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REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, MARCH 24, 2008, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

Councilman Amos O'Neal offered a prayer and led the pledge of allegiance.

ROLL CALL

Mayor Joyce Seals called the meeting to order. The following Councilpersons were present: Larry Coulouris, Daniel Fitzpatrick, Amos O'Neal, Bill Scharffe, Paul Virciglio, Andrew Wendt and Mayor Joyce Seals-7.

Absent: Councilpersons Gregory Branch and Amanda Kitterman-Miller-2.

ANNOUNCEMENTS

Mayor Seals announced the next Council meeting, Monday, April 7, 2008, was Student Government Day and the meeting would begin at 12:00 noon. Requests to be on the Personal Appearances agenda must be called in before 4:00 p.m. on Friday, April 4, 2008.

PERSONAL APPEARANCES

Kim Hodge, 25780 California Dr. SE, spoke on Divided We Fail, a joint initiative of the Service Employees International Union, AARP, the Business Round Table and the National Federation of Independent Business, a campaign to urge our Country's leaders to focus on healthcare and long-term financial security. Urged Council to support by passing a resolution.

Agnes Johnson, 720 Congress Ave., a representative for AARP, requested Council pass a resolution supporting the Divided We Fail movement, which targets healthcare and long-term financial security concerns. Said AARP will host a three-day blitz on the issues, April 1-3, 2008, at The Dow Event Center, and invited all to attend.

REMARKS OF COUNCIL

Councilman O'Neal stated he was still looking for a road plan. Said the condition of the City's roads is a very important issue to the community and wants the City to look into innovative and cost effective ideas to improve them, such as in the recent publication from Wade Trim. Commended the Saginaw Housing Commission for their recent receipt of \$346,000 to upgrade and refurbish units in Town and Gardens housing complex. Said he had received notice that the state House of Representatives passed an increase in revenue sharing for local governments of four percent (4%).

Councilman Fitzpatrick mentioned several positive and negative changes over the last 200 years. Agreed with Councilman O'Neal's request for a long-term plan to improve the City's roads and noted City has both short term and long-term plans and need to work on them, but that things do change. Said he believes all City union contracts will be settled but not everyone will be happy.

Councilman Scharffe talked about the emergency situation regarding food banks in the area and urged citizens to support them. Commended AARP for their work. Reminded young people to use safe practices at all times.

Councilman Wendt mentioned several positives including the Saginaw High School Basketball team for winning the Class A State Championship for the second year in a row. Said the City needs to start thinking outside of the box for things like improving road conditions. Urged parents to know where their children are at all times.

Mayor Seals reminded parents to step up and make sure their children adhere to the curfew. Said a favorable partnership with the Saginaw Housing Commission could benefit all, as well as partnerships with surrounding townships and that the rise and fall of Saginaw impacts us all. Gave City Attorney Thomas Fancher a copy of the requested AARP resolution for review and approval. Asked Deputy City Clerk Hagen to make sure applications for the upcoming Keep Saginaw Beautiful Weekend Clean Up Blitz could be obtained by citizens from the Clerk's office.

*(Councilman Branch arrived at 6:55 p.m. and took his seat.)*

Councilman O'Neal made a motion to honor the Saginaw High School Boys Basketball Team at the Council meeting on April 21, 2008.

Adopted unanimously.

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

From the Boards and Commissions Committee:

Councilman Branch requested consideration of reappointing Robert WM Roenicke to the Electrical Appeals Board with a term to expire December 31, 2010.

Councilman Fitzpatrick moved to approve the appointment.

Adopted unanimously.

Councilman Branch moved to reappoint Glen L. Fitkin to the Brownfield Redevelopment Authority with a term to expire December 31, 2010.

Adopted unanimously.

Councilman Branch moved to reappoint Kenneth Arthur Miner to the Electrical Appeals Board with a term to expire December 31, 2010.

Adopted unanimously.

Councilman Branch moved to reappoint Robert C. Orr to the Electrical Appeals Board with a term to expire December 31, 2010.

Adopted unanimously.

Councilman Branch moved to reappoint Richard Carl Hahn to the Electrical Appeals Board with a term to expire December 31, 2010.

Adopted unanimously.

Councilman Branch reported that the interviews of former mayors as part of the Sesquicentennial Celebration would be airing on SGTV at 2:00 p.m. on Council meeting days. The only exception being April 7, 2008, when the Council meeting is held at 12:00 noon for Student Government Day, the interviews will air immediately following the meeting.

Councilman O'Neal reported that he and Councilman Fitzpatrick attended the City/County/School Liaison Committee where they received a report on the SVSU Job Fair, which was well attended, and on truancy. Discussions on Safe Routes to School and Recreation were tabled until the next meeting. Noted the committee is looking for a report on what the City's plans are in terms of City recreation.

Councilman Fitzpatrick said that he and Councilman Virciglio went to the E911 Center and met with Tom McIntyre and sat in on a user group meeting of emergency personnel. Said the surcharge for cell phones recommended by several counties was turned down in Lansing, which impacts the ability to upgrade the 911 infrastructure.

Councilman Virciglio added that he was impressed with 911 and the amount of calls they handle, 380,000 last year, the majority of which came from cell phones.

Mayor Seals attended the MBS International Airport Commission meeting. Asked all to support our airport and use MBS when traveling.

#### REPORTS FROM CITY MANAGER

##### Management Update

City Manager Darnell Earley said the recent increase in the statutory state shared revenues is critical as he had recently received the numbers up to the third quarter of FY 2008, which show the economy is beginning to impact our revenues. The trend shows the economic decline is making it difficult for all municipalities in Michigan to maintain services. Won't know the exact amount of state revenue sharing funds until a decision has been made in the state Senate, and urged all to contact their senators. Noted the City has seen a decrease in Gas and Weight Tax, which will have a definite impact on any plans for road maintenance.

Tim Genovese, Director of Emergency Management and Homeland Security, discussed Public Act 390, the Emergency Management Act. The role of Emergency Management is to prepare for, respond to, recover from and mitigate disasters or emergencies. In the City of Saginaw, the Mayor is the official designated with the authority to declare an emergency/disaster and activate the Emergency Operations Center (EOC). In 1978 the City appointed the County Emergency Management Coordinator (EMC) to act as the EMC for the City of Saginaw. He explained the guidelines followed during an emergency/disaster situation, the levels of command, and support available at local, state and federal levels.

Jay Beelman, Director of Information Services and Tracy Bonnell, Programs Analyst, discussed the implementation of the Constituent Relationship Management Solution (CRMS), an H.T.E. module that allows for the capture and management of citizens requests and complaints, as well as the tracking of utility billing phone calls, questions and notes. The implementation of this addition to H.T.E. will help improve customer relations and management efficiency.

John Stemple, Zoning and Development Coordinator, discussed the Capital Access Group agreement on the agenda for approval. Said it was not a request for funds, but a request to approve the agreement started with the Cities of Promise program. The Saginaw Community Foundation agreed to allow the use of unspent funds for additional planning activities in the revitalization plan, and this is the request to transfer the funds already approved.

Beth Church, Interim Employee Services Director and Equal Employment Opportunity Officer (EEO), reported on EEO figures with respect to Public Safety. Said we've experienced a drop in the representation of minority and female employees, and that steps were being taken to address the demographic issue. Showed that fewer minority and female candidates were applying for and passing the testing for public safety positions. Both Police and Fire representatives have increased on-site recruitment of minorities throughout the state, primarily focusing on the southeastern Michigan area where they hoped to get a larger number of minority candidates, with little success.

City Manager Darnell Earley proposed the creation of a task force to look at and address the issue of minority and female candidates for employment. Said the City must hire from the lists created of eligible candidates who have applied for and passed all requirements and testing, even if the lists are not diverse.

Recommended Actions:

Subject: Purchase of Tape Library

Manager's Recommendation: I recommend acceptance of the only bid received from Computer Management Technologies, Inc. (in-City) and issuance of a purchase order to them in the amount of \$9,035.45 for the purchase of a Tape Library.

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 the Tape Library are budgeted and available in the Information Services Capital Office Equipment Account No. 658-1720-711.97-60.

Justification: On March 11, 2008, the City received a bid for the purchase of a Tape Library. This new Tape Library will be used for nightly backups and system saves to the City's i5 system (AS400). It is replacing a unit that is 12 years old. With this purchase, Information Services will be able to backup the entire system on one tape, increase the uptime of the system by getting the backups and restores done quicker, and no longer purchase expensive tapes for an outdated technology.

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

Adopted unanimously.

Subject: Capital Access Inc. Agreement

Manager's Recommendation: It is recommended that the Agreement with Capital Access Inc. ("Capital Access") be approved. In addition, it is recommended that the remaining Saginaw Community Foundation ("SCF") planning grant funds be used for planning activities in the Neighborhood Revitalization Area. Furthermore, it is recommended that the City Manager or his designee be authorized to execute the Agreement and any related documents with Capital Access. The Agreement is subject to the City Manager's approval as to substance and the City Attorney as to form.

Justification: Several years ago, the City received grants from the Saginaw Community Foundation ("SCF") for planning activities in the amount of \$20,000.00, which have not been utilized. In September 2007, the Michigan State Housing and Development Authority ("MSHDA") approved a grant in the amount of \$75,000.00 to fund planning

activities in the Neighborhood Revitalization Area. These funds require a local match of \$20,000.00. The SCF has agreed that the City can use the remaining funds as a local match for the MSHDA grant. Council must approve both the Capital Access Agreement and the transfer of funds in the amount of \$20,000.00 to this project.

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

Adopted unanimously.

Subject: Waiving a Potential Conflict of Interest

Manager's Recommendation: I recommend that Council waive the potential conflict of interest present and allow the law firm of Braun, Kendrick, Finkbeiner, P.L.C. to represent the City of Saginaw in a proposed development on Davenport Avenue with regard to the environmental issues present.

Justification: The City of Saginaw has been negotiating with an investment group for the potential redevelopment of property along Davenport Avenue, near the former Tri-Cap building. This area is subject to various environmental concerns that need to be addressed as part of the project.

The City of Saginaw has previously retained attorney Glenn L. Fitkin of the local law firm of Braun, Kendrick, Finkbeiner, P.L.C. in this area of law and wishes to use his services for this project as well. That firm has previously represented one of the individuals in the investment group on an unrelated matter, and has obtained his waiver to advise the City on the environmental issues. Mr. Fitkin will not represent the City with respect to the negotiations with the group. No adverse effects are expected, but Braun, Kendrick, Finkbeiner, P.L.C. is obligated by ethical considerations to obtain the City's authorization prior to proceeding.

Braun, Kendrick, Finkbeiner, P.L.C. requests that City Council confirm the City of Saginaw's waiver of the potential conflict of interest in this matter.

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

Adopted unanimously.

Subject: Saginaw County Substance Abuse Prevention Services Agreement

Manager's Recommendation: I recommend that the Substance Abuse Prevention Services Agreement with the Saginaw County Department of Public Health ("DPH") be approved. The Agreement has been approved by me as to substance and the City Attorney as to form.

Justification: During the past several years the DPH and City have entered into an agreement regarding Substance Abuse Prevention Services. The purpose of the agreement is to develop and deliver prevention services to specific high risk populations identified as underserved and provided in a variety of settings. Pursuant to the terms of the agreement, the City will receive \$257,940.00 to conduct 3,561 units of service for a drug free community. The funds are specifically used by the Saginaw Police Department to fund its drug prevention efforts through the Family Youth Initiative program.

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

Adopted unanimously.

Subject: Pam Ginderske Training Contract

Manager's Recommendation: I recommend approval of the contract between the City of Saginaw and Pam Ginderske for the purpose of providing CPR and Automatic External Defibrillator (AED) training for the City's Fire Department in an amount not to exceed \$1,400.00.

The agreement has been approved by the City Manager as to substance and the City Attorney as to form.

Funds for this purpose are available in the Saginaw Fire Department's Training and Development Account No. 101-3752-751.80-01.

Justification: The City's Fire Department employees provide CPR and AED services. The certified trainers that were City employees have retired. Therefore, the Fire Department must hire a trainer. The contractor, Pam Ginderske, is a certified CPR and AED trainer and has been employed with the American Heart Association for at least eleven (11) years. She has conducted training for the City for the past several years.

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

Adopted unanimously.

Subject: Saginaw Fire Department Attack and Supply Hose

Manager's Recommendation: I recommend approval of the bid and issuance of a purchase order to Douglass Safety Systems, LLC in the amount of \$7,020.76 for the purchase of various sizes of fire attack and supply hose.

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 budgeted and available in the Fire Department Suppression Parts and Supplies Account No. 101-3751-751.73-30.

Justification: This fire hose will be used in the extinguishment of fires and will replace hose that has been worn or damaged during fire suppression activities.

Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

Douglass Safety Systems, LLC Sanford, MI	\$7,020.76
First Choice Fire & Safety Marietta, GA	7,985.00
Great Lakes Emergency Products Linden, MI	8,384.25

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

Adopted unanimously.



Subject: Purchase of Pipe and Fittings

Manager's Recommendation: I recommend acceptance of the low bid and issuance of a purchase order to Etna Supply Co. in the amount of \$3,521.55 for the purchase of pipe and fittings to be used by the Wastewater Treatment 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 are budgeted in the Wastewater Treatment Division Parts & Supplies Account No. 590-4830-861.73-30.

Justification: On March 11, 2008, the City received bids for the purchase of pipe and fittings to be used at the Wastewater Treatment Plant. The Maintenance Department has designed a flushing system for our influent channels. We installed the system in one channel using parts we had in stock, and the system works well. This pipe and fittings will be used to install the flushing system in our three remaining channels. The bids are as follows:

Etna Supply Co. Grand Rapids, MI	\$3,521.55
Stephens Tile Birch Run, MI	\$5,895.25
Central States Manufacturing Summit, IL	\$7,966.21

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

Subject: Increase/Decrease of Purchase Orders

Manager's Recommendation: I recommend that the Garage Section of the Right of Way Division increase purchase order No. 34465 issued to A.I.S. Construction Equipment by \$6,000.00 and decrease purchase order No. 34471 issued to Scott Tire Sales by \$6,000.00.

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

Funds for both purchase orders are encumbered in the Motor Vehicles Supplies Garage Account No. 661-4480-841-73-12.

Justification: Additional funds are required to purchase a rebuilt motor for a Michigan front-end loader and to continue purchasing repair parts for the remainder of the year.

This Michigan loader will be used for various works such as removing docks, loading materials and clearing snow out of parking lots. Staff evaluated the integrity of the loaders frame, running gear and hinge points, and it was determined that we should purchase a rebuilt motor as opposed to purchasing a new loader.

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

Adopted unanimously.

Subject: Vacuum Excavator for Water Shop

Manager's Recommendation: I recommend acceptance of the only bid received from Doheney Supply, Northville, MI and issuance of a purchase order to them in the amount of \$46,680.00 for the purchase of a vacuum excavator for the Water Shop.

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

Funds are budgeted in the Public Services Maintenance Equipment Account No. 577-4740-881.97-41.

Justification: The vacuum excavator will be used by water and sewer crews, when cleaning valve boxes, vaults and excavating for minor water repairs.

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

Adopted unanimously.

Subject: Keyes Trenching Contract

Manager's Recommendation: I recommend that the low quote from Keyes Trenching in the amount of \$551,941.00 be accepted and a contract awarded to it in that amount be approved. Contract documents (City Clerk's File \_\_\_\_\_) have been signed by the contractor. The contract is subject to approval by me as to substance and the City Attorney as to form.

Funds for this contract are available in the Water Surplus Repairs and Replacements Fund, Account Number 577-4740-881-9720.

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: On February 22, 2008, the City received quotes for the emergency repair of a 30-inch river crossing water main. This project will repair a leaking 30-inch transmission water main on the west side of the Saginaw River, south of the Holland Street Bridge. During a recent inspection of the valve vaults located in this area, it was determined that one of the two existing 30 inch water mains was leaking and in need of immediate repair. Bids were not taken due to the short turn around time required for this project. Following is a tabulation of the quotes received and reviewed by the Purchasing Committee:

Keyes Trenching Freeland, MI	\$ 551,941.00
Champagne & Marx (Out City) Saginaw, MI	\$ 556,467.39
Rohde Brothers Excavating, Inc. (Out City) Saginaw, MI	\$ 571,241.00

American Excavating (Out City)  
Saginaw, MI

\$ 581,991.00

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

Adopted unanimously.

#### RESOLUTIONS

Subject: Supporting a Study for a Combined Sewer Overflow District

Manager's Recommendation: I recommend that Council pass the attached resolution demonstrating support for a proposed computer modeling study of Low Impact Development in a Combined Sewer Overflow District.

Justification: Russell Beaubien of Spicer Engineering is seeking a grant to conduct a computer study of Low Impact Development in a Combined Sewer Overflow District. The purpose of the study is to determine the best practices in development to reduce the negative effects of storm water runoff. Some of the standard methods include rain gardens and other green spaces to reduce the rate of runoff and the potential for untreated discharges. Mr. Beaubien has selected the City's Fitzhugh CSO for this study and applied to the Saginaw Bay Watershed Initiative Network for funding.

The Network has asked him to obtain a showing of support from the City of Saginaw, as an indication that the City may actually consider implementation of recommendations. This will assist Mr. Beaubien in his application. This demonstration of support does not obligate the City to adopt or accept any of the potential findings of the study. The City has the option to consider the merits of any suggestions against any economic disincentive it may create for redevelopment.

This proposal has been reviewed by the Planning Commission and is recommending approval of the proposed resolution in support of the study.

Council Action: This Council Communication is for explanation purposes only of the resolution being presented.

#### Resolution in Support of Combined Sewer Overflow Study

Councilman Scharffe offered and moved adoption of the following resolution:

WHEREAS, Russell Beaubien of Spicer Engineering is interested in developing a computer model to study the effects of Low Impact Development ("LID") in a Combined Sewer Overflow ("CSO") District. Mr. Beaubien has selected the City's Fitzhugh CSO as the model, and the results of the study would provide the City guidance in best practices for use in future redevelopment of the area to delay or minimize the peak runoff from a precipitation event; and

WHEREAS, Mr. Beaubien has applied for a grant from the Saginaw Bay Watershed Initiative Network ("SBWIN") to fund this project; and

WHEREAS, The SBWIN has requested Mr. Beaubien to provide a resolution of support from the City of Saginaw, and an indication that the City would evaluate the study for possible future implementation; and

WHEREAS, this resolution does not commit the City of Saginaw to any course of action with regard to implementation.

NOW, THEREFORE, BE IT RESOLVED, that the City of Saginaw supports this project and requests that the Saginaw Bay Watershed Initiative Network consider funding this project.

Adopted unanimously.

#### MOTIONS AND MISCELLANEOUS BUSINESS

Mayor Seals reminded all that the next Council meeting is Student Government Day, April 7, 2008 and the Council meeting would begin at 12:00 noon. Those wishing to be on the Personal Appearance agenda need to sign up prior to 4:00 p.m. on Friday, April 4, 2008.

Mayor Seals asked City Attorney Thomas Fancher if he had reviewed the proposed Divided We Fail resolution for approval. *(City Attorney Fancher responded he had a question on one item and City Manager Darnell Earley asked to postpone approval until the next meeting.)*

Councilman Coulouris made a motion to go into closed session to discuss the negotiation of a collective bargaining agreement.

Adopted by the following vote:

Ayes: Councilpersons Branch, Coulouris, Fitzpatrick, O'Neal, Scharffe, Virciglio, Wendt and Mayor Seals-8.

Nays: 0.

Absent: Councilwoman Kitterman-Miller-1.

*(Council entered Closed Session at 9:00 p.m.)*

#### ADJOURNMENT

Upon returning from Closed Session at 10:00 p.m., Councilman Scharffe moved to adjourn the meeting.

Adopted unanimously.

Lynnette A. Hagen  
Deputy City Clerk