

Council Agenda

February 3, 2014 - 6:30 p.m.
Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Don Sherzer, President, Spicer Group, to accept proclamation in recognition of Spicer's 70th Anniversary.

PUBLIC HEARINGS:

1. 2014-15 Community Development Block Grant Program, Emergency Solutions Grant (ESG) Program, and HOME Investment Partnership Program.

PERSONAL APPEARANCES:

(A list will be provided following submittal deadline.)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

Management Update:

1. Presentation from Colleen Sproul, Chairperson, Human Planning Commission (HPC), on HPC's recommendations for Community Development Block Grant, ESG and HOME programs for 2014-2015.

CONSENT AGENDA:

1. Approve the January 21, 2014 regular Council minutes.
2. Approve the January 25, 2014 Strategic Planning Session minutes.
3. Approve the First Contract Amendment between the City of Saginaw and Saginaw County Community Action Center, Inc.
4. Approve the First Contract Amendment between the City and Century 21.
5. Approve the proposal submitted by Kiesler Police Supply for the purchase of 65 new Glock pistols, with trade-in, for the police department which resulted in a \$3,170 credit to the City.

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6. Approve a purchase order to Michigan Taser Distributing for \$16,692.70 for the purchase of twelve Tasers, holsters, and an estimated one-year supply of air cartridges for the police department.
7. Accept the quote and approve a purchase order to Pro-Seal Service Group for \$2,410.45 for a 55-gallon drum of synthetic oil for the Water Treatment Division.
8. Approve a purchase order to Innovative Software Services, Inc., for \$7,813 for the renewal of annual software maintenance/support for the Fiscal Services Department, Income Tax Division.
9. Accept the Michigan Natural Resources Trust Fund Grant Agreement and approve a budget adjustment.
10. Approve purchase orders to the lowest bidders, to O. P. Aquatics for \$493.15 for a chemical feed pump, and to Memphis Pool Supply for \$8,970 for a variable frequency drive pump and filter sand for the Public Services Department, Facilities Division.
11. Approve a \$2,000 increase to blanket Purchase Order #48664 for additional ice melting products for the Maintenance and Service Division.
12. Accept the low quote and approve a purchase order to Etna Supply for \$3,200 for one six-inch turbo water meter with strainer for the Public Services Department.
13. Accept the quote and approve an \$11,778 increase to the current purchase order to RMD Holdings, Ltd. d/b/a Nationwide Construction Group, for emergency repairs to the aluminum railing on the Center Street Bridge.
14. Approve a purchase order to Nozz-Teq, low bidder, for \$13,248.20 for replacement sewer root cutting tools for the Public Services Department.

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

INTRODUCTION OF ORDINANCES:

1. An Ordinance to Repeal Chapter 110: "General Provisions," and Introduce a New Chapter 110: "General Provisions," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-1.

CONSIDERATION AND PASSING OF ORDINANCES:

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RESOLUTIONS:

1. Accept the Michigan Natural Resources Trust Fund Grant.
2. Authorizing sponsors of various community events to use amplifying equipment.
3. Approving the HOME Program Submission Program for 2014-2015.
4. Approving the HOMELESS Assistance Program Emergency Solutions Grant Submission Program for 2014-2015.
5. Approving the Community Development Block Grant Program Submission Program Year 2014-2015.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

ADJOURN:

Tim Morales
Interim 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

CITY OF SAGINAW

WHEREAS, Spicer Engineering was founded by Clifford Spicer at his home in 1944. This small venture prospered during the closing years of World War II and further thrived during the enormous growth of the latter part of the century; and

WHEREAS, in its early years, Spicer Engineering provided site development, surveying and the design of water, wastewater and drainage systems for townships and municipalities that were rapidly expanding during the post-war boom; and

WHEREAS, dedicated to improving the community, Spicer Engineering assisted the Saginaw area throughout the years, continuing to grow and expand; becoming recognized as leading experts in storm water management and environmental issues. As services grew, so did the staff, resulting in several moves to larger offices, now presently located at 230 S. Washington in downtown Saginaw; and

WHEREAS, in 1999, Spicer Engineering changed its name to Spicer Group to reflect their commitment to full range engineering, surveying and planning services. Although Spicer Group's growth has resulted in the establishment of several offices throughout the State of Michigan, Spicer Group's corporate office continues to remain in the City of Saginaw, committed to providing steady and gainful employment to many area residents; and

WHEREAS, Spicer Group has partnered with our city on several projects to include the Ojibway Island and Linear Park Riverfront Improvement, City of Saginaw Master Plan, Washington Avenue Streetscape, Genesee Avenue Streetscape, Hill Street Reconstruction, just to name a few; and Spicer Group continues to be involved in many key City organizations such as Riverfront Committee, Saginaw Downtown Development Authority, Downtown Saginaw Association, PRIDE, Saginaw Chamber of Commerce, Leadership Saginaw, the Children's Zoo and Children's Museum; now

THEREFORE, I, Dennis D. Browning, Mayor of the City of Saginaw, extend my personal congratulations and those of our City Council to Spicer Group for 70 years of excellent service and for the many contributions to our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Saginaw to be affixed this 25th day January in the year of our Lord two thousand fourteen.

Dennis D. Browning, Mayor

Councilpersons

Amos O'Neal, Mayor Pro Tem

Michael D. Balls, Annie Boensch, Norman Braddock

Larry Coulouris, Daniel Fitzpatrick,

Floyd Kloc, Brenda Moore

January 25, 2014

Timothy Morales, Interim City Manager

REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD TUESDAY, JANUARY 21, 2014, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

Council Member Fitzpatrick offered a prayer and led the pledge of allegiance.

ROLL CALL

Mayor Browning called the meeting to order. Council Members present: Norman Braddock, Annie Boensch, Daniel Fitzpatrick, Brenda Moore, Michael Balls, Floyd Kloc and Mayor Dennis Browning - 7. Council Members absent – Larry Coulouris and Mayor Pro Tem Amos O’Neal - 2.

ANNOUNCEMENTS

City Clerk Janet Santos made the following announcements:

- Real Christmas trees free of decorations can be placed at the curb for pick up on regular collection day until January 24th.
- City Council will hold a Strategic Planning Session January 25th at the Castle Museum at 8:30 a.m.

PERSONAL APPEARANCES

The following persons addressed the Council: Willie Humphrey, Dominic Licavoli and Debra Melkonian.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Boensch, Braddock, Fitzpatrick, Kloc, Balls, Moore and Mayor Browning.

Council Member Coulouris entered the meeting at 6:46 p.m.

REPORTS FROM CITY MANAGER

Management Update

Interim City Manager Tim Morales provided an informative update on meetings attended and various project activities.

City Manager Morales introduced Tom Begin of Consumers Energy. Mr. Begin presented information on energy production, community investments and energy efficiency. Mr. Begin introduced Darlene Kusterer. Ms. Kusterer spoke about the benefits of the Helping Neighbors Program.

City Manager Morales introduced David Youngstrom of Yeo & Yeo Financial Services. Mr. Youngstrom presented the Fiscal Year 2013 Annual Audit. He reported that the City is in compliance with all budgeting and reporting regulations. Mr. Youngstrom cited future challenges and that the fund balance is \$268,881, which would allow the City to operate for one half day.

City Manager Morales introduced Julie Decker of Saginaw Bay Underwriters. Ms. Decker provided an overview of City insurance plans and coverage. The City’s favorable loss experience allowed the premium to increase 3.9% which is below the

current market rate.

City Clerk Janet Santos announced that Consent agenda item #4 has been revised to indicate the assessment code of DMN141 for demolitions, and that item #9 was removed from the agenda prior to the meeting.

Consent Agenda

1. Approve the January 6, 2014 regular Council meeting minutes.
2. Approve a proposal with Saginaw Valley State University in the amount of \$8,247 for the facilitation of the Strategic Planning Session for City Council on January 25, 2014.
3. Approve the 2013-2014 Second Quarter Budget Adjustment.
4. Approve the filing of the 2014 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 17, 2014.
5. Approve the insurance proposals with Chubb/Federal Insurance Company for Combined Building & Personal Property, Business Income and Extra Expense, Valuable Papers and Records, Computer Coverage, Flood, Earthquake and Animals in the Petting Zoo; with The Hanover Insurance Group for Crime Coverage; with Chubb/Federal Insurance Company for Equipment Floater (including the Floating Docks) & Bridges Coverage; with Cincinnati Insurance Company for Machinery and Equipment Breakdown Coverage, and Hudson Insurance Company for Storage Tank Liability Insurance effective February 1, 2014 to February 1, 2015, for a total cost of \$350,412 and authorize the City Manager or his designee to execute any and all necessary insurance documents under the plans.
6. Approve a public hearing for the upcoming 2014-2015 Community Development Block Grant Program, Emergency Solutions Grant program and HOME Investment Partnership on February 3, 2014.
7. Approve the Certificate of Consistency on behalf of the Saginaw County Consortium of Homeless Assistance Providers as part of their grant application submittal to the U. S. Department of Housing and Urban Development and that the Mayor or his designee be authorized to sign the Certificate on behalf of the City.
8. Accept the U. S. Department of Homeland Security – FEMA – AFG Fire Prevention & Safety Grant in the amount of \$120,000 to cover the cost for approximately 10,000 smoke detectors for Fiscal Year 2014.

9. **REMOVED:** *Approve a budget adjustment to recognize the AFG Grant and approve a purchase order to Home Depot in the amount of \$10,000 for the purchase of 844 dual sensor smoke detectors.*
10. Approve a Personal Services Agreement with Susan Franklin from January 22, 2014 through October 31, 2014 in an amount not to exceed \$15,500 for services provided to the Water and Wastewater Treatment Division.
11. Approve payment to Michigan Truck Spring in the amount of \$2,984.76 for emergency repairs to a dump truck for the Public Services Department.
12. Approve a purchase order to IMAGINiT Technologies for \$4,000 for an Autodesk Civil 3D Jumpstart template and training for the Public Services Department.
13. Approve blanket purchase orders to the following lowest bidders for an annual supply of various fluids for the Public Service Department: Eastern Oil Company, \$27,892.10; Rowley's Wholesale, \$2,727.15 and Super-Flite Oil Co., \$380.00.
14. Approve a purchase order to North American Salt Co. for \$154,115 for back-up salt delivery for Fiscal Year 2014 for the Public Services Department.

Council Action:

Moved by Council Member Coulouris, seconded by Council Member Boensch to approve consent agenda items 1 through 8 and 10 through 14 as presented. 8 ayes, 0 nays, 1 absent. Motion approved.

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

Mayor Browning announced the Mayoral appointment of Larry Campbell to the Saginaw Housing Commission Board with a term to expire September 8, 2016.

INTRODUCTION OF ORDINANCES

Moved by Council Member Balls, seconded by Council Member Boensch to introduce an Ordinance to Repeal Chapter 110: "General Provisions," and Introduce a New Chapter 110: "General Provisions," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-1. Discussion held.

Moved by Council Member Kloc, seconded by Council Member Braddock to postpone the introduction of an Ordinance to Repeal Chapter 110: "General Provisions," and Introduce a New Chapter 110: "General Provisions," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-1 until the February 3, 2014 regular meeting. 8 ayes, 0 nays, 1 absent. Motion approved.

RESOLUTIONS

Moved by Council Member Boensch, seconded by Council Member Braddock to adopt a resolution establishing a Standing Study Committee and endorsing the review of the creation of Saginaw Central City Local Residential Historic District. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Fitzpatrick, seconded by Council Member Kloc to adopt a resolution to approve the Saginaw County Emergency Services Mutual Aid Agreement. 8 ayes, 0 nays, 1 absent. Motion approved.

MOTIONS AND MISCELLANEOUS BUSINESS

A brief discussion was held regarding the successful snowplowing efforts of the Public Services Department.

Moved by Council Member Braddock, seconded by Council Member Kloc to receive and file the Fiscal Year 2013 Annual Audit Report. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Kloc, seconded by Council Member Coulouris to enter a closed session to discuss pending litigation per MCL 15.268, Section 8.

Mayor Browning asked the City Clerk to conduct a roll call vote.

Ayes: Fitzpatrick, Braddock, Boensch, Coulouris, Moore, Balls, Kloc and Mayor Browning

Nays: None

Absent: Mayor Pro Tem O'Neal

Abstain: None

Motion approved.

Council entered closed session at 8:57 p.m.

Moved by Council Member Kloc, seconded by Council Member Fitzpatrick to return to regular session at 9:27 p.m. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Kloc, seconded by Council Member Fitzpatrick to approve the recommendation of legal counsel regarding pending litigation. 8 ayes, 0 nays, 1 absent. Motion approved.

ADJOURNMENT

Moved by Council Member Kloc, seconded by Council Member Braddock to adjourn the meeting at 9:29 p.m. 8 ayes, 0 nays, 1 absent. Motion approved.

Janet Santos, CMC/MMC
City Clerk

SPECIAL MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD SATURDAY, JANUARY 25, 2014, AT 9:00 A.M. AT THE CASTLE MUSEUM, 500 FEDERAL AVENUE, SAGINAW, MICHIGAN.

PRAYER AND PLEDGE OF ALLEGIANCE

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

ROLL CALL

Mayor Browning called the meeting to order. Council Members present: Daniel Fitzpatrick, Annie Boensch, Mayor Pro Tem Amos O'Neal, Larry Coulouris, Brenda Moore, Michael Balls, Floyd Kloc and Mayor Dennis Browning - 8. Council Members absent: Norman Braddock - 1.

Also in attendance were the following City staff members: Tim Morales, Interim City Manager; Debbie Buck, Executive Assistant to the City Manager; Janet Santos, City Clerk; Yolanda Jones, Assistant to the City Manager/Budget Administration; Brian Lipe, Chief of Police; Kim Mason, Director of Water/Wastewater Treatment; Dennis Jordan, Director of Employee Services; Beth Carson-Church, Assistant Director of Employee Services; Jeff Klopocic, Director of Technology; Phil Karwat, Director of Public Services; Bill Ernat, Community Development; Darrin Jerome, Inspection Department; Steve Filary, Fire Department Battalion Chief; Tom Raines, Fire Department Captain; and residents Tom Webb and Eve Perry.

Moved by Council Member Coulouris, seconded by Council Member Kloc to waive the Council Rules of Order and change the Order of Business to follow the Special Agenda prepared by the City Manager. 8 ayes, 0 nays, 1 absent. Motion approved.

REPORTS FROM CITY MANAGER

Management Update

Welcome

City Manager Timothy Morales welcomed everyone and introduced the facilitator, John Kaczynski of Saginaw Valley State University (SVSU).

Developing a Vision

The facilitator explained the structure and topics for the planning session. The topics for discussion are based on the pre-session survey conducted by SVSU. A handout was distributed to each participant. Session participants divided into small discussion groups based on their topic of interest. Each group created a vision statement for their topic. A member of each group shared their vision statement.

A short break was taken at 10:45 a.m.

SWOT Analysis

Council members and City staff broke into small groups to discuss the topics of focus and their strengths, weaknesses, opportunities and threats (SWOT). A member from each group shared their team's SWOT analysis.

Lunch was served from 12:15 p.m. to 12:45 p.m.

Identification of Goals/Objectives

The facilitator assisted the groups to identify obtainable goals with consideration given to each applicable SWOT. A member of each group shared their goals and objectives.

A short break was taken at 2:00 p.m.

Development of Action Plans/Activities

The groups were given the task to develop an action plan and to list how the plan would be accomplished. A member of each group shared their action plan.

The facilitator presented an overview of the session activities. Each session participant submitted their completed handout. The facilitator will compile a report with all vision statements, SWOT analysis findings, the goals identified, and the action plans.

PERSONAL APPEARANCES

There were no personal appearances.

ADJOURNMENT

Moved by Council Member Coulouris, seconded by Mayor Pro Tem O'Neal to adjourn at 3:43. p.m. 8 ayes, 0 nays, 1 absent. Motion approved.

Janet Santos, CMC/MMC
City Clerk

From: Timothy Morales, Interim City Manager

Subject: Saginaw County Community Action Center, Inc. Neighborhood Stabilization Program Assisted Projects Housing Counseling Services First Contract Amendment

Prepared By: Michele Allen, Department of Community Services

Manager's Recommendation:

I recommend approval of the First Contract Amendment ("Amendment") between the City of Saginaw ("City") and Saginaw County Community Action Center, Inc. ("CAC"). The term is for six months. All terms of the original agreement will remain in effect. I have approved the Amendment as to substance and the City Attorney as to form.

Justification:

On February 18, 2013, City Council approved the original Agreement with CAC to provide housing counseling services for Neighborhood Stabilization Program ("NSP") assisted projects. NSP Rules and Regulations require that all homebuyers obtain eight hours of housing counseling. The City entered into the original Agreement with CAC to provide housing counseling services to homebuyers of the remaining NSP assisted projects. There are a few remaining NSP 2 and NSP 3 homes for sale. As a result, the persons that purchase the homes are required to obtain housing counseling prior to the residences being sold to them.

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

Funds are budgeted in the Neighborhood Stabilization Program Fund-NSP2 Service Fees Account No. 279-6551-824.000 and NSP3 Service Fees Account No. 279-6552-824.000.

Council Action:

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

From: Timothy Morales, Interim City Manager

Subject: Century 21 Real Estate Realtor Services Neighborhood Stabilization Program Assisted Projects First Contract Amendment

Prepared By: Michele Allen, Department of Community Services

Manager's Recommendation:

I recommend approval of the First Contract Amendment ("Amendment") between the City and Century 21. The term is for six months. All terms of the original agreement will remain in effect. I have approved the Amendment as to substance and the City Attorney as to form.

Justification:

On February 18, 2013, City Council approved the original Agreement with Century 21 to provide real estate realtor services for Neighborhood Stabilization Program assisted projects. The City entered into the Agreement with Century 21 to sell the remaining NSP 2 and NSP 3 homes. There are a few NSP 2 and NSP 3 homes for sale, which Century 21 is actively marketing to prospective buyers.

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

Council Action:

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

From: Tim Morales, City Manager
Subject: Glock Service Weapons
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager’s Recommendation:

I recommend approval of the bid submitted by Kiesler Police Supply, Jeffersonville, IN, who as a result of their trade-in offer for old department weapons resulted in a credit amount of \$3,170 to the City.

Justification:

On January 7, 2014, three qualified vendors submitted bids in response to the City of Saginaw’s request for proposal #1186-13 for the purchase of 65 new Glock #22 pistols for the Saginaw Police Department, which also included a trade-in value for our existing 104 pistols. The following is a tabulation of the bids received:

VENDOR	TOTAL BID	TOTAL BID INCLUDING TRADE-IN
CMP Distributors Lansing, MI Less Trade-in:	\$26,585 -\$25,648	\$937
Michigan Police Equipment Charlotte, MI Less Trade-in:	\$26,585 -\$27,532	-\$947
Kiesler Police Supply Jeffersonville, IN Less Trade-in:	\$26,585 -\$29,755	-\$3,170

As a result of the trade-in, the low bid would give the department a credit of \$3,170 of which will be used on ammunition for the new Glock Service Weapons. The 104 pistols that are up for trade have been used by our police officers for nearly 14 years. Traditionally, the department has kept firearms for a period of 10 years at which point they are traded or sold.

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

Funds for this purchase are available in the Drug Forfeiture Funds Parts & Supplies Account No. 264-3040-742.000.

Council Action:

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

From: Tim Morales, City Manager

Subject: Tasers

Prepared by: Sienna Rendon, Community Public Safety – Police

Manager’s Recommendation:

I recommend that a purchase order be issued to Michigan Taser Distributing of South Lyon, MI, in the amount of \$16,692.70 for the purchase of twelve Tasers, holsters, and an estimated one-year supply of air cartridges.

Justification:

The Saginaw Police Department will be purchasing from Michigan Taser Distributing, a sole source provider, twelve Tasers. In addition, this purchase includes twelve holsters, twelve 4-year extended warranties, twelve tactical performance magazines, one data download kit, fifty 15-foot and fifty 25-foot air cartridges, which is estimated to be a one-year supply of cartridges. We are currently in possession of 70 Karbon Arms MPID Tasers, which due to a court injunction on the subject of copyright infringement, we are unable to continue using them.

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

Funds for this purchase are available in Community Public Safety - Police Administration Parts & Supplies Account No. 101-3512-742.000 in the amount of \$7,621.00 and in the Drug Forfeiture Parts & Supplies Account No. 264-3040-742.000 in the amount of \$9,071.70.

Council Action:

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

From: Timothy Morales, Interim City Manager

Subject: High Service Pump Oil

Prepared by: Ted Bomba, Water and Wastewater

Manager's Recommendation:

I recommend that the quote from Pro-Seal Service Group of Pontiac, MI be accepted and that a purchase order be approved and issued in the amount of \$2,410.45 for the purchase of a 55 gallon drum of Royal Purple Synfilm 68 Synthetic Oil for the Water Treatment Division.

Justification:

The high service pumps and electric motors have been in service many years and some are original 1929 equipment. The use of high quality synthetic oil has extended the life of the pumps, reducing costly maintenance repairs. Royal Purple oil has been in use for over ten years due to its ability to lower operating temperatures on bearings. This order is to replace current stock and is needed for annual oil changes. Pro-Seal is the exclusive commercial distributor for Michigan.

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

Funds for this purchase are budgeted in the Water Operations and Maintenance Fund, Treatment & Pumping Division Parts and Supplies Account No. 591-4730-742.000 for Fiscal Year 2014.

Council Action:

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

From: Timothy Morales, Interim City Manager
Subject: Annual Innovative Software Services, Inc. maintenance/support
Prepared by: Jeff Klopocic, Technical Services Department

Manager's Recommendation:

I recommend that a purchase order be approved and issued to Innovative Software Services, Inc., in the amount of \$7,813 for the renewal of annual software maintenance/support. The maintenance covers the Income Tax software used by the Fiscal Services Department, Income Tax Division, and includes all support and updates to the software for one year.

Justification:

The City annually renews our maintenance and license fees for City Tax Software. Innovative Software Services, Inc., is the proprietary owner of the City Income Tax software. This annual renewal of maintenance and license fees is for a 12-month period and did not increase from last year.

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

Funds for this payment are budgeted and available in the Technical Services, Operating Services Account No. 658-1720-805.000.

Council Action:

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

From: Tim Morales, Interim City Manager
Subject: Michigan Natural Resource Trust Fund Grant Agreement
Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend that Michigan Natural Resources Trust Fund (MNRTF) "Agreement" be approved and that the mayor or his designee be authorized to execute said Agreement. The Agreement has been approved by me as to substance and the City Attorney as to form. A resolution to approve the Agreement appears under the regular order of business.

I further recommend that a budget adjustment be completed to increase the Celebration Park Fund – Grant Account No. 508-0000-540.008 from \$0 to \$30,000, to recognize a grant received from the Community Foundation from First Merit Bank. This increase will be offset by an increase in the Celebration Park Fund – Celebrations Division's, Engineering Services Account No. 508-7580-802.000 the same amount.

Justification:

MNRTF requires that the City of Saginaw enter into an Agreement for the purpose of setting forth the rights and obligations of the parties, in agreeing to construct or install recreation amenities within Celebration Park consisting of various boulder climbing features, pathways, benches and trees, together with necessary related work.

The result will be a more user-friendly recreation facility that will complement the work already completed at the Mershon-Whittier Splash Plaza, Celebration Skate Park and playground. This project is scheduled to start in September of 2014 and will be completed in November 2014.

The total project is estimated to cost \$96,000, including design. The MNRTF grant will cover \$67,000 of the costs. The City is responsible for all costs over \$67,000. The City's estimated share is \$29,000. Funds for the City's portion of the design and construction costs have been provided by the Saginaw Community Foundation through a grant received from First Merit Bank.

Funds for this project are budgeted in the Celebration Park Fund – Celebration Division, Engineering Services Account No. 508-7580-802.000 (\$30,000), and will be budgeted in the Fiscal Year 2015 Celebration Park Fund – Celebration Park Division, Construction Services Account No. 508-7580-822.000 (\$67,000).

Council Action:

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

From: Timothy Morales, Interim City Manager
Subject: Celebration Splash Park Equipment Parts – Facilities Division
Prepared by: Bruce Caradine, Public Services Department

Manager’s Recommendation:

I recommend that the lowest bids be approved and individual purchase orders be issued to O.P. Aquatics, Lansing, MI in the amount of \$493.15 for a chemical feed pump and Memphis Pool Supply, Memphis TN in the amount of \$8,970 for a variable frequency drive pump and filter sand.

Justification:

On November 19, 2013, bids were received from two vendors for a large variable frequency drive peristaltic metering pump, blue/white flexible chemical pump and 325 lbs. of silica sand #25. These items are necessary for the continuous and efficient operation of the Celebration Splash Park that operates seven days per week annually each summer from Memorial Day through Labor Day. The City will have parts and materials readily available as needed when equipment is in disrepair to reduce park closure.

The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Cost</u>
O.P. Aquatics Lansing, MI	\$ 493.15
Memphis Pool Supply Memphis, TN	\$8,970.00

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

Funds for this purchase are budgeted in the Celebration Park Fund – Celebration Park Division, Parts and Supplies Account No. 508-7580-742.000.

Council Action:

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

From: Tim Morales, Interim City Manager
Subject: Maintenance & Service – Blanket Purchase Order increase for Clark Hardware

Prepared by: John Premo, Public Services Department

Manager's Recommendation:

I recommend that blanket purchase order #48664 in the amount of \$2,300 approved by Council on July 1, 2013 to Clark Hardware, Saginaw, MI be increased by \$2,000 for Fiscal Year 2014 for ice melting products.

Justification:

Due to extreme winter weather conditions, an unforeseen demand for ice melting products has drained the existing blanket purchase order. With another six weeks of winter, more of these products will be needed by the front line crews.

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

Funds for this purchases are budgeted in the Water Operation and Maintenance Fund – Maintenance and Service Division, Parts & Supplies Account No. 591-4721-742.000 (\$1,000), and in the Sewer Operation and Maintenance Fund – Maintenance and Service Division, Parts & Supplies Account No. 590-4821-742.000 (\$1,000).

Council Action:

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

From: Tim Morales, Interim City Manager
Subject: Replacement Water Meter for Saginaw Metal Castings (SMCO)
Prepared by: John Premo, Public Services Department

Manager’s Recommendation:

I recommend that the low quote from Etna Supply, Grand Rapids, MI be accepted and a purchase order be approved and issued to them in the amount of \$3,200 for one six-inch turbo water meter with strainer.

Justification:

On May 20, 2013, Council approved the purchase of a six-inch and a three-inch turbo water meter for Saginaw Metal Castings to downsize their current ten-inch meters to reduce cost. Saginaw Metal Castings provided assurances, as required, that the three and six-inch meters downsize would meet their water needs. Subsequently, in service testing now shows that the six-inch turbo meter is the smallest they can operate. The Maintenance and Service Division has no current stock of the new no-lead meters in this size. Therefore, to expedite the purchasing process, quotes from two companies were received that carry the two brands of water meters compatible with the City’s AMR system. The following is a tabulation of the quotes received:

<u>Vendor</u>	<u>Cost</u>
Etna Supply Grand Rapids, MI	\$3,200
Michigan Meter Madison Heights, MI	\$3,921

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

Funds for this purchase are budgeted in the Water Operation and Maintenance Fund – Maintenance and Service Division, Repairs and Replacements Account No. 591-4720-974.000 (\$1,600), and Sewer Operation and Maintenance Fund – Maintenance and Service Division, Repairs and Replacements Account No. 590-4820-974.000 (\$1,600).

Council Action:

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

From: Timothy Morales, Interim City Manager
Subject: Center Street Bridge Emergency Railing Repair - ROW Division
Prepared by: Beth D. London, Public Services Department

Manager's Recommendation:

I recommend the quotes received from RMD Holdings, Ltd. d/b/a Nationwide Construction Group (Nationwide), Chesterfield, MI be accepted, and that the current purchase order issued to them be increased by \$11,778 to make emergency repairs to the aluminum railing on the Center Street Bridge.

Justification:

On October 8, 2013, the Engineering Section received bids for the repair of the Center Street Bridge railing and guardrail. Both were damaged on March 7, 2013, from a vehicular accident. Nationwide was the low bidder and is in the process of having the railing pieces manufactured. All repair work should be completed in February 2014.

On December 13, 2013, the City received a quote from Nationwide in the amount of \$7,500 to replace a piece of missing railing on a different section of the bridge. On January 13, 2014, the City received another quote from Nationwide to replace a third section of railing that was damaged from a vehicular accident on December 25, 2013. The cost of this repair is \$4,278. Adding this work to the existing purchase order will expedite the repairs and allow the sidewalk on the south side of the Center Street Bridge to be reopened to pedestrian traffic sooner.

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

Funds for this repair are available in the Major Streets Fund – Bridge Projects Divisions Construction Projects Account No. 202-4616-822.000 (\$11,778).

Council Action:

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

From: Tim Morales, Interim City Manager
Subject: Maintenance & Service - Replacement Sewer Root Cutter Tools
Prepared by: John Premo, Public Services Department

Manager’s Recommendation:

I recommend that the low bid from Nozz-Teq, Dundein, FL, be accepted and that a purchase order be approved and issued to them in the amount of \$13,248.20 for replacement sewer root cutting tools.

Justification:

On January 14, 2014, bids were received for the replacement of sewer root cutting tools utilized by the Maintenance & Service Division employees for the removal of root systems in 12” and 18” sewer mains. Nozz-Teq supplied the lowest and best bid, and they will calibrate the equipment on the City’s Vactor Jet truck and train City operators on the usage.

The following is a tabulation of bids received:

<u>Vendor</u>	<u>Cost</u>
Nozz-Teq Dundein, FL	\$13,248.20
Fredrickson Supply Wyoming, MI	\$16,341.00
Michigan Pipe and Valve Zilwaukee, MI	\$17,000.00

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

Funds for this purchase are budgeted in the Sewer Operation and Maintenance Fund – Maintenance and Service Division, Parts and supplies Account No. 590-4821-742.000.

Council Action:

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

From: Timothy Morales, Interim City Manager

Subject: Chapter 110: Business Regulations Ordinance

Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

I recommend that Chapter 110: "General Provisions," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-1, be repealed and a new Chapter 110: "General Provisions," be added to Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-1.

Justification:

Due to City organizational changes in personnel and department procedures it has become necessary to revise Chapter 110: "General Provisions." The new Chapter 110: "General Provisions" will provide an ordinance for easier processing of business license applications that aligns with the new BS&A Software system. Since nearly all sections of the ordinance have amendments and/or an addition, it is recommended that the original ordinance be repealed and a new ordinance adopted.

Various sections within Chapter 110 are updated to match current City Administration personnel and Department titles, and indicate a designee option where appropriate. Amendments were made throughout the ordinance to consistently use the current Administrative titles, neutral pronoun references, and minor spelling corrections.

The sections with requirements for a surety bond have been revised with appropriate language and with amount levels as recommended by Saginaw Bay Underwriters. Also, section 110.28 "Taxicabs" is retitled as "Vehicles for Hire," which includes amendments that meet the current needs of the City with the surety bond and insurance requirement language revisions. Section 110.29 "Taxicabs Drivers" is repealed. The "Appendix: Fees" section has been reviewed and updated to appropriate fee levels.

An Ordinance has been prepared and appears under the regular order of business.

Council Action:

This Council Communication is for explanation purposes of the ordinance to be introduced and enacted according to City Charter, Section 22, titled "Ordinances."

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

AN ORDINANCE TO REPEAL CHAPTER 110: "GENERAL PROVISIONS," AND INTRODUCE A NEW CHAPTER 110: "GENERAL PROVISIONS," OF TITLE XI, "BUSINESS REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

Laid over under the Charter provision.

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced on February 3, 2014, entitled and reading as follows, be taken up and enacted:

O- _____

AN ORDINANCE TO REPEAL CHAPTER 110: "GENERAL PROVISIONS," AND INTRODUCE A NEW CHAPTER 110: "GENERAL PROVISIONS," OF TITLE XI, "BUSINESS REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

Section 1. That Chapter 110: "General Provisions," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-1, is hereby repealed.

Section 2. That a new Chapter 110: "General Provisions," shall be added to Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-1, and shall read as follows:

CHAPTER 110: GENERAL PROVISIONS

Section

Licensing

- 110.01 Definitions
- 110.02 License required
- 110.03 License year
- 110.04 Approval of licenses
- 110.05 Fees and bond
- 110.06 Suspension, revocation, denial of renewal of license
- 110.07 Renewal
- 110.08 Exhibition of license
- 110.09 Transferability; misuse
- 110.10 Sales regulations

Businesses

- 110.20 Building wreckers
- 110.21 House movers and house raisers
- 110.22 Scrap material dealers and processors
- 110.23 Pawnbrokers
- 110.24 Peddlers and hawkers
- 110.25 Secondhand merchants
- 110.26 Stationary boiler operators and stationary engineers

110.27	Transient merchants
110.28	Vehicle for hire
110.29	Food vendors
110.30	Pool and billiard rooms
110.31	Dancing and dance halls
110.32	Dancing schools
110.33	Theaters
110.34	General business license
110.98	Violations
110.99	Penalty

Cross-reference:

Incorporation of state violations, see § 31.01

Responsibility for violations, see § 31.02

Tents; licensing, see § 92.14

LICENSING

§ 110.01 DEFINITIONS.

The following words and phrases, when used in this chapter shall have the meaning respectively ascribed to them:

BUSINESS. Includes all kinds of vocations, occupations, professions, enterprises, trades, privileges, establishments, and all other kinds of activities and matters, together with all devices, machines, vehicles, and appurtenances used therein, any of which are conducted for non-profit, private profit or benefit, either directly or indirectly, on any premises in this City, or anywhere else within its jurisdiction.

CITY. The City of Saginaw.

CITY COUNCIL. The City Council of the City of Saginaw.

LICENSE and **LICENSEE.** Include, respectively, the words **PERMIT** or **PERMITTEE**, or the holder for any use or period of time of any similar privilege, wherever relevant to any provision of this subchapter or other law or ordinance.

PERSON. Includes individual natural persons, partnerships, joint-venturers, societies, associations, clubs, trustees, trusts, or corporations, or any other individual sharing in the profits of the business; or any officers, agents, employees, factors, or any kind of personal representatives of any thereof, in any capacity, acting either for himself/herself, or for any other person, under either personal appointment or pursuant to law.

PREMISES. Includes all lands, structures, places, and also the equipment and appurtenances connected or used therewith in any business, and also any personal property which is either affixed to or is otherwise used in connection with any such business conducted on such premises.

§ 110.02 LICENSE REQUIRED.

(A) No person shall engage, advertise, represent himself/herself as engaged, or be engaged in the operation, conduct, or carrying on of any trade, profession, business, or privilege for which any license is required by any provision of this code without first obtaining a license from the City in the manner provided for in this chapter.

(B) The granting of a license or permit to any person operating, conducting, or carrying on any trade, profession, business, or trades, professions, businesses, or privileges, which are required by this code to be licensed, shall not relieve the person to whom such license or permit is granted from the necessity of securing individual licenses or permits for each such trade, profession, business, or privilege.

(C) The fact that a license or permit has been granted to any person by the State of Michigan to engage in the operation, conduct, or carrying on of any trade, profession, business, or privilege shall not exempt such person from the necessity of securing a license or permit from the City if such license or permit is required by this code.

(D) Unless otherwise provided in this code, every person required to obtain a license or permit from the City to engage in the operation, conduct, or carrying on of any trade, profession, business, or privilege shall make application for said license or permit to the City Clerk upon forms provided by the City Clerk and shall state under oath or affirmation such facts as may be required for, or applicable to, the granting of such license or permit.

(E) The applicant or licensee shall have a duty to notify the office of the City Clerk of any changes in the information contained in an application which is pending or which was the basis for the issuance of a license.

§ 110.03 LICENSE YEAR.

(A) The license year shall begin May 1 of each year and shall terminate at midnight on April 30 of the following year, except as herein otherwise provided.

(B) Wherever § 112.15 et seq. provides for fees for periods of less than one (1) year, the licenses shall be issued for the full time for which the fee is paid.

§ 110.04 APPROVAL OF LICENSES.

(A) No license or permit required by this code shall be issued to any person who is required by a provision of this code to also have a license or permit from the State of Michigan until such person shall submit evidence of such state license or permit and proof that all fees appertaining thereto have been paid.

(B) No license or permit shall be granted to any applicant therefor until such applicant has complied with all of the provisions of this code applicable to the trade, profession, business, or privilege for which application for license or permit is made. Neither shall any license or permit be granted where the certification of any officer of the City or other official is required prior to the issuance thereof until such certification is made.

(C) In all cases where the certification of the Health Officer is required prior to the issuance of any license or permit by the City Clerk, such certification shall be based upon an actual inspection and finding that the person making application and the premises in which the person proposes to conduct or is conducting the trade, profession, business, or privilege comply with all the sanitary requirements of the state, county and City.

(D) In all cases where the certification of the Fire Chief or the Chief's designee is required prior to issuance of any license or permit by the City Clerk, such certification shall be based upon an actual inspection and a finding that the premises in which the person making application for such license or permit proposes to conduct or is conducting the trade, profession, business, or privilege comply with all the fire regulations of the state and of the City.

(E) (1) In all cases where the certification of the Police Chief or the Chief's designee is required prior to issuance of any license or permit by the City Clerk, except as is otherwise provided in this chapter, such certification shall be based upon a finding that the person making application for such license or permit is of good moral character and that the person will not pose a threat to the public safety, peace, good order, and decency. In making such determination, the Chief of Police or the Chief's designee shall consider:

(a) Penal history. All convictions, if any, reasons therefor, and the demeanor of the applicant subsequent to their conviction and/or release. The City Police shall be allowed to run a complete criminal history of the applicant.

(b) License history. The license history of the applicant, if any; whether such person in previously operating in this or another state under a license has had such license revoked or suspended, the reasons therefor, and the demeanor of the applicant subsequent to such action.

(c) General personal history. Such other facts relevant to the general personal history of the applicant as shall be found necessary to a fair determination of the eligibility of the applicant.

(d) No obligation to the City. Whether the applicant is in default under the provisions of this chapter or indebted or obligated in any manner to the City except for current taxes.

(2) Where the fingerprints of an applicant are required to be filed, any state fees for the processing of said fingerprints shall be charged to the applicant in addition to required license fees.

(F) In all cases where the carrying on of the trade, profession, business, or privilege involves the use of any structure or land, a license or permit therefor shall not be issued until the Inspections Division shall certify that the proposed use is not prohibited by the zoning and building regulations.

(G) No license or permit required by this code shall be issued to any person without the verification of a valid current driver's license or identification card issued by a federal or state government that contains the persons photograph and signature.

§ 110.05 FEES AND BOND.

(A) *Generally.*

(1) Where the provisions of this code require that the applicant for any license or permit furnish a bond, such bond shall be furnished in an amount deemed adequate by the proper City officer, or, where the amount thereof is specified in the schedule of fees and bonds set out in the Appendix to this chapter or elsewhere in this code, in the amount so required; the form of such bond shall be acceptable to the designated City Official. In lieu of a bond, an applicant for a license or permit may furnish one (1) or more policies of insurance in the same amounts and providing the same protection as called for in any such bond; any such policies of insurance shall be approved by the designated City official issuing said license.

(2) If the application for any license or permit is approved by the proper officers of the City, said license or permit shall be granted upon proper payment for same at the office of the issuing authority.

(3) No license fee shall be required from any person exempt from such fee by state or federal law. Such persons shall comply with all other provisions of this chapter. The City Clerk shall, in all such cases, issue to such persons licenses or permits which are clearly marked as to said exemption and the reason therefor.

(4) Whenever any person fails to comply with provisions of this chapter and has been served a notice of violation of this code and has failed to achieve

compliance as ordered in the time specified, a reinspection fee set out in the Appendix of this chapter necessitated by such noncompliance shall be assessed and paid to the City Treasurer within the time period indicated. Each subsequent additional failure to comply, after additional notices citing the same violations have been served, shall be subject to an additional reinspection fee.

(B) *Schedule established.* The fee required to be paid and the amount of any bond required to be posted to obtain any license to engage in the operation, conduct, or carrying on of any trade, profession, business, or privilege for which a license is required by the provisions of this code shall be as hereinafter provided in the chapter. No license shall be issued to any applicant unless they first pay to the City Treasurer the fee and posts a bond in the amount required for the type of license desired.

(C) *Late payment penalty.* An additional late charge of fifty (50%) percent of the base fee shall be incurred as a result of the following:

- (1) Failure to obtain a business license within fifteen (15) days from the effective date of the ordinance or any applicable amendment;
- (2) Failure to obtain a business license within fifteen (15) days of commencement of a business; or
- (3) Failure to renew a business license by the license expiration.

§ 110.06 SUSPENSION, REVOCATION, DENIAL OF RENEWAL OF LICENSE.

(A) *Generally.* The City Manager or their designee may suspend, revoke, or deny renewal of a license for cause of any license or permit issued by the City in the manner herein provided. Divisions (A) through (D) of this section shall not apply to denial of new licenses.

(B) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CAUSE. As used in this section shall include:

- (1) The doing or omitting of any act or permitting any condition to exist in connection with any trade, profession, business, or privilege for which a license or permit is granted under the provisions of this code, or any premises or facilities used in connection therewith, which act, omission, or condition is contrary to the health, morals, safety, or welfare of the public; is unlawful or fraudulent; is unauthorized or beyond the scope of the license or permit granted; or is forbidden by the provisions of this code or any duly established rule or regulation of the City applicable to the trade, profession, business, or privilege for which the license or permit has been granted;

(2) The arrest and conviction of the licensee or permittee for any crime involving moral turpitude;

(3) Fraud, misrepresentation, or any false statement made in the application of the license;

(4) Fraud, misrepresentation, or any false statement made in the operation of a business;

(5) Failure or inability of an applicant to meet and satisfy the requirements and provisions of this code;

(6) Violation of any state or federal statute or duly adopted federal, state, or local rule and regulation as relates to the operation or business pertaining to the license or registration.

(C) *Notice.* Whenever the City Manager or their designee shall have evidence to warrant the suspension, revocation, or denial of renewal of a license or permit, the City Manager or their designee shall send a notice to the licensee or permittee by certified mail to their last known address, which notice shall contain a statement of the charge against the licensee or permittee and a definite time and place for a hearing of the charge, and shall order the licensee or permittee to show why the license or permit should not be suspended, revoked, or denied renewal, and that failure by the licensee or permittee to appear at the hearing may result in suspension, revocation, or denial of renewal of the license or permit. Unless the licensee or permittee requests a longer time, the hearing shall be conducted within five (5) days from the order of suspension, revocation, or denial of renewal of a license or permit.

(D) *Hearing.*

(1) The City Manager shall appoint a Hearing Officer to conduct a public hearing at which the licensee or permittee shall be granted an opportunity to show cause why the license or permit should not be suspended, revoked, or denied renewal. The hearing officer may be the City Manager or any officer or employee of the City appointed or assigned to the Administrative Departments as set forth in Chapter 30 of this code.

(2) In any proceedings under this section, the Hearing Officer has the power to administer oaths and affirmations and to certify official acts. The Hearing Officer shall proceed with reasonable dispatch to conclude any matter before them. Due regard shall be shown for the convenience and necessity of the parties and their representatives.

(3) The Hearing Officer shall cause a record of the entire proceeding to be made by tape recording or by other means of permanent recording determined appropriated by the Hearing Officer. A transcript of the proceedings shall be made

available to all parties upon request and upon payment of a fee prescribed therefor. The fee may be established by the Hearing Officer but shall not be greater than the cost of making the transcript.

(4) The hearing need not be conducted according to the technical rules of evidence adopted for the Courts of Record in the state.

(5) The Hearing Officer shall take testimony from the licensee or permittee and any person having knowledge relevant to the suspension, revocation, or denial of renewal of a license or permit. Oral evidence shall be taken only upon oath or affirmation of the party offering the testimony.

(6) Hearsay evidence may be used under the following guidelines:

- (a) Hearsay evidence may be used to explain other direct evidence.
- (b) Hearsay evidence may be used to support other direct evidence.
- (c) Hearsay evidence shall not be used in itself to support a finding, unless it would be admissible in civil actions in courts of competent jurisdiction.

(7) Any relevant evidence not otherwise excluded herein shall be admitted. **RELEVANT EVIDENCE** shall be defined, for the purpose of this section, as the type of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs. Such relevant evidence shall be admitted regardless of whether or not it may be admissible in civil actions in courts of competent jurisdiction.

(8) Irrelevant and unduly repetitious evidence shall be excluded. Each party shall have these rights:

- (a) To call and examine witnesses on any matter relevant to the issues of the hearing;
- (b) To introduce documentary and physical evidence;
- (c) To cross-examine opposing witnesses on any matter relevant to the witness to testify;
- (d) To impeach any witness regardless of which party first called the witness to testify;
- (e) To refute the evidence;
- (f) To represent himself or herself or to be represented by anyone of their choice who is lawfully permitted to do so;
- (g) To make a closing statement at the conclusion of the evidentiary portion of the hearing.

(9) Failure of the licensee or permittee or their representative to appear at the hearing may be deemed to be an admission by the licensee or permittee of the facts set forth in the City Manager's notice and order.

(10) At the conclusion of the hearing, the Hearing Officer shall make written findings of fact based upon the competent evidence and testimony admitted during the hearing.

(11) The Hearing Officer shall make a finding whether or not the license or permit shall be denied, revoked, or suspended.

(E) *Appeal upon denial, suspension, or revocation of a license.*

(1) Any party dissatisfied with the decision of the City Manager or other appropriate Hearing Officer or body shall have a right to appeal the decision. The appeal shall be in writing and shall contain a complete statement of the grounds for the appeal. It must be filed with the City Clerk, together with an appeal fee, within fourteen (14) days after notice of such denial, suspension, or revocation is mailed to the person's last known address. This appeal upon denial includes the denial of a new license.

(2) Within ten (10) days of the receipt of the appeal by the City Clerk, the Clerk shall schedule an appeal hearing. Unless waived by the parties, the Clerk shall mail by first class mail a written notice of the time and location of the appeal hearing at least five (5) days prior to the hearing. The appeal hearing shall be an informal hearing held before a panel consisting of the City Manager or their designee, the affected department head or their designee, and the City Clerk or their designee.

(3) The factual record made in the hearing, or license or permit application record in case of denial, shall constitute the basic record for the appeal. The appeal panel may, but need not, allow the presentation of additional evidence by a majority vote. Argument as to relevant factual and legal issues shall be permitted. The decision of the appeal panel shall be reached by majority vote and mailed to the parties within seven (7) days of the conclusion of the hearing. The decision of the appeal panel shall be final and conclusive.

(4) A party aggrieved by the order or decision of the appeal panel may appeal the decision to a court of competent jurisdiction as provided by state statutes and court rules.

(F) *Immediate suspension.* Where the City Manager or their designee shall determine that in the interest of the public health, morals, safety, or welfare an immediate suspension is necessary, they shall order the same. In such case, the City Manager shall forthwith send a notice to the licensee or permittee by certified mail to their last known address, which notice shall contain a statement of the charge against the licensee or permittee and a definite time and place for a hearing of the charge and shall order the licensee or permittee to show why their license or permit should not be suspended for an

additional period of time or revoked. Unless the licensee or permittee requests a longer time, the City Manager or their designee shall conduct said hearing within five (5) days from the order of suspension, at which time and place the licensee or permittee shall have an opportunity to present a defense to the charge and cross-examine any witnesses and examine all evidence produced against them. The decision may be appealed pursuant to division (E) above.

(G) *Fee refund.* No fee for any license or permit which has been suspended or revoked pursuant to the provisions of this section shall be refunded.

§ 110.07 RENEWAL.

Unless otherwise provided in this code, an application for renewal of a license shall be considered in the same manner as an original application.

§ 110.08 EXHIBITION OF LICENSE.

(A) No licensee shall fail to carry any license or permit issued in accordance with the provisions of this chapter upon their person at all times when engaged in the operation, conduct, or carrying on of any trade, profession, business, or privilege for which the license was granted; except that where such trade, profession, business, or privilege is operated, conducted, or carried on at a fixed place or establishment, said license or permit shall be exhibited at all times in some conspicuous place in said place of business and shall be produced for examination when applying for a renewal thereof or when requested to do so by any City police officer or by any person representing the issuing authority.

(B) No licensee shall fail to display conspicuously a license that is required by this code.

(C) No person shall display any expired license or permit or any license or permit for which a duplicate has been issued.

§ 110.09 TRANSFERABILITY; MISUSE.

(A) No license or permit issued under the provisions of this code shall be transferable unless specifically authorized by the provisions of this code. No licensee or permittee shall, unless specifically authorized by the provisions of this code, transfer or attempt to transfer their license or permit to another, nor shall they make any improper use of the same.

(B) A change in ownership of a business licensed under this code shall be immediately reported in writing to the City Clerk.

§ 110.10 SALES REGULATIONS.

(A) No licensee or permittee shall sell or offer for sale any article or commodity purporting to be in quantities of standard weight or measure, unless the same shall be actually of the weight or measure purported.

(B) No licensee or permittee shall sell or offer for sale any defective, faulty, incomplete, or deteriorated articles of merchandise unless the goods are so represented to prospective customers.

BUSINESSES

§ 110.20 BUILDING WRECKERS.

No person shall engage in the business of wrecking buildings without first obtaining a license therefor. No such license shall be granted except upon certification of the Chief Inspector or their designee that said applicant is properly qualified and equipped to engage in said business.

§ 110.21 HOUSE MOVERS AND HOUSE RAISERS.

(A) No person shall move any house or other building more than twelve (12) feet in width, or more than twenty (20) feet in length, or more than thirteen (13) feet in height when loaded, onto or through any street, alley, or public place without first obtaining a house mover's license.

(B) No person shall engage in the business of raising houses or buildings without first obtaining a license therefor.

(C) No license required by this section shall be granted except upon the certification by the Chief Inspector or their designee, that said applicant is properly qualified and equipped to raise houses or to move houses and other objects.

(D) Before any house or building more than eight (8) feet in width is moved through any street, alley, or public places, a permit shall first be obtained from the Traffic Engineer which shall specify the route which must be used. No person shall use other than the permitted route.

(E) Before any such license is issued, the applicant therefor shall furnish a corporate surety bond in the penal sum of five hundred (\$500.00) with sufficient surety to be approved by the City Clerk, which bond shall be conditioned for the due observance during the time of the license of all laws of the state and all ordinances of the City. Any person aggrieved by the action of any such licensee shall have a right of action on the bond for the recovery of money or damages, or both. Such bond shall remain in full force and effect for a period of ninety (90) days after the expiration or cancellation of any such license or after the termination of any action upon such bond.

§ 110.22 SCRAP MATERIAL DEALERS AND PROCESSORS

(A) No person shall engage in the business of dealer in or processor for resale of scrap metal, other scrap materials, used auto parts, or any form of goods commonly considered junk, nor assemble same in one (1) location for the purpose of sale, without obtaining a license therefor as provided in this section.

(B) No license shall be issued under this section:

(1) Except upon the certification of the Police, Fire, and Inspection Departments. The certification of the Chief Inspector or their designee shall be given if the premises upon which the licensed business and the use complies with the provisions of subsections (2) and (3) below and with the applicable provisions of City zoning regulations.

(2) Unless the applicant therefor files with the original application for the conduct of the business the written consent of sixty percent (60%) of the owners of the exclusively residential property within five hundred (500) feet of the property where such business is to be conducted.

(3) For conducting such business on a vacant lot or in a partially enclosed structure, unless all street frontage and all other property lines affording access by persons or vehicles to such property are enclosed with a properly maintained or opaque fence at least seven (7) feet above grade, said fence to be structurally sufficient to withstand any wind, snow, or other load to which it may reasonably be subjected or unless an alternate installation accomplishing comparable results as determined pursuant to division (F) hereof is maintained. For purposes of this subsection, any fence shall be deemed to be "opaque" if the open area in each square foot thereof does not exceed a total of twenty-four (24) square inches.

(C) Each such license granted shall designate the particular place where said business is to be conducted, and no licensee shall engage in said business at any place other than that so designated.

(D) No licensee shall purchase or receive any article:

- (1) Between the hours of 7:00 p.m. and 7:00 a.m.;
- (2) On any Sunday;
- (3) From any person under the age of seventeen (17) years without the written consent of a parent or guardian;
- (4) From any person that was the subject of a written notice by authorized officers pursuant to MCL 446.205 and 446.214.

(E) No licensee shall fail to keep a daily record of all purchases and sales made by them nor to report same weekly to the Police Chief or the Chief's designee, on

forms prescribed by said Police Chief. The Police Chief or the Chief’s designee shall at all times have access to such daily record.

(F) In order that the suitability of alternate methods of screening and containing the contents of scrap material yards may be established and to provide for reasonable interpretations of this section, a Special Board consisting of the then-members of the Board of Appeals on Zoning shall upon application hear and determine any written appeal made to it by any person considering himself or herself aggrieved by any action or decision of the City Clerk or any other official acting under the provisions of this section. Service of said appeal shall be made on the Secretary of the Board of Appeals on Zoning within ten (10) days after said action or decision. Among other factors which may be considered by the Special Board are remoteness of the location, the use of adjoining property, litter or other nuisances, larceny, trespass, and any other criminal offenses related to the property. The Special Board shall render its decisions and findings in writing to the City Clerk with a duplicate copy to the appellant. The Special Board may recommend to the City Council such amendment of this section as it may determine to be appropriate to protect the public.

§ 110.23 PAWNBROKERS.

(A) No person shall directly or indirectly operate, conduct, or engage in the business of pawnbroker without first obtaining a license therefor. No such license shall be granted except upon certification of the Police Chief and Fire Chief or their designees.

(B) No such license shall be granted to any person unless a complete set of fingerprints of such person is on file in the noncriminal identification file of the Police Department.

(C) Before any such license is issued, the applicant therefor shall furnish a corporate surety bond in the penal sum of three thousand dollars (\$3,000.00) with sufficient surety to be approved by the City Clerk, which bond shall be conditioned for the due observance during the time of the license of all laws of the state and all ordinances of the City. Any person aggrieved by the action of any such licensee shall have a right of action on the bond for the recovery of money or damages, or both. Such bond shall remain in full force and effect for a period of ninety (90) days after the expiration or cancellation of any such license or after the termination of any action upon such bond.

(D) (1) No person shall fail to keep record of all persons with whom they do business and all property coming into their possession. All reports must be electronically transmitted to the Chief of Police or their designee. Every pawnbroker must, within forty-eight (48) hours, transmit to the Chief of Police or their designee all transactions in which the pawnbroker received used goods the preceding day by pawn, trade, purchase or consignment, in a format approved by the Chief of Police or their designee for identifying pawned property. A transaction reported by electronic transmission under this subsection shall not be reported on paper forms unless the Chief of Police or their designee so requests.

(2) A pawnbroker need not report electronically transactions taking place at a business location where the number of pawn transactions in each ninety (90) day period does not exceed ten (10). A pawnbroker reasonably believing a location at which they conduct a pawnshop qualified under this subsection for exemption from computerized reporting and wishing to be exempt from the requirements of this section shall sign, under penalty or perjury, a declaration to that effect in a form developed by the Chief of Police or the Chief's designee, and once the declaration is signed, so long as the volume of transactions does not exceed ten each ninety (90) day period, pawn transactions taking place at that pawnshop need not be reported electronically, but shall be reported on paper forms.

(3) All pawnbrokers must have the equipment installed in their place of business no later than July 31, 2006. The Saginaw Police Department will require all pawnbrokers to electronically submit data beginning August 1, 2006.

(E) A fee of two dollars (\$2.00) will be assessed per transaction. The fee breakdown is as follows: The electronic information data manager and pawnbroker will each receive fifty cents (\$0.50) per transaction and the City will receive one dollar (\$1.00) per transaction. The electronic information data manager will assess a property registration fee of fifty cents (\$0.50) for each transaction the pawnshop reports, either through batch file upload or directly using the electronic information data manager's business interface or on the electronic information data manager's Automated Reporting Service that involves the purchasing, pawning or re-pawning of secondhand goods.

(F) (1) A **TRANSACTION** is defined as a single buy or pawn, which may involve one or more second hand goods and does not include contract extensions or claims. This is a per transaction registration fee, not a per item fee included in the transaction. It is in the pawnshop's discretion to recover the fees from its customers for registering the transaction. Further, the pawnshop may choose to incorporate the fee within other fees associated with the transaction.

(2) The pawnshop will be invoiced on a monthly basis. The electronic information data manager's Automated Reporting Service will generate a list of the billable transactions, which are used for deriving the invoiced amounts. The above fees are assessed for the use of the standard electronic information data manager's Automated Reporting Service.

(3) Any custom programming completed for the pawnshop will be negotiated on a contract basis and may result in unique licensing arrangements between the electronic information data manager and the pawnshop.

§ 110.24 PEDDLERS AND HAWKERS.

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

HAWKER. A peddler who cries their wares, goods, or merchandise or exhibits them publicly.

PEDDLER. A person who travels from place to place and who sells or offers to sell small non-edible wares, goods, or merchandise which accompany the peddler in traveling about from place to place.

(B) A peddler and a hawker must carry a valid license issued by the City in their possession to lawfully conduct business within the City limits.

(C) No licensee shall hawk, peddle, solicit, or sell any goods or merchandise on or in any public sidewalk, public street, public park, public parking ramp, public parking lot, or any public building without approval of the Director of Public Services or their designee.

§ 110.25 SECONDHAND MERCHANTS.

(A) No person shall directly or indirectly operate, conduct, or engage in the business or occupation of dealing in secondhand or used personal property without first obtaining a license therefor. For the purpose of this section, dealing in secondhand or used personal property shall include purchasing, selling, exchanging, or storing to facilitate or promote the sale of secondhand or used personal property of any kind or description; provided, that this section shall not apply to persons who deal exclusively in used personal property commonly known as “antiques.”

(B) No such license shall be granted except upon certification of the Police Chief or their designee and unless a complete set of the fingerprints of the applicant therefor are on file in the noncriminal identification file of the Police Department.

(C) No licensee shall purchase or receive any article:

(1) From any person under the age of eighteen (18) years without the written consent of a parent or guardian;

(2) From any person that was the subject of a written notice by authorized officers pursuant to MCL 446.205 or 446.214.

(D) (1) No person shall fail to keep record of all persons with whom they do business and all property coming into their possession. All reports must be electronically transmitted to the Chief of Police or their designee. Every secondhand merchant, within forty-eight (48) hours, must transmit to the Chief of Police or their designee by means of electronic transmission through a modem or similar device in such a format that the data is capable of direct electronic entry into the Saginaw Police Department’s computerized system approved by the Chief of Police for identifying secondhand or used personal property, all transactions in which the secondhand merchant received secondhand or used personal property the preceding day by pawn, trade, purchase, or consignment. A transaction reported by electronic transmission

under this subsection shall not be reported on paper forms unless the Chief of Police or their designee so requests.

(2) A secondhand merchant need not report electronically transactions taking place at a business location where the number of transactions in each ninety (90) day period does not exceed ten (10). A secondhand merchant reasonably believing a location at which they conducts a business qualified under this subsection for exemption from computerized reporting and wishing to be exempt from the requirements of this section shall sign, under penalty and/or perjury, a declaration to that effect in a form developed by the Chief of Police or their designee, and once the declaration is signed, so long as the volume of transactions does not exceed ten (10) each ninety (90) day period, transactions taking place at that business need not be reported electronically, but shall be reported on paper forms.

(3) All secondhand merchants must have the equipment installed in their place of business no later than July 31, 2006. The Saginaw Police Department will require all secondhand merchants to electronically submit data beginning August 1, 2006.

(E) (1) A fee of two dollars (\$2.00) will be assessed per transaction, which must be paid to the secondhand merchants pursuant to the following fee breakdown: The electronic information data manager and secondhand merchant will each receive fifty cents (\$0.50) per transaction and the City will receive one dollar (\$1.00) per transaction. The electronic information data manager will assess the property registration fee of fifty cents (\$0.50) for each transaction the secondhand merchant reports, either through batch file upload or directly using the electronic information data manager's business interface or on the electronic information data manager's Automated Reporting Service that involves the purchasing of secondhand goods or used personal property.

(2) A **TRANSACTION** is defined as a single buy or which may involve one or more secondhand goods or used personal property and does not include contract extensions or claims. This is a per transaction registration fee, not a per item fee included in the transaction. It is in the secondhand merchant's discretion to recover the fees from its customers for registering the transaction. Further, the secondhand merchant may choose to incorporate the fee within other fees associated with the transaction.

(3) The secondhand merchant will be invoiced on a monthly basis. The electronic information data manager's Automated Reporting Service will generate a list of the billable transactions, which are used for deriving the invoiced amounts. The above fees are assessed for the use of the standard electronic information data manager's Automated Reporting Service. Any custom programming completed for the secondhand merchant will be negotiated on a contract basis and may result in unique licensing arrangements between the electronic information data manager and the secondhand merchant.

(F) Before any such license is issued, the applicant therefore shall furnish a corporate surety bond in the penal sum of three thousand dollars (\$3,000.00) with sufficient surety to be approved by the City Clerk, which bond shall be conditioned for the due observance during the time of the license of all laws of the state and all ordinances of the City. Any person aggrieved by the action of any such licensee shall have a right of action on the bond for the recovery of money or damages, or both. Such bond shall remain in full force and effect for a period of ninety (90) days after the expiration or cancellation of any such license or after the termination of any action upon such bond.

§ 110.26 STATIONARY BOILER OPERATORS AND STATIONARY ENGINEERS.

(A) *Definitions:*

- (1) Fuel (Energy) systems include:
 - (a) Coal;
 - (b) Fuel oil;
 - (c) Gas - natural/ liquefied petroleum;
 - (d) Electricity;
 - (e) Bio-mass;
 - (f) Volatile waste fluids.
- (2) BTU (British Thermal Unit)
- (3) Types of licenses:
 - (a) Fourth Class License 6,000,000 BTU input (180 HP);
 - (b) Third Class License 12,000,000 BTU input (360 HP);
 - (c) Second Class License 20,000,000 BTU input (600 HP);
 - (d) First Class License 250,000,000 BTU input (750 HP).

(B) No person shall engage in the occupation of operating steam boilers or steam actuated machinery without first obtaining a license issued by the City. Such license shall be granted by the Board of Examiners for Stationary Boiler Operators and Stationary Engineers after it has been determined by examination that such person is qualified to operate said boilers or machinery as outlined in the license skill index.

(C) Candidates for Stationary Boiler Operator's License and Stationary Engineering License also must have knowledge of the following types of equipment:

- (1) Commercial hot water boiler (generator) system and their heat source.
- (2) Commercial incinerator systems including recovery boilers, heat recovery elements of fired or engine driven electrical generating equipment.
- (3) Direct fired absorption chillers for air conditioning.

(4) Direct fired elements for liquid phase or vapor phase systems employing synthetic organic fluids instead of water as a heat transfer medium.

(D) Candidates must also have knowledge of the following:

- (1) Safe handling of fuels as promulgated by the National Fire Protection Agency (NFPA).
- (2) Guidelines published by the following:
 - (a) American Society of Mechanical Engineers (ASME);
 - (b) American Boiler Manufacturers Association (ABMA);
 - (c) American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRE).

Candidates must also have knowledge of up-to-date requirements for clean air and water by the Environmental Quality Division of the Michigan Department of Natural Resources. Candidate practical experience required.

(E) The Board of Examiners for Stationary Boiler Operators and Stationary Engineers issues four types of licenses based upon the BTU input of specific pieces of equipment. The licenses are: Fourth, Third, Second and First Classes.

(F) Applicants for the Stationary Engineers License must have passed all four levels of the Stationary Boiler Operators examinations.

(G) Candidates for Fourth Class Boiler Operators License shall have had on the job training plus orientation from selected textbooks. Third Class candidates shall have had on the job training and also be encouraged to enroll in an industrial powerhouse operator training program offered at some local colleges. To write the Second and First Class Boiler Operators Examinations, the candidate must have at least one year of boiler room experience.

Stationary Engineers License candidates must have at least two years powerhouse experience. If a candidate fails the examination, six months must elapse before rewriting the examination.

Persons possessing a boiler operator's license from another location, but planning on being employed in Saginaw, have one year to pass the examinations relative to the class of license required for the equipment under their control.

(H) License fees are not graduated, but constant for all skill levels. The skill levels are: Fourth Class through First Class.

(I) License holder need only renew highest level license and not those of lower levels previously awarded.

(J) Licenses are renewable on April 30 of each year regardless of the date of issuance, i.e. no proration. Any existing license or renewal thereof may be renewed by mail without reexamination, provided the City receives the renewal fee within sixty (60) days of notice.

(K) The provisions of this section do not apply to steam boilers and other steam-generating apparatus installed and used in private dwellings, marine service, railroads or agriculture (mint processing).

§ 110.27 TRANSIENT MERCHANTS.

(A) No person shall engage temporarily in the business of selling at retail any goods, wares, or merchandise from any lot, building, room, or structure of any kind on public or private property within the City without first obtaining a license/registration therefor.

(B) The term **TRANSIENT MERCHANT** shall not include any persons selling goods, wares, or merchandise of any description raised, produced, or manufactured by the individual offering the same for sale nor to persons handling vegetables, fruits, or perishable farm products at any established City market nor to any stands located at the Saginaw Farmers Market. However, a person conducting business at any established City market shall register with the City Clerk by completing the application form described in (D) below, provided that no fee shall be charged for any such registration.

(C) Transaction of business as described in division (A) by any person for a period of less than six (6) months consecutively shall be prima facie evidence that such person was a transient merchant within the intent and meaning of this section.

(D) Any person applying for a transient merchant license/registration shall complete an application form provided by the City Clerk and pay the required license fee which shall not be refunded if no license is issued. The application form shall be submitted to the City Clerk at least fifteen (15) days prior to conducting any business requiring a license/registration hereunder. The application form shall include, but not be limited to:

- (1) The name and address of the applicant;
- (2) A listing of the precise locations within the City at which the applicant proposes to conduct business;
- (3) The signatures of the owners of the private property from which the business is to be conducted signifying the approval thereof.

(E) Any honorably discharged member of the Coast Guard, Army, Navy, Air Force, or Marine Corps of the United States, who is a resident of the state and a veteran of any war in which the United States of America has been or shall be a

participant, shall have the right to hawk, vend or peddle their own goods, wares and merchandise within the City by procuring a license therefor as herein prescribed. Application for such license shall be made in the form and manner prescribed in this article, and upon presentation of a certificate of honorable discharge from the Coast Guard, Army, Navy, Air Force, or Marine Corps of the United States, which certificate shall show that the applicant is a veteran of any war in which the United States has been or shall be a participant, a veteran's license shall be issued to the applicant without cost.

(1) Any person exempt by law from the payment of license fees as prescribed herein shall comply with all other provisions of this article, and upon submission of satisfactory evidence to the City of such exemption, a license shall be issued to such applicant without requiring the payment of any fee, and the City shall indicate upon the face of the license that same was issued pursuant to such exemption without any fee being paid therefor.

(F) No license/registration shall be issued hereunder without the certification of the Fire Marshal if the applicant proposes to use any building or structure in conjunction with the business.

(G) Before any such license is issued to any person selling furs such as coats, scarfs, neck pieces, muffs, etc. or rugs (oriental, domestic, handwoven, novelty), the applicant therefor shall furnish a corporate surety bond in the penal sum of one thousand dollars (\$1,000.00) with sufficient surety to be approved by the City Clerk, which bond shall be conditioned for the due observance during the time of the license/registration of all laws of the state and all ordinances of the City. Any person aggrieved by the action of any such licensee shall have a right of action on the bond for the recovery of money or damages, or both. Such bond shall remain in full force and effect for a period of ninety (90) days after the expiration or cancellation of any such license/registration or after the termination of any action upon such bond.

(H) As a condition to obtaining a license to operate as a transient merchant, the licensee is required to acknowledge in writing receipt of a summary of materials regarding certain Michigan statutes which regulate the licensing operation of such a business.

§ 110.28 VEHICLE FOR HIRE.

(A) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

VEHICLE FOR HIRE. A motor vehicle regularly engaged in the business of carrying passengers for hire and not operating on a fixed route.

(B) No person shall operate or permit a vehicle for hire owned or controlled by them to be operated as a vehicle for hire upon the streets of the City without having first obtained a license for each such vehicle.

(C) No vehicle for hire license shall be issued or continued unless there is in full force and effect one (1) or more liability insurance policies issued by an insurance company authorized to do business in the state for each licensed vehicle in the amount of one hundred thousand dollars (\$100,000.00) for bodily injury to any one (1) person; in the amount of three hundred thousand dollars (\$300,000.00) for injuries to more than one (1) person which were sustained in the same accident, and fifty thousand dollars (\$50,000.00) dollars for property damage resulting from one (1) accident. Said policy or policies of liability insurance shall be approved by and be filed with the City Clerk.

(D) Each such insurance policy shall contain a clause obligating the insurer to give the City Clerk, by registered mail, at least ten (10) days written notice before the cancellation or termination of such insurance by other than the expiration of the original term of the policy. Upon termination of any such policy of insurance, however caused, the vehicle for hire license in connection with which it was furnished shall immediately be suspended, and such suspension shall continue until the required insurance policy or policies have been furnished and approved as required by division (C) above.

(E) The license of the vehicle shall be prominently displayed in the lower rear driver's side window in a manner that does not obstruct the driver's vision.

(F) The City Manager is hereby empowered, subject to approval by the Council, to make such rules and regulations pertaining to any vehicle for hire as is necessary to protect the public health and the safety of persons and property, and no person shall fail to comply with any such rule or regulation.

(G) A meter used in this subsection shall be deemed to mean a mechanical instrument or device by which the lawful charge for hire is mechanically calculated and upon which such charge is indicated by means of figures. On each vehicle for hire that has a meter affixed the amounts of fare shall be plainly visible to the passengers and, after sundown, shall be illuminated by a suitable light. Meters shall be maintained in good working condition by the owner of the vehicle for hire to which attached; the case of said meter shall be sealed, and the motor and gears thereof intact.

(H) An application for a license as required by this code shall be made in writing on a form prescribed by the City Clerk.

(1) The application shall be accompanied by a complete listing of all vehicles that will be operating in the City of Saginaw and shall include their license plate number, VIN number, vehicle description, and a copy of each vehicle's proof of vehicle registration.

(2) The application shall also be accompanied by a list detailing the name, residential address, valid chauffer’s license number, and date of birth of all drivers employed with the vehicle for hire company.

(3) A copy of the liability insurance shall be submitted with the items described in sections (H) 1 and 2 above, at time of application and annually with renewal.

(l) Information Changes. The applicant or licensee shall have a duty to notify the Office of the City Clerk of any changes in the information contained in an application within 30 days of the change.

§ 110.29 FOOD VENDORS.

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

FOOD. Any good or substance, solid or liquid, which is customarily edible; **FOOD** includes prepackaged food and non-prepackaged food.

FOOD VENDOR. A person who travels about from place to place and who sells or offers to sell food which accompanies the person. **FOOD VENDOR** includes each individual assistant to or supplier for another food vendor. **FOOD VENDOR** also includes a food vendor who operates from, in, or through a temporary food service establishment or a mobile restaurant.

MOBILE RESTAURANT. Any vehicle which is used to transport food for human consumption from a licensed establishment, commissary, catering kitchen, food processor, or other similar licensed food service to be served directly from said vehicle at locations such as factories, construction projects, or similar prearranged stations on private property.

NON-PREPACKAGED FOOD. Food which is not wrapped, packaged, or bottled pursuant to the laws of the state or the United States. **NON-PREPACKAGED FOOD** includes but is not limited to fruit and vegetables, hot dogs prepared on location, ice cream served on location in cups or cones, ices, soft drinks in cups, popcorn, and cotton candy and other confections.

PREPACKAGED FOOD. Food which is wrapped, packaged, or bottled pursuant to the laws of the state or the United States.

SUPPLIER. A person who knowingly provides or supplies a food vendor by oral or written contract or agreement or other understanding. A supplier does not include a person who has no knowledge or agreement that the food supplied to the food vendor is to be sold or offered for sale by the food vendor.

TEMPORARY FOOD SERVICE ESTABLISHMENT. Any establishment, mobile or fixed, where food is served or provided for the public on the premises or elsewhere which operates at a fixed location for a temporary period of time, not to exceed two (2) weeks, in connection with a carnival, circus, public exhibition, sidewalk sale, parade, art show, race, sporting event, festival, rodeo, horse or dog show, auction, or other similar events.

(B) A food vendor shall not be allowed to operate within the City limits of the City, unless the food vendor is in possession of and carries with them a valid license issued by the City. The provisions of § 110.24 shall not apply to such licenses.

(C) A license shall not be issued by the City Clerk unless the food vendor supplies the City Clerk with a copy of one (1) and all valid licenses or certificates required by the County of Saginaw or the State of Michigan or the United States pursuant to a state or federal statute or regulation.

(D) A food vendor shall not be licensed unless they are at least fourteen (14) years of age. Applicants under sixteen (16) years of age shall submit the written consent of a parent or guardian. An applicant for such license shall submit with the applications satisfactory proof that all suppliers furnishing the food vendor with a vehicle or equipment or goods for the food vendor shall also have a license under this section.

(E) No food vendor shall have an exclusive right to any location in the public streets except as provided in section (G); no food vendor shall be permitted to make a sale within fifty (50) feet of a street intersection, park on a public roadway except as provided in section (G), park on school property or private property without the consent of the owner or person in possession thereof or person responsible for permitting such parking; no food vendor shall enter a public park or public playground except as provided by section (G). A food vendor shall not be permitted to operate in any congested area where their operations might impede or inconvenience the public. For the purpose of this section, the judgement of a police officer exercising good faith shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced.

(F) A food vendor may sell or offer for sale any prepackaged foods as defined in section (A) above if the food vendor also is in compliance with all applicable state and federal laws and regulations.

(G) A temporary food establishment or a mobile restaurant may not park or locate on any public street, public roadway, public park, or any public property except with the permission of the Director of Public Services or their designee.

§ 110.30 POOL AND BILLIARD ROOMS.

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

POOL AND BILLIARD ROOMS. Any place of business open to the public in which there are two (2) or more pool tables or billiard tables or in which tables or other facilities for playing cards are provided. Places of business having only one (1) pool or billiard table are regulated by section (E) hereof.

(B) No person shall engage in the business of operating a pool or billiard room without first obtaining the license therefor. Said license shall be in addition to any other license required for the establishment in which the pool and/or billiard tables are located. No such license shall be granted except upon certification of the applicable City Departments.

(C) No person shall be granted a license to operate a pool or billiard room unless the applicant has reached eighteen (18) years of age.

(D) No person shall keep open any premises licensed hereunder between the hours of 2:30 a.m. and 7:00 a.m. unless the business has been approved for an extended hours permit in conjunction with a State of Michigan liquor license.

(E) In any place of business in which there is located not more than one (1) pool or billiard table, the use of said table shall be limited to the same hours the establishment is regularly open for the conduct of its business.

§ 110.31 DANCING AND DANCE HALLS.

(A) *Special dance halls.*

(1) No person who has a license to sell alcoholic liquor shall permit dancing in or on the licensed premises without first obtaining a special dance hall license as provided in this code, which license shall also permit the licensee to conduct "floor shows." No such license shall be granted except upon certification of the Fire Chief and Police Chief or their designees.

(2) No Special Dance Hall License shall be issued until the application therefor has been approved by the Council.

(B) *Public dance halls; public dances.*

(1) The term **PUBLIC DANCE** shall include any dance to which admission may be gained by the general public but shall not include any dance to which admission is restricted to invited guests.

(2) No person, except a special dance hall licensee, shall conduct, operate, or maintain any place in or on which public dances are held without first obtaining a dance hall license in the manner provided in this code. No such license shall be granted except upon certification of the Fire Chief, Police Chief, and Chief Inspector or their designees.

(3) No person shall conduct any public dance without providing the services of a special police officer who shall enforce the provisions of this code for the duration of the dance.

§ 110.32 DANCING SCHOOLS.

No person shall teach dancing without first obtaining a dancing school license in the manner provided for in this code, which license shall designate the premises in which the school is to be conducted. No such license shall be granted except upon certification of the Police Chief and Fire Chief.

§ 110.33 THEATERS.

(A) The word **THEATER** as used in this code shall include any structure used primarily for entertainment on the stage or screen.

(B) No person shall conduct, maintain, or operate any theater without first obtaining a license therefor in the manner provided for in this code. No such license shall be granted except upon certification of the Fire Department.

(C) Except for non-profit community theaters and theaters already established, no license shall be issued unless the City Zoning Division shall first approve of the parking facilities available to the patrons of said theater. The minimum requirement of parking space shall be one (1) space to each four (4) seats contained in the theater, exclusive of parking facilities available on public streets or alleys.

(D) The scale of prices for admission to any theater shall be framed and hung at some conspicuous place at the entrance of said theater.

(E) (1) The words **OUTDOOR THEATER** as used in this code shall include any permitted outdoor entertainment not otherwise specifically licensed under this code including the exhibition of outdoor motion pictures.

(2) No person shall establish or maintain any outdoor theater without first obtaining a license from the City Clerk for each day said outdoor theater is to be conducted. No license shall be granted except upon certification of the Police Chief, Fire Chief, and the Building Inspector or their designees, who shall certify as to compliance with the zoning and building regulations.

§ 110.34 GENERAL BUSINESS LICENSE.

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

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

Exceptions: Churches
Public libraries
Schools (public, parochial and charter, K-12)
Government offices or operations

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

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

(1) The appropriate fees have been paid according to the table contained in this section.

(2) The Planning and Development Division has approved the use of said parcel for the requested use.

(3) There are no outstanding building code violations.

(4) There are no outstanding fire code violations.

(5) All current and past due fees and/or fines associated with the property or applicant have been paid or arrangements have been made to pay, including but not limited to:

- (a) Permit fees.
- (b) Zoning fees.
- (c) Water or sewer services.
- (d) Engineering fees.
- (e) False alarm fees.
- (f) Property tax (real and personal).
- (g) Income tax.

(E) *Term of license, renewal.* All licenses provided in this ordinance shall expire on September 15 following the date of issuance.

(F) *License fees.*

(1) General fee:

- (a) Business with a gross floor area of 0 - 2,500 square feet \$50.00
- (b) Business with a gross floor area in excess of 2,500 square feet and less than 10,000 square feet \$100.00
- (c) Business with a gross floor area in excess of 10,000 square feet \$150.00

(2) Late payment penalty. An additional late charge of fifty (50%) percent of the base fee shall be incurred as a result of the following:

- (a) Failure to obtain a business license within fifteen (15) days from the effective date of the ordinance or any applicable amendment;
- (b) Failure to obtain a business license within fifteen (15) days of commencement of a business; or
- (c) Failure to renew a business license by the license expiration.

(G) *Regulations.*

(1) No license shall be assigned, sold or transferred, nor shall any license authorize any person other than the applicant to conduct business under such license.

(2) The applicant or licensee shall have a duty to notify the City Clerk of any changes in the information contained in an application which is pending or which was the basis for the issuance of a license.

(3) All licenses shall be prominently displayed on the business premises at all times.

(4) No person shall add to, alter, deface, forge, or counterfeit any license, which has been issued by the City.

(5) All licensees shall comply with all applicable City, State, and Federal Laws.

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

(1) Failure to comply with any provisions of this chapter and any applicable ordinances;

(2) Failure to allow required inspection.

The City Clerk shall notify the licensee that their license has been suspended or revoked and the reason for said suspension or revocation. Notification may be made by first class mail and shall state that the licensee has the right to appeal the suspension or revocation provided the appeal is made in writing to the City Clerk within ten (10) days of notification. Upon receipt of the written appeal the City Clerk shall proceed with scheduling an appeal hearing as provided for in divisions (I) and (J).

(I) *Notice of hearing.* Notice of the above described hearing shall be served on the licensee by first class mail and posting at the location of the licensed business not less than five (5) days before the date of said hearing.

(J) *Hearings.* The hearing shall be conducted by the Chief Inspector or their designee affording the licensee an opportunity to appear and defend the charges. The Chief Inspector shall make a final decision in writing, including the reasons for such decision and shall serve said decision on the licensee within ten (10) days after conclusion of the hearing.

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

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

(1) Cause to be issued a Class C Civil Infraction Citation. A separate offense shall be deemed committed for each day that a violation occurs.

(2) Use whatever means necessary to cause said business to cease operations at its location, including, but not limited to, having persons vacate the premises, padlocking said premises or terminating water service to said premises, with reasonable costs charged to the business owner.

(M) *Severability.* The provisions of this section shall be interpreted so as not to be in conflict with the laws of the State of Michigan or any other limitations imposed by law. In the event, however, that any section, provision, sentence, or clause of this section

is declared unconstitutional by a court of competent jurisdiction, that determination will not affect the other remaining provisions of this section.

§ 110.98 VIOLATIONS.

Any person in violation of this chapter may be subject to one (1) or more of the following criminal or civil remedies:

(A) *Penalty.* Every person convicted of a violation of any provision of this chapter shall be punished as provided in § 110.99.

(B) *Revocation or suspension of license.* The license or permit is subject to revocation or suspension as set forth in greater specificity within this chapter.

(C) *Nuisance; injunction.* The City may be entitled to injunctive relief if the activity constitutes a public nuisance or nuisance per se.

§ 110.99 PENALTY.

A person who violates any provision of this chapter is responsible for a Class C municipal civil infraction, subject to payment of a civil fine as set forth in Chapter 37 of this Code, plus costs and other sanctions, for each infraction. Repeat offenses shall be subject to increased fines as provided by Chapter 37. Each violation and each day of failure to comply with any provision of the chapter shall constitute a separate violation.

APPENDIX: FEES

Section

1. License fees
2. Reimbursement fees or failure to comply
3. Fee to appeal

§ 1. LICENSE FEES.

License type:	License fee:
Alarm System Registration (one-time registration fee)	\$ 50.00
Boiler Operators, Stationary	50.00
Building Wrecker	101.00
Dance School	161.00
Dry Cleaning	115.00
Dry Cleaning Pick-up Station	70.00
Engineer, Stationary	50.00
Food Vendor, Individual	17.00
Gasoline Service Stations	124.00
House Mover (\$500.00 license bond required)	59.00
House Raiser (\$500.00 license bond required)	59.00
Mobile Restaurant	17.00
Outdoor Theater	82.00
Pawnbroker (\$3,000.00 license bond required)	500.00*
Peddler and Hawker	47.00
Pool and Billiard Rooms	215.00
Public Dance Hall	278.00
Scrap Material Dealers/Processors, operating yard, including truck	196.00
Secondhand Merchants (\$3,000.00 license bond required)	50.00*
Special Dance Hall	293.00
Temporary Food Service Establishment (fee per event)	17.00
Tent use: assembly/other purposes	
initial license (not to exceed 90 days)	
120 up to 500 sq. ft.	52.00
each additional 500 sq. ft. or major fraction thereof	12.00
renewal (not to exceed 90 days) 50% of fee for initial license	
Theater	154.00
Transient Merchant	25.00*
\$1,000.00 license bond required on certain items, see § 110.27(F)	
Vehicle for hire (per vehicle)	45.00

* Maximum fee allowed by state law.

§ 2. REIMBURSEMENT FEES OR FAILURE TO COMPLY.

As allowed per § 110.05 (A) (4) of this code.

Chief Inspector	\$100.00
Fire Department	40.00
Police Department	60.00

§ 3. FEE TO APPEAL.

Fee to Appeal	\$100.00
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Section 4. This ordinance shall become effective February 27, 2014.

Enacted: February 17, 2014.

Yeas:

Nays:

Absent:

Abstain:

Dennis D. Browning
Mayor

Janet Santos, CMC/MMC
City Clerk

ORDINANCE DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on February 17, 2014; 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, CMC/MMC
City Clerk

Accepting the Michigan Natural Resources Trust Fund Grant Boulder Climbing Garden and Connector Path

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

WHEREAS: the City of Saginaw applied to the Michigan Natural Resource Trust Fund (MNRTF) for grant funding assistance to address pedestrian safety concerns, provide pathway connectivity to recreational features in and around Celebration Park and to enhance the visitor's experience and access to recreation, and

WHEREAS: the City of Saginaw desires to expand play area opportunities that would provide children with an environment that would allow them to build strength, balance, endurance and interaction with one another, and

WHEREAS: the proposed project complies with the City of Saginaw's Recreation Master Plan, and

WHEREAS: on May 2, 2013, the City of Saginaw was notified that it was successful in securing a grant in the amount of \$67,000 in support of its recreational goals.

NOW, THEREFORE, BE IT RESOLVED, that the City of Saginaw, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Natural Resources, and that the City of Saginaw does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide twenty-nine thousand (\$29,000) dollars to match the grant authorized by the MNRTF.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the MNRTF for auditing at reasonable times.
3. To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreement.
4. To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
5. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.

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 February 3, 2014; 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, CMC/MMC
City Clerk

From: Timothy Morales, Interim City Manager

Subject: Authorization for Various 2014 Community Events to Use Amplifying Equipment

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend approval of the Resolution authorizing sponsors of various 2014 community events the use of amplifying equipment on dates and locations as listed on the Resolution between the hours of 10:00 a.m. and 10:00 p.m.

Justification:

The use of amplifying equipment requires prior approval from City Council. To save time and be more cost efficient, it is in the best interest of the City to approve the use of amplifying equipment for these various annual events communally to be held in 2014 (dates are subject to change).

In accordance with Title IX, "General Regulations" of Chapter 99, "Special Event," §99.21, "Use of Sound Amplifying Equipment," if an event sponsor intends to use sound amplifying equipment, the event sponsor is required to obtain approval from City Council.

Council Action:

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

TO AUTHORIZE THE USE OF AMPLIFIED EQUIPMENT TO VARIOUS 2014 COMMUNITY SPONSORS

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

WHEREAS: the sponsors listed below plan to hold the following events;

Name of Event	Location	Date	Sponsor
Bring Back The Ice Again	Hoyt Park	1/18, 1/25, 2/1, 2/2, 2/8, & 2/15	PRIDE/Friends of Hoyt Park
First Annual Outhouse Race	Hoyt Park	2/15	PRIDE/Friends of Hoyt Park
National Day of Prayer	City Hall – Front Entrance	5/1	Rev. James & Leona Glenn
Cinco De Mayo	Ojibway Island	5/3	Union Civica Mexicana
Cinco 5K Run	Andersen Enrichment Center to Covenant	5/4	Cinco K Martial Arts Connection
SASA Unity Day - High School	Bliss Park	5/24	Saginaw Arts & Sciences Academy
Memorial Day Parade	Washington Ave.	5/26	Saginaw Co. Veterans Memorial Plaza, Inc.
Jazz on Jefferson	Jefferson Avenue Downtown	6/4	Historical Society of Saginaw County
Kid's Free Fishing Day	Ojibway Island	6/7	Shiawassee NWR/ Green Point ELC/ City of Saginaw
American Cancer Society Relay for Life	Ojibway Island	6/14 & 6/15	American Cancer Society
WKCCQ Music Festival	Ojibway Island	6/21	MacDonald Broadcasting Co./WKCCQ-FM
Saginaw Eddy Band Concerts	Ojibway Island	6/15, 6/22, 6/29, 7/6, 7/13, 7/20, 7/27, 8/3	Eddy Band
Brew at the Zoo	Children's Zoo	6/19	Children's Zoo at Celebration Square
"Save the Dream" Fundraiser	Bliss Park	6/20	Circle of Love
St. Mary's Run for Life	Ojibway Island	6/14	St. Mary's of Michigan
Tri-City LGBT Pride Festival	Ojibway Island	6/28	Divine Light Interface Ministry
Fireworks	Ojibway Island	7/4	Saginaw Area Fireworks, Inc.
Block Party	Wadsworth btwn N. 10th & N. 11 th St.	7/4	Sandra Steward

RESOLUTION

R-2

Name of Event	Location	Date	Sponsor
St. Joseph Catholic Church Festival	N. 7 th between Kirk St. & Sears St.	7/11, 7/12, 7/13	St. Joseph Catholic Church
Lawn Chair Film Festival	Old Town / Hamilton St.	6/22, 6/29, 7/6, 7/13, 7/20, 7/27	West Saginaw Civic Association
Friday Night Live	Morley Plaza	7/11, 7/18, 7/25, 8/1, 8/8, 8/15, 8/22	PRIDE in Saginaw, Inc.
Rock the Island	Ojibway Island	7/19	Darryl White
Block Party	Post St. between Brockway & Birney	7/19	Angela Lupisella
Old Town Motor Fest	Hamilton St. to Madison St. & Mackinaw from Michigan- Hamilton	7/20	West Saginaw Civic Association
Block Party	Fayette St. btwn Gratiot & Mackinaw & S. Harrison btwn Lyon & Mackinaw	7/26	Bill Burns
Gospel Fest	Ojibway Island	8/2	Vicki Hill
Houghton-Jones Neighborhood Festival	N. 11 th between Tuscola & Johnson	8/2	Houghton-Jones NTF, Inc.
African American Cultural Festival	Morley School/Park 2701 Lapeer St.	8/8, 8/9, 8/10	Saginaw African Cultural Fest Committee
American Cancer Relay for Life	Ojibway Island	8/9 & 8/10	American Cancer Society
Praise in the Parking Lot	1114 N. 6 th St.	8/10	Mt. Olive Baptist Church
St. Paul Baptist Church Neighborhood Picnic	S. 15 th between Lapeer & Tuscola	8/16	St. Paul Baptist Church
"If My People" Youth Event	Bliss Park	8/16	Healing Hands Evangelistic Ministry
Houghton Jones Neighborhood Festival	S. 9 th St. between Cherry & Burt St.	8/23	Houghton-Jones NTF, Inc.
Christ Community Church Picnic	Fordney Park	8/23	Christ Community Church
MCVI Run for Your Heart Race	Ojibway/River-Walk	9/6	Michigan Cardio-Vascular Inst. Found.
Corinthian Baptist Church Neighborhood Festival	S. 10 th St. between Federal & Lapeer	9/11	Corinthian Baptist Church
Trunk or Treat	1114 N. 6 th St.	10/31	Mt Olive Baptist Church
Dia De Los Muertos	Andersen Enrichment Center to Covenant Health	11/1	Cinco K Martial Arts Connection
Holidays in the Heart of the City	Various Locations	11/21	PRIDE in Saginaw
PRIDE Christmas Parade	N. Michigan.- Court & Ezra Rust St.	11/22	PRIDE in Saginaw, Inc.

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

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

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

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on February 3, 2014; 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, CMC/MMC
City Clerk

APPROVING THE HOME PROGRAM SUBMISSION PROGRAM YEAR 2014-15

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

WHEREAS, under the provisions of Title II of the National Affordable Housing Act of 1990, as amended, the Secretary of Housing and Urban Development is authorized to make entitlement awards to states and units of general local government that have been designated as a participating jurisdiction to help finance housing programs approved in accordance with the provisions of Title II; and

WHEREAS, the Department of Housing and Urban Development has informed the City of Saginaw that they are entitled to an estimated amount of \$351,178 in HOME funds to carry out the 2014-15 year program; and

WHEREAS, the application has been completed in accordance with provisions of Title II of the National Affordable Housing Act of 1990, as amended, which identified housing programs that would be carried out with 2014-15 entitlement funds.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Saginaw:

1. That the HOME application for program year 2014-15 is hereby approved; and
2. That the City Manager is authorized to file this application with the Department of Housing and Urban Development.

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 February 3, 2014; 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, CMC/MMC
City Clerk

**APPROVING THE HOMELESS ASSISTANCE PROGRAM EMERGENCY SOLUTIONS
GRANT SUBMISSION
PROGRAM YEAR 2014-15**

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

WHEREAS: under the provisions of McKinney-Vento Homeless Assistance Act of 2009, the Secretary of Housing and Urban Development is authorized to make grants to states and units of general government to promote community-wide commitment to the goal of ending homelessness; provide funding for efforts to quickly rehouse homeless individuals and families while minimizing the trauma and dislocation cause to homeless individuals, families, and communities by homelessness; promote access to and effective utilization of mainstream programs by homeless individuals and families; and optimize self-sufficiency among individuals and families experiencing homelessness; and

WHEREAS: the Department of Housing and Urban Development has informed the City of Saginaw that they are entitled to an estimated amount of \$154,488 in Emergency Solutions Grant funds to carry out the 2014-15 year program; and

WHEREAS: the application has been completed in accordance with provisions of the McKinney-Vento Homeless Assistance Act of 2009, which identified operating activities that could be carried out with 2014-15 year funds.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Saginaw:

1. That the McKinney-Vento Homeless Assistance application for program year 2014-15 is hereby approved; and
2. That the City Manager is authorized to file this application with the Department of Housing and Urban Development.

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 February 3, 2014; 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, CMC/MMC
City Clerk

**APPROVING THE COMMUNITY DEVELOPMENT BLOCK
GRANT PROGRAM SUBMISSION PROGRAM YEAR 2014-15**

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

WHEREAS: under the provisions of Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of Housing and Urban Development is authorized to make grants to states and units of general local government to help finance community development programs approved in accordance with the provisions of Title 1, and

WHEREAS: the Department of Housing and Urban Development has informed the City of Saginaw that they are entitled to an estimated amount of \$2,131,785 in Block Grant funds to carry out the 2014-15 year program, and

WHEREAS: the application has been completed in accordance with provisions of Title I of the Housing and Community Development Act of 1974, as amended, which identified housing and community development programs that would be carried out with 2014-15 entitlement funds.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Saginaw:

1. That the Community Development Block Grant application for program year 2014-15 is hereby approved; and
2. That the City Manager is authorized to file this application with the Department of Housing and Urban Development.

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 February 3, 2014; 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, CMC/MMC
City Clerk