
REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, OCTOBER 12, 2009, 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: 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.

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS

Councilwoman Kitterman-Miller moved to approve the minutes from the July 11, 2009 Special Strategic Planning Session, July 13, 2009, July 27, 2009, August 10, 2009, August 24, 2009, August 31, 2009 and September 14, 2009 regular council meetings, seconded by Councilman Branch.

Adopted unanimously.

ANNOUNCEMENTS

A proclamation was read by Councilwoman Kitterman-Miller on behalf of Norman Braddock, designating October 18-24, 2009 as Alumni Classic Week in the City of Saginaw. *(Mr. Braddock was not there to accept.)*

PERSONAL APPEARANCES

Earl Jesse, 310 S. Harrison, urged citizens to get out and vote. Said if you don't vote, you can't complain. Thanked Council for the Saginaw Housing Commission appointment. Said he heard the Goodwill Store in Saginaw was closing. Mentioned all municipalities in the State are having budget problems.

(At 6:37 p.m., during Mr. Jesse's personal appearance, Councilman Wendt arrived and took his seat.)

Johnny Sanders, 3420 Grant, said he was concerned about the recent killings. Criticized the City for not enforcing the curfew ordinance. Said police officers are not babysitters. It's the parents responsibility to raise their children.

Mark Oberschmidt, 404 S. Granger, spoke on the ballot issues. Said the proposed solid waste fee would double his winter taxes on his homes. He then gave some examples. Said Saginaw citizens cannot pick up the loss of Eaton, Delphi, etc. and cannot afford more taxes. As a landlord, he will have to pass the additional solid waste fee on to his renters, which will take money out of their pockets and prevent them from buying their own home.

REMARKS OF COUNCIL

Councilman Virciglio advised all that an informational video on the ballot proposals was aired prior to the Council meeting and would air again afterwards. Spoke on the proposal to change the solid waste charges from 3 mills and a \$50 fee to a flat \$140 fee.

Said trash pickup would no longer be based on the value of one's home. Under the proposal, everyone would pay the same amount which would be fair because it's a service. Urged all to vote yes.

Councilman Wendt thanked all who attended the Stop the Violence March on October 3, 2009 and community summit on October 8, 2009 sponsored by Parishioners on Patrol and Community Action Center. Said he appreciated the leadership in the City and the community involvement. In particular, thanked the non-profit organizations.

Councilman Branch addressed Mr. Jesse and said he too heard a rumor about the Goodwill Store. Noted that currently, due to the 3 mills, those with higher valued homes are subsidizing trash collection for those on the lower end. The proposal is a much more fair solution, however, said it does put a little more burden on those at the lower end of the income scale.

Councilman O'Neal thanked the City Manager, Chief Cliff, the Mayor and his fellow Councilpersons who attended the community forum on October 8, 2009. Said he heard positive comments after the meeting that City officials were there to share the community's concern.

Councilman Fitzpatrick also thanked all for their participation in the Stop the Violence rally and summit. Thanked Councilman O'Neal for his words of encouragement and for the criticism he directed towards the men in the community. Advised Johnny Sanders the curfew ordinance would be addressed later in the meeting. Noted how some people are fearful of reporting information which may be heard over the police radios by criminals as well. Noted that individuals may request such information be kept confidential and off the airwaves.

Councilman Coulouris pointed out there had been a lot of changes in the City since the Charter was written in 1935. Said the City is not asking citizens for their last dime but rather to support the Charter to maintain the services the City currently has. Mentioned the prior Charter Commission revision of which he was a member, which called for major changes to the City's form of government. Said the current proposals are not an overhaul, it allows for flexibility in government. Assured citizens the proposal to increase the sealed bid process from \$2,000 to \$10,000 did not eliminate the bid process, it just eliminated having Council formally approve the purchase. Also addressed the trash waste proposal and said the dollar cap prevents the City from collecting additional taxes for new businesses.

Councilman Scharffe said current times are both promising and troubling. Said the October 8, 2009 community summit made some strides. Noted an additional \$5,000 reward was offered for information on the recent killing, which could be received anonymously. Addressed Mr. Oberschmidt and said in most instances property owners would pay less for rubbish collection. Said he currently pays \$290 each year for the service.

Mayor Seals mentioned that despite the recent violence, crime statistics are down from last year. Believed the march and meeting, which was well attended, was an outpour from the community that enough is enough. Mentioned a daytime curfew ordinance was currently in the works for students skipping school and suspended. Referenced the information video on the Charter amendments and said it was created so voters understand the intentions of the Charter Review Committee. Said the proposal is a fair tax structure. Told Mr. Sanders the police were enforcing the current curfew ordinance to the best of their

ability given the number of officers. Said parents need to step up and know where their children are. Urged citizens to join their local neighborhood watch group. Noted Community Police Officers provide their phone numbers so questionable activities can be reported.

PETITIONS

09-20 From Norman G. Spangler, requesting that the property abutting the alley bounded by Throop, N. Bond, Miller and N. Porter St. be vacated.

Councilman Coulouris moved to receive and file the request, seconded by Councilman Wendt.

Adopted unanimously. Mayor Seals referred the request to the Planning Commission.

09-21 From Kelly Belcher, Synergy Medical, requesting that Saginaw Cooperative Hospitals, Inc. (d/b/a Synergy Medical Education Alliance) be recognized as a nonprofit organization for the purpose of obtaining charitable gaming licenses.

Councilman Scharffe moved to approve the request, seconded by Councilwoman Kitterman-Miller.

Adopted unanimously.

09-22 From Terri Huebner, Central Warehouse Company, submitting a request to apply for an OPRA for the property located at 2027 Rust Avenue.

Councilman O'Neal moved to receive and file the request, seconded by Councilman Wendt.

Adopted unanimously. Mayor Seals referred the request to the City Manager.

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

From the Boards and Commissions Committee:

Councilman Fitzpatrick moved for consideration of reappointing Sandra Ann Gase to the Human Planning Commission with a term to expire October 22, 2011, seconded by Councilman Branch.

Adopted unanimously.

Councilman Wendt move for consideration of appointing Melvin Ku to the Human Planning Commission to fill a vacancy with a term to expire October 12, 2011, seconded by Councilman Branch.

Adopted unanimously.

Councilwoman Kitterman-Miller move for consideration of reappointing Daniel L. LaPan to the STARS Board with a term to expire September 26, 2012, seconded by Councilman Wendt.

Adopted unanimously.

Mayoral Appointments.

Mayor Seals appointed James W. Woolfolk II, to the Saginaw Housing Commission Board of Directors with a term to expire September 8, 2014. *(Council approval not needed for this appointment.)*

Reports from other Boards, Commission and Committees:

Councilman Scharffe reported the SEDC approved a \$20,025 loan for Burtrum Furs and Leather at 2620 W. Genesee for inventory purchase contingent upon its current loan being paid in full. Also reported a loan for a proposed hair salon at 815 N. Michigan Avenue. The loan amount is 90% of the purchase price or appraised value, whichever is lower, up to \$50,000.

Councilman Fitzpatrick said the E9-1-1 Board had recently met. They discussed the release of over thirteen million dollars in equipment for the various police and fire departments in the County. Requested to meet with Chief Cliff and Chief Holland.

Councilman Wendt on behalf of the Mid Michigan Hispanic Business Association requested an SEDC member attend its November meeting to advise members on what the SEDC has to offer.

Councilman Wendt provided general information with regard to voting absentee for the November 3, 2009 general election.

ANNOUNCEMENTS REVISITED

Councilman Branch noted Norman Braddock had entered Council Chambers and moved to suspend the Council Rules normal order of business to allow him to accept the proclamation earlier read, seconded by Councilman Scharffe.

Adopted unanimously.

(Councilwoman Kitterman-Miller read the proclamation again and presented it to Mr. Braddock.)

REPORTS FROM CITY MANAGERManagement Update

City Manager Darnell Earley advised Council of a meeting held the prior week with the prosecutor, representatives of the Michigan State Police, Sheriff Federspiel and surrounding municipalities to discuss the prosecutor's request to the Governor for additional support in the form of Michigan State police increased patrols in the City of Saginaw. It was determined an operations plan was needed to best utilize the resources.

City Manager Darnell Earley said he is unaware of how severe the cuts will be, but does not want to be surprised by what ultimately comes out of the Lansing. Said the City depends heavily on the amount it receives from revenue sharing, as well as the other revenue sources, all of which are steadily declining. Said he understands people not wanting to pay more taxes but questions what level of service citizens want. He criticized the remarks made in The Review Magazine about the ballot proposals and contradicted their accusations giving detailed explanation of the proposals.

Odails Thorns, Director of Development, explained the resolutions on the agenda which were a result of the Controller's request to review the various tax increment financing projects. Said there are twenty-nine (29) projects, many of which are Brownfields. Said the

projects began with good intentions but many did not materialize. He explained the tax capturing process and said there were sixteen (16) projects the City must carry on the books for Single Business Tax only.

Public Services Director Thomas Darnell explained the leaf pickup schedule for the 2009 season. He noted that there would be one pass through the City. He urged citizens to find out when the crews would be in their neighborhood. Once the crews move through, citizens would have until November 30th to bag leaves for Waste Management weekly curbside pickup.

Recommended Actions

Subject: Annual Innovative Software Services, Inc. Maintenance/Support Renewal Payment

Manager's Recommendation: I recommend that a purchase order be approved and issued to Innovative Software Services, Inc. in the amount of \$7,813.00, for the renewal of annual software maintenance and 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.

This vendor meets all requirements of §14.23, "Vendors", of "Purchasing, Contracting and Selling Procedure," of Chapter 14, "Financing 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 Information Services Operating Services Account, No. 658-1720-711.80-05.

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.

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

Adopted unanimously.

Subject: Clean Up of the Small Arms Range-Saginaw Police

Manager's Recommendation: I recommend acceptance of the bid and issuance of a purchase order to Green Bay Lead, Inc. of Green Bay, WI in the amount of \$6,600.00 for 2009-10 and \$6,600.00 for 2010-11 for the clean up of the Small Arms Range at the Saginaw Police Department.

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 Police Administrative Services Other Services / Operating Services, General Fund Account No. 101-3012-721-80-05.

Justification: On September 29, 2009, the City received bids for the environmental clean up (lead) of the Saginaw Police Department's Small Arms Range. Lead is a hazardous material, and a known health risk. Lead is managed under OSHA standards *Sec. 1910.1025 Lead*. It can easily contaminate the facility in which it's housed, namely the Saginaw Police Department. As protection for the employees who use the facility this has to be cleaned to reduce any health hazard. Green Bay Lead was the sole bidder for the

range clean up.

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

Adopted unanimously.

Subject: 2009 Stimulus JAG Funds – Mobile Data Terminals

Manager's Recommendation: I recommend issuance of a purchase order to the County of Saginaw in the amount of \$55,500 to cover the annual Maintenance and Replacement fee for 37 Mobile Data Terminals (MDT).

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 Capital Outlay/Repairs & Replacements Account, No. 263-3321-741.97-20.

Justification: The Saginaw Police Department was awarded JAG funds as part of the Federal Government's 2009 Stimulus Package. The Saginaw Police Department has in its possession 37 MDT's and would like to utilize its portion of the JAG funds to pay the annual MDT maintenance/replacement fee. The maintenance/replacement fee for each MDT unit is \$1,500 annually, for a total of \$55,500. MDT's are located inside of each patrol vehicle and are used to communicate with Central Dispatch directly through the radio system.

The Saginaw County Mobile Data Terminal Policy was adopted on August 29, 2000. Saginaw County acts as the Fiscal Agent on behalf of the Saginaw County Criminal Justice Coordinating Committee (SCCJCC).

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

Adopted unanimously.

Subject: Authorization to Receive Weed and Seed Communities Competitive Program Grant Year Two Funds

Manager's Recommendation: I recommend that the City accept the Weed and Seed Communities Competitive Program Grant Year Two funds from the U.S. Department of Justice ("Department of Justice"). The amount of the funds is \$142,000.00. Further, it is recommended that the Manager or his designee be authorized to execute any documents required by the Department of Justice at this time and throughout the grant process.

Justification: The Saginaw Police Department ("SPD") applied for a Department of Justice Weed and Seed Communities Competitive Program Grant. The SPD was notified on August 24, 2009, that the Department of Justice approved its grant application for year two of the program. The SPD will receive grant funding in the amount of \$142,000.00. The Department of Justice requires the City to agree to certain conditions in the use of these funds, including the designation of an authorized grantee official and the execution of grant documents. The proposed authorization will allow the City Manager to designate an authorized grantee official and for that person to sign documents related to the grant. In addition, it provides the City Manager with authorization to update the designation without requiring the matter to return to City Council for action during the pendency of the grant.

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

Adopted unanimously.

Subject: Emergency Purchase of Type K Copper

Manager's Recommendation: I recommend that payment be made to Stephens Tile in the amount of \$2,248.00 for the emergency purchase of Type K Copper.

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 & Maintenance Parts and Supplies Account, No. 591-4721-861.73-30 and will be accounted for in the Water Inventory Account, No. 591-0000-171.73-30.

Justification: The Right of Way Division, Maintenance and Service Section, utilizes Type K copper for water service installations and repairs. As the current supply was almost gone, quotes were acquired and Stephens Tile was able to supply our immediate need for the best cost.

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

Adopted unanimously.

Subject: Moisture Balance Analyzer

Manager's Recommendation: I recommend acceptance of the sole bid received from VWR International and issuance of a purchase order to them in the amount of \$2,524.08 for the purchase of a moisture balance analyzer.

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 Sewer Operation & Maintenance Laboratory Equipment Account, No. 590-4830-861.97-40.

Justification: The moisture balance analyzer is used on a daily basis to determine the concentration of solids removed from the wastewater treatment system and the concentration of biosolids applied to the local farm fields as required by the MDEQ in our National Pollutant Discharge Elimination System permit. The old moisture balance analyzer has out-lived its useful life and has become unreliable and expensive to maintain. Sealed bids were opened on September 22, 2009 and VWR International was the sole bidder.

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

Adopted unanimously.

Subject: Asbestos Re-certification and Training

Manager's Recommendation: I recommend that the quote from Bonus Environmental be accepted and a purchase order be issued to them in the amount of \$2,825.00 for asbestos training and re-certification of city employees and the training of new employees in order to comply with MIOSHA standards.

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 Water and Sewer Maintenance & Operations Training Account, Nos. 591-4721-861.80-90 and 590-4821-861.80-90.

Justification: The Right of Way Division, Maintenance and Service Section, must re-certify current employees and train new hires in order to comply with MIOSHA standards. Bonus Environmental was chosen for the training as they provided the initial certification training and have the necessary paperwork of the city employees previously trained.

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

Adopted unanimously.

Subject: Additional Filters

Manager's Recommendation: I recommend the low bid from A.I.S. be accepted and a purchase order approved and issued to them in the amount of \$3,619.67.

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 Motor Pool Operation Motor Vehicle Supplies Account, No. 661-4480-841-73-12.

Justification: The Right of Way Division, Garage Section, needs additional filters for the newer vehicles that came into the fleet after the previous filter bid had gone out. Following is a tabulation of the bids received:

A.I.S. Bridgeport, MI	\$3,619.67
George Electric Saginaw, MI	\$3,760.24
Maxi Auto Supply Bay City, MI	\$3,857.79
O'Reilly Automotive Springfield, MO	\$4,570.76
Larry's Auto Supply Saginaw, MI	\$5,004.58
Tri-Dim Filter Belleville, MI	\$11,343.36
Alternate Belleville, MI	\$8,075.96

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

Subject: MP2 Software Maintenance Fee

Manager's Recommendation: I recommend that a purchase order be approved and issued to Infor Global Solutions, Inc. in the amount of \$3,732.44 for the MP2 Software annual renewal maintenance fee.

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 Sewer Maintenance Operating Services Account, No. 590-4815-851.80-05 (\$1,866.22) and Water Maintenance Operating Services Account, No. 591-4715-851.80-05 (\$1,866.22).

Justification: Personnel from the Water Treatment and Wastewater Treatment Plants utilize MP2 Barcode Plus Systems and software to inventory plant equipment. An annual renewal maintenance fee is required to receive all new upgrades for the software licenses and the right to call the help desk for all software related questions and/or problems.

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

Subject: Respirator Equipment and Training

Manager's Recommendation: I recommend that the low bid from Airgas Great Lakes be accepted and issuance of a purchase order to them in the amount of \$5,295.09 for respirator equipment and training.

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 and Sewer Operation and Maintenance Parts and Supplies and Training Account Nos. 591-4721-861.73-30 (\$1,765.03), 590-4821-861.73-30 (\$1,765.03) and 591-4721-861.80-90 (\$1,765.03).

Justification: The Right of Way Division, Maintenance and Service Section, needs the equipment and training by November 1, 2009 to comply with MIOSHA safety regulations for confined space entry. Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

<u>Vendor</u>	<u>2009/2010</u>
Airgas Great Lakes Saginaw, MI	\$ 5,295.09
Argus Hazco Chicago, IL	\$ 5,380.00

Accurate Safety Freeland, MI	\$ 5,554.88
Apollo Fire Store Romeo, MI	\$ 6,051.50
Safety Equipment Store Midland, MI	\$12,665.50

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

Adopted unanimously.

Subject: Laboratory Supplies

Manager's Recommendation: I recommend that the bid for laboratory supplies be split to obtain the lowest cost and that purchase orders be issued to Fisher Scientific in the amount of \$5,432.50 and to VWR International in the amount of \$7,053.90.

These vendors meet 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 these purchases are budgeted in the Sewer Operation and Maintenance Laboratory Supplies Account, No. 590-4830-861.73-09.

Justification: These bids are for laboratory supplies for the Wastewater Treatment Plant. VWR Scientific was the low bidder for 26 out of the 30 items bid and Fisher Scientific was the low bidder for the remaining four items. Three bids were received and opened on September 15, 2009 with the following results:

<u>Vendor</u>	<u>4/30 Items</u>	<u>26/30 Items</u>
VWR International Batavia, IL	no bid	\$7,053.90
Fisher Scientific Pittsburgh, PA	\$5,432.50	\$7,560.40
Government Scientific Reston, VA	\$5,780.59	\$7,225.09

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

Adopted unanimously.

Subject: Portland Cement

Manager's Recommendation: I recommend that the bid from Acme Block and Supply be accepted and that a purchase order be issued to them in the amount of

\$6,300.00 for the purchase of Portland cement.

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 and Sewer Operation and Maintenance Parts and Supplies Account, Nos. 591-4721-861-73-30 (3,150.00) and 590-4821-861.73-30 (3,150.00) and will be accounted for through the Water Inventory Account, No. 591-0000-171.73-30.

Justification: The Right of Way Division, Maintenance and Service Section, utilizes the Portland cement to rebuild catch basins and manholes and as reinforcement for water fittings. Following is a tabulation of the bids submitted and reviewed by the Purchasing Committee:

Acme Block and Supply Saginaw, MI	\$6,300.00 (720 bags)
Michigan Pipe and Valve Zilwaukee, MI	\$6,300.00 (700 bags)

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

Subject: Water Treatment Plant Kochville Station Battery Purchase

Manager's Recommendation: I recommend that the low bid from PowerCare and Service Solutions, Inc. be accepted and a purchase order be approved and issued to them in the amount of \$6,390.59 for the purchase of batteries for the Water Treatment Plant Kochville Station.

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 Repairs & Replacement Account, No. 591-4730-861.97-20.

Justification: On September 22, 2009, the City received bids for the supply and delivery of ten industrial batteries for the Kochville Pumping station. The batteries supply DC power and are essential for starting the raw water pumps at the station that contains up to 180 million gallons of raw water. In the event of a pipeline failure the station is critical to supply raw water to the Water Plant. There is no price comparison available for this purchase. Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

<u>Vendor</u>	<u>Total Bid</u>
PowerCare and Service Solutions, Inc. Dallas, TX	\$6,390.59

Continental Wireless Inc. Dallas, TX	\$6,628.60
JMM Company Santa Fe Springs, CA	\$6,817.00
Tri-City Industrial Power West Carrollton, OH	\$7,355.00
W. W. Williams Saginaw, MI	\$8,750.00
Mako Power Lewis Center, OH	\$8,950.00
Northern Industrial Supply Saginaw, MI	\$9,391.65
Battle & Battle Distributors Decatur, GA	\$63,480.00 (most likely an error)

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

Subject: Kraft Power Corporation Proposal and Agreement

Manager's Recommendation: I recommend that the Proposal and Agreement from Kraft Power Corporation ("Kraft Power") be approved and that a purchase order be approved and issued to them in the amount of \$7,000.00. The Proposal and Agreement have been approved by me as to substance and by the City Attorney as to form.

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 service are budgeted in the Water Treatment Operation Professional Services Account, No. 591-4730-861-8001.

Justification: On January 8, 2009, the City of Saginaw received a Proposal and Agreement to inspect the two Waukesha Emergency Diesel Generators at the Water Treatment Plant. An updated quote for the service was provided on July 29, 2009. The inspection will evaluate the generators and make recommendations if repairs are needed. The generators are critical to the operation of the Water Plant, in the event of a power failure, to ensure the proper pressure is maintained in the distribution system. Kraft Power is the sole provider for this service on Waukesha generators. No cost comparison is available for this service.

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

Adopted unanimously.

Subject: Purchase of Antennas, Cabling

Manager's Recommendation: I recommend that the quote from Alger Communications be approved and a purchase order be issued to them in the amount of \$8,740.70 to install four (4) antennas and cabling.

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 these items are budgeted in Instrumentation & Process Controls Capital Improvement Account, Nos. 591-4715-851.97-05 (\$2,185.18) and 590-4815-851.97.05 (\$6,555.52).

Justification: A quote was received from Alger Communications on October 1, 2009 to install four antennas and cabling at the Saginaw County Mosquito Control tower that will work with the lift and storm station network, the wastewater treatment basin network, the water meter network, and a spare antenna to be used in the event of a lightning strike. Quotes were not solicited from additional vendors because Alger Communications is the company that maintains the tower for Saginaw County.

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

Adopted unanimously.

Subject: Grader Blades for Underbody Scrapers

Manager's Recommendation: I recommend that the low bid from Shults Equipment be accepted and a purchase order be issued to them in the amount of \$10,814.00 for an annual supply of 50 grader blades (cutting edges) for the underbody scrapers on the snowplow fleet.

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 Major Streets Parts and Supplies Account No. 202-4655-841-73-30.

Justification: The Right of Way Division, Streets Section, uses these cutting edges as the wear surface for the underbody scraper portion of the plow truck. Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

Shults Equipment Ithaca, MI	\$216.28/each
Winter Equipment Saginaw, MI	\$218.95/each
Valk Manufacturing New Kingston, PA	\$232.50/each
St. Regis Culvert Charlotte, MI	\$271.75/each

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

Subject: Tetra Tech Engineering Services Agreement

Manager's Recommendation: I recommend that the Agreement with Tetra Tech be approved and issuance of a purchase order to them in an amount not to exceed \$31,200.00 for engineering design and \$48,700.00 for construction engineering and programming. The total amount of the Agreement will not exceed \$79,900.00. The Agreement is approved by me as to substance by the City Manager and the City Attorney as to form.

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.

The funds are available in the Sewer Surplus Capital Repairs & Replacement Account, No. 590-4840-881-9720

Justification: The City's Wastewater Treatment Plant is nearly 60 years of age. The secondary treatment portion of the plant is nearly 40 years old. The recent construction project at the plant upgraded and refurbished the oldest parts of the plant and replaced some of the original equipment from the 1950's. Tetra Tech has submitted an Agreement to design and construct an instrumentation and control system for the project. The proposed project addresses replacing the mechanical aerators with new mechanical equipment and technology, adding variable frequency drives for the new aerators and dissolved oxygen probes to make them more efficient.

This project is eligible for funding consideration under President Obama's American Recovery and Reinvestment Act (ARRA) stimulus package. The funding is administered through the Clean Water State Revolving Fund (CWSRF). The Michigan Department of Environmental Quality (MDEQ) accepts project plans and proposals for the CWSRF on a very rigid quarterly schedule. To qualify for the ARRA stimulus money, the project design must be completed and submitted to the MDEQ for first quarter approval by October 16, 2009. Stimulus funds are only available in the first quarter financing schedule. To promote use of stimulus of funds, ARRA has authorized up to forty percent (40%) principle forgiveness of the CWSRF loan. On this project, the principle forgiveness could save the City of Saginaw more than one and one half million dollars (\$1,500,000.00).

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

Subject: Brass Water Pipe Fittings

Manager's Recommendation: I recommend that the low bid from SLC Meter Service be accepted and that a purchase order be issued to them in the amount of \$41,126.36 for the purchase of brass water pipe fittings.

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 Parts and Supplies Account, No. 591-4721-861.73-30 and will be accounted for through the Water Inventory Account, No. 591-0000-171.73-30.

Justification: The Right of Way Division, Maintenance and Service Section, utilizes brass water pipe fittings for the repair and construction of the water distribution system. Following is a tabulation of bids received:

<u>Vendor</u>	<u>2009/2010</u>
SLC Meter Service Davisburg, MI	\$41,126.36
Michigan Pipe and Valve Zilwaukee, MI	\$43,635.15
Etna Supply Grand Rapids, MI	\$44,425.55
Mensch Mill and Lumber Corp Flushing, MI	\$90,725.04

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

Subject: Sewer Castings

Manager's Recommendation: I recommend that the sole bid from Michigan Pipe & Valve be accepted and a blanket order be issued to them in the amount of \$51,843.20 for the purchase of sewer castings.

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 Account, No. 590-4821-861-73-30.

Justification: The Right of Way Division, Maintenance and Service Section, Utilizes sewer castings to repair and install new catch basins and manholes as needed in the collection system.

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

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

Subject: Plante & Moran, P.L.L.C. City Wide Staffing and Efficiency Review Contract

Manager's Recommendation: I recommend approval of a contract with Plante & Moran, P.L.L.C. ("Plante & Moran"). The contract will not exceed Forty Seven Thousand Five Hundred Dollars and 00/100 (\$47,500.00). The contract is subject to my approval as to substance and the City Attorney as to form. Further, it is recommended that I or my designee be authorized to sign the contract.

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 Employee Services Professional Services Account, No. 101-1725-701-8001.

Justification: The City received quotes from three vendors to conduct an organizational staffing and efficiency review. The vendors that submitted quotes are Rehmann Robson, TechSolve and Plante & Moran. The City received the lowest quote from Plante & Moran in the amount of Forty Seven Thousand and Five Hundred Dollars and 00/100 (\$47,500.00). Plante & Moran will conduct a comprehensive review and critical assessment of the efficiency and effectiveness of City operations. The review must be completed before December 31, 2009. Afterwards, a report will be prepared and given to City staff.

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

Adopted unanimously.

Subject: 2009 Stimulus JAG Funds - Purchase of Police Patrol Vehicles

Manager's Recommendation:

I recommend approval to purchase four (4) fully equipped 2010 Chevy Impala 1WS19 police package patrol vehicles from Berger Chevrolet of Grand Rapids, MI in conjunction with the state bid process. The four (4) new vehicles will be purchased outright; three semi-marked patrol vehicles at the cost of \$79,957.41, and one marked patrol vehicle at the cost of \$25,626.89. Total cost to purchase the vehicles will be \$105,584.30. This amount includes outfitting, delivery, documentation fees and titles.

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 Capital Outlay/Vehicles Account, No. 263-3321-741.97-70.

Justification: The Saginaw Police Department was awarded JAG funds as part of the Federal Government's 2009 Stimulus Package. The Saginaw Police Department would like to utilize its portion of the funds to purchase vehicles to maintain the police department's fleet level due to the aging vehicles that will be removed from service in the near future because of high mileage, repair costs and officer safety.

Berger Chevrolet was awarded a state bid and will contract with Alert Emergency Group, Inc. of Portland, MI to completely outfit the four (4) vehicles with the necessary emergency equipment.

Council Action: Councilman Fitzpatrick moved that the recommendation of the City Manager be approved, seconded by Councilwoman Kitterman-Miller.

Adopted unanimously.

CONSIDERATION AND PASSING OF ORDINANCES

Councilman Wendt moved that an ordinance amendment introduced September 28, 2009, entitled and reading as follows, be taken up and enacted, seconded by Councilman Branch:

O-89

AN ORDINANCE TO AMEND 'EXHIBIT A' OF "LOW INCOME HOUSING TAX EXEMPTION FOR SAGINAW SHELTER FOR THE HOMELESS NON PROFIT HOUSING CORPORATION," OF THE TABLE OF SPECIAL ORDINANCES, VIII.

The City of Saginaw ordains:

Section 1. Exhibit A of "Low Income Housing Tax Exemption for Saginaw Shelter for the Homeless Non Profit Housing Corporation," is hereby amended to read as follows:

EXHIBIT A

Low income Housing Tax Exemption for Saginaw Shelter for the Homeless Non Profit Housing Corporation

523 S. 11th
LOT 4 ON S 11TH ST, OUTLOT 21, WM. LLOYDS SUBDIVISION OF OUTLOT 21 AND EAST FOUR FIFTHS OF OUT LOT 20 GLASBY GALLAGHER & LITTLES ADDITION

1625 JOHNSON
LOT 5, BLK.1, HENRY REICHENBACHS SUBDIVISION OF W. 1/2 OF OUT LOT 51, GLASBY & GALLAGHERS ADDITION

416 S. 7TH
S. 15 FT OF LOT 3, LOT 4, N 13FT OF LOT 5, NEWTONS SUBDIVISION OF OUT LOT 16, GLASBY, GALLAGHER AND LITTLE'S ADDITION

515 S. 11TH
LOT 3 ON S 11TH ST, OUTLOT 21, WM. LLOYDS SUBDIVISION OF OUTLOT 21 AND EAST FOUR FIFTHS OF OUT LOT 20 GLASBY GALLAGHER & LITTLES ADDITION

429 S. 10TH
LOT 16 EXC. S 11FT, LOT 17 EXC N 49FT, BLK 15, SMITH, JONES, GLASBY AND LITTLES ADDITION COMB FOR 2001

Section 2. This ordinance shall become effective October 22, 2009.
Enacted: October 12, 2009.

Adopted unanimously.

RESOLUTIONS

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING
LICENSES FOR SAGINAW COOPERATIVE HOSPITALS, INC.
D/B/A SYNERGY MEDICAL EDUCATION ALLIANCE

Councilman Coulouris offered and moved adoption of the following resolution, seconded by Councilman Wendt:

WHEREAS, Saginaw Cooperative Hospitals, Inc. d/b/a Synergy Medical Education Alliance has submitted a request (Petition No. 09-21) to be recognized as a nonprofit organization for purposes of obtaining a charitable gaming license; and

WHEREAS, the Michigan Bureau of State Lottery, pursuant to MCL 432.103(9), requires a Resolution be adopted by the local governing body approving this recognition.

NOW, THEREFORE, BE IT RESOLVED that the request from Saginaw Cooperative Hospitals, Inc. d/b/a Synergy Medical Education Alliance of the City of Saginaw and County of Saginaw, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses, be considered for approval.

Adopted unanimously.

Subject: Termination of the Saginaw Industrial Center, Inc. Tax Increment Financing Portion of the Local Development Finance Authority Plan.

Local Development Finance Authority Recommendation: It is recommended that City Council adopt the resolution to terminate the Saginaw Industrial Center, Inc. tax increment financing portion of the Local Development Authority Finance (LDFA) plan.

Justification: Saginaw Industrial Center, Inc. and the LDFA were involved in bankruptcy litigation. On June 30, 2009, the Bankruptcy Court ordered the LDFA to turn over to the bankrupt estate funds in the amount of \$87,291.49. The LDFA Board voted to terminate the tax increment finance (TIF) portion of the Saginaw Industrial Center, Inc. LDFA plan because there is no person or entity to collect taxes from and there is no longer any activity at the facility.

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

RESOLUTION TO TERMINATE THE SAGINAW INDUSTRIAL
CENTER, INC. TAX INCREMENT FINANCING PORTION
OF THE LOCAL DEVELOPMENT AUTHORITY PLAN

Councilwoman Kitterman-Miller offered and moved adoption of the following resolution, seconded by Councilman Fitzpatrick:

WHEREAS, City Council adopted a Tax Increment Financing and Development Plan for the Saginaw Industrial Center on November 24, 1997; and

WHEREAS, the Local Development Finance Authority (LDFA) and Saginaw Industrial Center were involved in bankruptcy litigation regarding the plan; and

WHEREAS, on June 30, 2009, the Bankruptcy Court ordered the LDFA to turn

over to the bankrupt estate the funds in the amount of \$87,291.49; and

WHEREAS, the LDFA met on August 27, 2009 and approved the payment; and

WHEREAS, the LDFA wants to terminate the tax increment financing portion of the Saginaw Industrial Center plan.

NOW, THEREFORE, BE IT RESOLVED, that City Council does hereby approve the recommendation of the Local Development Finance Authority to terminate the tax increment financing portion of the Saginaw Industrial Center plan.

Adopted unanimously.

Subject: Abolishment of Brownfield Plan Number 2 – Galen Wilson

Brownfield Redevelopment Authority Recommendation: It is recommended that City Council approve the abolishment of the Brownfield Plan, Number Two, Galen Wilson. Galen is located at 2205 North Michigan Avenue.

Justification: On September 29, 1997, City Council approved the creation of a Brownfield Redevelopment Authority and designated the boundaries of the Brownfield Redevelopment Zone. The purpose of Brownfield legislation is to assist in development of vacant and/or underutilized sites. On May 17, 1999, City Council approved the original Brownfield Plan.

On May 12, 1999, the Brownfield Redevelopment Authority approved an amendment to the Brownfield Redevelopment Zone Development Plan to include Brownfield Plan Number 2, Galen Wilson. This plan was part of three projects to redevelop the former Gasoline Service Station into a used car dealership. The applicant withdrew their request for Plan Number 2 on February 22, 2007. On September 15, 2009, the Brownfield Redevelopment Authority approved the abolishment of Brownfield Plan Number 2 because the applicant withdrew their request.

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

A RESOLUTION TO ABOLISH BROWNFIELD PLAN NUMBER TWO

Councilwoman Kitterman-Miller offered and moved adoption of the following resolution, seconded by Councilman Fitzpatrick:

WHEREAS, City Council approved a resolution on September 29, 1997 creating a Brownfield Redevelopment Authority and designated the boundaries of the Brownfield Redevelopment Zone; and

WHEREAS, City Council approved a resolution on May 17, 1999 adopting a development plan for the Brownfield Redevelopment Zone which complies with the provisions of Public Act 381 of 1996, as amended by Public Act 145 of 2000; and

WHEREAS, on May 12, 2000, the Brownfield Redevelopment Authority approved an amendment to the Brownfield Redevelopment Zone Development Plan to include Brownfield Plan Number 2, Galen Wilson which is located at 2205 N. Michigan Avenue; and

WHEREAS, Galen Wilson withdrew their request for this plan on February 22, 2007; and

WHEREAS, on September 15, 2009, the Brownfield Redevelopment Authority approved the abolishment of Brownfield Plan Number 2; and

NOW, THEREFORE, BE IT RESOLVED, that Saginaw City Council does hereby

approve the recommendation of the Brownfield Redevelopment Authority to abolish Brownfield Plan Number 2.

Adopted unanimously.

Subject: Abolishment of Brownfield Plan Number 6 – Fredd's Auto Salvage

Brownfield Redevelopment Authority Recommendation: It is recommended that City Council approve the abolishment of the Brownfield Plan, Number Six, Fredd's Auto Salvage (Renamed Industrial Complex LLC). Fredd's Auto Salvage is located at 1705 Boxwood.

Justification: On September 29, 1997, City Council approved the creation of a Brownfield Redevelopment Authority and designated the boundaries of the Brownfield Redevelopment Zone. The purpose of Brownfield legislation is to assist in development of vacant and/or underutilized sites. On May 17, 1999, City Council approved the original Brownfield Plan.

On May 12, 1999, the Brownfield Redevelopment Authority approved an amendment to the Brownfield Redevelopment Zone Development Plan to include Brownfield Plan Number 6, Fredd's Auto Salvage. The applicant never performed any eligible activities on the site. On September 15, 2009, the Brownfield Redevelopment Authority approved the abolishment of Brownfield Plan Number 6 because the applicant never performed the work on the site and it is an inactive file.

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

A RESOLUTION TO ABOLISH BROWNFIELD PLAN NUMBER SIX

Councilman O'Neal offered and moved adoption of the following resolution, seconded by Councilman Wendt:

WHEREAS, City Council approved a resolution on September 29, 1997 creating a Brownfield Redevelopment Authority and designated the boundaries of the Brownfield Redevelopment Zone; and

WHEREAS, City Council approved a resolution on May 17, 1999 adopting a development plan for the Brownfield Redevelopment Zone which complies with the provisions of Public Act 381 of 1996, as amended by Public Act 145 of 2000; and

WHEREAS, on May 12, 1999, the Brownfield Redevelopment Authority approved an amendment to the Brownfield Redevelopment Zone Development Plan to include Brownfield Plan Number 6, Fredd's Auto Salvage which is located at 1705 Boxwood; and

WHEREAS, Fredd's Auto Salvage never performed any eligible activities on the site and it is an inactive file; and

WHEREAS, on September 15, 2009, the Brownfield Redevelopment Authority approved the abolishment of Brownfield Plan Number 6; and

NOW, THEREFORE, BE IT RESOLVED, that Saginaw City Council does hereby approve the recommendation of the Brownfield Redevelopment Authority to abolish Brownfield Plan Number 6.

Adopted unanimously.

Subject: Abolishment of Brownfield Plan Number 8 - Crosstown Marathon

Brownfield Redevelopment Authority Recommendation: It is recommended that City Council approve the abolishment of the Brownfield Plan, Number Eight, Crosstown Marathon ("Crosstown"). Crosstown is located at 206 East Remington Street.

Justification: On September 29, 1997, City Council approved the creation of a Brownfield Redevelopment Authority and designated the boundaries of the Brownfield Redevelopment Zone. The purpose of Brownfield legislation is to assist in development of vacant and/or underutilized sites. On May 17, 1999, City Council approved the original Brownfield Plan.

On March 15, 2000, the Brownfield Redevelopment Authority approved an amendment to the Brownfield Redevelopment Zone Development Plan to include Brownfield Plan Number 8, Crosstown. This is an abandoned gas station located just east of South Washington Avenue between Remington and Holland Avenues. The applicant never performed any eligible activities on the site. On September 15, 2009, the Brownfield Redevelopment Authority approved the abolishment of Brownfield Plan Number 8 because the applicant never performed the work on the site and it is an inactive file.

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

A RESOLUTION TO ABOLISH BROWNFIELD PLAN NUMBER EIGHT

Councilwoman Kitterman-Miller offered and moved adoption of the following resolution, seconded by Councilman O'Neal:

WHEREAS, City Council approved a resolution on September 29, 1997 creating a Brownfield Redevelopment Authority and designated the boundaries of the Brownfield Redevelopment Zone; and

WHEREAS, City Council approved a resolution on May 17, 1999 adopting a development plan for the Brownfield Redevelopment Zone which complies with the provisions of Public Act 381 of 1996, as amended by Public Act 145 of 2000; and

WHEREAS, on March 15, 2000, the Brownfield Redevelopment Authority approved an amendment to the Brownfield Redevelopment Zone Development Plan to include Brownfield Plan Number 8, Crosstown Marathon which is located at 306 East Remington Street; and

WHEREAS, Crosstown never performed any eligible activities on the site and it is an inactive file; and

WHEREAS, on September 15, 2009, the Brownfield Redevelopment Authority approved the abolishment of Brownfield Plan Number 8; and

NOW, THEREFORE, BE IT RESOLVED, that Saginaw City Council does hereby approve the recommendation of the Brownfield Redevelopment Authority to abolish Brownfield Plan Number 8.

Adopted unanimously.

Subject: Authorization to Allow Mt. Olive Baptist Church to Use Amplifying Equipment

Manager's Recommendation: I recommend approval of a Resolution authorizing the use of the amplifying equipment for a special event sponsored by Mt. Olive Baptist Church on North Sixth Avenue between Norman and Farwell Streets, which is publicly owned property, on October 31, 2009.

Justification: On October 31, 2009, Mt. Olive Baptist Church will sponsor a Halloween Celebration on North Sixth Avenue between Norman and Farwell Streets, which is publicly owned property. Mt. Olive Baptist Church has requested pursuant to a Block Party Permit that the City allow it to use amplifying equipment during the event. Furthermore, per the Block Party Permit, the event sponsor obtained neighbors' signatures granting permission to close the streets on October 31, 2009.

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

RESOLUTION TO AUTHORIZE MT. OLIVE BAPTIST CHURCH TO USE
AMPLIFYING EQUIPMENT ON NORTH SIXTH AVENUE
BETWEEN NORMAN AND FARWELL STREETS

Councilwoman Kitterman-Miller offered and moved adoption of the following resolution, seconded by Councilman Wendt:

WHEREAS, Mt. Olive Baptist Church plans to host a Halloween Celebration on North Sixth Avenue between Norman and Farwell Streets on October 31, 2009; and

WHEREAS, Mt. Olive Baptist Church has requested that it be allowed to use amplifying equipment during the Halloween Celebration; and

WHEREAS, Mt. Olive Baptist Church obtained the signatures of residents; and

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment on public property during the Halloween Celebration to be held on October 31, 2009, on North Sixth Avenue between Norman and Farwell Streets.

Adopted unanimously.

A RESOLUTION APPOINTING CITY REPRESENTATIVES
TO CONDUCT TRANSACTIONS TO SECURE FUNDS ADMINISTERED
BY THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

Councilman O'Neal offered and moved adoption of the following resolution, seconded by Councilman Branch:

WHEREAS, the City of Saginaw has on June 15, 2009 formally adopted a project plan to make improvements at the Wastewater Treatment Plant (WWTP), improvements at the Retention Treatment Basins (RTB's), and a new sanitary interceptor sewer river crossing; and

WHEREAS, the City of Saginaw is in the process of completing the required paperwork that must be submitted to obtain Clean Water State Revolving Fund (CWSRF) monies; and

WHEREAS, the grant documents require that the City appoint representatives to conduct transactions, including the signing of any and all documents related to securing the funds administered by the Michigan Department of Environmental Quality.

NOW, THEREFORE, BE IT RESOLVED, that the City of Saginaw hereby appoints Jeanette Best, Superintendent of Wastewater Treatment and Thomas Darnell, Director of Public Utilities as the designated representatives.

BE IT FURTHER RESOLVED, that City Council authorizes Jeanette Best and Thomas Darnell to sign documents for all activities associated with the project referenced above, including the submittal of said Project Plan as the first step in applying to the state of Michigan for a State Revolving Loan to assist the implementation of the selected alternative.

Adopted unanimously.

RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE PROJECT
EXPENDITURES WITH BOND PROCEEDS AND AUTHORIZING PUBLICATION
OF NOTICE OF INTENT TO ISSUE BONDS

At a regular meeting of the City Council of the City of Saginaw, Michigan, held on Monday, October 12, 2009.

PRESENT: Councilpersons Gregory Branch, Larry Coulouris, Daniel Fitzpatrick, Amanda Kitterman-Miller, Amos O'Neal, Williams Scharffe, Paul Virciglio, Andrew Wendt, and Mayor Joyce Seals

ABSENT: 0

Councilwoman Kitterman-Miller offered and moved adoption of the following resolution, seconded by Councilman O'Neal:

WHEREAS, the City of Saginaw (the "City") proposes to issue its tax-exempt bonds (the "Bonds") under Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), to finance the hereinafter described capital improvements in the City (the "Project"); and

WHEREAS, it is anticipated that the City will advance a portion of the costs of the Project prior to the issuance of the Bonds, such advance to be repaid from proceeds of the Bonds upon the issuance thereof; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the "Reimbursement Regulations") specifies conditions under which a reimbursement allocation may be treated as an expenditure of bond proceeds, and the City intends by this resolution to qualify amounts advanced by the City to the Project for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations.

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

1. The Project shall consist of making capital improvements to the City's wastewater treatment plant.
2. The maximum principal amount of Bonds expected to be issued for the Project is \$4,500,000.
3. The City hereby declares its official intent to issue the Bonds to finance the costs of the Project, and hereby declares that it reasonably expects to reimburse the City's advances to the Project as anticipated by this resolution.
4. The Bonds shall be authorized by proper proceedings subsequent to this resolution.
5. The Clerk is hereby instructed to publish the notice attached hereto as Exhibit A once in a newspaper of general circulation in the City of Saginaw, which notice shall not be less than ¼ page in size in such newspaper, with such changes as the Clerk shall deem necessary or appropriate, upon the advice of bond counsel.

6. All prior resolutions and parts of resolutions insofar as they may be in conflict with this resolution are hereby rescinded.

YEAS: Councilpersons Gregory Branch, Larry Coulouris, Daniel Fitzpatrick, Amanda Kitterman-Miller, Amos O'Neal, Williams Scharffe, Paul Virciglio, Andrew Wendt, and Mayor Joyce Seals

NAYS: 0

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
) SS
COUNTY OF SAGINAW)

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Council of the City of Saginaw, Saginaw County, Michigan, at a regular meeting held on October 12, 2009, the original of which resolution is on file in my office. I further certify that notice of said meeting was given in accordance with the provisions of the open meetings act.



Diane M. Herman, City Clerk
City of Saginaw

EXHIBIT A
NOTICE OF INTENT TO ISSUE BONDS
BY THE CITY OF SAGINAW, MICHIGAN

TO THE ELECTORS OF THE CITY OF SAGINAW, MICHIGAN:

NOTICE IS HEREBY GIVEN, that the City of Saginaw, Michigan, intends to issue limited tax general obligation bonds, in one or more series, in the principal amount of not to exceed \$4,500,000 for the purpose of defraying all or part of the cost of making capital improvements to the wastewater treatment plant of the City's sewage disposal system (the "Sewage System").

The bonds of each series will mature in not to exceed twenty-five (25) years and will bear interest at rates to be determined at a competitive or negotiated sale but in no event to exceed such rates as may be permitted by law.

The bonds will be issued under and pursuant to the provisions of Act No. 34, Public Acts of Michigan, 2001, as amended, and are expected to be paid from the revenues derived from the users of the Sewage System. In addition, the full faith and credit of the City of Saginaw will be pledged to pay the principal of and interest on the bonds as the same shall become due. The City of Saginaw will be obligated, as a first budget obligation, to advance moneys from its general funds or to levy ad valorem taxes on all taxable property within its corporate boundaries to pay the principal of and interest on the bonds as the same shall become due in the event and to the extent that the revenues derived from the users of the Sewage System are not sufficient to make such payments. Taxes levied

by the City of Saginaw for the payment of such principal and interest will be subject to applicable constitutional, statutory and charter limitations.

RIGHT TO PETITION FOR REFERENDUM

This notice is given, by order of the City Council of the City of Saginaw, to and for the benefit of the electors of the City of Saginaw in order to inform them of their right to petition for a referendum upon the question of the issuance of the aforesaid bonds. The bonds will be issued, without submitting such a question to a vote of the electors, unless within 45 days after the date of publication of this notice a petition requesting a referendum upon such question, signed by not less than 10% or 15,000 of the registered electors residing within the City of Saginaw, whichever is the lesser, shall have been filed with the undersigned City Clerk. In the event that such a petition is filed, the bonds will not be issued unless and until the issuance thereof shall have been approved by the vote of a majority of the electors of the City of Saginaw qualified to vote and voting thereon at a general or special election.

FURTHER INFORMATION

Further information relative to the issuance of said bonds and the subject matter of this notice may be secured at the office of the City Clerk of the City of Saginaw, 1315 S. Washington Avenue, Saginaw, Michigan 48601.

This notice is given pursuant to the provisions of Act 34, Public Acts of Michigan, 2001, as amended.

Diane Herman
City Clerk
City of Saginaw

Dated: October 12, 2009

MOTIONS AND MISCELLANEOUS BUSINESS

Councilman Virciglio moved to appoint Councilman Amos O'Neal as the voting delegate for the National League of Cities Annual Business Meeting to be held on Saturday, November 14, 2009, seconded by Councilman Fitzpatrick.

Adopted unanimously.

Councilman Branch discussed the City's Curfew and Parent Responsibility ordinance. Said the City's ordinance needs more teeth. Provided and discussed with Council members some suggested changes. He requested they review the document and email or call him with their comments. He said he would continue to work with City Attorney Tom Fancher on the issue.

Mayor Seals noted there is a draft copy of the daytime curfew ordinance which was also provided to Council members and various members of the School District and task force. Hoped it would be introduced at the next Council meeting.

Councilman Virciglio reminded all to stay tuned for the informational video on the Charter proposals airing immediately following the meeting.

Councilman Scharffe moved to go into closed session to discuss (1) pending

litigation in a police civil rights case and (2) pending litigation in an employment case, seconded by Councilman Branch. Adopted by the following vote:

Ayes: Councilpersons Virciglio, Wendt, Branch, Coulouris, Fitzpatrick, Kitterman-Miller, O'Neal, Scharffe and Mayor Seals-9.

Nays: 0.

(Council entered closed session at 8:40p.m.)

Upon returning from closed session at 9:15 p.m., Councilman Virciglio moved to approve the City Manager's recommendation, seconded by Councilwoman Kitterman-Miller.

Adopted unanimously. (Note: Councilpersons Fitzpatrick, O'Neal, Scharffe and Wendt were not present for this vote.)

ADJOURNMENT

At 9:17 p.m., Councilman Virciglio moved to adjourn the meeting, seconded by Councilman Branch.

Adopted unanimously. (Note: Councilpersons Fitzpatrick, O'Neal, Scharffe and Wendt were not present for this vote.)

Diane M. Herman
City Clerk