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REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, FEBRUARY 8, 2010, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

Councilman Daniel Fitzpatrick offered a prayer and led the pledge of allegiance.

ROLL CALL

Mayor Gregory Branch called the meeting to order. The following Councilpersons were present: Dennis Browning, Larry Coulouris, Daniel Fitzpatrick, Amanda Kitterman-Miller, Amos O'Neal, Paul Virciglio, Andrew Wendt and Mayor Gregory Branch-8.

Vacancy-1.

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS

Councilman Browning moved to approve the minutes from the January 25, 2010 regular council meeting, seconded by Councilman Wendt.

Adopted unanimously.

ANNOUNCEMENTS

City Clerk Diane Herman announced the times the Mayor's State of the City Address would air on the City's SGTV Cable 99.

PUBLIC HEARINGS

City Clerk Diane Herman announced Public Hearings on US Graphite's request for an Industrial Facilities Tax Exemption Certificate at 1510 E. Holland and objections to Single Lot Special Assessments were scheduled for Monday, February 22, 2010 at 6:30 p.m. in Council Chambers.

PERSONAL APPEARANCES

Earl Jesse, 310 S. Harrison, said things were better with the Saginaw Housing Commission. Noted there were 120 applicants for the Executive Director position and it was down to 5 candidates. Said if the City maintains control of the population, taxes and spending, it will move forward.

Clinton Bryant, 2221 S. Niagara, said the City never gave him notice that his property at 927 Howard needed repairs until the home was scheduled for demolition. Criticized City inspectors for how they handled the matter. Noted that he had filed a lawsuit to stop proceedings.

Cirven Merrill, 2216 Hosmer, Executive Director of Lifeline Coalition for Ex-Offenders, provided Council members with language from the Battle Creek purchasing ordinance that he would like Saginaw to include in its ordinance which pertains to ex-offenders and the empowerment of minorities and women.

*(Mayor Branch noted that Vicente Castellanos, who was not present at the time the Clerk called upon him, had entered the Chamber.)*

Councilman Coulouris moved to allow Mr. Castellanos the opportunity to speak, seconded by Councilman Virciglio.

Adopted unanimously.

Vicente Castellanos, 1865 Hotchkiss Road, Freeland, said he owns property in the City and expressed his support for the upcoming Public Safety Millage. Said it is imperative that the community be safe. Requested he be allowed to return to Council and show them how they can save \$10-\$20 month on their electric bill.

#### REMARKS OF COUNCIL

Councilman Virciglio advised Council of a productive meeting held the prior week with the Michigan Medical Marihuana Association. Said there was a good exchange of information, which will lead to a Land Use Ordinance in the near future.

Councilman Browning mentioned attending a forum at Delta College. Thanked Mayor Pro Tem O'Neal for his positive input about Saginaw. Said he took issue when a judge in attendance commented the DARE program did not work, as the program worked well. Urged citizens to continue to call 1-800-444-JAIL (Crime Stoppers) if they have any information on crime. Noted Dave Blank was the newly elected President of Crime Stoppers. Said he hoped they would provide Council with a brief presentation.

Councilman Fitzpatrick said when he was elected it was not known that the economy would fall, i.e. unemployment, foreclosures and population loss. Said the reality is a human cost in terms of personal and family hardships. Gave some history of the company he worked for and his personal experience while that company downsized and reorganized. Noted the decisions Council will need to make are very personal, as Council members know City employees who are neighbors, friends, fellow churchgoers and family members. Said the Plante & Moran study may be a done deal but there is more to go.

Councilwoman Kitterman-Miller agreed with Councilman Fitzpatrick and said no decision Council makes will be taken lightly. Urged all to see the American Soldier display at the Castle Museum, from the Civil War to the War in Iraq. Also noted Saginaw Public Libraries have many programs and books for Black History Month. Reminded City residents of the Waste Collection Convenience Station available to citizens on Saturday, February 13, 2010, and advised what materials would be accepted. Advised the Adams Blvd. Neighborhood Group of a "meet and greet" at Bill and Mary Jo Scharffe's home for the newly assigned Community Police Officer Scott Bickel on February 15<sup>th</sup>.

Councilman O'Neal commended Plante & Moran for the Efficiency Study. Said the City is in the process of right-sizing. Saginaw is ahead of the curve in trying to offset discrepancies in terms of how the City provides services with the current level of staffing. Thanked Dr. Jean Goodnow for the constructive Forum held at Delta College and noted Delta College is a partner in the efforts to make Saginaw a great place.

Councilman Wendt thanked the students, parents and staff of St. Stephen's Elementary for welcoming students from St. Helen's. Commented on results of the Efficiency Study and said Council does not have an easy job but is there to serve the citizens. Expressed concerns about Mr. Bryant's complaint on the demolition, said he has received other calls on the same matter. Responded to a comment made on the City's spending and control and said the City Manager and staff have been controlling and

keeping the City's spending down. Saginaw is leading by example. He noted the Efficiency Study as an example of responsibility.

Mayor Branch requested the City Manager and City Attorney provide Council with a recommendation on Cirven Merrill's request to amend the Purchasing Ordinance. Also requested a report on the chronology of Mr. Bryant's situation. Thanked all for the positive complements he received on his State of the City Address.

*(Several Council members praised Mayor Branch for his State of the City Address and thanked the City Manager and staff for the productive Strategic Planning Session held January 30, 2010.)*

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

From the Boards and Commissions Committee:

Councilman Browning moved for consideration of reappointing Christine Parsons to the Housing Board of Appeals with a term to expire September 24, 2012, seconded by Councilman Fitzpatrick.

Adopted unanimously.

Councilman Fitzpatrick moved for consideration of appointing John Joseph Strzynski to the Board of Examiners of Stationary Boiler Operators and Stationary Engineers with a term to expire December 31, 2013, seconded by Councilwoman Kitterman-Miller.

Adopted unanimously.

Mayoral Appointment with City Council Approval.

Upon the recommendation of Mayor Branch, Councilman Browning moved for consideration of appointing Julie Ann Boyer to the Saginaw Arts and Enrichment Commission to fill a vacancy created by the resignation of Jocelyn Connell, with a term to expire June 30, 2011, seconded by Councilman Wendt.

Adopted unanimously.

Reports from Other Boards, Commissions and Committees

Mayor Branch advised Council he had appointed Mayor Pro Tem O'Neal to the Census Complete Count Committee.

Councilman Fitzpatrick noted that Director Tom McIntyre's would be giving a brief presentation at the next Council meeting on the changes in the 9-1-1 system.

REPORTS FROM CITY MANAGER

Management Update

City Manager Darnell Earley commented briefly on the Strategic Planning Session and Efficiency Study. Shared his strong beliefs in good management and said his goal has always been to manage Saginaw out of its issues. The City will be credible when it goes to taxpayers, if it reflects an effort that it has done all it can as a public body. Said restructuring the City will be a difficult challenge and undertaking. Stressed the need for the City to be proactive and not reactive so the City can sustain itself over the next decade.

Mentioned the City's need to address its unfunded liabilities and noted the City has more retirees than employees. Expressed concerns on the age and condition of the City's facilities.

Director of Public Services Tom Darnell introduced key members of his staff affiliated with the City's water system and Paul Retel, Steve Wall and Paul Vogel of Greeley and Hansen. Paul Vogel gave a presentation on Greeley and Hansen's Water Supply System Study and the preliminary results, which included Master Planning recommendations and an Action Plan for the City's Water Treatment Plant and water distribution. Mr. Vogel provided some history on the City's water distribution system. He commended City staff for managing City dollars wisely in maintaining the 80-year old Water Treatment Plant. Said the City does have a facility it can reinvest in. He reviewed the study, which provided recommended improvements to the Water Treatment Plant for a total of \$63 million over time and \$47 million in improvements to the water distribution system.

Director of Development Odail Thorns updated Council on the City's Master Plan Development. He said the any major grant application makes reference to the Master Plan, however the City's Plan is dated 1992. He listed other plans which have been developed since that time, which included a Housing Master Plan prepared in 2003, Riverfront Plan, Riverfront Overlay Plan, Consolidated Annual Plan for Community Development Block Grant, etc. All the separate plans will be made a part of the City's Master Plan. Eleven requests for quotes were sent out on the Master Plan Development of which five remain. He noted there would be citizen involvement through the citywide neighborhood associations.

Director of Development Odail Thorns then introduced the newly hired Deputy Director of Development, Derrick Green.

City Attorney Tom Fancher updated Council on the Medical Marihuana Land Use Ordinance. Said there was a lengthy meeting on February 4, 2010, and it was very productive. The ordinance would be drafted and brought to the Planning Commission at its March 23, 2010 meeting. If the Planning Commission approves, Council would see the ordinance for initial approval on April 5, 2010.

#### Recommended Actions

Subject: County Board of Canvassers Certified Election Results from City of Saginaw (City Council/School Board/Charter Amendments) General Election held November 3, 2009

Manager's Recommendation: Recommending City Council receive and file the County Board of Canvassers Canvass of Votes Cast from the City of Saginaw (City Council/School Board/Charter Amendments) General Election held November 3, 2009.

Justification: For local election issues, the City normally utilizes its own Board of Canvassers to certify the City's election. Since there were other municipalities in the County which had issues on the ballot in the November 3, 2009 General Election, the County Board of Canvassers certified the City's results.

The County Board of Canvassers met on November 4, 2009 to canvass and certify the votes from the City of Saginaw (Council/School Board/Charter Amendments) General Election held November 3, 2009. As required by Michigan Election Law, the City filed with the County Clerk a Provisional Ballot Report Form on November 5, 2009 which indicated that one (1) Provisional (envelope) Ballot was received during the November 3, 2009

Election which was determined valid. Along with this report form, the City Clerk prepared and filed with the County Clerk an "Envelope Ballot Vote Certification" form to show the votes to be counted on the valid Provisional (envelope) Ballot. Since these votes were not included in the County Board of Canvassers November 4, 2009, certification, it was necessary for the County Board of Canvassers to re-certify the November 3, 2009 General Election results when the Board met at their January 5, 2010 meeting.

The Board of Canvassers of the County of Saginaw did determine and certify according to law that a majority of electors voted for and elected Glenda F. Richardson-Vaughn and Alexis S. Thomas to the City of Saginaw Board of Education for six-year terms. (See table below.)

The Board of Canvassers of the County of Saginaw did further determine and certify according to law that a majority of electors voted for and elected Greg Branch, Dennis D. Browning, Larry A. Coulouris and Andrew Wendt to the Council Member for four-year terms. (See table below.)

The Board of Canvassers of the County of Saginaw did further determine and certify according to law that the following Propositions or Questions were passed or defeated as indicated below:

- CITY PROPOSAL 1 – Having not received sufficient votes was defeated  
YES-2,110 NO-3,237
- CITY PROPOSAL 2 – Having received sufficient votes was passed  
YES-3,142 NO-2,167
- CITY PROPOSAL 3 – Having not received sufficient votes was defeated  
YES-2,489 NO-2,809
- CITY PROPOSAL 4 – Having not received sufficient votes was defeated  
YES-1,530 NO-3,778
- CITY PROPOSAL 5 – Having received sufficient votes was passed  
YES-3,129 NO-2,178
- CITY PROPOSAL 6 – Having received sufficient votes was passed  
YES-2,949 NO-2,342
- CITY PROPOSAL 7 – Having not received sufficient votes was defeated  
YES-1,781 NO-3,443
- CITY PROPOSAL 8 – Having not received sufficient votes was defeated  
YES-1,349 NO-4,019

(See table below.)

The County Board of Canvasser's Certification is being received and filed so that the results of the City's local election will be part of the City Council minutes.

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

Adopted unanimously.

## NOVEMBER 3, 2009 ELECTION COUNCIL/SCHOOL BOARD – RESULTS

		CITY COUNCIL FOUR YEAR TERM					SCHOOL BOARD CANDIDATES SIX YEAR TERM				
PRECINCT	PRECINCT NAME	Greg Branch	Dennis D Browning	Larry A. Coulouris	Armando Falcon	William G Scharffe	Andrew Wendt	Chedrick A. Greene	Glenda F Richardson- Vaugh	Alexis S Thomas	James Woolfolk II
1	ST. JOSEPH EDUCATION CENTER	27	30	39	18	21	29	14	39	43	22
2	ARTHUR EDDY ACADEMY	39	48	60	46	24	36	12	72	62	38
3	HEAVENRICH SCHOOL	87	115	172	100	73	95	24	186	188	63
4A	CENTRAL FIRE STATION	20	32	45	29	14	32	12	47	41	31
4B	MAPLEWOOD MANOR	48	49	63	41	39	61	22	57	68	44
5	R. DANIELS MIDDLE SCHOOL	34	42	76	51	32	52	18	76	73	27
6	SAGINAW HIGH A	36	50	67	37	29	44	13	61	70	36
7	ST. GEORGE CHURCH	45	71	74	61	40	62	26	67	68	53
8	SAGINAW HIGH B	57	102	136	95	44	76	26	140	149	66
9	YMCA	41	63	89	55	43	54	24	70	67	54
10	NEW MT CALVARY MISS BAPTIST	25	36	48	29	25	29	10	45	59	21
11	THOMPSON MIDDLE	200	203	291	105	216	236	119	207	119	169
12	KEMPTON SCHOOL	105	90	132	53	80	109	45	76	78	69
13	SAGINAW CAREER COMPLEX	162	156	237	103	115	175	81	127	121	115
14	SAGINAW ART MUSEUM	94	104	148	77	80	105	51	74	91	67
15	HERIG ELEMENTARY	168	185	223	109	146	157	75	97	156	132

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16	HANDLEY SCHOOL	235	252	321	163	225	276	130	201	196	174
17	ST. STEPHEN'S SCHOOL	202	155	280	60	245	240	93	134	128	144
18A	ROSIEN TOWERS	96	80	116	70	74	83	29	85	58	76
18B	BUTMAN FISH	53	64	71	41	30	49	26	38	35	47
19	JEROME SCHOOL	167	210	251	101	183	179	83	121	141	154
20	MERRILL PARK SCHOOL	90	130	167	77	92	120	65	86	103	80
AV21	ABSENT VOTERS	510	495	770	279	585	527	170	440	410	500
KOCHVILLE TOWNSHIP & CITY OF ZILWAUKEE								31	51	55	75
<u>TOTALS</u>		2,541	2,762	3,876	1,800	2,455	2,826	1,199	2,597	2,579	2,257

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6	SAGINAW HIGH A	36	50	67	37	29	44	13	61	70	36
7	ST. GEORGE CHURCH	45	71	74	61	40	62	26	67	68	53
8	SAGINAW HIGH B	57	102	136	95	44	76	26	140	149	66
9	YMCA	41	63	89	55	43	54	24	70	67	54
10	NEW MT CALVARY MISS BAPTIST	25	36	48	29	25	29	10	45	59	21
11	THOMPSON MIDDLE	200	203	291	105	216	236	119	207	119	169
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14	SAGINAW ART MUSEUM	94	104	148	77	80	105	51	74	91	67
15	HERIG ELEMENTARY	168	185	223	109	146	157	75	97	156	132
16	HANDLEY SCHOOL	235	252	321	163	225	276	130	201	196	174
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TOTALS		2,541	2,762	3,876	1,800	2,455	2,826	1,199	2,597	2,579	2,257

Subject: Approval of ATF Vehicle Use Agreement

Manager's Recommendation: I recommend approval of the Vehicle Use Agreement between the City of Saginaw and the Bureau of Alcohol, Tobacco and Firearms ("ATF"), and the assigned officer and that the City Manager or his designee be authorized to execute the Agreement. I also recommend that the Council authorize the City Manager or his designee to execute all similar Vehicle Use Agreements until June 30, 2012. This Agreement has been approved by the City Manager as to substance and the City Attorney as to form.

Justification: The City authorized a similar Memorandum of Understanding ("MOU") with the ATF last fall. The ATF has now modified its agreement format to include additional terms and obligations and also to require the assigned officer to become a party to the agreement. The prior City authorization for ATF MOU's was continuing through June 30, 2012. However, because of the changes in the format, a renewed authorization is appropriate. It is the new standard format used by the ATF when cooperating with local police agencies, and covers topics related to vehicle use.

This is a document that is executed for each officer assigned and a continuing authorization will allow its execution without the necessity of bringing it back before Council each time.

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

Adopted unanimously.

Subject: Approval of FBI Vehicle Use Agreement

Manager's Recommendation: I recommend approval of the Vehicle Use Agreement between the City of Saginaw, the Federal Bureau of Investigation ("FBI") and the assigned officer, and that the City Manager or his designee be authorized to execute the Agreement. I also recommend that the Council authorize the City Manager or his designee to execute all similar Vehicle Use Agreements until June 30, 2012. This Agreement has been approved by the City Manager as to substance and the City Attorney as to form.

Justification: This Vehicle Use Agreement has been proposed by the FBI to regulate the relationship between the ATF, the City and the assigned officer with regard to their joint public safety activities. It is the standard format used by the FBI when cooperating with local police agencies, and covers topics such as operations, resources, media policy and liability.

This is a document that is renewed at least once per year and a continuing authorization will allow its renewal without the necessity of bringing it back before Council each time.

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

Adopted unanimously.

Subject: Insurance Proceed - Budget Adjustment

Manager's Recommendation: It is recommended that a budget adjustment be completed to increase the General Fund's Reimbursements/Insurance Proceeds Account, No. 101-0000-602.68-04 from \$17,385.00 to \$24,116.00; which equates to a \$6,731.00 increase. The increase in revenue will be offset by an increase in the Fire Department – Fire Apparatus Operations and Maintenance Division's Motor Vehicle Repairs Account, No. 101-3754-751.80-42 by the same amount.

Justification: On December 27, 2009, the Saginaw Fire Department's Truck Two was involved in a vehicle accident while responding to a fire alarm. The proceeds reflect an insurance check to cover the cost of the repairs to the apparatus less \$1,000.00 deductible.

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

Adopted unanimously.

Subject: Budget Adjustment to Criminal Justice Training Account

Manager's Recommendation: It is recommended that a budget adjustment be completed to increase Police Training Fund's State Grants revenue, Account No. 261-0000-511.54-03 from \$21,000.00 to \$25,000.00, which equates to a \$4,000 increase. This increase in revenue will be offset by an increase in the Police Training Fund's Training and Development, Account No. 261-3323-741.80-90 by the same amount.

Justification: On January 11, 2010, City Council approved sending Officer Jeff Wenzell to a K-9 Training School. The budget adjustment reflects funds allotted from Public Act 302 for police officers training.

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

Adopted unanimously.

Subject: GM Washington Ave Property Appraisal

Manager's Recommendation: I recommend the bid from Farmers National Company for the appraisal of the property at 1629 N. Washington be accepted and that payment be made to them in an amount not to exceed Sixteen Thousand Seven Hundred Dollars and 00/100 (\$16,700.00). 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 available in the Fiscal Services – Assessor, Professional Services Account, Number 101-1744-711.8001.

Justification: The City of Saginaw is preparing to defend the valuation of the industrial property at 1629 N. Washington in response to the Michigan Tax Tribunal appeals filed by General Motors.

Quotes were requested from three appraisal firms: Farmers National Company, Piazza Appraisal Service and Cook, Pray, Rexroth & Associates. Due to the complexity of the subject property, the only quote received was from Farmer's National Company in the amount of Sixteen Thousand Seven Hundred Dollars and 00/100 (\$16,700.00). The quote is apportioned as follows: Phase 1 – initial findings, not to exceed \$4000.00; Phase 2 – actual appraisal, not to exceed \$8000.00; Phase 3 – completion and delivery of appraisal, not to exceed \$2000.00; appearance before the Michigan Tax Tribunal to be billed at an hourly rate of \$150 per hour, not to exceed \$2,700.00. Minimum action at this time will be the completion of Phase 1. Following phases will be employed as deemed necessary by the City of Saginaw.

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

Adopted unanimously.

Subject: Payment of McAfee Virusscan and Anti-Spyware Annual Maintenance and License Fee

Manager's Recommendation: I recommend that a purchase order be issued to Trivalent Group in the amount of \$3,251.25 for the payment of the annual maintenance and license fees for McAfee Active Virusscan and Anti-Spyware for all City PC's and laptops.

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 purchase are budgeted and available in the Information Services Operating Services Account, No. 658-1720-711.80-05.

Justification: The City received a proposal for the renewal of licenses and annual maintenance for anti-virus and anti-spyware software to protect the Citywide network for a period of one year. The original license purchase was covered under pricing for the State of Michigan. By purchasing through the State of Michigan's pricing structure, the City realizes a substantial savings over standard pricing of the software and maintenance. The

total cost for this renewal is \$3,251.25.

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

Subject: Brady's Business Systems Agreements

Manager's Recommendation: I recommend approval of three Brady's Business Systems (Brady's) Maintenance Agreements ("Agreements") for three copiers in the Public Services Department. Furthermore, it is recommended that City Council authorize the Director of Public Services and/or his designee to sign the Agreements. The Agreements have been approved by me as to substance 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 0-1.

Funds are budgeted in Water Operation and Maintenance Operating Services Accounts, No. 591-4721-861.80-05 and 591-4730-861-80.05, and Sewer Operation and Maintenance Accounts, No. 590-4821-861.80-05 and 590-4830-861.80-05.

Justification: In 2005, the Public Services Department bought three (3) copiers from Brady's to be used at the Water Treatment Plant, the Wastewater Treatment Plant and the Right of Way Division, Maintenance and Service Section. The Service Agreements expired on 12/28/09. Under the terms of the expired Agreements, the City paid \$0.0075 cents per copy. Pursuant to the terms of the new Agreements, the City will pay \$0.011 cents per copy for 2010 and \$0.0121 per copy for 2011. The terms of the Agreements are two years.

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

Subject: Water Treatment Plant Portable Turbidimeter

Manager's Recommendation: I recommend that a purchase order be approved and issued to HACH Company in the amount of \$2,260.00 for the purchase of a portable turbidimeter to be used by the Water Treatment plant.

This vendor meets all requirements of §14.23, "Vendors", 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 Treatment Capital Less than \$5,000.00 Account, No. 591-4730-861.97-05.

Justification: On December 9, 2009, the City received a quote for a TSS Portable Turbidimeter with Case. This turbidimeter will be used to monitor turbidity at individual filters and is intended to address efficiency concerns during filter backwash by minimizing waste and reducing the filter startup period. No price comparison is available. Since this is a specialty analyzer from a sole source, the competitive bidding process was foregone.

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

Subject: Dezurik Valve Parts

Manager's Recommendation: I recommend that payment be made to Kennedy Industries in the amount of \$5,408.53 for the emergency purchase of Dezurik valve parts (P. O. #40221).

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 and Maintenance Repairs and Replacements Account No. 590-4830-861.73-30.

Justification: The Dezurik valves on the discharge line of the raw sewage pumps allow for the pump to be isolated so that it can be removed for maintenance. These valves were installed in 1971 and the internal plug needs to be replaced. Because this valve must be rebuilt and because Kennedy Industries is the sole source for Dezurik repair parts, an emergency purchase order was issued on 1/19/10 for the purchase of these parts.

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

Adopted unanimously.

Subject: GIS Web Server Purchase

Manager's Recommendation: I recommend the bid from Dell be accepted and that a purchase order be issued to them in the amount of \$8,839.09 for the purchase of a GIS Web Server. Dell is the sole source provider for this server.

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 is budgeted in the GIS Capital Outlay Account, No. 650-1738-781.97-60.

Justification: The City of Saginaw is in the process of replacing its Intranet Server that has been in use for the past seven years. Typical life span for a web server is five years. The server currently hosts our intranet site, allows access to all GIS data and projects and hosts the City's SQL database. The City purchased its current intranet server from Dell in 2003 and paid \$6,200.00. Dell is the sole source provider for the server.

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

Adopted unanimously.

Subject: JWC Grinder Cartridge

Manager's Recommendation: I recommend that the quote from JWC Environmental be accepted and that a purchase order be issued to them in the amount of \$24,955.41 for the purchase of a replacement grinder cartridge for the screenings system.

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

Funds for this purchase are budgeted in the Sewer Operation and Maintenance

Repairs and Replacements Account No. 590-4840-881.97-20.

Justification: The first process in our wastewater treatment system is screening to remove rags and debris from the wastewater. The screenings are deposited in a sluice trough and conveyed to the grinder where they are ground up and dewatered before being conveyed to dump box for landfill disposal. The grinder blades wear over time and require replacement. Because there is no backup for this critical system, funds were budgeted for a replacement cartridge. JWC is the manufacturer of the equipment and is the sole source for replacement parts.

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

Adopted unanimously.

Subject: KSB Inc. Agreement

Manager's Recommendation: I recommend that the Agreement with KSB Inc. ("KSB") be approved and payment be made to KSB in the amount of \$43,944.00 for emergency purchase of four grit pumps (P. O. #040278). The Agreement is subject to my approval as to substance 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.

Funds for this purchase are budgeted in the Sewer Operation and Maintenance Repairs and Replacements Account Number 590-4840-881-9720.

Justification: There are four grit pumps that pump grit from the bottom of the head cells to the grit slurry cup. Due to the abrasive nature of grit, staff has been coating these pumps with a ceramic coating. The coating only lasts for three months and as a result staff must pull the pumps and sandblast and recoat them. This process has been costing the City \$1,800.00 every three months in materials alone.

KSB informed staff that the pumps are now available in hardened steel, which will no longer require ceramic coating. Furthermore, KSB advised City staff that there would be a substantial price increase in January 2010, so an emergency purchase order was issued to lock in the 2009 price. KSB is the manufacturer and the sole source for KSB pumps. Monies were budgeted in capital improvement for fiscal year 2010.

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

Adopted unanimously.

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

Subject: 2010 GMC Sierra 4x4 P/U

Manager's Recommendation: I recommend that a purchase order in the amount of \$25,376.25 be issued to Red Holman Pontiac of Westland, Michigan for the purchase of a 2010 GMC Sierra 4x4 P/U with plow purchase.

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 Surplus Capital Outlay Vehicle Account, No. 590-4840-881.97-70.

Justification: This truck would replace truck #84-0631, a 2001 Dodge Dakota with 73,321 miles. The truck is used for Wastewater Treatment Plant Remote Facilities snow clearing operations. The transmission has been rebuilt twice. The engine has problems and the garage has had difficulty keeping it running. It has been in for service four times since July. The replacement requested is a full size truck that is more suited for snowplowing than the current light duty truck. This purchase is per State of Michigan bid specification #3958-0092.

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

Adopted unanimously.

Subject: 2010 GMC Sierra 4x2 P/U

Manager's Recommendation: I recommend that a purchase order in the amount of \$20,125.00 be issued to Red Holman Pontiac of Westland, Michigan for the purchase of a 2010 GMC Sierra 1500 Extended Cab 4x2 with plow purchase.

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 Sewer Surplus Capital Outlay Vehicle Account, No. 590-4840-881.97-70.

Justification: This truck would replace truck #84-0242, a 1998 Dodge Dakota with 78,161 miles. The truck is used for the Wastewater Treatment Plant Remote Facilities operations to convey personnel and equipment between sites. This truck is 11 years old and severely rusted in the fender wells, truck box, and cab corners. The replacement requested is a full-sized truck that is more suited to the job than the current light duty truck. This purchase is per State of Michigan bid spec. #3958-0028A.

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

Adopted unanimously.

#### CONSIDERATION AND PASSING OF ORDINANCES

Councilman O'Neal moved that an ordinance introduced on January 25, 2010, entitled and reading as follows, be taken up and enacted, seconded by Councilman Browning:

O-96

AN ORDINANCE TO AMEND §151.095 "REGISTRATION FEE REQUIRED," §151.096 "FEE SCHEDULE," AND §151.097 "LATE PAYMENT FEES," AND TO RE-TITLE §151.095-151.098 FROM "RENTAL HOUSING FACILITY FEES" TO "NON-OWNER OCCUPIED HOUSING FACILITY FEES," OF CHAPTER 151 "HOUSING REGULATIONS," OF TITLE XV, "LAND USAGE," OF THE CITY OF SAGINAW CODE OF ORDINANCES O-1.

The City of Saginaw ordains:

Section 1. §151.095-§151.098, of Chapter 151, "Housing Regulations", of Title XV "Land Usage" of the City of Saginaw Code of Ordinances O-1 shall be amended and re-titled from "RENTAL HOUSING FACILITY FEES" to "NON-OWNER OCCUPIED HOUSING FACILITY FEES."

Section 2. §151.095, "Registration Fee Required," §151.096, "Fee Schedule," and §151.097, "Late Payment Fees," of Chapter 151, "Housing Regulations", of Title XV "Land Usage" of the City of Saginaw Code of Ordinances O-1 shall be amended to read as follows:

§ 151.095 REGISTRATION FEE REQUIRED.

(A) (1) No person exercising ownership or control shall allow a dwelling, dormitory, dwelling unit, apartment house, or guest room in a lodging house, rooming house, bed and breakfast establishment, hotel or motel to be occupied without first obtaining a registration/license from the Office of the City Clerk.

(2) Further, any property or structure required to obtain a registration/license under this chapter and for which the owner or controller fails to do so immediately upon notice of said violation, will be required to vacate said premises until such time as the necessary registration/license is obtained. In order to obtain a registration/license for a dwelling unit, apartment house, or guestroom in a lodging house, rooming house, bed and breakfast establishment, hotel or motel, the owner or controller shall comply with the following mandatory requirements:

(a) The owner or controller shall obtain and complete an application for said registration/license with the City Clerk. Such application must be accompanied by valid state or federal photo identification.

(b) The owner shall cause the dwelling to be inspected periodically as indicated in the Appendix in this Chapter. The owner is responsible for obtaining from the City evidence of said periodic inspection.

(c) The premises shall not be under current condemnation or order to vacate.

(d) The owner or controller shall pay in full housing registration/license fees owed to the City upon said property.

(3) All items listed above shall be complied with prior to the issuance of the required registration/license and prior to occupation of said premises. Failure to comply with any of these items, or delinquent violations against the property or condemnation of the property shall result in immediate revocation or denial of the registration/license. Re-issuance or original granting of the registration/license and occupation of the premises shall occur only after all items listed above are in compliance.

(B) Exception: Owners or purchasers of buildings which contain only one (1) dwelling unit, with or without an accessory garage, carport or shed, and which contain no other occupancy, may occupy that dwelling unit themselves without registering the unit and paying a fee. The owner's immediate family may also occupy that dwelling with the owner. All other requirements of this chapter shall apply in such instances.

## § 151.096 FEE SCHEDULE.

(A) The license/registration cycle shall start on March 15 of each year.

(B) For the period from the effective date of this section to March 15, 2010 all properties with a valid registration shall continue to be registered until March 15, 2010. Registrations shall all expire on March 15 of each year regardless of application date. If March 15 should fall on a holiday or weekend the fee shall be due on the next regular business day.

## § 151.097 LATE PAYMENT FEE

An additional late charge of one hundred (100%) percent of the base fee shall be incurred as a result of the following:

(A) Failure to pay the initial registration fee within fifteen (15) days of application.

(B) Failure to register a property within fifteen (15) days of date of notice.

(C) Failure to pay the license renewal fee by the date required in §151.096.

Section 3. This Ordinance shall become effective February 18, 2010.

Enacted: February 8, 2010.

Adopted unanimously.

Councilman O'Neal moved that an ordinance introduced on January 25, 2010, entitled and reading as follows, be taken up and enacted, seconded by Councilwoman Kitterman-Miller:

O-97

AN ORDINANCE TO RE-TITLE AND AMEND "APPENDIX: RENTAL HOUSING REGISTRATION FEES" TO "APPENDIX: NON-OWNER OCCUPIED HOUSING REGISTRATION FEES," TO RE-TITLE AND AMEND §1, "RENTAL HOUSING REGISTRATION FEES" TO "NON-OWNER OCCUPIED HOUSING REGISTRATION FEES, AND TO ADD §2, "NEW REGISTRATIONS" AND §3, "EFFECTIVE DATE," TO THIS APPENDIX, OF CHAPTER 151 "HOUSING REGULATIONS", OF TITLE XV "LAND USAGE" OF THE CITY OF SAGINAW CODE OF ORDINANCES O-1.

The City of Saginaw ordains:

Section 1. "APPENDIX: RENTAL HOUSING REGISTRATION FEE" of Chapter 151, "Housing Regulations", of Title XV, "Land Usage" of the City of Saginaw Code of Ordinances O-1, shall be amended and re-titled to "APPENDIX: NON-OWNER OCCUPIED HOUSING REGISTRATION FEES."

Section 2. §1. "Rental housing registration fees" of Chapter 151, "Housing Regulations", of Title XV "Land Usage" of the City of Saginaw Code of Ordinances O-1 is hereby amended to read as follows:

§ 1. NON-OWNER OCCUPIED HOUSING REGISTRATION FEES.

<i>Non-Owner occupied dwelling registration fees:</i>	
One- and Two- Family Dwellings	<p>\$50.00, per year</p> <p>Non-owner occupied one- and two-family dwelling registrations will be valid for one (1) year and subject to a routine inspection once every four (4) years. The property owner is responsible for making arrangements to cause said inspection to occur.</p>
Multiple Family Dwellings (more than two dwelling units)	<p>\$50.00 + \$5.00 per unit in excess of two (2), per year</p> <p>Multiple family dwelling registrations will be valid for one (1) year and subject to a routine inspection once every two (2) years. The property owner is responsible for making arrangements to cause said inspection to occur.</p>
Lodging Houses	<p>\$50.00 + \$5.00 per unit in excess of two, per year</p> <p>Lodging House registrations will be valid for one (1) year and subject to a routine inspection once every two (2) years. The property owner is responsible for making arrangements to cause said inspection to occur.</p>
Hotels	<p>\$100.00 + \$5.00 per unit in excess of two, per year</p> <p>Hotel registrations will be valid for one (1) year and subject to a routine inspection once every two (2) years. The property owner is responsible for making arrangements to cause said inspection to occur.</p>
Re-inspection Necessitated by the owner's failure to make corrections within the required time per building or additional inspections necessitated by the owner's failure to maintain their property after compliance.	<p>\$100.00 (per inspection)</p>

Section 3. §2, "New Registrations" and §3, "Effective Date" shall be hereby added to "Appendix: Non-Owner Occupied Housing Registration Fees," to read as follows:

§ 2. NEW REGISTRATIONS.

Fees for registration are not prorated. Registrations shall expire on March 15<sup>th</sup> of each year regardless of application date.

§ 3. EFFECTIVE DATE.

All non-owner occupied dwellings with a valid registration at the effective date of this ordinance shall be valid until March 15, 2010. All new registrations applied for after the effective date of this ordinance shall conform to the fee schedule indicated in this ordinance.

Section 4. This Ordinance shall become effective February 18, 2010.

Enacted: February 8, 2010.

Adopted unanimously.

Councilman Fitzpatrick moved that an ordinance introduced January 25, 2010, entitled and reading as follows, be taken up and enacted, seconded by Councilwoman Kitterman-Miller:

O-98

AN ORDINANCE TO AMEND PARAGRAPH (C) OF §70.03, "RULES AND REGULATIONS," OF CHAPTER 70, "GENERAL PROVISIONS" OF TITLE VII, "TRAFFIC REGULATIONS" OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

Section 1. Paragraph (C) of §70.03, "Rules and Regulations," of Chapter 70, "General Provisions," of Title VII, "Traffic Regulations," of the City of Saginaw Code of Ordinances is hereby amended and shall read as follows:

§ 70.03 RULES AND REGULATIONS.

(C) Upon Council approval, all rules and regulation changes made hereunder shall become effective when the traffic control devices or traffic signals, if required under this title, have been installed. A certified copy of such adopted rules and regulations shall be filed with the County Clerk.

Section 2. This ordinance shall become effective February 18, 2010.

Enacted: February 8, 2010.

Adopted unanimously.

MOTIONS AND MISCELLANEOUS BUSINESS

Council scheduled a Committee of the Whole to interview the five (5) certified Council applicants at 4:30 p.m. on Monday, February 22, 2010. Interviews would be scheduled 10 minutes apart. Councilwoman Kitterman-Miller requested Council members email her with any questions they would like asked of the candidates by Friday, February 12, 2010.

ADJOURNMENT

At 8:28 p.m., Councilman Coulouris moved to adjourn the meeting, seconded by Councilman Fitzpatrick.  
Adopted unanimously.

Diane M. Herman  
City Clerk