



Saginaw City Council Agenda

1315 S. Washington Avenue
VIA TELECONFERENCE
PER PA 267 OF 1976
November 23, 2020
6:30 p.m.

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

PUBLIC HEARINGS:

PUBLIC INPUT:

(A list will be provided following submittal deadline.)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

CONSENT AGENDA:

1. Approve the November 9, 2020 regular council meeting minutes.
2. Approve the amendments to the Rules of Order of the Council of the City of Saginaw.
3. Approve the purchase with Sentinel Technologies, Inc. for \$13,227 for the replacement and installation services of Cisco Meraki wireless access points throughout various City buildings.
4. Approve the purchase with Advanced Business Communications, LLC for \$10,140 for remote security cameras for the Department of Neighborhood Services and Inspections, Inspections Division.
5. Approve the amendments to the FY 2021 Approved Budget to recognize changes that have occurred during the November period.
6. Approve the second amendment to the FY 2019-2020 HOME Subrecipient Agreement with Saginaw Shiawassee Habitat for Humanity to include the specific addresses and estimated funds for each project.
7. Approve a purchase with Lingle Equipment, Inc. for \$30,275 for a 2021 Unicarriers Forklift, with the trade-in of \$3,650 for a used 2003 Nissan Model Forklift, for a net price of \$26,625 for the Wastewater Division.
8. Approve the purchase with the specified vendors for a total of \$31,986 for the annual supply of motor vehicle fluids for the Motor Pool Operations Division.
9. Approve the purchase with ETNA Supply Company, Inc., a sole source, for \$199,940 for water meters for the Maintenance and Service Division.

10. Approve the blanket purchase with Great Lakes Tower for \$14,000 for tower and antenna repairs for the Instrumentation and Process Controls Division.
11. Approve the blanket purchase with Kendall Electric, a sole source, for \$12,000 for various parts and supplies for the Water and Wastewater Treatment Divisions, Instrumentation and Process Controls Division.
12. Approve the purchase with Kendall Electric, a sole source, for \$5,761 for a Panelview Plus Graphic Terminal for the Water Treatment Division.
13. Approve the purchase with Advanced Business Communications, LLC for \$8,275 for security thermal camera upgrades for the Water Treatment Division.

BOARD/COMMISSION/COMMITTEE REPORTS:

APPOINTMENT OF BOARD/COMMISSION/COMMITTEE MEMBERS:

1. Approve the Mayoral appointment of William Keys to the Saginaw Arts and Enrichment Commission with a term to expire June 30, 2021.

ORDINANCE INTRODUCTION:

1. To amend §118, "Procedure for Application," of Chapter 118, "Licensing of Marihuana Establishments," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-204

ORDINANCE CONSIDERATION AND ADOPTION:

RESOLUTIONS:

UNFINISHED BUSINESS:

MISCELLANEOUS BUSINESS:

ADJOURNMENT:

Timothy Morales
City Manager

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.

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, WAS HELD MONDAY, NOVEMBER 9, 2020, AT 6:30 P.M. AT CITY HALL. THE MEETING WAS STREAMED LIVE VIA THE CITY'S WEBSITE AND ON SGTV.

PRAYER AND PLEDGE OF ALLEGIANCE

Council Member Balls offered a prayer and led the pledge of allegiance of the United States of America.

City Clerk Janet Santos announced the four new Council Member Elects: Reggie Williams II, George Copeland, Michael Flores, and Monique Lamar-Silvia, and the re-elected Council Member Annie Boensch. Clerk Santos administered the oath of office. Each member took their seat after signing the oath book.

ROLL CALL

Clerk Santos called the meeting to order. Council Members present: Reggie Williams II, Annie Boensch, Brenda Moore, Autumn Scherzer, George Copeland, Michael Balls, Bill Ostash, Monique Lamar-Silvia, Michael Flores: 9. Council Members absent: 0.

The first order of business was the election of a Mayor. Clerk Santos called for nominations. Council Member Boensch nominated Council Member Moore, which she accepted. Council Member Flores nominated Council Member Williams, of which he declined. Clerk Santos called for nominations two additional times and hearing no other nominations, closed the nominations for Mayor. Deputy Clerk Kris Bolzman proceeded with a roll call vote as follows:

Council Member Balls	Brenda Moore
Council Member Boensch	Brenda Moore
Council Member Flores	Brenda Moore
Council Member Copeland	Brenda Moore
Council Member Ostash	Brenda Moore
Council Member Scherzer	Brenda Moore
Council Member Lamar-Silvia	Brenda Moore
Council Member Williams	Brenda Moore

Having received the majority vote, Brenda Moore was elected as the Mayor of the City of Saginaw. Clerk Santos administered the oath of office. Mayor Moore took her seat and proceeded with the election of Mayor Pro Tem.

Mayor Moore called for nominations for Mayor Pro Tem. Council Member Flores nominated Council Member Balls, which he accepted. Mayor Moore called for nominations two additional times and hearing no other nominations closed the nominations. Clerk Santos conducted a roll call vote as follows:

Council Member Balls	Michael Balls
Council Member Boensch	Michael Balls
Council Member Flores	Michael Balls
Council Member Copeland	Michael Balls
Council Member Ostash	Michael Balls
Council Member Scherzer	Michael Balls
Council Member Lamar-Silvia	Michael Balls
Council Member Williams	Michael Balls
Mayor Moore	Michael Balls

Having received the majority vote, Michael Balls was elected as Mayor Pro Tem of the City of Saginaw. Clerk Santos administered the oath of office.

ANNOUNCEMENTS

City Clerk Janet Santos made the following announcements:

- Yard Waste pick-up continues on your regular collection day.
- City Hall will be closed Wednesday, November 11 for Veteran's Holiday.
- The Convenience Waste Station will be open this Saturday, November 14 from 8:00 a.m. until 12:00 p.m.
- The next regular Council meeting will be Monday, November 23 at 6:30 p.m.

PUBLIC INPUT

Public Input that addressed the Council was: Ralph Martin.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Boensch, Williams, Scherzer, Copeland, Lamar-Silvia, Flores, Ostash, Balls, and Mayor Moore.

REPORTS FROM CITY MANAGER

City Manager Morales provided information and updates regarding City projects.

CONSENT AGENDA:

Mayor Moore asked if there were any exceptions to the consent agenda. An exception was made to item #3.

1. Approve the October 26, 2020 regular council meeting minutes.
2. Approve the Municipal Employees' Retirement System Adoption Agreement Addendum(s) for the City's Retirement Plans.
3. Approve the introduction of the proposed amendments to the Council Rules of Order of the City of Saginaw.
4. Approve the purchase with Advanced Business Communications, LLC for \$16,575 for security cameras in the Public Services parking lots and walkways for the Facilities Division.
5. Approve the purchase with Homeland Title Company for \$3,800 for Title Services for the Community Development Block Grant Division.
6. Approve the purchase with W. W. Grainger, Inc. for \$9,292 for personal protective equipment for the Police Department.
7. Approve the purchase with Douglass Safety Systems, a sole source, for \$12,583 for 12 self-contained breathing apparatus air cylinders for the Fire Department.
8. Approve the Grass Cutting Services Agreement with the Saginaw County Land Bank Authority for \$50,000 from July 1, 2020 through June 30, 2021. Further, approve a budget adjustment for FY 2021 to recognize these funds.
9. Approve the purchase with Bell Equipment Company, a sole source, for \$2,925 for an OMG Tier 3 Nozzle for the Maintenance and Service Division.

10. Approve the purchase with Ferguson Waterworks for \$7,665 for Portland cement for the Maintenance and Service Division.
11. Approve the blanket purchase orders to various vendors for a total of \$25,000 for electrical and mechanical equipment repair services for Water Treatment Division.
12. Ratification of a purchase with York Electric for \$8,220 for repairs to Pump No. 6 for the Wastewater Treatment Division.
13. Approve the purchase with TEquipment.Net for \$2,603 for a circulating water bath for the Wastewater Treatment Division.

Moved by Mayor Pro Tem Balls, seconded by Council Member Scherzer to approve consent agenda items 1, 2, and 4 through 13 as presented. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Council Member Ostash, seconded by Mayor Pro Tem Balls to approve consent agenda item 3 as presented. 9 ayes, 0 nays, 0 absent. Motion approved.

BOARD/COMMISSION/COMMITTEE REPORTS

Council Member Ostash reported that the Board of Appeals on Zoning has not had a variance request. Therefore, they have not needed to meet.

ORDINANCE INTRODUCTION

Moved by Council Member Boensch, seconded by Council Member Copeland to introduce an ordinance to amend §153.460 "Definitions," §153.063 "Outside Storage and Parking on Residentially Zoned and/or Use Lots," §§153.181 through 386, "Principal Permitted Uses," §153.347 "Permitted Uses After Special Approval," and §153.491 "Temporary Buildings," of Chapter 153, "Zoning Regulations," Title XV, "Land Usage," of the City of Saginaw Code of Ordinances, O-204. 9 ayes, 0 nays, 0 absent. Motion approved.

RESOLUTIONS

Moved by Council Member Boensch, seconded by Council Member Scherzer to adopt the resolution approving the City's annual apportionment of \$7,259 for the Saginaw Area Storm Water Authority Budget for FY 2021. 9 ayes, 0 nays, 0 absent. Motion approved.

ADJOURNMENT

Moved by Council Member Scherzer, seconded by Council Member Boensch to adjourn the meeting at 7:32 p.m. 9 ayes, 0 nays, 0 absent. Motion approved.

As recorded by

Janet Santos, MiPMC/MMC
City Clerk

From: Tim Morales

Subject: Council Rules of Order Amendment

Prepared by: Janet Santos, City Clerk

Recommendation:

I recommend approval of the amendments to the Rules of Order of the Council of the City of Saginaw.

Justification:

On October 16, 2020, Governor Whitmer signed Public Act 228 of 2020 into law, effective immediately. The Act amended Michigan's Open Meetings Act to provide for remote attendance of members of Council under certain, limited circumstances, specifically due to a member's medical condition or when a state or local state of emergency or disaster has been declared. The OMA requires that procedures be adopted in accordance with the Act.

According to Section 17: Amendments, "these rules may be amended by the affirmative vote of six Council members, notice having been given in writing of proposed amendments at a previous meeting." A copy of the amendments have been provided to Council for review and introduced at the November 9, 2020 regular meeting of the City Council.

Council Action:

Motion to approve the recommendation of the Manager.

From: Timothy Morales, City Manager
Subject: Cisco Network Switches
Prepared by: Chris Seager, Technical Services

Manager's Recommendation:

I recommend approval of the purchase with Sentinel Technologies, Inc. for \$13,227.00 for the replacement and installation services of Cisco Meraki wireless access points throughout various City buildings.

Justification:

On October 19, 2020, we received a quote from Sentinel Technologies, Inc. to replace all Cisco wireless access points throughout City buildings with updated Cisco Meraki wireless access points and to add two additional Cisco access points at City Hall for better coverage. Many of the current access points being utilized are no longer supported hardware and need to be replaced. This purchase is utilizing the National Association of State Procurement Officials Value Point (NASPO) pricing for the equipment, service and maintenance. Sentinel Technologies is an Authorized Reseller under a discount pricing and service agreement between NASPO and Cisco Systems, Inc.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Technical Services - Information Services Fund, Operating Services Account No. 658-1720-805.000 in the amount of \$6,495.00 and Technical Services – Information Services Fund, Professional Services in the amount of \$6,732.00 Account No. 658-1720-801.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Remote Code Enforcement Security Camera Purchase
Prepared by: Jeff Klopac, Technical Services Department

Manager's Recommendation:

I recommend the approval of a purchase with Advanced Business Communications, LLC for \$10,139.85 for remote security cameras for the Department of Neighborhood Services and Inspections, Inspections Division.

Justification:

The Department of Neighborhood Services and Inspections, Inspections Division is requesting the purchase of two remote security cameras for code enforcement violations. The security cameras will be capable of being located anywhere within the city limits to monitor areas of high code enforcement violations. The cameras will also be able to be moved to other locations in need of being monitored. We will be utilizing the expertise of Advanced Business Communications, LLC, the City's security and surveillance company.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Rubbish Collection Fund, Environmental Improvement Division, Capital Less Than \$5,000 Account No. 226-4583-971.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: November Budget Adjustment
Prepared by: Yolanda M. Jones, Office of Management and Budget

Manager's Recommendation:

I recommend approval of the amendments to the 2020/2021 Approved Budget for the listed funds. This adjustment is required to recognize any errors, omissions, or changes that have occurred within the month of November as well as the carry forward of the 2020 annual purchase orders into the 2021 Approved Budget.

Justification:

The 2020/2021 annual budget will be adjusted in accordance with Public Act 2 of 1968, Uniform Budgeting and Accounting Act, the City Charter; and the approved 2021 Budget Resolution, which states that the City Manager must provide budget adjustments to City Council quarterly and/or as needed. As a result of the City Manager's monthly analysis for November, the below-mentioned budget adjustments take into consideration any errors, omissions, or changes in the funding levels and expenditures approved by City Council as prescribed by the City Charter.

In review of the General Fund, it is recommended that this fund be increased by \$1,931,585 from \$37,147,385 to \$39,078,970.

- A budget adjustment is needed to reflect the encumbrance of funds from the prior year in the amount of \$37,016. Projects that will continue from the previous fiscal year will be realized in the Department of Public Services. These projects included the traffic building and walls which are shared with the Major Street, Local Street, Sewer and Water Operations and Maintenance Funds; testing services which are also shared with Sewer and Water Operations and Maintenance Funds; engineering services for Forest Lawn Chapel Renovations; and sidewalk replacements. An appropriation of fund balance will be utilized to offset these expenditures.
- A budget adjustment is also required to recognize the First Responders Hazard Pay Grant from the State of Michigan for \$68,647. This grant was created to reimburse and/or pay for qualifying first responders' hazard pay premiums provided to first responders who have performed hazardous duty or work involving physical hardship related to COVID-19. Revenues will be recognized in the General Fund Revenue, Other Federal Grants – Hazard Pay Account No. 101-0000-528.002 for \$68,647. To offset the increase in revenues will be an increase to the Community Public Safety – Police in the amount of \$34,611 and Community Public Safety - Fire in the amount of \$34,036. These expenditures are reflected in all divisions for both in the General Fund.

- A budget adjustment should be completed to recognize \$1,825,920 in the Rutledge Trust donations. In accordance to the Rutledge Trust document the Fire Department of Saginaw and Police Department of Saginaw were to receive 1/3 of the trust assets. Therefore, this adjustment recognizes these funds for police and fire. Revenues will be realized in the General Fund Revenue Fire Donations Account No. 101-0000-674-010 in the amount of \$912,960 and Police Donations Account No. 101-0000-674.009 in the amount of \$912,960. To offset the increased revenues will be an increase to the following expenditure accounts: Community Public Safety – Police, Police Building and Maintenance Division Vehicles Account No. 101-3514-982.000 \$300,000, Community Public Safety – Fire, Fire Operations Division, Repair and Replacement Account No. 101-3551-974.000 \$247,000, Fire Training Division, Clothing Supplies Account No. 101-3552-728.000 \$10,000, Fire Prevention Division, Repair and Replacement Account No. 101-3553-974.000 \$13,000, Fire Apparatus Operations and Maintenance Division, Principal Payment Account No. 101-3554-991.000 \$30,000, Other General Fund Expenditures, Increase to Fund Equity Division, Fund Equity – Police Account No. 101-8559-989.002 \$612,960 and Fund Equity – Fire Account No. 101-8559-989.003 \$612,960.

The Major Street Fund (202) should be increased from \$7,872,676 to \$8,421,043. This is an increase of \$548,367. This amendment reflects the encumbrance of funds from the prior year. Projects that will continue from the previous fiscal year are – various engineering services projects for: Genesee Avenue Bridge Approach study, Iron Belle Trail North Connector preliminary design, Center Street Bridge Maintenance, Norman Street Bridget Rehabilitation, and bridge inspections; design services for: Davenport Avenue, Mackinaw Street Reconstruction, East/West Holland and East Remington, 17th Street Rehabilitation, and Hancock & Ames Reconstruction; construction services for Mackinaw Street Reconstruction from Congress to State, traffic building and walls, and Niagara Street Reconstruction; and monument preservation. An appropriation of fund balance will be utilized to offset these expenditures.

The Local Street Fund (203) should be increased from \$2,064,155 to \$2,339,911. This is an increase of \$275,756. This amendment reflects the encumbrance of funds from the prior year. Projects that will continue from the previous fiscal year are – sidewalk replacements, the construction and construction administration for the traffic-building roof and wall, Hardin Street Reconstruction that is shared with Sewer and Water Operations and Maintenance Funds, monument preservation, and design services for Wadsworth Avenue Reconstruction. An appropriation of fund balance will be utilized to offset these expenditures.

The Community Development Block Grant (CDBG) Fund (275) should be increased \$10,000 from \$5,767,760 to \$5,777,760. This increase is due to the Saginaw Economic Development Corporation receiving a \$10,000 donation from TCF Bank to continue to conduct business workshops. Revenues will be recognized in the CDBG Revenue Donations – Grant Account 275-0000-580.003 for \$10,000. To offset this increase will be the same increase to the CDBG Fund, Saginaw Economic Development Division, Events Account No. 275-6520-961.001.

The CDBG HOME Program Fund (278) should be increased \$240,000 from \$900,082 to \$1,140,802. This increase is to recognize the carry forward of funds for the small homes program. Revenues will be recognized in the CDBG HOME Program Fund, HOME Program Account No. 278-0000-501.008 for \$240,000. To offset this increase will be the same increase to the CDBG HOME Program Fund, Construction Project Account No. 278-6580-965.002.

The Sewer Operations and Maintenance Fund (590) should be increased \$432,726, from \$24,749,982 to \$25,182,708. This amendment continues to reflect the encumbrance of funds from the prior year. Projects that will continue from the previous fiscal year are – Hardin Street Reconstruction, Niagara Street RR Tracks to Genesee Avenue Reconstruction, traffic building roof and wall, AMI System and EAM Software Upgrades, Well installation & Groundwater monitoring, wastewater plant electrical upgrades, HSP Control, Aqua Station and Weiss Street Basin Upgrades, security camera upgrades that is shared with the Water Operations and Maintenance Fund, repairs to the ABS scan pump and engineering services for the WWTP bio-solids handling. In addition, an adjustment is needed to recognize the debt services payment for the WWTP Improvement projects. An available appropriation of retained earnings will offset the fund's increase.

The Water Operations and Maintenance Fund (591) should be increased \$1,522,035, from \$33,412,612 to \$34,934,647. This amendment reflects the encumbrance of funds from the prior year. Projects that will continue from the previous fiscal year are – the interim flow study for the water treatment plant, the treatment optimization studies agreement, lead and copper rule strategic plan assistance and communications, HSP Control, Aqua Station and Weiss Street Basin Upgrades, security camera upgrades that is shared with the Sewer Operations and Maintenance Fund, water treatment plant risk and resilience assessment, market forge autoclave, the Davis Road water main Abandonment project, Dixie Highway water main relocation, Hardin Street Reconstruction, and Niagara Street RR Tracks to Genesee Avenue Reconstruction. An available appropriation of retained earnings will offset this fund's increase.

The Radio Operations and Maintenance Fund (660) should be increased from \$167,392 to \$171,887. This is an increase of \$4,495. This amendment reflects the encumbrance of funds from the prior year for purchase order 0508111. This increase is attributable to construction administration costs for the traffic engineering building repairs. An appropriation of fund balance will be utilized to offset these expenditures.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager

Subject: Saginaw Shiawassee Habitat for Humanity Second Amendment to Subrecipient Agreement

Prepared by: Leticia Trevino, CDBG Specialist

Manager's Recommendation:

I recommend the approval of the Second Contract Amendment to the Subrecipient HOME Agreement for FY 2019-2020 with Saginaw Shiawassee Habitat for Humanity.

Justification:

On September 9, 2019, Council approved the HOME Agreement with Saginaw Shiawassee Habitat for Humanity (Habitat) without addresses because at the time they were not known. Habitat will rehabilitate the residences of 1202 S. Warren for \$50,000.00 and 214 S. 4th for \$37,500.00, for a total cost of \$87,500.00 to rehabilitate both properties. Funds approved for the FY 2019-2020 Subrecipient HOME Agreement will pay the costs for both projects. The homes will be sold to low to moderate income buyers. Habitat must complete both projects by June 30, 2021. The original agreement outlines the HOME Program, which includes the purchase of materials for rehabilitation of property and operation expenses. Council approved the City's submission to the Department of Housing and Urban Development (HUD) for these funds on March 4, 2019.

I have approved the Amendment as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Forklift Replacement - Wastewater
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend approval of a purchase with Lingle Equipment, Inc. for \$26,625.00 (original amount of \$30,275.00) for a 2021 Unicarriers Forklift for the Wastewater Division.

In addition, it is further recommended that City Council accepts Lingle Equipment, Inc.'s offer of \$3,650.00 for the trade-in of the 2003 Nissan Model Forklift.

Justification:

On October 27, 2020, four bids were received for a replacement forklift, the Wastewater Treatment Division has budgeted to replace a 2003 Nissan Forklift with over 7,300 hours. This forklift is in need of extensive engine and drive repairs. Costs, safety, plant maintenance requirements, and productivity are the major factors necessitating the replacement of this forklift truck. The following is a listing of the bids received:

<u>Vendor</u>	<u>Total Cost</u>
Lingle Equipment, Inc. Saginaw, MI (out-city)	\$30,275.00 Less Trade-In <u>(\$3,650.00)</u> \$26,625.00
HP Forklifts (Heli) Saginaw, MI (out-city)	\$32,965.00 Less Trade-In <u>(\$2,500.00)</u> \$30,465.00
HP Forklifts (Tailift) Saginaw, MI (out-city)	\$34,555.00 Less Trade-In <u>(\$2,500.00)</u> \$32,055.00
Octane Forklifts Denver, CO (out-city)	\$32,979.00 Less Trade-In <u>(\$500.00)</u> \$32,479.00

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Sewer Operations and Maintenance Fund, Surplus Division's Maintenance Equipment Account No. 590-4840-978.000 \$26,625.00.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Motor Vehicle Fluids
Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend approval of purchases with Rowley's Wholesale, Lubrication Engineers, and Corrigan Oil, Inc. for a total of \$31,985.29 for the annual supply of motor vehicle fluids for the Motor Pool Operations Division.

Justification:

On September 29, 2020, bids were received for an annual supply of 8,361 gallons of various fluids that include anti-freeze, motor oil, windshield fluid, heat transfer oil, hydraulic fluid, etc. The City's Municipal Motor Pool Operation requires various lubricants and fluids to maintain its fleet; this represents a 12.6% decrease from last year's request. It is in the best interest of the City to distribute the bids among the three bidders listed with their respective low pricing.

The following is a listing of the purchase orders requested:

<u>Vendor</u>	<u>Cost</u>
Rowley's Wholesale Bay City, MI (out-city)	\$27,392.12
Lubrication Engineers Wichita, KS (out-city)	\$ 3,061.98
Corrigan Oil, Inc. Brighton, MI (out-city)	<u>\$ 1,531.19</u>
Total	\$31,985.29

These vendors meet all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Motor Pool Operation Fund, Garage Operations Division's Motor Vehicle Supplies Account No. 661-4481-737.000 \$31,985.29, and will be accounted for in the Motor Pool Operation Fund, Garage Operations Division's Inventory Account No. 661-0000-110.001.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Tim Morales, City Manager
Subject: Water Meters Purchase
Prepared by: Josh Hoffman, Public Services Department

Manager's Recommendation:

I recommend a purchase with ETNA Supply Company, Inc., a sole source, for \$199,940.00 for replacement water meters for the Maintenance and Service Division.

Justification:

On November 2, 2020, the Maintenance and Service Division received a sole source quote for the purchase of 3,076 replacement 5/8" x 3/4" water meters. By purchasing these water meters in bulk the City will receive 10% cost break per meter. These water meters will be used as replacements for existing meters due to wear, damage, theft and water service line replacements. This is the most common size water meter throughout the water distribution system for delivering an adequate supply of water to City household customers. "Sensus" water meters are the most economical and compatible meter with the City's Automated Meter Reading System (AMRS). ETNA Supply Company, Inc. is a sole source and the only franchise supplier in the State of Michigan for "Sensus" water meters.

<u>Vendor</u>	<u>Cost</u>
Etna Supply Company, Inc. Grand Rapids, MI	\$199,940.00

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Water Operation and Maintenance Fund, Meter Maintenance and Service Division's Repairs and Replacements Account No. 591-4720-974.000 \$99,940.00, and in Sewer Operation and Meter Maintenance Fund, Maintenance and Service Division's Repairs and Replacements Account No. 590-4820-974.000 \$100,000.00.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Blanket for Tower/Antenna Repairs
Prepared by: Dan Simmer, Water and Wastewater

Manager's Recommendation:

I recommend approval of a blanket purchase with Great Lakes Tower for \$14,000.00 for tower and antenna repairs for the Instrumentation and Process Controls Division.

Justification:

The City of Saginaw's Water and Wastewater Treatment Supervisory Control and Data Acquisition (SCADA) systems are comprised of a large radio network that spans the entire county. There are more than a dozen towers in the system that provide constant critical monitoring and control for City staff at the Water and Wastewater Treatment Divisions, as well as for the automated meter reading system for the Maintenance and Service Division. This blanket will provide tower maintenance services for various unpredictable issues that may arise due to weather or wear and tear because of continuous use. Great Lakes Tower has staff and equipment that specializes in troubleshooting radio communications issues and has completed tower repairs satisfactorily for us in the past.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Sewer Operations and Maintenance Fund, Instrumentation and Process Controls Division's Professional Services Account No. 590-4815-801.000 \$7,000 and the Water Operations and Maintenance Fund, Instrumentation and Process Controls Division's Professional Services Account No. 591-4715-801.000 \$7,000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Blanket for Parts and Supplies
Prepared by: Dan Simmer, Water and Wastewater

Manager's Recommendation:

I recommend approval of a blanket purchase order with Kendall Electric, a sole source, for \$12,000.00 for various parts and supplies for the Water and Wastewater Treatment Divisions, through the Instrumentation and Process Controls Division.

Justification:

The City of Saginaw's Water and Wastewater Treatment Division's Supervisory Control and Data Acquisition (SCADA) systems are based on Allen Bradley/Rockwell Automation programmable logic controllers. These controllers are installed in more than two dozen locations in Saginaw County, which include the City's Water and Wastewater Treatment plants, pump stations, CSO basins and lift and storm stations, as well as in our wholesale water customers' water towers. They provide critical remote monitoring and control the water and wastewater systems, via the SCADA system. This blanket is to provide for various repair parts for unpredictable problems that may arise in this critical system. Kendall Electric is the distributor for Rockwell Automation, Inc. and the sole provider of this equipment.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Sewer Operations and Maintenance Fund, Instruments and Process Controls Division's Parts and Supplies Account No. 590-4815-742.000 \$6,000 and the Water Operations and Maintenance Fund, Instruments and Process Controls Division's Parts and Supplies Account No. 591-4715-742.000 \$6,000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Panelview Plus Graphic Terminal
Prepared by: Dan Simmer, Water and Wastewater

Manager's Recommendation:

I recommend approval of a purchase with Kendall Electric, a sole source, for \$5,761.00 for a Panelview Plus Graphic Terminal for the Water Treatment Division.

Justification:

On October 27, 2020, we received a quote from Kendall Electric to replace the panel mounted graphical user interface at the Aqua Pump Station, for local computer control of the station. The current unit is obsolete and is no longer compatible with the upgraded Supervisory Control and Data Acquisition (SCADA) system which controls all of the equipment at the Water and Wastewater Treatment Plants and their outlying stations. Kendall Electric is the distributor for Rockwell Automation, Inc. and the sole provider of this equipment.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Water Operations and Maintenance Fund, Instruments and Process Controls Division's Parts and Supplies Account No. 591-4715-742.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Security Thermal Camera Upgrade
Prepared by: Dan Simmer, Water and Wastewater

Manager's Recommendation:

I recommend the approval of a purchase with Advanced Business Communications, LLC for \$8,274.80 for security thermal camera upgrades at the Water Treatment Division.

Justification:

The City solicited quotes in August of 2019 from three local vendors to upgrade the aging security camera systems at various City locations. The quote from Advanced Business Communications was the lowest and was approved by City Council on September 23, 2019. Near the completion of the system upgrade, it was determined that the existing cameras at the Water Treatment Division were incompatible with the new system and nearing the end of their life expectancy. On September 22, 2020, we received an additional quote from Advanced Business Systems, who agreed to hold their prices, to upgrade five thermal cameras at the Water Treatment Division.

This vendor meets all requirements of §14.33, "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title I, "Administrative Code," of the Saginaw Code of Ordinances, O-204.

Funds are budgeted in the Water Operations and Maintenance Fund, Instrumentation and Process Controls Division, Capital Less and \$5,000 Account No. 591-4715-971.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Tim Morales, City Manager
Subject: Marihuana Licensing Ordinance Amendment
Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

I recommend approval to amend §118.04, "Procedure for Application," of Chapter 118, "Licensing of Marihuana Establishments," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-204.

Justification:

On September 14, 2020, City Council adopted Ordinance O-222 titled "Licensing of Marihuana Establishments." This amendment is being introduced to correct a discrepancy between the ordinance and the State administrative rules. Currently, those rules provide that an "applicant" for a marihuana establishment license may include any person holding a direct or indirect ownership interest of more than 10% in the establishment. Rather than make the amendatory language specific to that, the amendatory language is more generalized and anticipates future changes to State regulations without the need for future ordinance amendments.

Council Action:

This Council Communication is for explanation purposes of the ordinance to be introduced and enacted according to City Charter, Section 22, titled "Ordinances."

Moved by Council Member _____, seconded by Council Member _____ to introduce an ordinance entitled and reading as follows:

AN ORDINANCE TO AMEND §118.04, "PROCEDURE FOR APPLICATION," OF CHAPTER 118, "LICENSING OF MARIHUANA ESTABLISHMENTS," OF TITLE XI, ""BUSINESS REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

Laid over under Charter provision.

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced November 23, 2020, entitled and reading as follows, be taken up and enacted:

O-_____

AN ORDINANCE TO AMEND §118.04, "PROCEDURE FOR APPLICATION," OF CHAPTER 118, "LICENSING OF MARIHUANA ESTABLISHMENTS," OF TITLE XI, "BUSINESS REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

The City of Saginaw ordains:

Section 1. §118, "Procedure for Application," of Chapter 118, "Licensing of Marihuana Establishments," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-204, is hereby amended to read as follows:

118.04 PROCEDURE FOR APPLICATION.

(A) Any person wishing to operate a marihuana establishment in the City shall file a marihuana establishment license application with the City Clerk.

(1) License applications for marihuana establishments shall be received by the City Clerk beginning January 4, 2021.

(2) Except as provided in this section, the City Clerk shall be responsible for establishing the procedure for receiving, reviewing and processing license applications.

(3) Any person desiring to secure a license shall make application to the City Clerk upon a form provided by the City Clerk. All license applicants must be prequalified for a marihuana establishment license by LARA before submitting an application.

(4) A copy of all applications received shall be distributed by the City Clerk to any other necessary City departments for review to determine that the application is complete. If an application is incomplete or missing information, the City Clerk shall notify the applicant of the incomplete or missing information in writing by mail or electronic mail sent to the address provided by the applicant in the application. The applicant shall have ten (10) business days from the date of mailing of the written notice to provide the incomplete or missing information to the City Clerk. If the applicant shall fail to timely provide such incomplete or missing information, the application shall be deemed withdrawn.

(5) Information requested in the application shall be provided for the **every** applicant, **as applicant is defined in the Act** ~~any person who controls, directly or indirectly, the operation of the marihuana establishment, and each stockholder or other person having a ten percent (10%) or greater beneficial interest in the proposed marihuana establishment.~~ The application for a license shall include, at a minimum, the information and documentation listed below:

(a) The name, business address, business telephone number, social security number, and, if applicable, federal tax identification number of the applicant and other persons included in the application.

(b) All residential addresses of the applicant and other persons included in the application.

(c) A copy of the application submitted to LARA for prequalification and documentation evidencing that the applicant has been prequalified for a marihuana establishment license by LARA.

(d) Whether the applicant or other persons included in the application have previously violated this chapter or a substantially similar ordinance in another municipality preceding the date of the application.

(e) A comprehensive operating plan for the marihuana establishment for which the application is being submitted that includes all of the information required for the marihuana establishment plan to be submitted under the Act, the operational standards in this chapter, as applicable, and the following at a minimum:

(i) As required by the Act, the identity of any person who controls, either directly or indirectly, the proposed marihuana establishment;

(ii) Financial and tax information as required by the Act;

(iii) Business organizational documents as required by the Act;

(iv) A description of the type of marihuana establishment applied for and its location.

(v) A diagram of the marihuana establishment including, but not limited to, all of the following: the proposed establishment's size and dimensions, the location of common entryways, doorways, and passageways, means of public entry and exit, limited access areas and restricted access areas, and an indication of the distinct areas or structures for separate marihuana establishments at the same location.

(vi) A detailed floor plan and layout that includes, minimally, all of the following: dimensions of interior and exterior rooms, maximum storage capabilities, number of rooms, dividing structures, fire walls, entrances and exits, locations of hazardous material storage, and quantities of hazardous materials.

(vii) Means of egress, including but not limited to, delivery and transfer points.

(viii) Construction details for structures and fire-rated construction for required walls.

(ix) Building structure information, including, but not limited to, new, pre-existing, freestanding, or fixed.

(x) Building type information, including, but not limited to, commercial, warehouse, industrial, retail, converted property, house, mercantile building, pole barn, greenhouse, laboratory, or center.

(xi) Zoning classification and zoning information.

(xii) If the proposed marihuana establishment is in a location that contains multiple tenants and any applicable occupancy restrictions.

(xiii) A comprehensive security plan for the marihuana establishment for which the application is being submitted that includes all of the information required for the security plan to be submitted under the Act and that addresses the ability to meet all security measures required by the Act.

(xiv) For growers, processors, and safety compliance facilities, a ventilation system plan for the marihuana establishment describing in detail the equipment or systems that will be used to mitigate noxious gasses or other fumes used or created as part of any production process or operation.

(xv) A staffing plan that addresses the number of persons estimated to be employed at the establishment, employee training, and includes an employee training manual that includes, but is not limited to, employee safety procedures, employee guidelines, security protocol, and educational training, including, but not limited to, marihuana product information, dosage and purchasing limits, or educational materials.

(xvi) A marketing plan that, at a minimum, details how the marihuana establishment will comply with all municipal ordinances and state laws regulating signs and advertising; and provides that marihuana products must not be marketed or advertised to minors aged 20 years or younger.

(f) Proof that the applicant or other persons included in the application have or will have lawful possession of the property proposed for the marihuana establishment for the period

during which the license will be issued, which proof may consist of a deed, a lease, a real estate contract contingent upon successful licensing, or a letter of intent by the owner of the property indicating an intent to lease the property to the applicant contingent upon the applicant successfully obtaining a state operating license and local license.

(g) The mailing address and electronic address at which the applicant desires to receive notices required under this chapter, and phone numbers at which the applicant desires to be contacted.

(h) Whether the applicant or other persons included in the application have ever applied for or have been granted any commercial license or certificate issued by LARA or any other jurisdiction concerning medical or adult use marihuana that has been denied, restricted, suspended, revoked or not renewed, and a statement describing the facts and circumstances concerning the application, denial, restriction, suspension, revocation, or nonrenewal, including the licensing authority, the date each action was taken, and the reason for each action.

(i) Whether the applicant or other persons included in the application have an interest in any other application for a license or approved license under this chapter at the time of application.

(j) Whether the applicant or other persons included in the application have an interest in any other marihuana facility or establishment under the Act or the Michigan Medical Marihuana Facilities Licensing Act, and if so the type of facility or establishment, its name, and the location of the facility or establishment the applicant or other person has an interest in.

(k) A statement that the applicant and other persons included in the application will not violate any of the laws of the State of Michigan or the ordinances of the City in conducting the business in which the license will be used, and that such a violation may be cause for nonrenewal of a license issued under this section or for revocation of the license.

(l) A statement that the applicant and other persons included in the application understand that the issuance of a license under this section is not intended to grant, nor shall be construed as granting, immunity from criminal prosecution for the growing, sale, consumption, use, distribution, or possession of marihuana in any form or manner.

(m) A statement that the applicant and other persons included in the application understand and agree to be bound by the indemnification provision of this chapter.

(n) A statement by the applicant and other persons included in the application indicating acceptance of a license from the City under this chapter constitutes consent by the licensee, and its owners, managers and employees, for the City to conduct inspections of the establishment as provided in §118.14.

(o) A statement by the applicant and other persons included in the application acknowledging that all marihuana establishments licensed to operate in the City shall at all times maintain in full force and effect insurance and/or bonds in an amount and coverage type as required by the Act.

(p) A statement as to whether the applicant or other persons included in the application have been served with a complaint or other notice filed with any public body regarding the payment of any tax required under federal, state, or local law that has been delinquent for one or more years.

(q) Any other information as required by LARA.

(5) Applicants have a continuing duty to provide the City with up-to-date information and shall notify the City Clerk in writing of any material changes to any of the information contained in the application, including mailing addresses, phone numbers, electronic mail addresses or other contact information, within 10 days of any such change occurring.

(6) The City Clerk shall issue a license to an applicant within 90 days after receipt of the application, unless the City Clerk finds and notifies the applicant that the applicant is not in compliance with this Code or the Act.

ORDINANCE

Intro O-1

(7) The City Clerk may from time to time establish other requirements for the application process, which shall then be provided in writing to prospective applicants with the application form.

(8) The annual license fee shall be established by Council and on file in the Office of the City Clerk. This fee shall be in addition to, and not in lieu of, any other fees for licensing or licensing requirements, including but not limited to site plan review, zoning, or building licenses.

This ordinance shall become effective December 17, 2020.

Enacted: December 7, 2020.

Yeas:

Nays:

Absent:

ORDINANCE DECLARED ADOPTED

Brenda F. Moore
Mayor

Janet Santos
City Clerk

I, Janet Santos, City Clerk of the City of Saginaw, Michigan, do hereby certify that the foregoing is a true and complete copy of the ordinance adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on December 7, 2020; the original thereof is on file in the records of my office; the meeting was conducted and public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, and minutes of this meeting were kept and will be made available as required.

Janet Santos
City Clerk