

---

REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, JUNE 3, 2013, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

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

ROLL CALL

Mayor Branch called the meeting to order. Council Members present: Mayor Pro Tem Dennis Browning, Larry Coulouris, Daniel Fitzpatrick, Amos O'Neal, Floyd Kloc and Mayor Gregory Branch - 6. Council Members absent: Annie Boensch, Norman Braddock and Andrew Wendt - 3.

ANNOUNCEMENTS

City Clerk Janet Santos announced that the Waste Convenience station is open the second Saturday of every month from 10:00 a.m. to 2:00 p.m. and that changes to the Weed Abatement Policy will affect the Local Streets only, with cutting of the parkways three feet behind the sidewalks and corner site clearance.

PERSONAL APPEARANCES

The following persons addressed the Council: Margueritha Ford, Gaitis Skabardis, David S. Schaeffer, Darryl M. White, Mary Washington and Charles Kelley.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: O'Neal, Fitzpatrick, Coulouris, Mayor Pro Tem Browning and Mayor Branch.

*Council Member Wendt entered the meeting at 7:05 p.m.*

REPORTS FROM CITY MANAGER

Management Update

There were no reports from the City Manager.

Consent Agenda

1. Approve the May 20, 2013 regular council meeting minutes.
2. Approve claim number P134-13-00560 and payment to Claimant for \$3,520 to resolve an excavation contractor claim at 628 N. Hamilton St.
3. Approve the Claims Service Contract with Alternative Service Concepts as the City's third party administrator for insurance claims from July 1, 2013 through June 30, 2015.
4. Approve annual purchase orders for 2013 - 2019 to Election Source for maintenance on the City's 27 Optech Insight Optical Scan Voting Tabulators and Memory Pack Reader and approve annual purchase orders for 2013 - 2019 to Election Systems and Software for maintenance on the City's 24 AutoMark Voter Assist Terminals.
5. Approve to increase PO #46975 to TBF Graphics, the sole bidder, by \$470 for the printing of 10 additional proposed FY 2014 Budget documents and for the cost of an extension error discovered in the original bid.

6. Approve amendments to the 2012/2013 Approved Budget to recognize any errors, omissions, or changes that have occurred during the 3rd quarter.
7. Approve a purchase order to TBF Graphics for \$7,392 for the processing and mailing of Property Tax Bills for fiscal years 2014 and 2015.
8. Approve to receive grant funds from the Community Reinvestment Act Bankers Forum for \$1,000 for the Saginaw Economic Development Corporation's 2<sup>nd</sup> Annual Business Expo. Further, approve a budget adjustment for FY 2013 to increase the CDBG Fund's – Local Grants/Donations Account No. 275-0000-571.60-03 by \$1,000. The increase in revenue will be offset by an increase in the CDBG Fund – SEDC Project Account No. 275-6520-761.73-20 by the same amount.
9. Approve a purchase order and the contract agreement with Arsenault Associates for \$48,000 for fleet management software for the Motor Pool Operations Division.
10. Approve a purchase order and contract agreement with Utility Services Authority, LLC for \$540,000 for sewer cleaning and televising for the Maintenance and Service Division.
11. Approve a purchase order to Zervan Brothers for \$19,100 for the river bank stabilization repair, seeding and restoration. Further, approve a budget adjustment for FY 2013 to increase General Fund Revenues' Contribution Account No 101-0000-571.67-50 by \$18,600. This increase in revenues will be offset by an increase to the General Fund – Department of Public Services - Facilities Division Repairs and Replacements Account No 101-7575-821.97-20 by the same amount. The remaining \$500 of the \$19,100 will be charged directly to the Downtown Development Authority Fund.
12. Approve the Ojibway Island User Agreement with the Rock the Island Committee for rental of Ojibway Island for Rock the Island Event on July 12 and 13, 2013.
13. Adopt the Resolution authorizing the Rock the Island Committee the use of amplifying equipment at the Rock the Island event on July 12 and 13, 2013 at Ojibway Island between 11:00 a.m. and 9:00 p.m.
14. Adopt the Resolution authorizing White's Bar the use of amplifying equipment at 2609 State Street during musical performance events on June 22, July 27, and August 31, 2013.
15. Approve a purchase order to D.S. Power Services for \$10,000 for FY 2014 for pole setting services for the Right of Way Division.
16. Approve emergency purchase order #48134 to York Repair, Inc. for \$7,400 for the fabrication of a new shaft for raw sewage pump #5 and repair of the impeller for the Wastewater Treatment Division.

Council Action:

Moved by Council Member Coulouris, seconded by Council Member O'Neal to approve the consent agenda items 1, 2, 4, 6 through 10, 12, 13, 15 and 16 as presented. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Council Member Kloc, seconded by Council Member O'Neal to approve consent agenda item 3 as presented. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Council Member Kloc, seconded by Council Member O'Neal to approve consent agenda item 5 as presented. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Council Member Coulouris, seconded by Council Member O'Neal to approve consent agenda item 11 as presented. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Council Member Wendt, seconded by Council Member Kloc to approve consent agenda item 14 as presented. 7 ayes, 0 nays, 2 absent. Motion carried.

REPORTS FROM BOARDS; COMMISSIONS AND COMMITTEES, AND  
APPOINTMENT OF BOARD AND COMMISSION MEMBERS

Council Member Coulouris reported that the Planning Commission met on May 28, 2013 and action regarding the request for mixed zoning for both sides of the riverfront was postponed for further review.

Council Member Coulouris reported on the May 21, 2013 meeting of the Land Bank Authority stating that for the period of September 2012 through May 2013 101 properties were in the City out of the 121 properties sold. Also, that the MSU extension office and Land Bank Authority are in collaboration to implement a weed control program.

Moved by Council Member Coulouris, seconded by Council Member Wendt to reappoint Robert E. Van Deventer to the Hospital Finance Authority with a term to expire June 30, 2018. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Mayor Pro Tem Browning, seconded by Council Member Fitzpatrick to reappoint Charles A. Shelley to the Saginaw Arts and Enrichment Commission with a term to expire June 30, 2016. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Mayor Pro Tem Browning, seconded by Council Member Fitzpatrick to reappoint Richard A. Spitzer to the Saginaw Economic Development Corporation with a term to expire June 30, 2016. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Mayor Pro Tem Browning, seconded by Council Member Coulouris to reappoint Herbert A. Spence III to the Saginaw Riverfront Development Commission with a term to expire April 1, 2018. 7 ayes, 0 nays, 2 absent. Motion carried.

Moved by Council Member O'Neal, seconded by Council Member Coulouris to reappoint Neville B. Britto to the Board of the Public Libraries of Saginaw with a term to expire June 30, 2017. 7 ayes, 0 nays, 2 absent. Motion carried.

Mayor Branch appointed Dawn Morrell, Fred Harvey, Ana Hildalgo, Larry Campbell, Pastor Robert Davis Jr., Tanya Welch, and Tiffany Goodman to the Citizens Advisory Committee with terms to expire September 12, 2016.

#### INTRODUCTION OF ORDINANCES

Moved by Council Member Kloc, seconded by Mayor Pro Tem Browning to introduce an ordinance to amend Paragraph (B), "Meetings; Compensation," of §12.10 "Board of Examiners of Stationary Boiler Operators and Stationary Engineers," of Chapter 12, "Boards and Commissions," of Title I, "Administrative Code," of the City of Saginaw Code of Ordinances, O-1. 7 ayes, 0 nays, 2 absent. Motion carried. Mayor Branch announced that the ordinance is laid over under Charter provision.

#### CONSIDERATION AND PASSING OF ORDINANCES

Moved by Council Member Kloc, seconded by Mayor Pro Tem Browning to adopt an Ordinance to amend §150.02 "Fees," of Chapter 150, "Building Regulations," of Title XV, "Land Usage," of the City of Saginaw Code of Ordinances, O-1. 7 ayes, 0 nays, 2 absent. Motion carried.

#### UNFINISHED BUSINESS

Moved by Council Member Kloc, seconded by Council Member Wendt to adopt the following: 1) If, by June 28, 2013, the City Administration and the IAFF have reached consensus on budget neutral measures that will allow the City to preserve fire department positions, they shall be implemented, and if necessary Council shall be presented with an amendment of the budget to do so; 2) If, by June 28, 2013, the City Administration and the POAM and/or COAM have reached a consensus on budget neutral measures that will allow the City to preserve police department positions, they shall be implemented, and if necessary, Council shall be presented with an amendment of the budget to do so; 3) It is the Council's policy to expect the City Administration to immediately implement and give effect to the maximum utilization of civil infraction actions and the City's municipal infraction Bureau to maximize whatever revenue may be achieved thereby. Discussion was held.

Moved by Council Member Kloc, seconded by Council Member Fitzpatrick to divide the question into two separate parts with items 1 and 2 being one part and item 3 one part.

Council Member Kloc called for the question. Mayor Branch asked the Clerk to conduct a roll call vote.

Ayes: Fitzpatrick, Kloc, Mayor Pro Tem Browning, Wendt, Mayor Branch

Nays: O'Neal and Coulouris

Absent: Boensch and Braddock

Abstain: None

Motion carried.

Discussion was held on the consideration of items 1 and 2 of the main motion.

Moved by Council Member Kloc, seconded by Council Member Wendt to amend and approve items 1 and 2 with the replacement of "consensus" to "an agreement" as follows: If, by June 28, 2013, the City Administration and the IAFF have reached an agreement on budget neutral measures that will allow the City to preserve fire department positions, they shall be implemented, and if necessary, Council shall be presented with an amendment of

the budget to do so. And if, by June 28, 2013, the City Administration and the POAM and/or COAM have reached an agreement on budget neutral measures that will allow the City to preserve police department positions, they shall be implemented, and if necessary, Council shall be presented with an amendment of the budget to do so.

Mayor Branch asked the Clerk to conduct a roll call vote.

Ayes: Kloc, Wendt, Fitzpatrick, Mayor Branch  
Nays: O'Neal, Coulouris, Mayor Pro Tem Browning  
Absent: Boensch and Braddock  
Abstain: None

Motion carried.

Moved by Council Member Kloc, seconded by Council Member Fitzpatrick to approve that it is the Council's policy to expect the City Administration to immediately implement and give effect to the maximum utilization of civil infraction actions and the City's municipal infraction Bureau to maximize whatever revenue may be achieved thereby.

City Manager Darnell Earley introduced Assistant City Manager of Public Safety Phil Ludos.

Mr. Ludos explained that the City Treasurer has been serving in the capacity of the civil infractions bureau as allowed by ordinance and collects all revenue of civil infraction allowed by code. City Manager Earley added that the maximum revenue enhancement process is conducted in the context of all laws.

Moved by Council Member Kloc, seconded by Council Member Fitzpatrick to amend the language of the previous motion to add the proper words to state "municipal civil infraction" for the motion to be as follows: It is the Council's policy to expect the City Administration to immediately implement and give effect to the maximum utilization of *municipal* civil infraction actions and the City's municipal *civil* infraction Bureau to maximize whatever revenue may be achieved thereby.

Mayor Branch asked the Clerk to conduct a roll call vote.

Ayes: Wendt, Mayor Pro Tem Browning, Fitzpatrick, Kloc, Mayor Branch  
Nays: Coulouris, O'Neal  
Absent: Boensch and Braddock  
Abstain: None

Motion carried.

Council Member Kloc called for the question. Mayor Branch asked the Clerk to conduct a roll call vote.

Ayes: Kloc  
Nays: O'Neal, Coulouris, Mayor Pro Tem Browning, Wendt, Fitzpatrick, Mayor Branch  
Absent: Boensch and Braddock  
Abstain: None

Motion denied.

ADJOURNMENT

Moved by Council Member O'Neal, seconded by Mayor Pro Tem Browning to adjourn the meeting at 8:35 p.m. 7 ayes, 0 nays, 2 absent. Motion carried.

Janet Santos, CMC/MMC  
City Clerk