

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, WAS HELD MONDAY, AUGUST 10, 2020, AT 6:30 P.M. VIA VIDEO/TELECONFERENCE PER GOVERNOR WHITMER'S EXECUTIVE ORDER 2020-154. THE MEETING WAS STREAMED LIVE VIA THE CITY'S WEBSITE AND ON SGTV.

ROLL CALL

Mayor Kloc called the meeting to order. Council Members present: Jamie Forbes, Annie Boensch, Brenda Moore, Autumn Scherzer, John Milne, Michael Balls, Bill Ostash, and Floyd Kloc: 8. Council Members absent: Reginald Williams II: 1.

PUBLIC INPUT

Public Input that addressed the Council was: Ernest Williams, Nanda Davies, David Chesney, and Shari Defore-Crozier.

Council Member Williams entered the meeting at 6:40 p.m.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Boensch, Forbes, Williams, Ostash, Balls, Milne, Scherzer, Moore, and Kloc.

REPORTS FROM CITY MANAGER

City Manager Morales provided updates as follows:

- the August 4 Primary Election,
- encouraged use of 211 for assistance with water bills, etc.
- the award of \$500,000.00 in COVID funding for small businesses grants through Community Development Block Grants, and
- that the Saginaw Economic Development Commission has loans available for local businesses that submit an application and qualify for the loan.

CONSENT AGENDA:

Mayor Kloc asked if there were any exceptions to the consent agenda. No exceptions were made.

1. Approve the July 27, 2020 regular council meeting minutes.
2. Approve the amendments to the FY 2021 Approved Budget to recognize changes that have occurred during the August period.
3. Approve the Coronavirus Emergency Grant through the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for \$184,048 for the Police Department.
4. Approve the purchase with various vendors for a total of \$330,464 for the annual supply of water main appurtenances for Maintenance and Service Division.
5. Approve the purchase with Edw. C. Levy Co., dba Ace-Saginaw Paving Company, for \$247,000 for FY 2021; and pending budget approval, for \$251,000 for FY 2022, for hot mix asphalt for the Maintenance and Service Division.

6. Approve the purchase with Edw. C. Levy Co., dba Ace-Saginaw Paving Company, for \$100,000 for FY 2021; and pending budget approval for FY 2022, for hot mix asphalt for the Streets Division.
7. Approve the purchase with National Business Furniture for \$2,167 for office furniture for the Public Services Department.
8. Ratification of the purchase with D'Aarcy Rousseau Mechanical for \$21,910 for replacement of the HVAC system at the Public Works building for the Facilities Division.
9. Approve the purchase with USA BlueBook for \$3,909 for Hach chemical reagents for the Water Treatment Division.

Moved by Mayor Pro Tem Moore, seconded by Council Member Milne to approve consent agenda items 1 through 9 as presented. 9 ayes, 0 nays, 0 absent. Motion approved.

APPOINTMENT OF BOARD AND COMMISSION MEMBERS

Moved by Mayor Pro Tem Moore, seconded by Council Member Scherzer to appoint Evelyn McGovern to the Saginaw Transit Authority Regional Services Board with a term to expire December 31, 2020. Mayor Kloc asked Clerk Santos to conduct a roll call vote.

Ayes: Scherzer, Milne, Balls, Ostash, Williams, Boensch, Moore, Kloc

Nays: None

Abstain: Forbes

Motion approved.

ORDINANCE INTRODUCTION

Moved by Council Member Boensch, seconded by Mayor Pro Tem Moore to introduce an ordinance to repeal Chapter 118 and replace with §§118.01 through 118.23, Titled "Chapter 118: Licensing of Marihuana Establishments," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-204. Discussion was held.

Moved by Forbes to amend the ordinance to remove the proximity requirements for all license types except for provisioning centers and to retain requirement of 1000' of a private or public school. No second was offered.

Point of order was called due to the motion to amend does not fit under the main motion topic.

Mayor Kloc asked Clerk Santos to conduct a roll call vote.

Ayes: Balls, Ostash, Williams, Forbes, Boensch, Moore, Scherzer, Kloc

Nays: Milne

Motion approved.

Mayor Kloc announced that the ordinance will be laid over under Charter provision.

Moved by Council Member Boensch, seconded by Mayor Pro Tem Moore to introduce an ordinance add §153.601 "Title," §153.603 "Purpose," §153.605 "Applicability," §153.607 "Definitions," §153.609 "Approval Procedures For Marihuana Establishments," §153.611 "Authorized Marihuana Establishments," §153.613 "Consumption; Violations," §153.615 "Penalties," §153.617 "Rights," Titled "Marihuana Establishments" of Title XV,

"Land Usage," of the City of Saginaw Code of Ordinances, O-204. Discussion was held.

Moved by Council Member Forbes, seconded by Council Member Scherzer to amend the main motion regarding the proximity requirements to include the rules for growers only and to exclude other license types. Discussion was held.

Moved by Council Member Forbes, seconded by Council Member Ostash to amend the proximity requirements to protect the 1000' rule for a public or private K-12 school. Discussion was held.

Mayor Kloc asked Clerk Santos to conduct a roll call vote on the amendment to the proximity requirements to protect the 1000' rule for a public or private K-12 school.

Ayes: None

Nays: Balls, Ostash, Williams, Forbes, Boensch, Moore, Scherzer, Milne, Kloc

Motion denied.

Mayor Kloc asked Clerk Santos to conduct a roll call vote on the amendment to the main motion regarding the proximity requirements to include the rules for growers only and to exclude other license types.

Ayes: None

Nays: Ostash, Williams, Forbes, Boensch, Moore, Scherzer, Milne, Balls, Kloc

Motion denied.

Council consented to allow comments from the Director of Neighborhood Services and Inspections.

Moved by Council Member Forbes to amend the proximity requirements to include retailers and exclude other license types and to retain the 1000' rule for a public or private K-12 school. No second was offered.

Moved by Council Milne, seconded by Council Member Balls to call the question. 9 ayes, 0 nays, 0 absent. Motion approved.

Mayor Kloc asked Clerk Santos to conduct a roll call vote on the main motion to introduce an ordinance to add §153.601 "Title," §153.603 "Purpose," §153.605 "Applicability," §153.607 "Definitions," §153.609 "Approval Procedures For Marihuana Establishments," §153.611 "Authorized Marihuana Establishments," §153.613 "Consumption; Violations," §153.615 "Penalties," §153.617 "Rights," Titled "Marihuana Establishments" of Title XV, "Land Usage," of the City of Saginaw Code of Ordinances, O-204.

Ayes: Williams, Boensch, Moore, Scherzer, Balls, Ostash, Kloc

Nays: Forbes, Milne

Motion approved.

Mayor Kloc announced that the ordinance will be laid over under Charter provision.

Moved by Council Member Milne, seconded by Council Member Boensch to introduce an ordinance to add §135.01 "Prohibition," of "Chapter 135: Prohibition of Use or Consumption of Marihuana in Public Place," of Title XIII, "General Offenses," of the City of Saginaw Code of Ordinances, O-204. 9 ayes, 0 nays, 0 absent. Motion approved.

Mayor Kloc announced that the ordinance will be laid over under Charter provision.

Moved by Council Member Boensch, seconded by Mayor Pro Tem Moore to introduce an ordinance to add §91.36, "Smoking in Parks, Regulations," of Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, O-204. 9 ayes, 0 nays, 0 absent. Motion approved.

Mayor Kloc announced that the ordinance will be laid over under Charter provision.

MISCELLANEOUS BUSINESS

Moved by Mayor Pro Tem Moore, seconded by Council Member Milne to enter a closed session for to discuss collective bargaining agreements per MCL 15.268(c). Mayor Kloc asked Clerk Santos to conduct a roll call vote.

Ayes: Williams, Forbes, Boensch, Moore, Scherzer, Milne, Balls, Ostash, Kloc

Nays: None

Motion approved.

Council entered a closed session at 8:18 p.m.

Moved by Mayor Kloc, seconded by Council Member Milne to return to regular session at 8:33 p.m. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Mayor Kloc, seconded by Mayor Pro Tem Moore to approve the tentative agreement with the Patrol Officers Association of Michigan (POAM) as discussed in closed session. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Mayor Kloc, seconded by Mayor Pro Tem Moore to approve the tentative agreement with the Command Officers Association of Michigan (COAM) as discussed in closed session and contingent upon ratification by the COAM. 9 ayes, 0 nays, 0 absent. Motion approved.

ADJOURNMENT

Moved by Council Member Scherzer, seconded by Mayor Pro Tem Moore to adjourn the meeting at 8:36 p.m. 9 ayes, 0 nays, 0 absent. Motion approved.

As recorded by

Janet Santos, MiPMC/MMC
City Clerk