS: Center of Attraction has requested permission to use amplifying equipment between the hours of 12:00 p.m. and 1:00 p.m.; and

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment during the National Day of Prayer event to be held on May 4, 2017 between the hours of 12:00 p.m. and 1:00 p.m. located at City Hall at 1315 S. Washington Avenue.

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 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

**RESOLUTION TO AUTHORIZE
SAGINAW ARTS & SCIENCES ACADEMY
TO USE AMPLIFYING EQUIPMENT
May 25, 2017 & June 9, 2017
LOCATION – BLISS PARK**

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

WHEREAS: Saginaw Arts & Sciences Academy plans to host its annual Unity Day at Bliss Park on North Michigan Avenue on May 25 & June 9, 2017; and

WHEREAS: Saginaw Arts & Sciences Academy has requested permission to use amplifying equipment between the hours of 8:30 a.m. and 3:00 p.m.; and

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment during the Unity Day event to be held on May 25, 2017 and June 9, 2017 between the hours of 8:30 a.m. and 3:00 p.m. located at Bliss Park on North Michigan Avenue.

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 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: Timothy Morales, City Manager
Subject: Ratification of Emergency Purchase – Vehicle Collision Repair, Police Department
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend ratification for emergency purchase order No. 500818 that was issued to Engel's Auto Body, Saginaw, Michigan (out-city) on March 20, 2017 and that payment in the amount of \$5,495.00 is made to them for repairs to Police Patrol Vehicle No. 90-1165.

Justification:

On March 13, 2017, Police Patrol Vehicle No. 90-1165, a 2016 Chevrolet Impala with 22,979 miles was involved in an accident at the intersection of Salt and Vermont streets. The vehicle sustained damage to the right front bumper, fender and suspension and right rear quarter panel and bumper areas. This vehicle is a front line patrol unit used daily by the City's Police department patrolling City streets, responding to 911 calls and other public safety needs. The City's officer was at fault and the repairs amount to less than the City's \$25,000 deductible; therefore, no reimbursement from the insurance company is warranted. These repairs are necessary in order to maintain the vehicle in a safe and operable condition. Quotes were requested from three local repair vendors that have completed quality repair work for the City in the past, two have provided quotes for the repair.

The following is a listing of the quotes received:

<u>Vendor</u>	<u>Cost</u>
Engel's Auto Body Saginaw, MI (out-city)	\$ 5,495.00
Mike's Bumping and Painting Saginaw, MI (in-city)	\$ 5,796.99

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: Powdered Activated Carbon Purchase
Prepared by: Theodore Bomba, Water and Wastewater

Manager's Recommendation:

I recommend that the low bid from Carbon Activated Corporation of Compton, CA be accepted and that a purchase order be approved and issued to them in the amount of \$25,520.00 for the purchase of 40,000 pounds of powdered activated carbon for the Water Treatment Division for Fiscal Year 2017.

Justification:

Powdered activated carbon is used to assist in the elimination of organic and chemical impurities that affect the taste and odor of water.

On March 7, 2017, the City received 10 bids for the supply and delivery of powdered activated carbon. Following is a tabulation of the bids received:

	<u>Per Pound</u>	<u>Total Bid</u>
Carbon Activated Corporation Compton, CA	\$0.6380	\$25,520.00
Prominent Systems Houston, TX	\$0.6500	\$26,000.00
Oxbow Activated Carbon Oceanside, CA	\$0.6800	\$27,200.00
Prominent Systems City of Industry, CA	\$0.6850	\$27,400.00
Calgon Carbon Corporation Moon Township, PA	\$0.7000	\$28,000.00
Donau Carbon Std Purification Dunnellon, FL	\$0.7380	\$29,520.00
Cabot Norbit Americas Marshall, TX	\$0.8900	\$35,600.00
Global Treatment Solutions Holly, MI	\$1.0000	\$40,000.00

Water Solutions Unlimited Franklin, IN	\$1.0000	\$40,000.00
CEI-Carbon Enterprises Circleville, OH	\$1.9000	\$76,000.00

This vendor 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 Water Operations and Maintenance Fund, Treatment & Pumping Division's Chemicals Account No. 591-4730-727.000 for Fiscal Year 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: Underwater Dive Services
Prepared by: Paul Reinsch, Water and Wastewater

Manager's Recommendation:

I recommend that the low bid from Great Lakes Specialty Diving, Inc., of Benton Harbor, MI be accepted and that a blanket purchase order be approved and issued to them in an amount of \$20,000.00 for FY 2017 and \$10,000.00 for FY 2018, pending budget approval, for the Water Treatment Division.

Justification:

On February 7, 2017, the Water Treatment Division opened bids for underwater inspection and repair services for various water control structures and related valves. The two valves that isolate the north or south sections of the original filter under wells do not operate and are in need of repair. Once repaired, further inspections can be performed using the isolation valves. There are also valves in the gatehouses located in the settling basin and clarifier areas that need evaluation and possible repair. We have planned for three days of work to give an initial evaluation and allow for additional repairs to the valves located in the gatehouses, if needed. All of the areas involved are critical to our ability to isolate sections of the treatment process for repair, while still maintaining the ability to treat water.

The professional services specified in the bid package are itemized and priced per service type or equipment, including a comprehensive report of results. Prior to beginning work, the City and Contractor will review the job requirements and select appropriate services. The contractor will then provide a project quote so that staff may decide if the work is appropriate. Following is a tabulation, based on expected services, of the bid prices received:

	<u>Total Bid of Expected Services</u>
Great Lakes Specialty Diving Benton Harbor, MI	\$15,825.00
Global Infrastructure, LLC Country Club Hills, IL	\$19,323.00

This vendor 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 are budgeted in the Water Treatment Operations and Maintenance Fund, Treatment and Pumping Division's Professional Services Account Number 591-4730-801-000.

Council Action:

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

From: Timothy Morales, City Manager
Subject: Hammertek Elbow Purchase
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend that the low bid from H. D. Supply Waterworks of Shelby Township, MI be accepted and that a purchase order be issued to them in the amount of \$2,578.64 for the purchase of two 4", 90 degree Hammertek elbows for the Wastewater Treatment Division for FY17.

Justification:

Solids are handled at the Wastewater Treatment Plant through the lime stabilization process. Pebble lime is delivered by truck and blown into a silo. The line it is blown through is stainless steel and the elbows are constantly wearing through due to abrasion. Hammertek designs and builds an elbow which is engineered to minimize wear due to abrasion. On March 7, 2017, sealed bids were opened and the results are as follows:

H.D. Supply Waterworks Shelby Township, MI	\$2,578.64
Multi-Source Elec. & Ind. Corp Port Washington, NY	\$2,588.54
The Macomb Group Midland, MI	\$2,691.30
Michigan Pipe and Valve Saginaw, MI	\$3,150.00
Federal Pipe and Supply Detroit, MI	\$3,200.00

This vendor meets all requirements of §14.23, "Vendors," 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 Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Part and Supplies Account No. 590-4830-742.000.

Council Action:

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

From: Timothy Morales, City Manager

Subject: 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.



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.

ORDINANCE

INTRO O-1

Council Member _____ moved, seconded by Council Member _____ that an ordinance introduced on April 10, 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, telecommunications, and such other public purposes as determined by the City of Saginaw, to the same extent as though said street had not been vacated and no structure shall hereafter be erected thereon without the prior written consent of the City of Saginaw.

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

This ordinance shall become effective May 18, 2017

Enacted: May 8, 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,

BC- Board & Commission
CC – Council Communication
R - Resolution
O - Ordinance

April 10, 2017
Page 1 of 2

ORDINANCE

INTRO O-1

Saginaw County, State of Michigan, at a public meeting held on May 8, 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

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 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) 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 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.

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 appropriate representatives of the City for compliance with this subchapter within twelve (12) months of a new application for registration. 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 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 a resident, any members of the resident's household or a guest or other person under the resident's control, 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