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

PRAYER AND PLEDGE OF ALLEGIANCE

Police Chaplain Alvin King 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, Daniel Fitzpatrick, Amanda Kitterman-Miller, Amos O'Neal, Bill Scharffe, Paul Virciglio and Mayor Joyce Seals-8.

Absent: Councilman Andrew Wendt-1.

ANNOUNCEMENTS

City Clerk Diane Herman announced that based on the motion made at Saturday's Special Strategic Planning Session, the Police Towing Services and Citywide Towing Services bids would be opened on Tuesday, July 15, 2008, at 3:00p.m., in the City Hall Council Chambers, along with bids for filters and lab gases.

PERSONAL APPEARANCES

Earl Jesse, 310 S. Harrison, said he did a study of the City's population and today's population dates back to 1916 or 1917. Recognized the number of foreclosures and empty houses but said the worst is yet to come. Suggested again that Council should be reduced to 7 members.

Johnny Sanders, 3420 Grant, said there is no excuse for the City not cutting the tall grass. The taxpayers are paying the City and they are not getting services. Believes the City crews are only cutting certain parts of the City.

Deborah Blanks, 6053 Canton Drive, invited City Council to the 2nd Annual Mission in the City Walk-a-Thon on July 26, 2008. She explained a little about the program and said it was established to give hurting people hope.

Sharon Surles, 527 Carlisle, said she was doing her part to improve her neighborhood but cannot get any assistance from the City. She told of the difficulty she was having trying to get her two properties combined. Noted she had several hollow trees in her neighborhood.

Xavier Sanders, 152 Ivanhoe Drive, reported to Council an incident which he experienced with the City Police, when he was pulled over, held at gunpoint and handcuffed because his car fit the description from another incident. Believes he was mistreated.

J. D. Dunbar, 2425 McGill, defended his grandson, Xavier, and how the police treated him. Gave some background on his grandson and expressed his disappointment in the Saginaw police. Knows they have to do their job but never even apologized when they realized he was not the guy they were looking for.

Alfonzie Smith, 2222 S. 23rd, said he used to coordinate a crew through CAC to cut City lots. Noted the City saved some money on insurance premiums at the prior Council meeting and believes it should be designated to the code crew. Agreed to coordinate it again.

Gary Shepherd, President, Saginaw Area Fireworks, thanked the City for hosting

and supporting the Saginaw Area Fireworks. Commended City crews that assisted with digging the trenches, putting up fencing, barricading streets and cleaning up the following morning. Said they all did a great job.

Mary McMath & Sherry Draine, 2824 Perkins, extended Council an invitation to a Housing Expo on July 24, 2008, at the Saginaw County Community Action Center (CAC). Classes will be conducted for first-time homebuyers and foreclosure prevention.

Julia Darnton, 1 Tuscola Street, Suite 100, of MSU Extension, invited Council, City staff and residents to attend a Community Design visioning session on July 29, 2008. The meeting is the first step in a design project for East Genesee Avenue. Students from Michigan State University's Landscape Architecture program will be working on designs for buildings, sidewalks, lighting and planting on East Genesee Avenue between Weadock Avenue and Hess Avenue.

REMARKS OF COUNCIL

Councilman O'Neal commended the CAC organization for their assistance with foreclosures. Apologized to Mr. Dunbar for the experience his grandson had with City police. Thanked the Outta Control Car Club for recently cleaning up Wickes Park. Noted that the grass issue is a top priority for the City but the City still needs a plan.

Councilman Fitzpatrick also commended CAC and said it was a fine organization. Mentioned the grass issue was discussed at Strategic Planning, along with plans for recreation. Said the Friends of Hoyt Park organization is working diligently and said some local historians were looking for stories and pictures about Hoyt Park. Discussed the use of "most wanted" billboards and the negative impact it has on the City. Also apologized to Mr. Dunbar and his grandson for their negative experience with City police.

Councilwoman Kitterman-Miller thanked Council and City staff for the recent Strategic Planning session. Said it was informative and she appreciates all for giving up their time and energy. Advised the Keep Saginaw Beautiful committee would not meet in July and August. Mentioned an upcoming revitalization blitz sponsored by Dow and the Covenant Neighborhood Association where volunteers would be making improvements to 26 homes.

Councilman Scharffe also apologized to Mr. Dunbar and his grandson. Said what they experienced was a rarity. Assured the police chief would look into the matter. Mentioned attending the Friday Night Live, Lawn Chair Film Festival and Saginaw Area Fireworks. Commended all who both volunteer and support these events. Also said the proposed splash park and Hoyt Park revitalization were positive projects for the City and it encourages families to stay or return to the Saginaw area.

Councilman Virciglio told Mr. Dunbar he has worked closely with Chief Cliff and knows he has brought much professionalism and training to the Saginaw Police Department. Apologized for his grandson having an unpleasant experience. Praised Julia Darnton and the MSU students for their assistance with the E. Genesee corridor project.

Councilman Branch echoed what his colleagues said to Mr. Dunbar. Said it is a fine line the officers walk every day but there is nothing wrong with saying you are sorry when a mistake is made.

Mayor Seals spoke on the tall grass issue and the problem with the City having to maintain so many lots, including those belonging to the DNR. Agreed it would be helpful if

the CAC team could be reorganized. Said she appreciated Mr. Dunbar recognizing the police officers have a tough job. Agreed there was nothing wrong with apologizing. Mentioned more people in the target areas are being stopped due to the increase in crime, and many guns have been confiscated as a result. Applauded all those on the Saginaw Fireworks Committee and all who support the fireworks, for another outstanding display. Noted a meeting she had attended in Lansing on a State road construction program promoted by Governor Granholm. Announced there would be a special Committee of the Whole on Zoning and Planning procedures.

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

City Clerk Diane Herman gave the qualifications and deadlines for voting by Absentee Ballot and advised those voters interested to contact the City Clerk's Office and request an application. She announced a meeting of the Precinct Committee for Wednesday, July 24th.

Mayor Seals reminded all that the Charter Review Committee was scheduled to meet on Tuesday, August 12th.

REPORTS FROM CITY MANAGER

Management Update

City Manager Darnell Earley spoke briefly on the weed abatement program and said the City does have a plan. Said crews were working very hard to address the issue, however, the large number of vacant lots, coupled with the decline in resources creates a structural imbalance in the City's ability to provide this basic service as it did several years ago. The same occurs when there is a storm or snow and there is not enough equipment and staff to address the issue.

Advised Council he would meet with Chief Cliff to discuss the police incident and provide Council with a report.

Thanked Council and staff for giving up their time for the Saturday Strategic Planning Session to discuss City concerns and issues.

Recommended Actions

Subject: Contract with Precincts for Conducting Elections

Manager's Recommendation: I recommend approval of the contracts between the City of Saginaw and Public Libraries of Saginaw, St. Stephen Parish, St. Joseph Parish, Saginaw Art Museum, YMCA of Saginaw, and New Mt. Calvary Missionary Baptist Church, for purposes of conducting General and Local Elections in the City of Saginaw.

The agreements have been approved by the City Manager as to substance and the City Attorney as to form.

Justification: Following the November 2004 General Election, the Precinct Consolidation Committee recommended the City enter into Contracts with all precincts so the obligations, responsibilities and understandings of the parties in conducting general and local elections were clearly defined. To date, the Public Libraries of Saginaw, St. Stephen Parish, St. Joseph Parish, Saginaw Art Museum, YMCA of Saginaw and New Mt. Calvary Missionary Baptist Church have all agreed to the terms the City proposed.

With regard to the use of the various buildings, the parties (hereinafter referred to as "City" and "Precinct") have agreed as follows:

(1) Precinct will attempt to provide a room or space of adequate size and accessibility and the parties will review the designated area prior to each election. Precinct will attempt to make the designated area as close as possible to the entrance of the polling location.

(2) Precinct will provide ample handicap and regular parking spaces, store election equipment and supplies, have the buildings accessible at 6:00 a.m. the morning of the election, heat the buildings and have tables and chairs for precinct workers available.

(3) Precinct agrees to remove the snow from parking lots and walkways. Since St. Joseph Parish does not have snow removal and salting performed on a daily basis, and if it is necessary for St. Joseph's crews to remove snow and salt for the sole purpose of serving as a polling location on Election Day, the City will reimburse St. Joseph for these costs. This clause only applies to the St. Joseph contract.

(4) Precinct will attempt to avoid scheduling major activities in the buildings, i.e., athletic activities, fund-raisers, social events, etc. on Election Days.

(5) The parties further agreed to coordinate efforts with regard to emergencies, signage, handicap accessibility and will discuss any concerns and issues subsequent to each election, if any.

(6) Precinct and City have agreed to each indemnify the other with regard to any possible claims.

(7) The terms of the contract will commence upon execution and will terminate on December 31, 2013, with an option to renew. The parties will review the terms and conditions six (6) months prior to the termination and make any necessary modifications, if needed, prior to renewal. In all other events, each party has agreed to give the other 12-months written notice to terminate the contract.

(8) City agrees to pay a rental fee of \$75.00 following each Election for use of the building. Funds for these rental fees are budgeted annually in the Election Division Account No. 101-1731-701-8062.

The City Clerk is also in the process of negotiating contracts with the Saginaw School District and Saginaw Housing Commission and will present these contracts for approval once the contracts have been approved by their respective boards.

Given the foregoing, I recommend approval of the contracts between the City of Saginaw and Public Libraries of Saginaw, St. Stephen Parish, St. Joseph Parish, Saginaw Art Museum, YMCA of Saginaw and New Mt. Calvary Missionary Baptist Church for purposes of conducting General and Local Elections in the City of Saginaw.

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

Adopted unanimously.

Subject: Purchase of Voting Booths for Elections

Manager's Recommendation: I recommend acceptance of the low bid and issuance of a purchase order to Miller Consultation and Elections/Election Source in the amount of \$4,835.00 for the purchase of twenty-nine (29) voting booths to be used at the City's twenty-two (22) precincts.

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 in the Election Division Account No. 101-1731-701-9760.

Justification: In June 2008, the City Clerk received bids on twenty-nine (29) voting booths to be utilized by the Election Division at the City's twenty-two (22) precincts. The City's current voting booths were purchased over 15 years ago and many are in disrepair and cannot be fixed. In addition, City Council recently approved to split two (2) of the City's twenty (20) precincts. Additional voting booths are needed for these additional precincts and to replace those that cannot be used. The bids received for the voting booths are as follows:

<u>Company</u>	<u>Booth Type</u>	<u>Cost per unit</u>	<u>Shipping</u>	<u>Total Cost</u>
MC&E Election Source Grand Rapids, MI	VB 101	\$165.00	\$50.00	\$4,835.00
American Made Election Equipment Escondido, CA	AV-300	\$160.00	\$290.00	\$4,930.00

Besides being lower in cost, the MC&E/Election Source booths also has a larger writing surface. Given the foregoing, I recommend the low bid from Miller Consultation & Elections/Election Source.

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

Adopted unanimously.

Subject: Purchase of Ballot Transport Bags for Elections

Manager's Recommendation: I recommend acceptance of the low bid and issuance of a purchase order to American Made Election Equipment, in the amount of \$4,901.00 for the purchase of twenty-seven (27) ballot transport bags to be used to deliver and store ballots for the City's precincts and absent voters.

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 in the Election Division Account No. 101-1731-701-9760.

Justification: In June 2008, the City Clerk received bids on twenty-seven (27) ballot transport bags to be utilized by the Election Division to transport ballots to and from the City's twenty-two (22) precincts, and to store the ballots subsequent to elections for the precincts and absent voter counting board(s). The City's current ballot boxes are metal and have a capacity to hold ballots 17" long. Due to the number of candidates and issues on the ballot, particularly during a November General Election, the ballots can be as long as 23". As such, it has been necessary for the Clerk to bend the ballots to fit them in the boxes, which sometimes causes problems with the ballots feeding in the tabulator. In addition, the metal containers are very heavy and cumbersome and difficult for some of the

election workers to lift. The new bags are made of Denier nylon and come with attached wheels for easy transportation. The company guarantees these bags for a period of five (5) years. The bids received for the bags on wheels are as follows:

<u>Company</u>	<u>Bag Type</u>	<u>Cost per unit</u>	<u>Shipping</u>	<u>Total Cost</u>
American Made Election Equipment Escondido, CA	BS-BG	\$159.00	\$290.00	\$4,611.00
MC&E Election Source Grand Rapids, MI	BA-EZPull	\$179.00	\$150.00	\$4,983.00

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

Subject: Wastewater Treatment – Coal Tar Epoxy

Manager's Recommendation: I recommend that the bid received from Northeastern Paint be accepted and a purchase order be issued to them in the amount of \$2,736.00 for fiscal year 2009 and a second purchase order in the amount of \$2,880.00 for fiscal year 2010 for the purchase of coal tar epoxy.

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 in the Sewer Operation and Maintenance Parts and Supplies Fund Account No. 590-4830-861.73-30 and will be budgeted in the same account for fiscal year 2010.

Justification: On May 20, 2008, the City received bids for the purchase of coal tar epoxy, which is used as a protective coating on metal to prevent corrosion. There were three (3) bidders, two of which were disqualified for not meeting bid specifications. The bid specifications clearly stated, "two components mixed together to produce one gallon of product." The other two bidders quoted five-gallon containers. We know from experience that if purchased this way it will be wasted because it must be used immediately after mixing. The following is a tabulation of the bids received:

	<u>FY2009</u>	<u>FY2010</u>
Northeastern Paint Saginaw, MI	\$2,736.00	\$2,880.00
ICI Paint Saginaw, MI	Disqualified	Disqualified
Sherman Williams Saginaw, MI	Disqualified	Disqualified

Council Action: Councilman O'Neal moved that the recommendation of the City

Manager be approved.

Adopted unanimously.

Subject: Annual Supply of Mason Sand and 60/40 Gravel

Manager's Recommendation: I recommend acceptance of the low bid and issuance of purchase orders to Saginaw Rock Products Co. in the amount of \$14,675.00 for fiscal year 2008-09 and \$15,775.00 for fiscal year 2009-10.

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

Funds for this purchase are budgeted in the Water and Sewer Operation Account Nos. 591-4721-861.73-30 and 590-4821-861.73-30 for fiscal year 2009 and will be budgeted in the same account for fiscal year 2010.

Justification: On June 10, 2008, the Right Of Way Division, Maintenance and Service Section, received bids for a two-year supply of Mason Sand and 60/40 Gravel to be used for water and sewer repairs throughout the city. A cost comparison shows a 23% decrease from the previous bid. Following is a tabulation of the bids submitted.

<u>Two-Year Bid</u>	
Saginaw Rock Products Co.	\$14,675.00 First Year
Saginaw, MI	<u>\$15,775.00</u> Second Year
Total	\$30,450.00

<u>One-Year Bid</u>	
Doc Heinz Contracting Inc.	\$17,367.00
Saginaw, MI	

<u>One-Year Bid</u>	
Wirt Saginaw Stone Dock	20,095.00
Saginaw, MI	

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

Adopted unanimously.

Subject: Annual Supply of Portland Cement

Manager's Recommendation: I recommend acceptance of the only bid received and issuance of a purchase order to Acme Block & Supply in the amount of \$14,850.00 for fiscal year 2008-2009 for the annual purchase of Portland cement.

This vendor meets all the 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 Parts Account No. 591-4721-861-73-30 and Sewer Parts Account No. 590-4821-861-73-30 and will be accounted for through the Water Inventory Account No. 591-0000-171-11-30.

Justification: On June 10, 2008, the Right of Way Department, Maintenance and Service Section, received one bid for an annual supply of Portland cement, which will be used in the construction and repair of the water distribution/transmission and sewage collection systems. A cost comparison shows an increase of 17% over the previous purchase due to the use of fossil fuels in the manufacturing process.

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

Adopted unanimously.

Subject: Water Treatment Replacement Vehicles

Manager's Recommendation: I recommend that purchase order number 36224 be increased from \$15,876.73 to \$19,262.50 and issued to Snethkamp Dodge of Lansing for a 2008 Dodge Caravan, per the State of Michigan contract pricing.

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 2008 fiscal year Water Maintenance and Operations Account No. 591-4730-861-9770.

Justification: On April 7, 2008, Council approved the purchase of a 2008 Dodge Caravan from SnethKamp Dodge of Lansing per the State Contract pricing. By the time this item was approved by Council, the contract period for this vehicle expired due to a model change cut off and thus an increase of \$3,385.77 was added to the current, new state contract. The Water Treatment Division is replacing a 1999 Jeep Cherokee that was recently involved in an accident. Our maintenance staff utilizes this vehicle to perform maintenance checks at the water booster and pumping stations, light duty repairs and to transport employees to required training and seminars. The budgeted funds combined with the insurance settlement are enough to purchase this vehicle.

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

Adopted unanimously.

Subject: Debris Hauling

Manager's Recommendation: I recommend acceptance of the low bid and issuance of a purchase order in the amount of \$31,188.00 to Allied Waste Service for fiscal year 2009 and recommend acceptance of the low bid and issuance of a purchase order to Billy's in the amount of \$32,400.00 for fiscal year 2010 for hauling and disposing of catch basin debris.

These vendors meet 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 in the Right of Way Division's Water and Sewer Section Account No. 590-4821-861.80-05 for FY2009 and will be budgeted in the same account for fiscal year 2010.

Justification: On June 10, 2008, bids were taken for hauling and the disposing of 1,200 tons of catch basin debris annually. Following is a tabulation of the bids received:

<u>Vendor</u>	<u>2008/2009</u>	<u>2009/2010</u>	<u>Total</u>
Allied Waste Detroit, MI	\$25.99/Ton	\$27.41/Ton	\$128,160.00
Billy's Carrollton, MI	\$27.00/Ton	\$27.00/Ton	\$129,560.00
RWS Montrose, MI	\$39.75/Ton	\$41.25/Ton	\$192,000.00

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

Adopted unanimously.

Subject: 6AA Stone and Stonecrete

Manager's Recommendation: I recommend acceptance of the low bid and issuance of a purchase order to Saginaw Rock Products Co. in the amount of \$38,444.00 for fiscal year 2008-09 and \$41,144.00 for fiscal year 2009-10 for an annual supply of 6AA Stone and Stonecrete.

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 Water and Sewer Road Materials Account Nos. 591-4721-861-73-40 and 590-4821-861-73-40.

Justification: On June 10, 2008, the Right of Way Division, Maintenance & Service Section, received bids from three (3) vendors for a two-year supply of 6AA Stone and Stonecrete that will be used for water and sewer repairs and maintenance. A cost comparison shows a 28% increase of over the previous purchase. Following is a tabulation of the bids received:

Saginaw Rock Products Co. Saginaw, MI	\$79,588.00	2 Year Bid
Wirt Stone Dock Saginaw, MI	\$39,390.00	1 Year Bid
Champagne & Marx Saginaw, MI.	\$113,350.00	2 Year Bid

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

Adopted unanimously.

Subject: WWTP Laboratory Analysis

Manager's Recommendation: I recommend that the low bid received from Kar Laboratories be accepted and a purchase order issued to them in the amount of \$69,715.00 for outside laboratory testing.

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 in the Sewer Operating Services Account No. 590-4830-861.80-05.

Justification: On June 24, 2008, the City received bids for outside laboratory testing and analysis. Analysis of volatile organic compounds, metal, and other pollutants in the Wastewater Treatment Plant's effluent, and in the industrial wastewater discharged to the treatment plant are mandated by the City of Saginaw's Industrial Pretreatment Program and by the Wastewater Treatment Plant's National Pollutant Discharge Elimination System

Permit. The bids received are as follows:

Kar Labs Inc. Kalamazoo, MI	\$69,715.00
ALS Lab Group Holland, MI	\$77,060.00
Merit Labs East Lansing, MI	\$78,260.00
Fibertech, Inc. Holt, MI	\$80,855.00
Test America Pontiac, MI	\$82,100.00
Paragon Labs Livonia, MI	\$85,991.50
RTI Labs Livonia, MI	\$94,962.00

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

Adopted unanimously.

Subject: Annual Supply of Manhole and Catch Basin Castings

Manager's Recommendation: I recommend acceptance of the low bid and issuance of a purchase order to Michigan Pipe & Valve in the amount of \$99,999.00 for the purchase of an annual supply of manhole and catch basin castings.

This vendor meets all the 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 in the Sewer Parts Account No. 590-4821-861.73-30 and will be accounted for in Water Stores Asset Inventory Account No. 591-0000-171.11-30.

Justification: On June 10, 2008, Right of Way Department, Maintenance and Service Section, received bids for an annual supply of manhole and catch basin castings that will be used in the construction and repair of the sewage collection system. A cost comparison shows a 6% increase over the previous purchase. Following is tabulation of the bids received:

Michigan Pipe and Valve Saginaw, MI	\$ 99,999.00
--	--------------

East Jordan Iron Works \$100,809.90
Sunfield, MI

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

Adopted unanimously.

Subject: Sand and Topsoil

Manager's Recommendation: I recommend that the following bids be accepted and purchase orders issued as follows: Doc Heinz for sand in the amount of \$115,400.00 for fiscal year 2009, Bourdow Trucking for topsoil in the amount of \$45,051.50 and \$46,182.50 for fiscal year 2009 and fiscal year 2010 respectively, Billy's Contracting for sand in the amount of \$125,400.00 for fiscal year 2010.

These vendors meet all requirements of the Contract Compliance Provisions Title 1, Chapter 14 §14.35 – 14.44 of the Saginaw Code of Ordinances.

Funds for these purchases are budgeted in the Right of Way Division's Maintenance & Service Section Account Nos. 590-4821-861.73-30 and 591-4721-861.73-30 for fiscal year 2009 and will be budgeted in the same account for fiscal year 2010.

Justification: On June 10, 2008, the Right of Way Division, Maintenance and Service Section, received bids for annual supplies of sand and topsoil used in the backfilling and restoration of excavated areas for water and sewer system maintenance. Following is tabulation of the bids received:

<u>Vendor</u>	<u>Material</u>	<u>2008/2009</u>	<u>2009/2010</u>	<u>Total</u>
Doc Heinz Saginaw, MI	Sand	\$115,400.00	No Bid	\$115,400.00
Bourdow Saginaw, MI	Topsoil	\$45,051.50	\$46,182.50	\$91,234.00
	Sand	\$139,000.00	\$145,000.00	\$284,000.00
Billy's Saginaw, MI	Topsoil	\$54,288.00	\$54,288.00	\$108,576.00
	Sand	\$125,400.00	\$125,400.00	\$250,800.00
Champagne Saginaw, MI	Topsoil	\$48,067.50	\$51,837.50	\$99,904.00
	Sand	\$165,000.00	\$185,000.00	\$350,000.00

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

Adopted unanimously.

Subject: Biotech Agronomics, Inc. Agreement

Manager's Recommendation: I recommend that the three (3) year Agreement for biosolids land application services with Biotech Agronomics, Inc. (Biotech), be approved and that a purchase order be issued to them in an amount not to exceed \$602,700.00 for fiscal year 2009, not to exceed \$619,100.00 for fiscal year 2010, and not to exceed

\$637,550.00 for fiscal year 2011. The Agreement is subject to approval by the City Manager as to substance and the City Attorney as to form.

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

The funds are budgeted in the Sewer Operation and Maintenance Account No. 590-4830-861.80-05 for fiscal year 2009 and will be budgeted in the same account for fiscal year 2010 and fiscal year 2011 respectively.

Justification: On June 10, 2008, the City received bids for the removal and land application of the Wastewater Treatment Plant's Biosolids for the next three years. Biotech Agronomics, Inc. submitted the lowest bid to provide all agronomic services and land application the biosolids generated by the Wastewater Treatment Plant.

Biosolids are the residual materials removed from the wastewater during the treatment process. This material, after treatment and stabilization, is recycled as farm fertilizer. It is estimated that the process of land application will recycle 20.5 million gallons of biosolids each year. Following is a tabulation of the bids received:

Biotech Agronomics, Inc.	FY2009	\$602,700.00	(\$0.0294/gallon)
	FY2010	\$619,100.00	(\$0.0302/gallon)
	FY2011	\$637,550.00	(\$0.0311/gallon)
Synagro Central, LLC	FY2009	\$637,550.00	(\$0.0311/gallon)
	FY2010	\$653,950.00	(\$0.0319/gallon)
	FY2011	\$670,350.00	(\$0.0327/gallon)

The FY 2009 bid represents a 2.2% increase over the FY 2008 annual cost. Increases in FY 2010 and FY 2011 are 2.7% and 3.0% respectively.

Council Action: Councilman O'Neal 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: Verna Howard Freedom of Information Act Appeal

Manager's Recommendation: It is recommended that City Council deny Verna Howard's Freedom of Information Act ("FOIA") appeal and not provide the requested document.

Justification: On June 11, 2008, the Saginaw Police Department ("SPD") received a Freedom of Information Act ("FOIA") request from Verna Howard requesting a copy of the entire file, excluding pictures, related to her son's homicide. On June 26, 2008, the SPD sent Ms. Howard a letter denying her request pursuant to MCL 15.243(1)(b)(i). That section states that information is exempt from disclosure if it would interfere with law enforcement proceedings. On July 2, 2008, the City received an appeal from Ms. Howard. Her appeal only requests a copy of the police incident report related to her son's homicide.

Currently, the SPD is in the process of investigating this matter. A team of

detectives is actively investigating the death of Ms. Howard's son. Disclosure of the requested information would interfere with law enforcement proceedings pursuant to MCL 15.243(1)(b)(i). Specifically, disclosure of the information could scare potential witnesses into not providing information for fear of retaliation. In addition, suspects listed in the report could disappear and avoid prosecution. As a result, it is recommended that the FOIA appeal submitted by Ms. Howard be denied.

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

Adopted unanimously.

Subject: Original Equipment Manufacturer Vehicle Parts & Supplies

Manager's Recommendation: I recommend that a purchase order be issued to each local vendor listed below for the purchase of Original Equipment Manufacturer (OEM) vehicle parts and supplies.

These vendors meet 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 in the Right of Way Division's Garage Account No. 661-4480-841-7312.

Justification: The City's Municipal Garage requires the purchase of a vast array of OEM vehicle parts and supplies for the maintenance of the fleet vehicles from July 1, 2008 to June 30, 2009. A yearly contract proposal is not feasible because there is no easy way to determine the quantities and parts that will be required in any given time period. Issuing individual purchase orders is costly and administratively time consuming; therefore, as in past years, we are requesting authorization to issue blanket purchase orders as follows:

AirGas Saginaw, MI	\$ 3,800.00
Alro Steel Bay City, MI	\$ 4,400.00
Bader Bros Inc. Birch Run, MI	\$ 2,400.00
Bushey's Radiator & Glass Saginaw, MI	\$ 2,000.00
Draper Chevrolet Saginaw, MI	\$ 4,500.00
Graff Truck Center Saginaw, MI	\$ 7,000.00
Martin Chevrolet Saginaw, MI	\$ 9,000.00

McDonald Pontiac/GMC
Saginaw, MI

\$ 4,000.00

Mid State Bolt & Screw Company Saginaw, MI	\$ 2,900.00
Scientific Brake & Equipment Company Saginaw, MI	\$ 2,150.00
Vic Canever Chevrolet Flint, MI	\$ 3,000.00
Weiland Truck Center Saginaw, MI	\$ 2,500.00

Garage personnel will price quote each item and will use the lowest and best vendor for each item. The purchases will then be ordered and billed to each individual purchase order.

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

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

Abstain: Councilman Branch-1.

Subject: Original Equipment Manufacturer Vehicle Parts & Supplies

Manager's Recommendation: I recommend that a purchase order be issued to each local vendor listed below for the purchase of Original Equipment Manufacturer (OEM) vehicle parts and supplies.

These vendors meet all requirements of the Contract Compliance Provisions, Title 1, Chapter 14, §14.35 – 14.44, of the Saginaw Code of Ordinances.

Funds for these purchases are budgeted in the Right of Way Division's Garage Account No. 661-4480-841-7312.

Justification: The City's Municipal Garage requires the purchase of a vast array of OEM vehicle parts and supplies for the maintenance of the fleet vehicles from July 1, 2008 to June 30, 2009. A yearly contract proposal is not feasible because there is no easy way to determine the quantities and parts that will be required in any given time period. Issuing individual purchase orders is costly and administratively time consuming; therefore, as in past years, we are requesting authorization to issue blanket purchase orders as follows:

Spartan Distributors Detroit, MI	\$ 4,000.00
Scientific Brake & Equipment Saginaw, MI	\$ 8,000.00
Diesel Truck Sales Saginaw, MI	\$ 5,000.00

AIS Bridgeport, MI	\$10,000.00
Bridgeport Equipment Bridgeport, MI	\$12,000.00
Flint New Holland Burton, MI	\$10,000.00
Fecon Cincinnati, OH	\$40,000.00
Weller's Truck Parts Grand Rapids, MI	\$ 6,000.00
Bell Equipment Lake Orion, MI	\$20,000.00
Larry's Auto Saginaw, MI	\$27,500.00
Scott Tire Sales Saginaw, MI	\$35,000.00
Consumer Auto Parts Saginaw, MI	\$ 6,000.00
Bell Equipment Lake Orion, MI	\$18,800.00

Garage personnel will price quote each item and will use the lowest and best vendor for each item. The purchases will then be ordered and billed to each individual purchase order.

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

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

Abstain: Councilman Branch-1.

Subject: Services of Local Vendors

Manager's Recommendation: I recommend that a purchase order be issued to each local vendor listed below for various repairs of fleet vehicles.

These vendors meet all requirements of the Contract Compliance Provisions, Title 1, Chapter 14, §14.35 – 14.44, of the Saginaw Code of Ordinances.

Funds for these services are budgeted in the Right of Way Division's Garage

Account No. 661-4480-841-7312.

Justification: The City's Municipal Garage requires the services of local vendors for the various repairs of fleet vehicles from July 1, 2008 to June 30, 2009. A yearly contract proposal is not feasible because there is no easy way to determine the quantities and types of repairs that will be required in any given time period. Issuing individual purchase orders is costly and administratively time consuming; therefore, as in past years, we are requesting authorization to issue blanket purchase orders as follows:

Discount Transmissions Saginaw, MI	\$ 4,000.00
Mike's Wrecker Saginaw, MI	\$ 5,000.00
Draper Chevrolet Saginaw, MI	\$ 4,500.00
Martin Chevrolet Saginaw, MI	\$ 9,000.00
McDonald Pontiac/GMC Saginaw, MI	\$ 4,000.00
Diesel Truck Sale Saginaw, MI	\$ 5,000.00
Graff Truck Center Saginaw, MI	\$ 7,000.00
Bushey's Radiator & Glass Saginaw, MI	\$ 3,000.00
Tuffy Muffler Saginaw, MI	\$10,000.00
Michigan Truck Spring Saginaw, MI	\$ 7,000.00
Scott Tire Sales Saginaw, MI	\$35,000.00
Tri-City Suspension & Brake Saginaw, MI	\$ 8,000.00
Vic Canever Chevrolet	\$ 3,000.00

Flint, MI

Garage personnel will price quote each repair and will use the lowest and best vendor for each item. The purchases will then be ordered and billed to each individual purchase order.

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

Ayes: Councilpersons O'Neal, Scharffe, Virciglio, Branch, Fitzpatrick, Kitterman-Miller and Mayor Seals-7.

Nays: Councilman Coulouris-1.

RESOLUTIONS

Subject: Adopting Records Retention Schedules

Manager's Recommendation: I recommend Michigan Department of History, Arts and Libraries, Records Management Services General Schedule #1-Non-Record Materials, General Schedule #8-Municipalities, General Schedule #11-Local Law Enforcement Agencies, General Schedule #18-Local Fire/Ambulance Departments, and General Schedule #23-Election Records be approved and implemented for the retention and disposal of public records by the City of Saginaw departments, divisions and offices. I further recommend that any amendments to these Retention Schedules or any additional Retention Schedules pertinent to public records created and stored by the City of Saginaw become effective immediately for use by the City upon the approval of the Michigan Department of History, Arts and Libraries, Records Management Services.

Justification: On January 17, 1984, the Michigan Department of State approved a General Record Retention and Disposal Schedule #8 for the disposition of public records by city and village offices. To date, the City of Saginaw has been utilizing this schedule for the disposal of its public records in all divisions and departments. In the past few years, the Michigan Department of History, Arts and Libraries, Records Management Services (State Archives), has approved an updated General Record Retention and Disposal Schedule #8 prepared by the Michigan Municipal League and has further developed and approved several retention schedules which are agency specific, i.e. law enforcement, elections, etc.

The Michigan Department of History, Arts and Libraries, Records Management Services (State Archives) advises there are no legal obligations for cities and villages to formally adopt these schedules. Any retention schedules the State approves may be implemented immediately. The State of Michigan does, however, encourage cities to adopt the schedules so that all departments, divisions and offices are utilizing the same schedules for the disposition of its records.

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

RESOLUTION ADOPTING STATE OF MICHIGAN RETENTION SCHEDULES

Councilman O'Neal offered and moved adoption of the following resolution:

WHEREAS, in accordance with MCL 399.5 and MCL 750.491, public records can only be disposed of in accordance with the provisions of an approved Retention and Disposal Schedule; and

WHEREAS, the City of Saginaw has been disposing and archiving its records in accordance with a General Record Retention and Disposal Schedule #8 for Cities and Villages approved by the Michigan Department of State on January 17, 1984; and

WHEREAS, the Michigan Department of History, Arts and Libraries, Records Management Services (State Archives); has updated and approved Schedule #8 and has further approved several other retention schedules to meet the administrative, legal, fiscal and archival requirements of the State of Michigan; and

WHEREAS, although there is no legal requirement to formally adopt the State of Michigan's approved Retention Schedules prior to implementing, it is highly recommended.

NOW THEREFORE, BE IT RESOLVED, the City of Saginaw does hereby adopt the following Retention Schedules approved by the Michigan Department of History, Arts and Libraries, Records Management Services (State Archives):

- General Schedule #1-Non-Record Materials (Approved 11/16/04)
- General Schedule #8-Municipalities (Records Management Handbook by Michigan Municipal League);
- General Schedule #11-Local Law Enforcement Agencies (Approved 08/02/05);
- General Schedule #18-Local Fire/Ambulance Departments (Approved 03/06/07); and
- General Schedule #23-Election Records (Approved 10/16/07).

BE IT FURTHER RESOLVED, that any amendments to these Retention Schedules or any additional Retention Schedules approved by the Michigan Department of History, Arts and Libraries, Records Management Services (State Archives) pertinent to public records created and stored by the City of Saginaw, are hereby incorporated herein and will need no separate approval prior to implementation.

BE IT FURTHER RESOLVED, that the City Clerk, as "official keeper of the records" shall

1. Ensure that all City departments have a copy of General Schedules #1 and #8 and copies of any agency-specific schedules for their use (i.e. law enforcement);
 2. Ensure all employees have basic knowledge about Retention and Disposal Schedules; and
 3. Ensure confidential records are destroyed properly.
- Adopted unanimously.

RESOLUTION ACCEPTING DONATION OF USED AMBULANCE TO THE FIRE INVESTIGATIVE SERVICES TEAM

Councilman O'Neal offered and moved the adoption of the following resolution:

WHEREAS, the Saginaw Fire Department is an active member of the Fire Investigative Services Team (F.I.S.T.), the arson task force that consists of the Saginaw Fire and Police Departments, the Michigan State Police Fire Marshal's Office and the ATF; and

WHEREAS, this team has been highly effective in apprehending and convicting arsonists in our area; and

WHEREAS, this team works closely together and currently carry various tools and equipment in the trunks of their respective vehicles, and unless each team member is on

the scene of an incident, all of the tools and equipment needed to conduct an investigation of an arson may not be readily available; and

WHEREAS, seeing our need for consolidation, Mobile Medical Response has agreed to donate a used ambulance to the F.I.S.T. team effort that will eliminate the need for multiple vehicles to respond to an incident, thus allowing the more effective use of manpower; and

WHEREAS, thus far, this donor has been dealing with the Fire Chief of the Saginaw Fire Department.

NOW THEREFORE, BE IT RESOLVED that the City Manager is authorized to assign Fire Chief E. Dean Holland to be the authorized agent for acceptance of this donation to the Saginaw Fire Department.

Adopted unanimously.

ADJOURNMENT

At 8:04 p.m. Councilman Scharffe moved to adjourn the meeting.

Adopted unanimously.

Diane M. Herman
City Clerk