

# Council Agenda

February 06, 2012 6:30 p.m.  
Council Chamber

## PRAYER AND PLEDGE OF ALLEGIANCE

## ROLL CALL

## CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

January 21, 2012 Strategic Planning Session and January 23, 2012 regular Council meeting

## ANNOUNCEMENTS:

## PUBLIC HEARINGS:

## PERSONAL APPEARANCES:

*(A list will be provided on Monday after 1:00 p.m.)*

## REMARKS OF COUNCIL:

## PETITIONS:

12-01 from Susan Caskey requesting approval to erect banner located at the 500 block of Court Street for the purpose of promoting the WKCCQ Country Music Fest Free Concert at Ojibway Island. Time period requested is May 8, 2012 through June 16, 2012.

12-02 from Timothy Lynch requesting approval to erect banner located at the 500 block of Court Street for the purpose of promoting Law Day activities at the Court House. Time period requested is April 3, 2012 through May 3, 2012.

12-03 from Brian K. Thorton requesting local governing body resolution for charitable gaming licenses for Billy's House.

## REPORTS FROM BOARDS AND COMMISSIONS AND COMMITTEES AND APPOINTMENT OF BOARD AND COMMISSION MEMBERS:

### From the Council Boards and Commission Committee:

1. Recommending reappointment of Elizabeth Hansen to the Human Planning Commission with a term to expire February 7, 2014.

# Council Agenda

February 06, 2012 6:30 p.m.  
Council Chamber

## REPORTS FROM MANAGER:

Management Update:

Recommended Actions:

1. Recommending the settlement report in the matter of Michael Boyd v City of Saginaw, et al. resolving pending litigation be received and filed.
2. Recommending approval of the contract with Two The Rescue, LLC and issuance of a purchase order in the amount of \$1,350 to provide emergency response liability – Fire Personnel. The City's insurance carrier will reimburse the City in the amount of \$1,000 upon completion. Further recommending that the Fire Chief be authorized to execute the contract and any related documents necessary.
3. Recommending acknowledgement of the transfer of the False Alarm Billing and Tracking Services Agreement from Alarm Tracking and Billing Services Company, LLC (ATB) to PMAM Corporation, as ATB's successor.
4. Recommending issuance of a purchase order to Johnnie on the Spot Company, the low bidder, in the amount of \$2,868 for the rental and servicing of portable toilets located in various city parks for each year totaling \$8,604 from FY 2012 to FY 2014.
5. Recommending that the quote from Great Lakes Industrial Controls be accepted and issuance of purchase order in the amount of \$3,260 for two level transmitters for the Wastewater Treatment Plant.

## INTRODUCTION OF ORDINANCES:

## CONSIDERATION AND PASSING OF ORDINANCES:

## RESOLUTIONS:

1. Authorizing local governing body resolution for charitable gaming licenses for Billy's House.

## UNFINISHED BUSINESS:

## MOTIONS AND MISCELLANEOUS BUSINESS:

1. Closed session for case evaluation.

Darnell Earley  
City Manager

**From:** Darnell Earley, City Manager  
**Subject:** Settlement of Auto Accident Claim  
**Prepared by:** Diane M. Herman, City Clerk

**Manager's Recommendation:**

I recommend this settlement report in the matter of *Michael Boyd v City of Saginaw, et al.* resolving pending litigation be received and filed.

**Justification:**

Michael Dwayne Boyd alleges that on or about July 21, 2009, a City police officer's vehicle struck his vehicle in an intersection causing him bodily harm. He brought a lawsuit against the City on that basis. The matter was mediated December 15, 2011, resulting in a Case Evaluation in favor of Plaintiff in the amount of \$15,000. Both sides accepted the Case Evaluation and the matter was resolved for that sum.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the Law & Legal Affairs Team be received and filed, seconded by Council \_\_\_\_\_.

**From:** Darnell Earley, City Manager  
**Subject:** Two The Rescue Life Saving Training  
**Prepared by:** Ricardo Longoria, Fire Chief

**Manager's Recommendation:**

Recommending approval of the Contract with Two The Rescue, L.L.C. and issuance of a purchase order in the amount of \$1,350 to provide emergency response liability and advanced driving strategies lifesaving training to Public Safety Department - Fire personnel. The City's insurance carrier will reimburse the City in the amount of \$1,000 upon completion of instruction. Further recommend that the Fire Chief be authorized to execute the contract and any related documents necessary. The Agreement has been approved by the City Manager 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 are available in the Community Public Safety - Fire Technical Services' Training and Development Account No. 101-3552-751.8090.

**Justification:**

Two The Rescue, L.L.C. offers defensive driving and vehicle operations response training throughout the State of Michigan. The instructors have served as public safety officers, hold certifications as Michigan State Police Precision Driving Instructors, Michigan State Police Advanced Precision Driving and have been certified by the Michigan Commission on Law Enforcement Standards (MCOLES).

The class objectives are to increase firefighter and civilian safety and to discuss risk factors of emergency driving, vehicle capabilities and limitations, legal and Michigan Vehicle Code definitions, organizational and personal liability and basic defensive driving techniques. It also covers emergency response driving strategies and distinguishes between non-emergency and emergency responses.

Since the class helps to reduce collisions and costs (both monetary and human life) and provides safer emergency response to the community, the City's insurance carrier has agreed to reimburse the City in the amount of \$1,000 for the cost of the class, and will reduce its premium in its next insurance renewal.

The contract does have a disclaimer of liability provision whereby Two The Rescue, L.L.C. shall not be responsible nor liable for any loss or damage directly or

indirectly arising from the services performed pursuant to the contract and shall not be liable for incidental or consequential damages, maintenance or repairs that may arise.

Two The Rescue, L.L.C is a sole source provider for this training.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved, seconded by Council \_\_\_\_\_.

**From:** Darnell Earley, City Manager  
**Subject:** Transfer of False Alarm Billing and Tracking Services Agreement  
**Prepared by:** Jeff Klopocic, Technical Services Director

**Manager’s Recommendation:**

I recommend acknowledgement of the transfer of the False Alarm Billing and Tracking Services Agreement from Alarm Tracking and Billing Services Company, LLC (“ATB”) to PMAM Corporation, as ATB’s successor.

**Justification:**

On January 10, 2011, the City entered into an agreement with ATB to register, maintain and collect fees (“Agreement”) relative to the City’s false alarm ordinance. ATB has since notified the City that all of ATB’s assets, including the Agreement, have been transferred to PMAM Corporation. In accordance with the Agreement, the Agreement is binding upon ATB’s successors and assigns. No changes are being proposed to the Agreement and services shall continue in accordance with the terms and conditions of the Agreement.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be received and acknowledged, seconded by Council \_\_\_\_\_.

**From:** Darnell Earley, City Manager  
**Subject:** Portable Toilets  
**Prepared by:** Evelyn McGovern, Public Services

**Manager’s Recommendation:**

I recommend that the low bid from Johnnie on the Spot Company be accepted and a purchase order be approved for the rental and servicing of portable toilets and issued in the amount of \$2,868 for each year totaling \$8,604 from FY 2012 to FY 2014.

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 General Fund – Building & Grounds Maintenance Division’s Operating Services Account No. 101-7575-821.80-05.

**Justification:**

On September 13, 2011, bids were received for portable toilet rental and servicing. A total of seven (7) portable toilets are rented, serviced, and located in various City Parks for a period of seven months per year. The City owns two (2) handicap portable toilets that require service on a regular basis at Fordney Park. A cost comparison shows a 34% decrease from the previous bid. Following is a tabulation of the bids received:

| <u>Company</u>                                 | <u>FY 11/12</u> | <u>FY12/13</u> | <u>FY13/14</u> | <u>Total</u> |
|------------------------------------------------|-----------------|----------------|----------------|--------------|
| Johnnie on the Spot<br>Saginaw, MI (out-city)  | \$2,868.00      | \$2,868.00     | \$2,868.00     | \$8,604.00   |
| Jay's Septic Service<br>Lapeer, MI (out-city)  | \$3,545.00      | \$3,545.00     | \$3,545.00     | \$10,635.00  |
| Rent Rite of Saginaw<br>Saginaw, MI (out-city) | \$4,590.00      | \$4,590.00     | \$4,590.00     | \$13,770.00  |

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved, seconded by Council \_\_\_\_\_.

**From:** Darnell Earley, City Manager

**Subject:** Purchase of Level Transmitters

**Prepared by:** Jeanette Best, Water and Wastewater

**Manager's Recommendation:**

I recommend that the quote from Great Lakes Industrial Controls of Port Huron, Michigan be accepted and a purchase order be issued to them in the amount of \$3,260 for two level transmitters for the Wastewater Treatment Plant.

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 Operations and Maintenance Fund -Treatment and Pumping Division's Repairs and Replacements Account No. 590-4830-861.97-20.

**Justification:**

On 1/19/12 we received a quote from Great Lakes Industrial Controls in the amount of \$3,260 for the purchase of two level transmitters to repair the final settling tanks' influent flow controls. Great Lakes Industrial Controls is the regional distributor of the MJK 3400 level transmitter and is the sole source provider. The MJK level transmitter was specified because it is consistent with the other level transmitters throughout the plant, allowing us to stock fewer repair parts.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation of the City Manager be approved, seconded by Council \_\_\_\_\_.



**Manager's Recommendation:** Approval of the resolution as follows:

**LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING  
LICENSES FOR BILLY'S HOUSE**

Council \_\_\_\_\_ offered and moved adoption of the following resolution:

**WHEREAS**, Billy's House has submitted a request (Petition No. 12-03) 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 Billy's House 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.