
REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, JANUARY 14, 2008, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

Pastor Pat Lagan, Living Hope Church, offered a prayer and led the pledge of allegiance.

ROLL CALL

Mayor Joyce Seals called the meeting to order. The following Councilpersons were present: Gregory Branch, Larry Coulouris, William Federspiel, Daniel Fitzpatrick, Amanda Kitterman-Miller, Amos O'Neal, Paul Virciglio, Andrew Wendt and Mayor Joyce Seals-9.

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS

Councilwoman Kitterman-Miller moved to approve the minutes from the October 22, 2007, November 5, 2007 and November 12, 2007 regular Council meetings. Adopted unanimously.

ANNOUNCEMENTS

Acting City Manager, Thomas Darnell, noted that Khalil Atasi, President of the Michigan Section of American Waterworks, who was to present the City with an award for winning the 2007 Spring Regional Taste Off, was not in the Chambers. He believed the weather may have delayed him and requested this presentation be postponed to another portion of the agenda. Mayor Seals received the consensus from Council to do so.

City Clerk Diane Herman made some general announcements with regard to the Presidential Primary to be held the following day, including reminding voters that school would be in session.

PERSONAL APPEARANCES

Mark Schwager, 403 S. Mason, said he can't live in his house on Mason due to the loud music from vehicles that pass. Said he has come to Council several times about the issue but nothing is done. Suggested the Police and Fire Departments use blue tooth phones while driving their vehicles. Also suggested the City's Detective department combine with the Genesee, Shiawassee, Midland, and Bay City departments and the Michigan State Police so they all could work together and have more officers. Thought Homeland Security could finance it.

ANNOUNCEMENTS - CONTINUED

Mayor Seals noted that Khalil Atasi, had arrived. Council agreed to allow him to speak at this time. Paul Reinsch, Superintendent of the Water Treatment Plant, introduced Mr. Atasi, who presented the City with an award for winning the 2007 Spring Regional Taste Off, which is the Best Tasting Water award. Said it's not an easy award to win and a lot of hard work goes on behind it. Acknowledged City Staff for their hard work.

REMARKS OF COUNCIL

Councilman Federspiel addressed Mr. Schwager's comments. Said he understands the issue of loud vehicle noise but violators are hard to catch. To assign someone to his neighborhood just for this purpose would be irresponsible. As far as combining detective departments from around the region, he said it would be ideal but reminded Mr. Schwager the citizens from each county pay taxes for their detectives to service their area. Said he would check out the Homeland Security site for such a concept. Said the blue tooth phone was a good idea but it would be up to each officer and/or fire fighter.

Councilman Virciglio said he and the City Manager and met with the CEO and Chairman of the Board of the YMCA. The YMCA wants to start dialog with the City as they begin planning for a summer recreation program. Said it was an information gathering meeting only and noted the City Manager would be the contact person for future discussions.

Councilman Wendt wished safe travel to the men and women who were deployed last week to Iraq. Noted it was the eve of an election night and emphasized the importance to vote because these men and women are fighting to protect our freedom. Urged all citizens to get out and vote.

Councilman O'Neal mentioned the City being represented at the TRW UAW Delphi Chassis transition the week prior. The City gave congratulations and support to TRW for maintaining the jobs in the Saginaw region and agreed to work with TRW in conjunction with Saginaw Future and the Chamber of Commerce.

Councilman Fitzpatrick also extended thoughts and prayers to the troops deployed. Said the departure ceremony was very emotional. Assured citizens the City was continuing to look into the illegal gathering and sale of scrap metal. It is currently giving input in the statewide initiatives and discussing how to make the two proposed bills stronger. Also assured citizens Council is determined to see all dangerous buildings torn down. Requested the City Manager provide him with a report on the six blight buildings near the schools so he could report this information to the City/County/School Liaison Committee. He requested City Management continue the work towards a viable parks and recreation facility at the former Andersen Water Park site. Noted the YMCA and Garber Tennis Courts are both in close proximity to this area and are good examples of partnering. Questioned whether providing a license number from a citizen is how such loud music complaints should be handled. Mentioned Saginaw's great water and said he notices the difference when he goes out of town.

Councilwoman Kitterman-Miller mentioned an article she read in The Saginaw News about the fate of the former Fort Saginaw Mall. Said Saginaw is working on blight and so are the neighboring communities, Buena Vista and Saginaw Township, and the City should support them in their efforts. Said she was irritated by the Bloomfield Hills attorney, who represents the mall owners, for making a statement that the building was not as blighted as the BV Township officials assert. He said the buildings didn't look bad from the road. She questioned how long the same building would last if it were in Bloomfield Hills. Said this attorney may feel differently if he had to drive by the building every day.

Councilman Coulouris mentioned the present nationwide mortgage calamity. Said

he read where the City of Cleveland was suing 21 lenders for their practices of lending people money that they willfully know do not have the means to support the debt. Said Saginaw County presently has 132 foreclosures listed, which is about 25-30 per week. Foreclosures create problems for the whole community with vacant homes, vandalism and sometimes blight. Requested the City Attorney look into the validity of the action Cleveland is taking.

Mayor Seals mentioned the upcoming Martin Luther King holiday and some of the events which would take place, including a march. Mentioned receiving a thank you note from the Sheriff for the City's police officers and fire fighters participation in the annual Heroes program. Reminded citizens the United Way will host a workshop on January 26th to prepare income tax returns free of charge. Agreed with Mr. Schwager on the noise problems from vehicles, but also agreed with Councilman Federspiel that the violators are hard to catch. Urged parents and grandparents to tell their relatives to stop such actions

PETITIONS

08-01 from Diane M. Fong, Executive Director of Michigan CardioVascular Institute Foundation, requesting to be recognized as a nonprofit organization.
 Councilman Federspiel moved to approve the request.
 Adopted unanimously, with the exception of Councilman Branch who abstained.

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

Councilman Branch requested consideration of appointing Robert J. Szczypka to the Board of Review with an indefinite term.

Councilman Federspiel moved to approve the appointment.
 Adopted unanimously.

Councilman Branch requested consideration of appointing Dale Kenneth Deibel and Kanah Franklin to the Tax Increment Finance Authority with a term to expire January 14, 2011.

Councilman Virciglio moved to approve the appointment.
 Adopted unanimously.

Councilman Branch requested consideration of reappointing Elsenia Lee Porterfield to the Human Planning Commission with a term to expire February 7, 2010.

Councilman Coulouris moved to approve the appointment.
 Adopted unanimously.

Mayor Seals urged any citizen who wanted to serve on a board or commission to apply.

Councilman Federspiel reported on his meeting with the 9-1-1 Authority. Said there is legislation in the State of Michigan that will fairly tax cell phones at the rate of \$2.65. Of that amount \$2.12 would go to the Saginaw County 9-1-1 Authority to purchase new radios. Said these radios would allow officers to speak across the State and there would

not be as many dead spots in buildings.

Councilman O'Neal noted that City/County/School Liaison Committee would be meeting on Thursday, January 17th and the items on the docket would include updates on demolitions, recreation, and safe routes to school. Said the City Manager has assured him that reports will be provided and a representative in attendance on each topic. Noted Safe Routes to Schools was a Cities of Promise initiative. Once the School District submits the report to the State, there will be funds available to support the program. Mentioned the plan presented by Jeremy Newberg from Capital Access at the Strategic Planning Session. A formal report would be forthcoming from MSHDA on the impact since the start of the program and future plans of expanding the subcommittees. They are trying to recruit additional volunteers to serve on the subcommittees.

Councilman Virciglio reported on the Crime Prevention Council. Said the group has agreed to form cooperative committees with all of the area law enforcement agencies to address the issue of putting more officers on the street. They discussed the No Boundaries issue that had been defeated by the voters and said subcommittees need to study all the issues on that proposal as it will be presented again at a later date. Said the County needs to figure out how to put its resources together so there are enough officers to cover the County.

Mayor Seals noted the County being in a crises and the possibility of losing 12 patrol officers from the Sheriff's Department. She asked Councilman Federspiel if he would agree to sit on one of the subcommittees for the Crime Prevention Council.

Mayor Seals advised Council that the Charter states there must be a roll call vote whenever the vote is not unanimous. Said the Charter Review Committee is working through the Charter as fast as it can but also want to be thorough. She thanked the City Attorney and City Clerk for attending the meetings and assisting the group. Noted they would be requesting input from the neighborhood associations.

REPORTS FROM CITY MANAGER

Management Update

Acting City Manager Thomas Darnell advised Council that staff had compiled the results of the Strategic Planning Session and they would be reviewed at the next Council meeting.

Recommended Actions

Subject: IBM Software/Hardware Maintenance agreement annual renewal payment

Manager's Recommendation: I recommend that a purchase order be approved and issued to Computer Management Technologies, (in-city business) in the amount of \$10,587.72, for the renewal of IBM hardware maintenance and software license fees for the City of Saginaw's AS400 systems. The cost for renewal of the software and hardware maintenance coverage and license fees was approved as part of the FY 2007-2008 budget process.

Funds for this service are budgeted and available in Information Services Operating Services Account No. 658-1720-711.80-05.

This vendor meets all requirements of the Contract Compliance Provisions, Title 1, Chapter 14, §14.35-14.44, of the Saginaw Code of Ordinances.

Justification: This renewal covers annual software and hardware maintenance for the IBM AS400 computer's operating system software, license programs, licensing, support and upgrades as well as hardware repairs. It also covers the Lotus Notes AS400 operating system software, license programs, licensing, support and upgrades.

Model 520 AS400 Hardware Maintenance	\$6,266.99
Model 520 AS400 Software Maintenance	\$3,056.92
Model 270 AS400 Software Maintenance	\$1,263.81
Total	\$10,587.72

This is an on-going agreement with IBM, renewable upon annual payment budgeted in the appropriate account each fiscal year.

Council Action: Councilman Branch moved that the recommendation of the City Manager be approved.

Adopted unanimously.

Subject: Budget Adjustment

Manager's Recommendation: It is recommended that a budget adjustment be completed to increase the General Fund's Reimbursements/Insurance Proceeds Account No. 101-0000-602.68-04 from \$2,000.00 to \$22,224.29. This increase will be offset by a deposit of \$20,224.29 from the Chubb Group of Insurance Companies. This increase in revenue will also increase the Cemeteries Division Capital Outlay/Maintenance Equipment Account No. 101-1747-821.97-41 from to \$0 to \$20,224.29.

Justification: The City received a check in the amount of \$20,224.29 from the Chubb Group of Insurance Companies to settle a claim resulting from a theft at Forest Lawn Cemetery in April of 2007. The proceeds will be used to purchase replacement equipment for the Cemeteries Division.

Council Action: Councilman Branch moved that the recommendation of the City Manager be approved.

Adopted unanimously.

Subject: Replacement Gate Operator

Manager's Recommendation: I recommend acceptance of the quote from Midland Fence Company, Inc. and issuance of a purchase order in the amount of \$5,600.00 for the purchase of a replacement gate operator for the Right of Way Division.

This vendor meets all requirements of the Contract Compliance Provisions, Title 1, Chapter 14 § 14.35-14.44, of the Saginaw Code of Ordinances.

Funds for this purchase are available in the Water and Sewer Operation Repairs/Replacement Account Nos. 591-4721-861-9720 (\$2,800.00) and 590-4821-861-9720 (\$2,800.00).

Justification: Seven fence contractors were invited to perform a site visit. Midland Fence Company, Inc. of Midland, Michigan was the only company to visit the site and submit a quote to replace the worn gate operator. The gate operator being replaced had worked with a card reading system, but was no longer in working condition and could not be repaired. The gate was being left open during working hours. The new gate operator will

allow quick and easy entry for employees, while affording the security needed.

Council Action: Councilman Branch moved that the recommendation of the City Manager be approved.

Adopted unanimously.

Subject: GIS Professional Services Agreement

Manager's Recommendation: I recommend that the GIS Professional Services Agreement between the City of Saginaw and Saginaw Area GIS Authority be approved. The Agreement is approved by me as to substance and the City Attorney as to form.

Justification: The Saginaw Area GIS Authority desires to enter into a Professional Services Agreement with the City of Saginaw. Specifically, the Saginaw Area GIS Authority wants the City to provide it with designated Geographic Information Systems services. City personnel have considerable GIS expertise and the City is considered a leader in this area.

City personnel will maintain the Saginaw Area GIS Authority countywide parcel and information retrieval program through the Internet. The term of the Agreement is for a period of three years. It is retroactive to October 1, 2007 and ends on September 30, 2010.

The City will receive yearly compensation in the amount of Thirty-Four Thousand Seven Hundred and Twenty-Nine Dollars and 00/100 (\$34,729.00). Each additional year commencing after October 1, 2008, there will be an annual compensation increase of 5%.

Council Action: Councilman Branch moved that the recommendation of the City Manager be approved.

Adopted unanimously.

All City Manager recommendations to this point were adopted by general consent. The following was considered after discussion.

Subject: Acquisition of Rainbow Bread Property

Manager's Recommendation: I recommend that the agreement with James Brooks be approved and that the City Manager or his designee be authorized to execute the agreement and all related documents. This agreement is subject to approval by the City Manager as to substance and the City Attorney as to form.

Justification: James Brooks owns property on East Holland Avenue in the City of Saginaw that had previously been the site of the Rainbow Bread bakery. The building located on this property is in poor condition and needs to be repaired or demolished. Mr. Brooks has agreed to deed this property and other adjacent property to the City in exchange for the waiver of the cost of the demolition of this structure. The City wishes to acquire this land for potential economic redevelopment. The parcels are located in the Cathedral District Neighborhood Revitalization Area. The acquisition of this property will be useful in implementing some of the planned development in the area.

Council Action: Councilman O'Neal moved that the recommendation from the City Manager be approved.

Adopted unanimously.

APPOINTMENT OF RECEIVING BOARDS FOR THE
JANUARY 15, 2008 PRESIDENTIAL PRIMARY ELECTION

Councilman Federspiel offered and moved adoption of the following resolution:

WHEREAS, a Presidential Primary Election will be held in the City of Saginaw on Tuesday, January 15, 2008; and

WHEREAS, each of the City's twenty (20) precincts at the close of the polls, prepare the necessary paperwork to be sealed in specified envelopes, seal the ballots in the ballot box, and deliver the materials to the City Clerk's Office; and

WHEREAS, under Michigan law (MCL 168.679a), the legislative body of a City, by resolution, can authorize the Election Commissioners of the City to appoint receiving boards to accept and open the sealed envelopes and containers for review and verification.

NOW, THEREFORE, BE IT RESOLVED that the Election Commissioners for the City of Saginaw (consisting of the Chief of Police, City Attorney and City Clerk) are hereby authorized to appoint the necessary receiving boards to receive the materials (ballot boxes, poll books, and statement of votes) from the precincts at the close of the polls on January 15, 2008.

BE IT FURTHER RESOLVED that in accordance with MCL 168.679a, each board will consist of an equal number (or as near as possible) of inspectors from each major political party.

BE IT FURTHER RESOLVED that the receiving boards will be authorized to open the sealed envelopes and ballot boxes to verify: (1) that the number of ballots issued equals the number of voters in the poll book and statement of votes; (2) confirm that the ballot box has been properly sealed and that nothing other than ballots are contained within; and (3) verify that all necessary documents have been properly signed by the election inspectors of each precinct.

BE IT FURTHER RESOLVED that the receiving board, with the election inspectors, shall together take the necessary steps to correct any discrepancies, making notation of such correction in the poll book and shall notify the clerk of the board of canvassers of the corrective action taken. Upon review and correction, if necessary, the receiving board shall properly reseal the ballot boxes and envelopes.

Adopted unanimously.

MOTIONS AND MISCELLANEOUS BUSINESS

At this time, Councilman Federspiel tendered his resignation from Council. He said he was proud of what he and his colleagues had accomplished since he started serving in July 2005. Said he decided to pursue a life long dream and must step down due to the precepts of the Charter. He thanked his colleagues, his constituents, his family and the staff of dedicated workers.

Councilpersons Wendt, Fitzpatrick, O'Neal and Mayor Seals thanked him for his service and wished him well.

ADJOURNMENT

At 7:33 p.m., Councilman O'Neal moved to adjourn the meeting.
Adopted unanimously.

Diane M. Herman
City Clerk