

Council Agenda
January 24, 2015 – 9:00 a.m.
Castle Museum, Morley Room

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

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 minutes from the January 12, 2015 regular Council meeting.
2. Approve the filing of the 2015 Single Lot Special Assessment Tax Roll in the office of the City Clerk for public examination, and that City Council call a public hearing to be held on February 16, 2015.
3. Adopt the Performance Resolution agreeing to the requirements to perform work within the Michigan Department of Transportation trunkline right of way within the city boundaries.

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

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

UNFINISHED BUSINESS:

Council Agenda
January 24, 2015 – 9:00 a.m.
Castle Museum, Morley Room

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.

Saginaw City Council Strategic Planning Session Agenda

January 24, 2015
9:00 a.m. – 3:00 p.m.
Castle Museum, Morley Room

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| 9:00 - 9:30 a.m. | Welcome, Tim Morales, City Manager, and Dennis Browning, Mayor |
| 9:30 - 10:15 a.m. | Update on topics discussed at January 2014 Strategic Planning Session – Tim Morales |
| 10:15 – 10:30 a.m. | Break |
| 10:30 – 11:00 a.m. | Downtown Development Authority – Beth Ernat |
| 11:15 a.m. -12:00 p.m. | Development Strategy – Yolanda M. Jones and Tom Miller, Jr. |
| 12:00 – 12:45 p.m. | Lunch |
| 12:45 -1:30 p.m. | Street Lighting Update – Phil Karwat and Yolanda M. Jones |
| 1:30 – 2:00 p.m. | Financial Outlook – Tim Morales |
| 2:00 - 2:15 p.m. | Equal Employment Opportunity Semi-Annual Report – Beth Carson Church |
| 2:15 – 2:30 p.m. | Break |
| 2:30 – 3:00 p.m. | Strategic Planning General Discussion and Wrap Up |

City of Saginaw

PUBLIC NOTICE

Pursuant to Title III, Administration, Chapter 33, "Taxation and Assessment," Section 33.27, "Assessment Roll Hearing and Confirmation," of the City of Saginaw Code of Ordinances, O-1, notice is hereby given that the Council of the City of Saginaw, Michigan, will meet at **6:30 p.m. Monday, February 16, 2015**, in the Council Chamber of City Hall and review the following single lot special assessment rolls:

Sewer Connections & Replacements

Water Connections & Replacements

Nuisances: Trash Removal/Yard Cleanup and Weed/Grass Cutting

False Alarms Fire

False Alarms Police

Anyone objecting to such an assessment may appear in person at the hearing to protest or may file an objection in writing with the City Clerk prior to the close of said hearing, which written objection shall specify in what respect the objection is made. Postmark date will not be honored and no phone call objections will be accepted.

An appearance and protest at the hearing in this assessment proceeding is required in order to appeal the amount of the special assessment to the Michigan State Tax Tribunal. Such appeal must be submitted within 30 days of the City Council having approved the single lot special assessment tax roll. The single lot special assessment rolls are on file in the office of the City Clerk and are available for inspection during regular office hours up to the time of the hearing.

Janet Santos, CMMC/CMC/MMC
City Clerk

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Posted 1-24-2015
By: _jks_____

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, JANUARY 12, 2015, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

Mayor Browning offered a prayer and led the pledge of allegiance.

ROLL CALL

Mayor Browning called the meeting to order. Council Members present: Dan Fitzpatrick, Demond Tibbs, Annie Boensch, Mayor Pro Tem Amos O'Neal, Larry Coulouris, Brenda Moore, Michael Balls, Floyd Kloc, and Mayor Dennis Browning: 9. Council Members absent: 0.

ANNOUNCEMENTS

City Clerk Janet Santos made the following announcements:

- effective January 1, 2015 curbside recycling will no longer require to be sorted
- That City Hall will be closed January 19, 2015 for the Martin Luther King Holiday
- The next regular City Council meeting and Strategic Planning Session will be held on January 24 at the Castle Museum at 9:00 am
- The City will conduct a Public Safety Career Fair on January 29 from 12:00 – 3:00 p.m. in Council Chambers.

Council Member Balls read and presented a proclamation to the Saginaw High School marching band for their recent performance at the TaxSlayer Gator Bowl in Jacksonville, Florida.

PUBLIC HEARING

City Clerk Janet Santos announced the public hearing to create an Obsolete Property Rehabilitation Act District at 124 S. Michigan Avenue. Mayor Browning called for public comments. Tom Miller of Saginaw Future spoke in favor of the district creation. Art Felton, 124 S. Michigan Avenue property owner, spoke in favor of the district and provided details of the planned building improvements and the small distillery business. Mayor Browning called for comments two more times. No additional comments were made.

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

PERSONAL APPEARANCES

The following person addressed the Council: Michael Noel.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Mayor Pro Tem O'Neal, Boensch, Tibbs, Fitzpatrick, Kloc, Balls, Moore and Mayor Browning.

REPORTS FROM CITY MANAGER

Management Update

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

City Manager Morales announced his appointment of Robert Ruth to the Chief of Police position. Chief Ruth expressed his appreciation for the opportunity to serve the community.

City Manager Morales introduced Human Resource Director Dennis Jordan. Mr. Jordan presented details regarding the recruitment efforts for public safety positions and that a Public Safety Career Fair will be held January 29 from 12:00 – 3:00 p.m. in Council Chambers.

Consent Agenda

1. Approve the minutes from the December 22, 2014 regular Council meeting.
2. Approve the 2015 Fireworks Delegation Agreement with the Michigan Department of Licensing and Regulatory Affairs - Bureau of Fire Services.
3. Approve the agreement with Point & Pay, LLC to process credit/debit card payment transactions taken through the Internet and at the Treasury counter.
4. Approve the contract agreement with Wobig Construction Company, Inc. for \$106,984 for the Boulder Climbing Garden and Pathway Project at the Mershon-Whittier Splash Plaza, Celebration Skate Park and playground. Further, approve a budget adjustment for FY 2015 to increase the Celebration Park Fund – Donations Account #508-0000-540.003 by \$3,731.98 to recognize a donation received from the Community Foundation's Anderson Water Park Repurposing Fund. This will be offset by an increase to the Celebration Park Fund – Celebration Park Division's Construction Services Account #508-7580-822.000 by the same amount.
5. Approve a purchase order to the Saginaw County Road Commission for \$35,442.16 for construction cost for Treanor Street from Williamson Street to Dixie Highway.
6. Approve a Lease Agreement Amendment with the Department of Veteran's Affairs. Further, approve a budget adjustment for FY 2015 to increase the General Reimbursements Account #101-0000-676.000 by \$50,966 to recognize the additional revenue generated. This will be offset by an increase to the General Fund, Department of Public Services – Engineering Administration Division's, Construction Projects Account #101-4611-822.000 by the same amount.
7. Approve a purchase order to Kone, Inc. for \$1,200 for Annual Elevator Inspection Services for FY 2015; and for \$1,200 for each FY 2016 and 2017 budgets pending approval, for the same services.
8. Approve a purchase order to Thomas Scientific for \$8,851.88 for a Market Forge Sterilimatic STM-E for the Water Treatment Plant.

9. Approve the Personal Services Agreement with Susan Franklin for the required annual Water Consumer Confidence Report, term January 12, 2015 through October 31, 2015, for an amount not to exceed \$15,000.

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

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

Council Member Boensch stated that the next meeting for the Boards & Commissions Committee will be held Tuesday, January 20 at 10:30 a.m. in Conference Room 104.

Council Member Tibbs reported that the Crime Free Lease Addendum ordinance is in draft form. The sub-committee will review prior to the next committee meeting.

RESOLUTIONS

Moved by Council Member Kloc, seconded by Council Member Coulouris to adopt the resolution establishing an Obsolete Property Rehabilitation District located at 124 S. Michigan Avenue. 9 ayes, 0 nays, 0 absent. Motion approved.

ADJOURNMENT

Moved by Council Member Coulouris, seconded by Council Member Kloc to adjourn the meeting at 7:58 p.m. 9 ayes, 0 nays, 0 absent. Motion approved.

Janet Santos, CMMC/CMC/MMC
City Clerk

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From: Timothy Morales, City Manager
Subject: 2015 Single Lot Special Assessment Tax Roll
Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

It is recommended that the 2015 Single Lot Special Assessment Tax Roll transmitted herewith be filed in the office of the City Clerk for public examination; that the Council meet and review said roll at a regular meeting to be held Monday, February 16, 2015; and that the Clerk is hereby directed to post a public notice of said hearing.

Justification:

The City Engineer filed the 2015 Single Lot Special Assessment Tax Roll with the City Clerk on January 16, 2015, for the following assessments:

1. Sewer Connections & Replacements
2. Water Connections & Replacements
3. Nuisances: Board Ups, Trash Removal/Yard Cleanup, Junk Vehicles and Weed/Grass Cutting
4. False Alarms Fire & Police

The expenses on single lot assessments are not the type that require prorating of costs among several lots and parcels of land in the special assessment district, but are assessed to owners of the individual lots on which a service was performed. The owners of record have been billed in accordance with provisions of Title III, Administration, Chapter 33, "Taxation and Assessment," Section 33.26, "Assessing Single Lots," of the Saginaw Code of Ordinances, O-1.

Council Action:

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

From: Timothy Morales, City Manager
Subject: MDOT Performance Resolution – ROW Division
Prepared by: Beth D. London, Public Services Department

Manager’s Recommendation:

I recommend approval of the Performance Resolution agreeing to the requirements the City of Saginaw must follow in all applications for permits to perform work within the Michigan Department of Transportation (MDOT) trunkline right of way within the city boundaries.

Justification:

The Michigan Department of Transportation requires all municipalities that construct, operate, use and/or maintain utilities or other facilities, or conduct other activities on, over and under state trunkline right of way, apply for an annual permit to perform the work, and to provide advance notification of the activity to the Michigan Department of Transportation.

The activities performed may include tree trimming and removal, water and sewer underground utility operations, aerial utility operations, banner installation, road closures and traffic control for special events, and detours on state trunkline routes. MDOT requires a resolution from the municipality before they will issue permits.

Council Action:

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

PERFORMANCE RESOLUTION FOR GOVERNMENTAL AGENCIES

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

RESOLVED WHEREAS: the City of Saginaw hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under state trunkline right of way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law.

This Agreement is not intended to increase either party's liability for, or immunity from, tort claims.

This Agreement is not intended nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.

1. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT.

2. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

3. It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State trunkline right of way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCY facilities according to a PERMIT issued by the DEPARTMENT.

4. With respect to any activities authorized by PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.

5. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.

6. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the Michigan Department of Transportation for the necessary permit to work within state trunkline right of way on behalf of the GOVERNMENTAL AGENCY:

Director of Public Services
City Engineer
Traffic Engineering Assistant
Foreman, Traffic Maintenance

Ayes:
Nays:
Absent:
Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on January 24, 2015; 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
City Clerk