

Council Agenda

December 10, 2012 6:30 p.m.
Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

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

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

Management Update:

1. Recap of 2012 Leaf Collection in Saginaw, Phil Karwat, Director of Public Services.
2. Update on flooding of Hoyt Park for public ice skating rink, Phil Karwat, Director of Public Services.
3. Update on ShotSpotter analysis and activity, Brian Lipe, Interim Police Chief.

CONSENT AGENDA:

1. Approve the minutes for November 26, 2012 regular council meeting.
2. Approve the 2013 Calendar Year Schedule for Regular Meetings and Special Strategic Planning sessions of the City Council.
3. Approve the Bill of Sale and Agreement between the City of Saginaw and General Motors, LLC for the "AS IS" purchase price of \$0.00 for a 2009 Chevrolet Suburban Half Ton 4WD. This agreement will complete the donation and officially transfer the vehicle from GM to the City of Saginaw Police Department.
4. Approve the agreement with ShotSpotter and approve and issue a purchase order in the amount of \$63,150 for analysis of any ShotSpotter activity and the maintenance of all ShotSpotter equipment used by the Saginaw Police Department.

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5. Approve the FY 2013 budget adjustment for the Drug Forfeiture Fund's Use of Fund Equity Account for the purchase of 32 mobile data replacements. This increase in revenues will be offset by an increase to the Drug Forfeiture Fund's Repairs & Replacements Account.
6. Approve and issue a purchase order to the County of Saginaw – SCCJCC in the amount of \$48,000 for the purchase of a 32 mobile data computer replacement units used in Saginaw Police Department vehicles.
7. Approve the FY 2013 budget adjustment for the General Fund Revenue's Sale of Property Account for the purchase and installation of a replacement snowplow on a Community Public Safety-Fire vehicle. This increase in revenues will be offset by an increase to the Community Public Safety – Fire, Fire Apparatus Operations and Maintenance Division's Motor Vehicle Repairs Account.
8. Approve and issue a purchase order to Scientific Brake & Co. of Saginaw in the amount of \$4,598 for the purchase of a replacement snow plow to be used at Stations 2 and 3 by the Fire Department.
9. Approve the one year Adopt-A-Park Agreement with Honoring Our Native Ojibwe Reviving Saginaw (HONORS) for the completion and maintenance of the Indian Burial Ground and authorize the Director of Public Services or his designee to approve extensions of the Agreement for subsequent years not to exceed four years without further Council approval or actions.
10. Approve and issue a purchase order to Miss Dig System, Inc. in the amount of \$2,059.36 for annual 2013 membership and educational fees for the Maintenance and Service Division.
11. Approve the agreement with Burns and McDonnell Engineering Company, Inc. in the amount of \$42,300 to provide professional consulting services for the design, production and distribution of the 2012 Regional Consumer Confidence Report, an annual water quality report distributed by the Water Treatment Plant.

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

1. Consideration of appointing Herbert Spence, III to fill a vacancy on the Downtown Development Authority with a term to expire December 10, 2016.
2. Consideration of reappointing Paul Virciglio to the Downtown Development Authority with a term to expire December 10, 2016.
3. Consideration of appointing Dawn Morrell to fill a vacancy on the Human Planning Commission with a term to expire December 7, 2013.

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4. Consideration of appointing James Wagner to fill a vacancy on the Human Planning Commission with a term to expire December 10, 2014.
5. Consideration of reappointing Darlean Carpenter and Suzanne Mason to the Human Planning Commission with terms to expire December 10, 2014.
6. Consideration of reappointing Christine Parsons to the Housing Board of Appeals with a term to expire December 10, 2014.

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

Darnell Earley
City Manager

REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, NOVEMBER 26, 2012, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

Council Member Amos O'Neal offered a prayer and led the pledge of allegiance.

ROLL CALL

Mayor Branch called the meeting to order. Council members present: Floyd Kloc, Amos O'Neal, Annie Boensch, Norman Braddock, Larry Coulouris, Daniel Fitzpatrick and Mayor Branch. Council members absent: Andrew Wendt and Dennis Browning.

ANNOUNCEMENTS

Deputy City Clerk Lynnette Hagen reminded everyone that Friday, November 30, 2012 was the last day Mid-Michigan Waste Authority would collect leaves and yard waste in 2012.

Acting Police Chief Brian Lipe accepted a special award presented by George Krappmann, Agent in Charge of the Flint Alcohol, Tobacco and Firearms Office. The Congressional Certificate for Past Performance was issued to Officer Charles Coleman, Saginaw Police Department.

PERSONAL APPEARANCES

The following persons addressed the Council: Paul Barrera, Ronald Thoms and Maximus Jabbar.

Council Member Wendt entered at 6:37 p.m.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Wendt, Braddock, Boensch, Kloc, and Fitzpatrick.

REPORTS FROM CITY MANAGER

Management Update

Assistant City Manager for Public Safety Phil Ludos and Acting Police Chief Brian Lipe reviewed policy changes and the process and guidelines for changing policies in the Police Department.

Ms. Brittney Hoszkiv, Organizational Specialist for the Michigan Main Street Center at Michigan State Housing Development Authority (MSHDA), explained the "Michigan Main Street" program and the West Saginaw Civic Association's involvement in the program.

Consent Agenda

1. Approve the minutes for November 19, 2012 regular council meeting.

2. Approve and issue a purchase order to CRT Less-Lethal, Inc. in the amount of \$6,565 as final payment for independent taser testing for the Saginaw Police Department.
3. Approve and issue a purchase order in the amount of \$9,483 to Advance Lighting and Sound for SGTV equipment upgrades.
4. Approve the HUD Emergency Solutions Grant Subrecipients Contracts in the amount of \$148,813 for 2011 and 2012 to four organizations that provide rapid re-housing and homelessness prevention programs.
5. Adopt the Resolution to support the West Saginaw Civic Association in their continued pursuit of the Michigan Main Street Program's Associate Level Designation.
6. Approve and issue a purchase order to Michigan Pipe and Valve in the amount of \$43,458 for an annual supply of water main fittings to be used by the Maintenance and Service Division.
7. Approve and issue a purchase order to Michigan Pipe and Valve in the amount of \$9,140 for an annual supply of copper tubing to be used by the Maintenance and Service Division.
8. Approve and issue separate blanket purchase orders to Rowley's Wholesale, Eastern Oil Company, and Super-Flite Oil Company for a total amount of \$34,690.22 for an annual supply of various fluids that include anti-freeze, motor oil, windshield fluid, heat transfer oil, and hydraulic fluid to be used by the Motor Pool Operations Garage Division for fiscal year 2013.
9. Approve and issue a purchase order to Winter Equipment Company, Inc. in the amount of \$4,829.40 for underbody snowplow blade wear guards to be used by the Motor Pool Operations Garage Division.
10. Adopt the Resolution authorizing the agreement with the Michigan Department of Transportation for work along Fordney Street from Highway M-46 (Rust Avenue) to Ezra Rust Drive.
11. Approve and issue a purchase order to Wesco Distribution in the amount of \$7,433.60 for the purchase of overload protection relays for the influent wastewater pumps used in the Wastewater Treatment Plant.

Council Action:

Moved by Council Member Coulouris, seconded by Council Member Boensch to approve consent agenda items 1 through 11 as presented. 8 ayes, 0 nays, 1 absent. Motion carried.

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

Mayor Branch announced the City Manager's appointment of Phil Karwat and Ona L. Aguilar to the Board of Building Appeals and Fire Code Appeals.

Moved by Council Member Fitzpatrick, seconded by Council Member Braddock to reappoint Daniel J. LaPan to the Saginaw Transit Authority Regional Services with a term to expire November 26, 2015. 8 ayes, 0 nays, 1 absent. Motion carried.

Moved by Council Member Kloc, seconded by Council Member Coulouris to reappoint Suzanne T. Mason and Lori Hausbeck to the Saginaw Arts and Enrichment Commission with terms to expire June 30, 2015. 8 ayes, 0 nays, 1 absent. Motion carried.

Moved by Council Member Braddock, seconded by Council Member Kloc to reappoint Darnell Earley to the Saginaw Midland Municipal Water Supply Corporation with a term to expire December 31, 2017. 8 ayes, 0 nays, 1 absent. Motion carried.

ADJOURNMENT

Moved by Council Member Kloc, seconded by Council Member Fitzpatrick to adjourn the meeting at 7:21 p.m. 8 ayes, 0 nays, 1 absent. Motion carried.

Lynnette A. Hagen
Deputy City Clerk

From: Darnell Earley, City Manager
Subject: 2013 Council Meeting Schedule
Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

I recommend the approval of the 2013 Calendar Year Schedule for Regular Meetings and Special Strategic Planning sessions of the City Council.

Justification:

The 2013 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	7, 22 and 26*	(*Strategic Planning Session) (NOTE: January 22 meeting on a Tuesday due to holiday)
FEBRUARY	4 and 18	
MARCH	4 and 18	
APRIL	1 and 15	
MAY	6 and 20	
JUNE	3 and 17	
JULY	1, 15 and 26*	(*Strategic Planning Session to be held on Friday)
AUGUST	5 and 19	
SEPTEMBER	9 and 23	
OCTOBER	7 and 21	
NOVEMBER	12 and 25	(Note: November 12 meeting on a Tuesday due to holiday.)
DECEMBER	9 and 16	(Note: 2 Consecutive Mondays due to holidays.)

The City Charter of the City of Saginaw (Chapter IV, Legislation, Regular Meetings, Section 18) states in part, *"The council shall meet at least twice monthly."* In order to meet this requirement 2 meetings will be held on a Tuesday, January 22, 2013 and November 12, 2013. In addition, the summer Strategic Planning Session will be held on Friday, July 26, 2013.

To assist 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. Possible election dates for 2013 are February 26, May 7, August 6 and November 5. To date the only election scheduled will be on November 5, which was

given consideration in preparing the calendar. In the event an election is scheduled on May 7, 2013, an adjustment in the Council calendar may become necessary.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Bill of Sale & Agreement for Chevrolet Suburban
Prepared by: Sienna Rendon, Community Public Safety - Police

Manager’s Recommendation:

I recommend approval of the Bill of Sale and Agreement between the City of Saginaw and General Motors, LLC (“GM”) for the “AS IS” transfer, in the amount of \$0.00, for a 2009 Chevrolet Suburban 4WD vehicle. This agreement has been approved by me as to substance and the City Attorney as to form.

Justification:

This is a bill of sale and agreement between the City of Saginaw and General Motors, LLC. This is a donation and agreement by General Motors, LLC for an “AS IS” transfer, for \$0.00, for a 2009 Chevrolet Suburban Half Ton 4WD vehicle, VIN # 1GNFK26329R287777. This agreement will officially transfer the vehicle from GM to the City of Saginaw Police Department. This vehicle was provided to the Chief of Police through a public safety executive effort by GM in 2009, and will now be transferred at no cost to the Police Department. The vehicle will be driven by command staff at the Police Chief’s discretion.

Council Action:

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

From: Darnell Earley, City Manager
Subject: ShotSpotter Flex Agreement/Renewal
Prepared by: Sienna Rendon, Community Public Safety - Police

Manager's Recommendation:

I recommend approval of the agreement between the City of Saginaw and ShotSpotter and a purchase order be approved and issued to them in the amount of \$63,150 for the renewal of this agreement. I have approved this agreement as to substance and the City Attorney as to form.

Justification:

ShotSpotter Flex equipment delivers instant, precise and detailed data that alerts public safety and security agencies to gunfire and helps them respond more quickly, safely and effectively. This is a one-year flex agreement/renewal between the City of Saginaw and ShotSpotter that includes the maintenance of ShotSpotter equipment including the analysis of any ShotSpotter activity.

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 Drug Forfeiture Fund's Service Fees account no. 264-3040-731.80-63.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Budget Adjustment for Mobile Data Computer Replacements
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager’s Recommendation:

It is recommended that a budget adjustment be completed to increase the Drug Forfeiture Fund's Use of Fund Equity account no. 264-0000-680.00-00 from \$245,667 to \$259,948, which equates to a \$14,281 increase. This increase in revenues will be offset by an increase to the Drug Forfeiture Fund's Repairs & Replacements Account no. 264-3040-731.97-20.

Justification:

This budget adjustment is necessary for the purchase of thirty-two mobile data replacements (CAD) for 2012 - 2013 from the Saginaw County – SCCJCC which has a total purchase price of \$48,000.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: 2012 Maintenance/Replacement Fee for Mobile Data Terminals
Prepared by: Sienna Rendon, Community Public Safety - Police

Manager’s Recommendation:

I recommend that a purchase order be issued to the County of Saginaw – SCCJCC in the amount of \$48,000 to cover the 2012 Maintenance/Replacement fee for thirty-two (32) Mobile Data Terminals (MDTs).

Justification:

The Community Public Safety Police was awarded JAG funds in 2012. The Saginaw Police Department has in its possession 32 MDTs and would like to utilize the remainder of the JAG funds totaling \$33,719 and the Drug Forfeiture account totaling \$14,281 to pay the annual MDT maintenance/replacement fee. The fee for each MDT unit is \$1,500 annually, for a total of \$48,000. MDTs are located inside of each patrol vehicle and are used to communicate with Central Dispatch directly through the radio 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 available in DOJ - JAG 2012 Fund’s Repairs & Replacements account no. 263-3331-741.97-20 in the amount of \$33,719 and Drug Forfeiture Fund’s Repairs & Replacements account no. 264-3040-731.97-20 in the amount of \$14,281.

Council Action:

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

From: Darnell Earley, City Manager
Subject: Budget Adjustment – Replacement & Installation of Snowplow
Prepared by: Sienna Rendon, Community Public Safety – Fire

Manager’s Recommendation:

It is recommended that a budget adjustment be completed to increase the General Fund Revenue’s Sale of Property-Fire Account No. 101-0000-581.67-17 from \$2,000 to \$4,524, which equates to a \$2,524 increase. This increase in revenues will be offset by an increase to the Community Public Safety – Fire, Fire Apparatus Operations and Maintenance Division’s Motor Vehicle Repairs Account No. 101-3554-751.80-42 by the same amount.

Justification:

This budget adjustment is necessary for the purchase and installation of a replacement snowplow on a Community Public Safety - Fire vehicle. The previous vehicle was sold with the plow as the vehicle and plow were no longer serviceable. Unlike other City locations, Fire personnel clear their own station accesses, not Public Services personnel. Therefore the purchase of a replacement snowplow is necessary for use by the Fire Department throughout the winter.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Replacement & Installation of Snow Plow
Prepared by: Sienna Rendon, Community Public Safety – Fire

Manager’s Recommendation:

I recommend that a purchase order be approved and issued to Scientific Brake & Co. of Saginaw in the amount of \$4,598 for the purchase of a replacement snow plow. This price includes installation of the snow plow.

Justification:

On December 3, 2012 quotes were received for the replacement and installation of a snow plow for the 2005 Chevrolet Suburban and will be used at stations 2 & 3. Prices quoted include the cost of installation, plow controllers, auxiliary lighting, blade markers and, with the exception of Wolfheil’s, back drag edges.

The following is a tabulation of the quotes received:

Scientific Brake & Equipment Co. Saginaw, MI	\$4,598
H&B Equipment Co. Saginaw, MI	\$4,899
Wolfheil’s Hardware Saginaw, MI	\$4,266

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 and available in the Community Public Safety – Fire Apparatus Operation and Maintenance Division’s Motor Vehicle Repairs account no. 101-3554-751.80-42.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager

Subject: Honoring Our Native Ojibwe Reviving Saginaw (HONORS) – Adopt-A-Park Agreement

Prepared by: Evelyn McGovern, Public Services Department

Manager’s Recommendation:

I recommend that the Director of Public Services or his designee be authorized to enter into a one-year Adopt-A-Park Agreement with HONORS not to exceed four (4) years. I further recommend that the Director of Public Services or his designee be authorized to approve extensions of the Agreement for subsequent years without further Council approval or action.

Justification:

HONORS has completed an Adopt-A-Park application seeking the City’s approval to adopt and maintain the parcel of land at 1020 N. Hamilton Street (Indian Burial Ground) located at the Southeast corner of Hamilton Street and Remington Street in the manner set forth in its Adopt-A-Park application and Agreement. Whereas the City of Saginaw is the owner of certain real property located at 1020 N. Hamilton Street. The described work to be performed includes creating a path leading up to the monument, fencing, new bench, and planting flowers and trees.

Section 95.01 of the Saginaw Code of Ordinances provides that “No person shall plant, remove, or destroy any tree or shrub in any street, alley, or public place without first obtaining a written permit to do so from the Superintendent of Streets and Bridges.” The ordinance continues “The City Manager is hereby empowered, subject to approval by the Council, to make any additional rules and regulations pertaining to the planting, removal, care, maintenance, and protection of trees, shrubs, and plants as are necessary to protect public property or the health or safety of the public.”

Upon approval by City Council of the above application, the City shall enter into an Agreement with the applicant requiring a one-year commitment to the performance of the described work. The applicant will be responsible for having the proposed work approved by the Director of Public Services or his designee; complying with all applicable laws; obtaining liability insurance, if necessary; and holding the City harmless from any claims arising from applicant’s adoption of the public area and work performed at same.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Miss Dig System, Inc. Annual Membership Fee
Prepared by: John Premo, Public Services Department

Manager's Recommendation:

I recommend that the annual membership and educational fee for 2013 be approved and a purchase order be issued to Miss Dig System, Inc., Auburn Hills, Michigan in the amount of \$2,059.36.

Justification:

The Miss Dig System, Inc. is a sole source vendor for the one call notification network throughout the State of Michigan as required by Public Act 53 of 1974. This network provides notification to owners of underground utilities of work that is planned to take place in the vicinity of their utilities, thereby, providing notice to stake or mark their utilities for others to locate by hand or other non-destructive methods. During the Miss Dig System, Inc. annual meeting held on October 5, 2012, a one-time educational fee was approved based on the annual fee structure. The City of Saginaw annual fee totals \$1,959.36, and the educational fee \$100.00 for a total amount of \$2,059.36.

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

Funds for this purchase are available in the Water Operation and Maintenance Fund – Maintenance and Service Division's Operating Services Account No. 591-4721-861.80-05 (\$1,029.68), and in the Sewer Operation and Maintenance Fund – Maintenance and Service Division's Operating Services Account No. 590-4821-861.80-05 (\$1,029.68).

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.

From: Darnell Earley, City Manager
Subject: Burns and McDonnell Engineering Company Inc. Agreement
Prepared by: Paul D. Reinsch, Water and Wastewater

Manager's Recommendation:

I recommend that the Agreement with Burns and McDonnell Engineering Company, Inc. ("Burns and McDonnell") be approved in the amount of \$42,300. Terms of the Agreement include development, assembly, printing, mail house services, and postage for the 2012 Regional Consumer Confidence Report ("CCR"). In addition, Burns and McDonnell have agreed to indemnify the City for all claims resulting from its negligence in performance of the Agreement up to \$2,000,000. The Agreement has been approved by me as to substance and the City Attorney as to form.

Justification:

On October 8, 2012, the City received a proposal and agreement to provide professional consulting services for design, production and distribution of the 2012 CCR. The 1996 amendments to the Safe Drinking Water Act require the City to provide consumers information about their drinking water and opportunities to get involved in protecting their source water, pursuant to a CCR. All community water systems are required to prepare and provide their customers with an annual water quality report or CCR. This report will be the fifteenth CCR that has been distributed to City of Saginaw water customers.

More than 10 years ago, the District Engineer for the Michigan Department of Environmental Quality recommended the use of a regional approach to the report. This report will mark the tenth year that the City has successfully used this approach to disseminate information to all of its customers by distributing the Saginaw Regional Water Quality Report/CCR. Specifically, this approach reduces the expense of production of the report, mailing costs and City staff time. The City will coordinate the development of the CCR with Burns and McDonnell. The individual communities will sign participation agreements and reimburse the City for their share of the costs. The CCR will be developed and distributed to City of Saginaw water customers and individual community customers that elect to participate in the 2012 Regional CCR.

City Staff highly recommends we continue to use Burns and McDonnell as our consultant. The quoted total cost includes a 2.4 % increase when compared to last year. The consultant's fee remains the same (\$15,500.00). The additional cost is due to anticipated increases in postage and handling charges.

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 Water Operations and Maintenance Fund – Treatment and Pumping Division’s Engineering Services Account Number 591-4730-861.80-02.

Council Action:

Council Member _____ moved, seconded by Council Member _____ that the recommendation of the City Manager be approved.