

# Council Agenda

December 8, 2008 6:30 p.m. Council Chamber

**PLEASE NOTE:** There will be a Committee of the Whole meeting today beginning at 4:30 p.m. Odail Thorns, Development Director, and Jeremey Newburg, President of Capital Access, will give a final report on the Neighborhood Revitalization Plan.

PRAYER AND PLEDGE OF ALLEGIANCE

ROLL CALL

CORRECTION AND APPROVAL OF MINUTES OF PRECEDING SESSIONS:

ANNOUNCEMENTS:

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

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

REMARKS OF COUNCIL:

PETITIONS:

REPORTS FROM BOARDS AND COMMISSIONS AND COMMITTEES:

APPOINTMENT OF BOARD AND COMMISSION MEMBERS:

1. Consideration of reappointing Carl E. Ruth to the STARS Board with a term to expire December 31, 2011.

From the Planning Commission:

1. Explaining the Ordinance listed under the regular order of business that renames a portion of Veteran's Memorial Park as the Lawrence H. McKinney Park.

REPORTS FROM MANAGER:

Management Update:

1. Darnell Earley, will give an update on the Andersen Water Park repurposing.
2. Tom Miller, Jr., Saginaw Future, will review the tax incentives for the City of Saginaw.

## Recommended Actions:

1. Recommending that the 2009 Calendar Year Schedule for regular meetings and Special Strategic Planning sessions be adopted.
2. Recommending approval of the one-year contract between the Saginaw Police Department and Nextel/Baycom, for the purchase and service of ten cell phones for one of the Saginaw Police Department's special units. The cell phones will cost \$39.99 each for a cost of \$399.99. The monthly contract service will cost \$239.98 per month, for a total of \$2,879.76 a year. Total cost for phones and service is \$3,279.75. The Contract is subject to the approval of the City Manager as to substance and the City Attorney as to form. Funds are available in the Drug Forfeiture Cell Phone Account No. 264 3040 731 8032.
3. Recommending that a purchase order be approved and issued to I.T.I., Inc. in the amount of \$1,927.85 for telephone equipment maintenance agreement. This agreement covers the telephone equipment located at the Maintenance and Service, Water and Sewer, and the Water Treatment Plant from December 1, 2008 to November 30, 2009. Further recommend that the City Manager or his designee be authorized to execute the maintenance agreements. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Information Services Operating Services Account No. 658 1720 711 8005.
4. Recommending that the Andersen Water Park Development Project Agreement with the Michigan Department of Natural Resources be approved. The Agreement has been approved by the City Manager as to substance and the City Attorney as to form. Further recommend that the City Manager or his designee be authorized to execute the Agreement.
5. Recommending approval of the Subscription Agreement with Meteorlogix and issuance of purchase orders to them in the amount of \$2,688.00 for fiscal year 2009, 2010, and 2011 respectively for meteorological services for the Water Treatment Plant. This service allows the Water Treatment Plant staff to track incoming storms and properly assess the need for emergency power generation. This vendor meets all requirements of the contract compliance provisions. Funds are budgeted in the Water Treatment Operation Subscriptions Account No. 591 4730 861 8068.
6. Recommending approval of an agreement with AY Consulting and issuance of a purchase order to them in the amount of \$10,000.00 for data base management, maintenance and upgrades to a customized coagulation computer model used by the Water Treatment Plant. This vendor meets all requirements of the contract compliance provisions. Funds are budgeted in the Water Treatment and Pumping Engineering Services Account No. 591 4730 861 8002.
7. Recommending approval to increase purchase order no. 36258 from \$22,243.40 to \$25,210.70 issued to Satkowiak's City Sewer Cleaners for the cleaning and televising of all sewers located on Genesee Avenue from Washington Avenue to Thompson Street. The actual quantity of sewer that was cleaned and televised exceeded the original contracted estimate. In addition, unanticipated debris such as tree roots, bricks and concrete were encountered and had to be removed to restore flow to the utility. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Sewer Surplus Repairs and Replacements Account No. 576 4840 881 9720.

8. Recommending approval of the Agreement with Tetra Tech, Inc. and issuance of a purchase order to them in the amount of \$40,500.00 to provide professional services for the development and distribution of a 2008 Regional Consumer Confidence Report for the Water Treatment Division. This report is a requirement of the 1996 Amendments to the Safe Drinking Water Act. This vendor meets all requirements of the contract compliance provisions. Funds are available in the Water Operation and Maintenance Engineering Services Account No. 591 4730 861 8002.
9. Recommending acceptance of the low bid and that a contract be awarded to R. B. Satkowiak City Sewer Cleaners, Inc. in the amount of \$57,984.00 for the Weiss Street Combined Sewer Outfall Sanitary Sewer Repair. This vendor meets all requirements of the contract compliance provisions. Funds are available in the fiscal year 2009 Sewer Surplus Capital Outlay Repairs and Replacements Account No. 576 4840 881 9720.

#### INTRODUCTION OF ORDINANCES:

1. An Ordinance to amend the Official City Map by renaming a portion of the park known as Veterans Memorial Park as the Lawrence H. McKinney Park.

#### CONSIDERATION AND PASSING OF ORDINANCES:

#### RESOLUTIONS:

1. Declaring the City's intent to amend the official City map by renaming a portion of Veterans Memorial Park as Lawrence H. McKinney Park, in the City of Saginaw.
2. Approving the request from SMG Food and Beverage to transfer the 2007 Class C Liquor License with Dance Entertainment Permit at 303 Johnson Street.
3. Approving the implementation of the Cathedral District Neighborhood Revitalization Plan and the development of a Neighborhood Preservation Plan for the Covenant Neighborhood.
4. Accepting and approving the offer to place a marker at Lawrence H. McKinney Park at no cost to the City.
5. Supporting House Bill No. 4048 and House Bill No. 4134 to encourage the State of Michigan Legislature to adopt legislation providing for no reason absent voting.
6. Accepting the terms of the Michigan Department of Natural Resources Development Project Agreement.
7. Urging Congress and the President of the United States to provide needed financial assistance to the automotive companies.

#### UNFINISHED BUSINESS:

#### MOTIONS AND MISCELLANEOUS BUSINESS:

Motion to go into closed session to consult with its attorney regarding pending litigation on an employment case.

Darnell Earley  
City Manager

# **PUBLIC NOTICE**

## **City Council**

### **Committee of the Whole Meeting**

In compliance with requirements of Act 267, P.A. 1976, the following notice is posted:

Notice is hereby given that there will be a City Council Committee of the Whole Meeting on Monday, December 8, 2008, at 4:30 p.m. in the City Hall Council Chamber, Room 205, 1315 S. Washington, Saginaw, Michigan, for the purpose of hearing a final report on the Neighborhood Revitalization Plan.

Diane M. Herman  
City Clerk

**IF YOU ARE DISABLED AND NEED ACCOMMODATION TO PROVIDE YOU WITH AN OPPORTUNITY TO PARTICIPATE OR OBSERVE IN PROGRAMS, SERVICES, OR ACTIVITIES, PLEASE CALL THE SAGINAW CITY CLERK, 1315 S. WASHINGTON AVE., 759-1480.**

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** 2009 Regular Council Meeting Schedule

**Manager's Recommendation:**

I recommend the 2009 Calendar Year Schedule for Regular Meetings and Special Strategic Planning sessions of the Council be adopted.

**Justification:**

The 2009 schedule is established in accordance with the Saginaw City Charter and posted in compliance with requirements of Act 267, P.A. 1976. Following are the proposed dates:

JANUARY	5, *12, **24 AND 26 <b>(*Due to Martin Luther King Jr. Holiday)</b> <b>(**Strategic Planning Session)</b>
FEBRUARY	9 AND 23
MARCH	9 AND 23
APRIL	6 AND 20
MAY	4 AND 18
JUNE	1, 15 AND 29
JULY	**11, 13 AND 27 <b>(**Strategic Planning Session)</b>
AUGUST	10, 24 AND *31 <b>(*Due to Labor Day Holiday)</b>
SEPTEMBER	14 AND 28
OCTOBER	12 AND 26
NOVEMBER	9 AND 23

# COUNCIL COMMUNICATION

DECEMBER 7 AND 21

Regular meetings are held on Monday evenings at 6:30 p.m. Student Government Day (which will be announced) begins at 12:00 noon.

The Charter of the City of Saginaw (Chapter IV, Legislation, Regular Meetings, Section 18) states in part, *Regular meetings shall be held at least once every two (2) weeks.* To comply with this provision, an additional meeting will be held in January due to the Martin Luther King, Jr. holiday and August due to the Labor Day holiday.

Special Meetings for Strategic Planning have been placed on the regular calendar in January and July so Council members and staff may plan accordingly. These sessions will run from 8:30 a.m. to 4:30 p.m.

To accommodate the City Clerk in preparing for elections, City Council adopted a motion in 2007, wherein Council meetings would not be scheduled on the Monday preceding an election. Election consolidation provides for elections to be held on the fourth Tuesday in February, and the first Tuesday after the first Monday in May, August and November. Possible election dates for 2009 are February 24<sup>th</sup>, May 5<sup>th</sup>, August 4<sup>th</sup> and November 3<sup>rd</sup>. To date, there is only one scheduled election in 2009, i.e. November 3, 2009. As such, it was not necessary to adjust the Council calendar for this purpose. In the event an election is scheduled on the February or May dates, an adjustment in the Council calendar may become necessary.

## **Council Action:**

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

# COUNCIL COMMUNICATION

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

**RESOLUTION IN SUPPORT OF HB NO. 4048 AND HB NO. 4134 TO ENCOURAGE  
THE STATE OF MICHIGAN LEGISLATURE TO ADOPT LEGISLATION  
PROVIDING FOR NO REASON ABSENT VOTING**

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

WHEREAS, the City Council of the City of Saginaw believes that every opportunity should be provided to encourage voter participation; and

WHEREAS, the City of Saginaw vigilantly advocates for the fundamental right of voters and for equality among all qualified registered voters to choose the method of voting that best suits the voter's lifestyle; and

WHEREAS, there are occupations that routinely require employees to work during the hours that the polls are open, namely hospital employees, public safety officers, first responders, and other shift workers that work to such an extent that it places a hardship on these individuals to vote during the time the polls are open and in some instances disenfranchises these voters from voting; and

WHEREAS, there are voters without transportation who are unable to travel from their homes to their precincts on Election Day; and

WHEREAS, there are individuals who are caregivers who are unable to leave their patients and/or family members to vote during the time the polls are open; and

WHEREAS, the statutory reasons for acquiring an absentee ballot do not take into account any of the foregoing reasons for not being able to attend the polls during the time the polls are open; and



# COUNCIL COMMUNICATION

WHEREAS, to apply for an absentee ballot, many registered voters must “stretch the truth” when they select a reason from the six (6) provided on their application knowing full-well that no reason on the list really applies; and

WHEREAS, the law should not put barriers on voters to either not vote or to commit a misdemeanor crime by fraudulently applying for an absentee ballot as a means to execute one of their fundamental rights as a United States citizen; and

WHEREAS, “No Reason Absent Voting” would allow voters to request absentee ballots without providing specific reason; and

WHEREAS, “No Reason Absent Voting” would encourage greater voter participation in local elections allowing all qualified voters the option of marking and returning their ballot in advance of Election Day if desired; and

WHEREAS, at least twenty-three (23) states currently allow some form of early voting.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Saginaw hereby PETITIONS the State of Michigan Legislature to adopt legislation providing for No Reason Absent Voting; and

BE IT FURTHER RESOLVED that Saginaw City Council hereby concurs with the City Clerk's recommendation to support passage of HB No. 4048 and HB No. 4134 for No Reason Absent Voting, assuring that the fundamental rights of all voters are not diminished due to unwarranted restrictions in Election Law; and urges our state and federal elected officials and candidates to do the same.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Liquor License for 303 Johnson Street

**Manager's Recommendation:**

I recommend approval of the request from SMG Food and Beverage, LLC (A Delaware limited liability company), Co-Licensed with Saginaw County Building Authority to transfer interest in 2007 Class C Licensed Business (MCL 436.1509; limited to scheduled events; non-transferable) with Dance-Entertainment Permit, located at 303 Johnson, Saginaw, MI 48607, Saginaw County, thru transfer of 3% interest (each) from Aramark Facilities Management, LLC and FMG Partners to new general partner, SMG 2, LLC (step 1); and transfer all interest thru transfer of 100% interest from Aramark Facilities Management, LLC (47%), SMG 2, LLC (6%), and FMG Partners (47%) to new general partners, SMG Holdings I, LLC (50%) and SMG Holdings II, LLC (50%) (Step II).

**Justification:**

On or about May 2, 2008, the City received notice from the Michigan Liquor Control Commission of the request from SMG Food and Beverage, LLC (A Delaware limited liability company), Co-Licensee with Saginaw County Building Authority to transfer interest in 2007 Class C Licensed Business (MCL 436.1509; limited to scheduled events; non-transferable) with Dance-Entertainment Permit, located at 303 Johnson, Saginaw, MI 48607, Saginaw County, thru transfer of 3% interest (each) from Aramark Facilities Management, LLC and FMG Partners to new general partner, SMG 2, LLC (step 1); and transfer all interest thru transfer of 100% interest from Aramark Facilities Management, LLC (47%), SMG 2, LLC (6%), and FMG Partners (47%) to new

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general partners, SMG Holdings I, LLC (50%) and SMG Holdings II, LLC (50%) (Step II).

The Saginaw County Health Department, City of Saginaw Fire Prevention and the City Building Inspections Division completed the necessary inspections and have approved 303 Johnson Street for the license transfer as required by Chapter 110, "General Provisions," of Title XI, "Business Regulations" of the Saginaw Code of Ordinances. Under Chapter 111, "Alcoholic Beverages," §111.11, "Application for License," wherein the City Manager is to review all applications and departmental reports and give his recommendation to City Council of his approval or disapproval of the license. Since the necessary requirements have been met by Saginaw County Building Authority and SMG Food and Beverage, LLC, I hereby recommend approval of the 2007 Class C license transfer with dance permit, from the Saginaw County Building Authority and SMG Food and Beverage, LLC, located at 303 Johnson Street, Saginaw, MI 48607, Saginaw County.

## **Council Action:**

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

# COUNCIL COMMUNICATION

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

## **RESOLUTION TRANSFERRING 2007 CLASS C LIQUOR LICENSE WITH DANCE**

### **ENTERTAINMENT PERMIT AT 303 JOHNSON STREET**

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

**WHEREAS**, on or about May 2, 2008 the City Clerk's Office received a Local Approval Notice from the State of Michigan Liquor Control Commission; and

**WHEREAS**, said notice requests that SMG Food and Beverage, LLC (A Delaware limited liability company), Co-Licensee with Saginaw County Building Authority to transfer interest in 2007 Class C Licensed Business (MCL 436.1509; limited to scheduled events; non-transferable) with Dance-Entertainment Permit, located at 303 Johnson, Saginaw, MI 48607, Saginaw County, thru transfer of 3% interest (each) from Aramark Facilities Management, LLC and FMG Partners to new general partner, SMG 2, LLC (step 1); and transfer all interest thru transfer of 100% interest from Aramark Facilities Management, LLC (47%), SMG 2, LLC (6%), and FMG Partners (47%) to new general partners, SMG Holdings I, LLC (50%) and SMG Holdings II, LLC (50%) (Step II); and

**WHEREAS**, the Saginaw County Health Department, City of Saginaw Fire Prevention and the City Building Inspections Division have approved 303 Johnson Street for this transfer.

**NOW, THEREFORE, BE IT RESOLVED**, that request from SMG Food and Beverage, LLC (A Delaware limited liability company), Co-Licensee with Saginaw County Building Authority to transfer interest in 2007 Class C Licensed Business (MCL

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436.1509; limited to scheduled events; non-transferable) with Dance-Entertainment Permit, located at 303 Johnson, Saginaw, MI 48607, Saginaw County, thru transfer of 3% interest (each) from Aramark Facilities Management, LLC and FMG Partners to new general partner, SMG 2, LLC (step 1); and transfer all interest thru transfer of 100% interest from Aramark Facilities Management, LLC (47%), SMG 2, LLC (6%), and FMG Partners (47%) to new general partners, SMG Holdings I, LLC (50%) and SMG Holdings II, LLC (50%) (Step II) be considered for approval.

It is the consensus of this legislative body that the application be recommended for issuance.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** I.T.I. Inc. Maintenance Agreements

**Manager's Recommendation:**

I recommend approval of the phone equipment maintenance agreements with I.T.I. Inc. and issuance of a purchase order to them in the amount of \$1,927.85. It is further recommended that the City Manager or his designee be authorized and directed to execute the maintenance agreements. These agreements were approved by the City Manager as to substance and the City Attorney as to form.

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

Funds are available in Information Services Operating Services Account No. 658-1720-711 80-05.

**Justification:**

This maintenance agreement covers the telephone equipment located at City Maintenance and Service Water & Sewer, and the Water Treatment Plant for a one-year period from 12-1-08 to 11-30-09. The agreement covers all service under normal wear and tear including parts, labor and travel time. It also offers free user training, no charge for service related software updates, free loaner equipment and 24-hour, 7-day service without paying any after hour premium.

**Council Action:**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Water Treatment Plant Weather Service Agreement

**Manager's Recommendation:**

I recommend that the Subscription Agreement with Meteorlogix be approved and that a purchase order be approved and issued to them in the amount of \$2,688.00 for fiscal year 2009, \$2,688.00 for fiscal year 2010 and \$2,688.00 for fiscal year 2011, to provide meteorological services for the Water Treatment Plant. 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 the Contract Compliance Provisions, Title 1, Chapter 14, §14.35-14.44, of the Saginaw Code of Ordinances.

Funds for this service are budgeted in the Water Treatment Operation Subscriptions Account No. 591-4730-861.80-68.

**Justification:**

On March 31, 2008, the City of Saginaw received a subscription agreement for three years of service to provide meteorological services for the Water Treatment Plant. This service allows Water Treatment Plant Staff to track in-coming storms and properly assess the need for emergency power generation. Generators are run when storms approach to help maintain proper water pressure. Meteorlogix is the sole provider for the equipment that we have and were the sole bidder last time. This is a continuation of the service already provided with no change in the cost.

**Council Action:**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Tetra Tech Inc. Consumer Confidence Report Agreement

**Manager's Recommendation:**

I recommend that the Agreement with Tetra Tech Inc. ("Tetra Tech") be approved in the amount of \$40,500.00, for professional services for the development and distribution of a 2008 Regional Consumer Confidence Report ("CCR") for the Water Treatment Division. The Agreement has been approved by me as to substance and by the City Attorney as to form.

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

Funds for this project are available in the Water Operation and Maintenance Engineering Services Account No. 591-4730-861-8002.

**Justification:**

On October 14, 2008, the City received an Agreement from Tetra Tech to provide professional services for the development and distribution of a 2008 Regional Consumer Confidence Report ("CCR") for the Water Treatment Division. This report is a requirement of the 1996 Amendments to the Safe Drinking Water Act, which gives consumers more information about their drinking water and provides opportunities to get involved in protecting their source water. All community water systems are required to prepare and provide their customers with an annual water quality report or "CCR".

The Agreement includes development, assembly, printing, mail house services, and postage for the 2008 report. The Michigan Department of Environmental Quality District Engineer recommended this method of providing information to the City's



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customers. For the past five years, the City has successfully used this approach to distribute information to customers by distributing the Saginaw Regional Water Quality Report or “CCR”. The report will be developed and distributed to City customers and the majority of the communities served by our water system. The communities of Frankenmuth and Frankenmuth Township were the only wholesale customer communities, which elected not to participate in the 2007 Regional CCR.

The Regional CCR has been shown to be in the best interest of all involved. This approach reduces the expense of production of the report, mailing costs, City staff time required, and waste created in multiple mailings. The City will coordinate the development of the report with Tetra Tech. The individual communities will sign participation agreements and reimburse the City for their share of the costs incurred. Tetra Tech has agreed to indemnify the City for all claims resulting from its negligence in performance of the Agreement up to \$2,000,000.00.

This is the eleventh year that the City has worked with Tetra Tech. Due to Tetra Tech’s highly professional approach, its creative, on-going, efforts to reduce costs and great success in coordinating the Regional CCR, proposals were not sought from other firms. The quoted price represents no change in costs from last years estimated cost.

## **Council Action:**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** AY Consulting Agreement

**Manager's Recommendation:**

I recommend the approval of an agreement for data base management, maintenance, and upgrades to a customized coagulation computer model created by AY Consulting for the WTP in the amount of \$10,000.00 and that a purchase order be issued to them for this amount. The agreement will cover technical support for one year. 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 Contract Compliance Provisions, Title 1, Chapter 14, §14.35 – 14.44, of the Saginaw Code of Ordinances.

Funds for the purchase are budgeted in the Water Treatment and Pumping Engineering Services Account No. 591-4730-861.80-02.

**Justification:**

On January 10, 2007, the City received a proposal for the development of a customized computer model to assist the Water Treatment Plant in controlling coagulant chemical feed rates. The Council subsequently approved the work on the customized model.

On October 3, 2008, a new proposal was submitted by AY Consulting for continued support of the model created. Since this is a customized model created specifically for our treatment plant source waters and associated processes, it is a sole source item.

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The model has helped detect and rectify various operational challenges and optimized process operations. The model is identifying the plants optimal coagulation practices and is increasing the operators' awareness of the factors that affected their plants process performances.

The optimization of chemical feed rates continues to be important especially as chemical costs continue to rise. Additionally, there are process changes being implemented at the plant, which will affect the coagulation processes. These include a change in disinfection chemical and the addition of a mechanical mixing device to improve chemical dispersion.

## **Council Action:**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Purchase Order Increase for Satkowiak's City Sewer Cleaners

**Manager's Recommendation:**

I recommend approval to increase Purchase Order No. 36258, issued to Satkowiak's City Sewer Cleaners from \$22,243.40 to \$25,210.70, for fiscal year 2009 for the cleaning and televising of all sewers located on Genesee Avenue from Washington Avenue to Thompson Street.

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

Funds for this service are available in the Sewer Surplus Repairs and Replacements Fund Account No. 576-4840-881.97-20.

**Justification:**

On May 19, 2008, City Council approved the issuance of a purchase order to Satkowiak's City Sewer Cleaners in the amount of \$22,243.40. The original work items included cleaning and televising of all sewers located on Genesee Avenue from Washington Avenue to Thompson Street. The actual quantity of sewer that was cleaned and televised exceeded the original contracted estimate; therefore, the contractor should be paid for the actual quantity cleaned and televised. In addition, unanticipated debris such as tree roots, bricks and concrete were encountered and had to be removed to restore flow to the utility. Therefore, I am requesting an increase to the existing purchase order by \$2,967.30 to \$25,210.70, and that payment be made.

**Council Action:**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** City Sewer Cleaners, Contract (C-1576)

**Manager's Recommendation:**

I recommend that the low bid from R.B. Satkowiak City Sewer Cleaners Inc., in the amount of \$57,984.00 be accepted and a contract awarded to them in that amount be approved. Contract documents forwarded herein (City Clerk's File \_\_\_\_\_), have been signed by the contractor. The contract is subject to approval by the City Manager as to substance and the City Attorney as to form.

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

Funds for this contract are available in fiscal year 2009 Sewer Surplus Capital Outlay Repairs & Replacements Account No. 576-4840-881-97.20, Project Number SR0901.

**Justification:**

On November 18, 2008, the City received bids for the Weiss Street Combined Sewer Outfall Sanitary Sewer Repair. An existing 120-foot section of 24-inch concrete outfall sewer from the dewatering building has settled in areas and a pipe joint has separated, causing pipe infiltration and ground settlement within the area. To continue to operate the dewatering building properly and avoid future settlement, the sewer needs to be repaired. Due to depth of the existing sewer and amount of utilities located within this area, open cut replacement method will not be an option of replacement, and a slip lining repair method was chosen.

# COUNCIL COMMUNICATION

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

	<u>Total Bid</u>
R.B. Satkowiak City Sewer Cleaners Carrollton, MI	\$57,984.00
Pyramid Paving Essexville, MI	\$96,352.00*

\*Should be \$88,352.00 due to incorrect item price extension.

## **Council Action:**

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

# COUNCIL COMMUNICATION

**Manager Recommendation:** approval of the resolution as follows:

## **CATHEDRAL DISTRICT NEIGHBORHOOD REVITALIZATION PLAN ADOPTION.**

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

WHEREAS, the Saginaw City Council approved the development of a comprehensive revitalization plan for the Cathedral District located in the City of Saginaw; and

WHEREAS, City staff, with assistance from Capital Access Inc., a consultant, funded by the Michigan State Housing and Development Authority and the Saginaw Community Foundation with extensive input from the community, has developed a comprehensive plan which addresses the needs specifically within this neighborhood and the needs of the City as a whole; and

WHEREAS, the City recognizes that similar conditions exist throughout the City and to continue a trend of aggressive revitalization and preservation this plan will be implemented concurrently with the development of a neighborhood preservation plan for the Covenant Neighborhood;

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Saginaw hereby approves the implementation of the Cathedral District Neighborhood Revitalization Plan and the development of a Neighborhood Preservation Plan for the Covenant Neighborhood.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to seek funding sources, dedicate staff, and coordinate city services to implement the plan as approved.

# COUNCIL COMMUNICATION

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

## **RESOLUTION OF SUPPORT FOR PLACEMENT OF MARKER AT LAWRENCE H. MCKINNEY PARK**

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

WHEREAS, the City Planning Commission held a public hearing on September 23, 2008, on a proposal to amend the official City map by renaming a portion of Veterans Memorial Park as Lawrence H. McKinney Park in the City of Saginaw; and

WHEREAS, as part of the presentation and plan, the supporters of the project offered to place a stone marker at the new park location at no cost to the City; and

WHEREAS, the Planning Commission supported this suggestion and recommended that the City Council accept this offer.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Saginaw hereby accepts and approves this offer to place a marker at Lawrence H. McKinney Park, and authorizes the placement of such a marker at that location.



# COUNCIL COMMUNICATION

**From:** The City Planning Commission

**Subject:** Amend the official map by changing the name of a portion of Veteran's Memorial Park to Lawrence H. McKinney Park

**Planning Commission Recommendation:**

It is recommended that a portion of Veteran's Memorial Park be designated as Lawrence H. McKinney Park.

**Justification:**

Mr. Brian Pruitt petitioned the City Council with a proposal to designate a portion of Veteran's Memorial Park as Lawrence H. McKinney Park. The City Council referred the matter to the City Planning Commission for review of and a recommendation related to this proposal.

At the regular meeting of the City Planning Commission held on September 23, 2008, the Planning Commission held a public hearing related to this proposal and all interested parties were heard. Notice of the public hearing was published in the Saginaw News on September 6, 2008.

The Commission heard evidence of Mr. McKinney's contributions to the community and its youth. The portion of the park to be designated as Lawrence H. McKinney Park is the north 250 feet of the parcel known as 2835 E. Holland or Parcel No. 21-4421-00000. The Commission recommended approval of the proposal to designate a portion of Veterans Memorial Park as Lawrence H. McKinney Park.

**Council Action:**

Council \_\_\_\_\_ moved that the report from the Planning Commission be received and filed.

# COUNCIL COMMUNICATION

Council \_\_\_\_\_ introduced an ordinance entitled and reading as follows:

AN ORDINANCE TO AMEND THE OFFICAL CITY MAP BY RENAMING A PORTION OF THE PARK KNOWN AS VETERAN'S MEMORIAL PARK AS THE LAWRENCE H. MCKINNEY PARK.

Laid over under the charter provision.

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Council \_\_\_\_\_ moved that an ordinance introduced December 8, 2008, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND THE OFFICAL CITY MAP BY RENAMING A PORTION OF THE PARK KNOWN AS VETERAN'S MEMORIAL PARK AS LAWRENCE H. MCKINNEY PARK.

The City of Saginaw Ordains:

Section 1. That the North two hundred and fifty feet of the property known as 2835 E. Holland Ave., Parcel No. 401 0520 00000 be designated as Lawrence H. McKinney Park.

Section 2. The official map of the City of Saginaw is hereby amended accordingly.

Section 3. This ordinance shall take effect on January 15, 2009.

Enacted: January 5, 2009.

# **COUNCIL COMMUNICATION**

## **PUBLIC HEARING NOTICE**

### **NOTICE OF INTENT TO AMEND THE OFFICAL CITY MAP BY RENAMING A PORTION OF VETERANS MEMORIAL PARK TO LAWRENCE H. MCKINNEY PARK IN THE CITY OF SAGINAW**

In compliance with the requirements of Act 267, P.A. 1976, the following notice is posted:

Notice is hereby given that the Saginaw City Council will meet on Monday, January 5, 2009, at 6:30 p.m., in the Council Chambers at City Hall, 1315 S. Washington Avenue, to hear objections on its intent to amend the official City map by renaming a portion of Veterans Memorial Park as McKinney Park in the City of Saginaw.

Written objections to the proposed renaming of a portion of Veterans Memorial Park as Lawrence H. McKinney Park can be filed with the City Clerk of the City of Saginaw.

At said time and place all interested persons will be heard.

Diane Herman  
City Clerk

If you are disabled and need accommodation to provide you with an opportunity to participate or observe in programs, services or activities, please call The Saginaw City Clerk, 1315 S. Washington Ave., (989) 759-1480.

# COUNCIL COMMUNICATION

**Planning Commission Recommendation:** approval of the resolution as follows:

**RESOLUTION OF INTENT TO AMEND THE OFFICIAL CITY MAP BY RENAMING A PORTION OF VETERANS MEMORIAL PARK AS LAWRENCE H. MCKINNEY PARK**

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

WHEREAS, the City Planning Commission held a public hearing on September 23, 2008, on a proposal to amend the official City map by renaming a portion of Veterans Memorial Park as Lawrence H. McKinney Park in the City of Saginaw; and

WHEREAS, after a duly advertised public hearing, the Planning Commission determined that the public and private interest would best be served by the requested renaming;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Saginaw hereby declares its intent to amend the official City map by renaming a portion of Veterans Memorial Park as Lawrence H. McKinney Park, in the City of Saginaw.

BE IT FURTHER RESOLVED, that the City Council will meet on January 5, 2009 at 6:30 p.m. in the Council Chamber at City Hall to hear any objections to the renaming of a portion of Veterans Memorial Park.

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Nextel/Baycom Cell Phone Contract

**Manager's Recommendation:**

I recommend approval of the one (1) year Contract between the Saginaw Police Department and Nextel/Baycom, Saginaw, MI for the purchase and service of ten (10) cell phones for one of the Saginaw Police Department's special units. The Contract is subject to my approval as to substance and the City Attorney as to form.

Funds for this service are available in the Drug Forfeiture Cell Phone Account, number 264-3040-731.80-32.

**Justification:**

The Saginaw Police Department would like to supply one of its special units with cell phones that are equipped with special features that will greatly assist the members during most operations and investigations, which will help with the ultimate goal of reaching successful conclusions.

The cell phones will cost \$39.99 each for a cost of \$399.99. The monthly contract for service will cost \$239.98 per month, for a total of \$2,879.76 a year. Total cost for the phones and service is \$3,279.75. There is no activation or shipping fees.

**Council Action:**

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

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Andersen Water Park Development Project Agreement

**Manager's Recommendation:**

I recommend that the Andersen Water Park Development Project Agreement ("Agreement") with the Michigan Department of Natural Resources ("DNR") be approved. The Agreement has been approved by me as to substance and by the City Attorney as to form. Furthermore, it is recommended that I or my designee be authorized to execute the Agreement.

Funds from the Trust Fund will be deposited in the following account, the State Grants DEQ Account No. 587-0000-511-5901.

**Justification:**

The DNR oversees the Michigan Natural Resources Trust Fund ("Trust Fund"). The Trust Fund provides grants to municipalities for projects. The City submitted a grant application to the Trust Fund to obtain funds to demolish the slide and other facilities at the Andersen Water Park. The total amount of the demolition is \$69,000.00. The City was awarded a grant from the Trust Fund in the amount of \$51,800.00, which is equal to 75% of the costs for the demolition. According to the terms of the grant, the Trust Fund will pay 75% of the costs and the City must pay a local match of 25%, which equals \$17,200.00.

The Trust Fund requires the City to enter into an Agreement to accept the funds. Staff reviewed the Agreement and determined that the terms are advantageous to the City. However, there were terms that required discussion between the Trust Fund and City personnel. Specifically, the City cannot name the park after any living or deceased person. City personnel advised the Trust Fund staff that the park was named the Andersen Water Park after Frank Andersen. Trust Fund staff stated that because the DNR provided a grant for the original Andersen Water Park, the name could remain the same. However, the City cannot rename the park after another person.

Furthermore, City personnel advised Trust Fund staff that it wants to use the funds from the Mershon-Whittier Trust to construct a wading pool. Pursuant to the terms of the Mershon-Whittier Trust the City can only use the funds to construct a pool

# COUNCIL COMMUNICATION

and the pool must be named the Mershon-Whittier Wading Pool. The Trust Fund staff stated the City can apply for a waiver regarding this matter. Specifically, in March 2009 City personnel can make a presentation to the DNR advising them of the terms of the Mershon-Whittier Trust, which states the City can only use the funds to construct a pool and that it must be named after the Mershon-Whittier Trust. Trust Fund staff stated that if the waiver is granted, the City cannot name any other portion of the park after a person.

Moreover, according to the terms of the Agreement, the City must erect and maintain a plaque on the park entry sign, which designates the project as having been constructed with the assistance of the Trust Fund. The size, color and design of the plaque must be created according to DNR specifications. In addition, the City currently plans not to charge a fee to park users. However, if the City decides to charge park users a fee, it must submit the fee schedule to the DNR for approval before implementing it. Finally, the terms of the Agreement states that City Council must approve a resolution approving the Agreement and submit it to the DNR. The resolution will be approved in a latter part of the agenda.

**Council Action:**

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



# COUNCIL COMMUNICATION

## RESOLUTION TO ACCEPT THE TERMS OF THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES DEVELOPMENT PROJECT AGREEMENT

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

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

WHEREAS, the City of Saginaw applied to the Michigan Department of Natural Resources for a grant to demolish the slide and other facilities at the Andersen Water Park; and

WHEREAS, the Michigan Natural Resources Trust Fund awarded the City a grant; and

WHEREAS, the parties must enter into a Development Project Agreement ("Agreement") in order for the City to receive the grant funds; and

WHEREAS, according to the terms of the Agreement, the Michigan Natural Resources Trust Fund awarded the City a grant for 75% of the demolition costs in the amount of \$51,800.00. Furthermore, the City must provide a local match of 25% of the costs, which equals \$17,200.00; and

WHEREAS, the City agrees to maintain satisfactory financial accounts, documents and records. Furthermore, the City will make the documents available to the Department of Natural Resources for auditing at reasonable times; and

WHEREAS, the City agrees to construct the project and provide such funds, services and materials as may be necessary to satisfy the terms of said Agreement; and

# COUNCIL COMMUNICATION

WHEREAS, the City agrees to regulate the use of the facility constructed and reserved under the Agreement to assure the use thereof by the public on equal and reasonable terms; and

WHEREAS, the City agrees to comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Agreement; and

NOW THEREFORE BE IT RESOLVED, that the City of Saginaw, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources.

The following yea votes were recorded: \_\_\_\_\_

The following nay votes were recorded: \_\_\_\_\_

# COUNCIL COMMUNICATION

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

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

## **RESOLUTION TO SUPPORT ASSISTANCE FOR AUTO INDUSTRY**

WHEREAS, General Motors Corporation, Ford Motor Company and Chrysler Automotive Company are important businesses in the United States, the State of Michigan and in the City of Saginaw, and have been for many years; and

WHEREAS, these three companies are facing strong competition from foreign imports, and declining sales have forced them to reduce operations leading in turn to a reduction in employment in this area; and

WHEREAS, despite sincere and legitimate efforts to modernize and restructure their operations, these companies have been adversely affected by the recent significant downturn in the economy over which they had little control; and

WHEREAS, the request from these companies for temporary financial assistance from the federal government has been modest in scope in comparison to the cost of recent assistance to troubled financial institutions; and

WHEREAS, the history of past requests, including that to the Chrysler Automotive Company demonstrates the ability and willingness to repay these temporary loans; and

WHEREAS, the inability of these automotive companies to obtain financial assistance may well lead to reduction in operations or even bankruptcy of one or more of these companies; and

# COUNCIL COMMUNICATION

WHEREAS, such reduction in operations or bankruptcy would have a devastating effect on the local economy and lead to further business reductions and closures with parts suppliers and the other businesses providing services to these automotive companies and their employees; and

WHEREAS, the State of Michigan and the City of Saginaw are already facing higher than average unemployment and business decline.

NOW, THEREFORE, BE IT RESOLVED, that the City of Saginaw hereby strongly urges the Congress and the President of the United States to provide needed financial assistance to the automotive companies so that they may continue and improve their operations.