



Saginaw City Council Agenda

1315 S. Washington Avenue
Council Chamber - Room 205
989.399.1311
February 18, 2019
6:30 p.m.

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Proclamation recognizing Leola Wilson for her years of service as president of the Saginaw NAACP.
2. Proclamation recognizing the 80th anniversary of Family First Credit Union.

PUBLIC HEARINGS:

1. 2019 Single Lot Special Assessment Tax Roll.

PUBLIC INPUT:

(A list will be provided following submittal deadline.)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

1. Saginaw Police Officer Doug Stacer and Jody Wilk, Executive Director of the Saginaw Valley Police Canine Association, K-9 unit update.
2. Saginaw Housing Commission Executive Director Lesley Foxx, Housing Commission update.

CONSENT AGENDA:

1. Approve the February 4, 2019 special meeting and regular council meeting minutes.
2. Approve Petition #18-15 from the Saginaw County Community Mental Health Authority to erect a banner in the 500 Block of Court Street and the 300 block of South Michigan from May 20 to June 14, 2019 to promote the "Healthy Connections Event."
3. Receive and file the letter from Jamie Forbes regarding Disclosure of Pecuniary Interest in the STARS potential funding from the Community Development Block Grant.

4. Approve the Professional Services Agreement with Dickinson Wright, PLLC for \$5,000 for financial advisory and bond counsel services in connection with the installment purchase agreement with Huntington Public Capital Corporation.
5. Approve the donation of a police canine at no cost to the Saginaw Police Department from the Saginaw Valley Police Canine Association. Further, approve that the retiring canine, Canjo be donated to his handler, Douglas Stacer.
6. Approve the grant agreement and award from the National Association of VOCA Assistance Administrators in the amount of \$3,840 to assist the Saginaw Police Department with costs to participate in the 2019 National Crime Victims' Rights Week, April 7-13, 2019. Further, approve a budget adjustment for FY 2019 to recognize these funds.
7. Approve the purchase with Environmental Systems Research Institute for \$39,000 for an enterprise GIS software solution.
8. Approve the amendment to the Purchase and Development Agreement with Ann Arbor Builders, Inc. for 633 S. Washington Avenue.
9. Approve the Purchase Agreement with TOPAZ Properties, L.L.C. for the purchase of real estate properties.
10. Approve the purchase with AIS Construction Equipment for \$6,275.70 for a Grundomat 75P Horizontal Boring Tool for the Maintenance and Service Division.
11. Approve the purchase with Gerald Bergman, Inc. for \$18,560 for the replacement of the East and West entrance doors and frames at City Hall.
12. Approve the purchase with Dover and Company for an amount not to exceed \$5,000 annually for FY 2019 and for FY 2020 for overhead door maintenance service for City Hall and the Public Services Building.
13. Approve the contract agreement with Interstate Gas Supply, Inc. to provide natural gas to 45 service accounts for City facilities utilizing natural gas at set fixed rates through March 31, 2022.
14. Approve the purchase with Thomas Scientific for \$7,208.90 for a muffle furnace for the Wastewater Treatment Division.
15. Approve the purchase with Arizona Heating & Air Conditioning for \$2,500 for the replacement of the furnace for the Japanese Cultural Center.

BOARD/COMMISSION/COMMITTEE REPORTS:

APPOINTMENT OF BOARD/COMMISSION/COMMITTEE MEMBERS:

1. Approve Council appointment of Deanna Virciglio to the Board of Appeals on Zoning with a term to expire December 31, 2021.

ORDINANCE INTRODUCTION:

1. An ordinance to amend §92.08, "Pyrotechnics," of Chapter 92, "Fire Protection and Public Safety," of Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, O-204.
2. An ordinance to amend §12.035, "Planning Commission," of Chapter 12, "Boards and Commissions," of Title I, "Administrative Code," of the City of Saginaw Code of Ordinances, O-204.

ORDINANCE CONSIDERATION AND ADOPTION:

RESOLUTIONS:

1. Authorizing Installment Purchase Contracts for vehicles.

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 AVE., 759-1480.

CITY OF SAGINAW

PROCLAMATION

WHEREAS, on behalf of the Saginaw City Council and the citizens of our city, it is a privilege to extend this Proclamation to Ms. Leola Wilson for 50 years of dedication and commitment to the citizens of this community as a member, officer and president of the Saginaw NAACP; and

WHEREAS, Ms. Wilson, a Saginaw native, joined the NAACP 50 years ago. During that time, she served as an assistant secretary, secretary, and became President in 1998. Leola Wilson's legacy in the fight for equality has led the local NAACP branch to partner with churches and pastors; the National PanHellenic Council – Divine Nine, League of Women Voters, United Auto Workers and other non-partisan groups and organizations who share the same mission as the NAACP; and

WHEREAS, Leola Wilson has advocated for those who have been discriminated against, fought for those who have suffered injustices, educated voters in the political process and has sought to enforce laws that secure civil rights. Wilson is a Diamond Life Member of the NAACP, which is the highest status of membership in the national organization; and

WHEREAS, Leola Wilson's commitment to the NAACP has led her to serve in many key roles in the national organization; including serving as Area Director of the Michigan State Conference, State Treasurer, and as a member of the nominating committee of the National Board. Ms. Wilson was awarded the NAACP President of the Year Award, and under her leadership, the Saginaw branch received national awards for both youth and adult membership and activities; and

WHEREAS, Leola Wilson has set the example for others as an exemplary citizen whose good works and dedication help to improve the quality of life for many citizens. We give honor and recognition this day for the deep commitment of Ms. Leola Wilson to empower, encourage and enlighten the citizens of Saginaw and throughout Great Lakes Bay Region.

NOW, THEREFORE BE IT RESOLVED, I, Floyd Kloc, Mayor of the City of Saginaw, on behalf of my fellow Councilmembers and the citizens of this community, do hereby extend this expression of our esteem, appreciation, and gratitude to Leola Wilson for the positive impact she has made in our community over the past 50 years as an active member and President of the Saginaw Chapter of the NAACP. We congratulate Ms. Wilson and extend our very best wishes for continued success in all her future endeavors.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Saginaw to be affixed this 18th day of February in the year of our Lord two thousand nineteen.



February 18, 2019

Floyd Kloc, Mayor

Councilpersons

Brenda F. Moore, Mayor Pro Tem
Michael D. Balls, Annie Boensch,
Clint Bryant, Jamie Forbes, John Milne,
Bill Ostash, and Autumn Scherzer

Timothy Morales, City Manager

CITY OF SAGINAW

PROCLAMATION

WHEREAS, Family First Credit Union was established in 1939 as the Saginaw Municipal Employees Credit Union, serving employees of the City of Saginaw; and

WHEREAS, Family First Credit Union, originally located in the lower level of City Hall, has expanded from that tiny basement setting to multiple branch offices throughout the Saginaw area, including branches in Freeland and Kochville Township; and

WHEREAS, in 2003, the credit union was approved for a community charter and changed its name to Family First Credit Union. Membership is now open to all who live, work or worship, in Saginaw, Bay, Midland, and Genesee Counties; and

WHEREAS, Family First Credit Union began in 1939 with a mere 121 members. Currently, Family First serves over 6,000 members with a reported \$75 million in total assets; and

WHEREAS, Family First Credit Union has grown from its humble beginnings in 1939 and has evolved today as a primary financial institution with a broadened range of services to meet all the financial needs for citizens throughout the City of Saginaw and the Great Lakes Bay Region.

NOW, THEREFORE BE IT RESOLVED, that I, Floyd Kloc, Mayor of the City of Saginaw, on behalf of my fellow councilmembers, do hereby congratulate and commend Family First Credit Union on 80 years of serving the Saginaw community. Further, I urge all citizens of Saginaw to recognize, honor, and celebrate the outstanding commitment and contributions that Family First Credit Union has made to the City of Saginaw.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Saginaw to be affixed this 18th day of February in the year of our Lord two thousand nineteen.



Floyd Koc, Mayor



Councilpersons

Brenda F. Moore, Mayor Pro Tem
Michael D. Balls, Annie Boensch,
Clint Bryant, Jamie Forbes, John Milne
Bill Ostash and Autumn Scherzer

February 18, 2019

Timothy Morales, City Manager



City of Saginaw

PUBLIC NOTICE

Pursuant to Title III, Administration, Chapter 33, "Taxation and Assessment," Section 33.22, "Assessment Roll Hearing and Confirmation," of the City of Saginaw Code of Ordinances, O-204, notice is hereby given that the Council of the City of Saginaw, Michigan, will meet at **6:30 p.m. Monday, February 18, 2019**, in the Council Chamber of City Hall and review the following single lot special assessment rolls:

- Nuisances: Yard Violations, Board Ups, and Wrecker Services
- False Alarms: Fire & Police PF19
- Sewer Connections: SEW19
- Demolitions: DMG19
- Sidewalk Replacements: SW119 & SW219

Anyone objecting to such an assessment may appear in person at the hearing to protest or may file an objection in writing with the City Clerk prior to the close of said hearing, which written objection shall specify in what respect the objection is made. Postmark date will not be honored and no phone call objections will be accepted.

An appearance and protest at the hearing in this assessment proceeding is required in order to appeal the amount of the special assessment to the Michigan State Tax Tribunal. Such appeal must be submitted within 30 days of the City Council having approved the single lot special assessment tax roll. The single lot special assessment rolls are on file in the office of the City Clerk and are available for inspection during regular office hours up to the time of the hearing.

Janet Santos, CMMC/MMC
City Clerk

IF YOU ARE DISABLED AND NEED ACCOMMODATION TO PROVIDE YOU WITH AN OPPORTUNITY TO PARTICIPATE OR OBSERVE IN PROGRAMS, SERVICES, OR ACTIVITIES, PLEASE CALL THE SAGINAW CITY CLERK AT 989.759.1480.

Posted

By: _____

A SPECIAL MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, WAS HELD MONDAY, FEBRUARY 4, 2019, AT 6:00 P.M. IN THE COUNCIL CHAMBER AT CITY HALL, 1315 S. WASHINGTON AVENUE, SAGINAW, MICHIGAN.

PLEDGE OF ALLEGIANCE

Mayor Kloc led the pledge of allegiance of the United States of America.

ROLL CALL

Mayor Pro Tem Moore called the meeting to order. Council Members present: Jamie Forbes, Clint Bryant, Annie Boensch, Brenda Moore, Autumn Scherzer, John Milne, Michael Balls, Bill Ostash, and Floyd Kloc: 9. Council Members absent: 0.

PUBLIC INPUT

No members of the public addressed the Council.

MOTIONS AND MISCELLANEOUS BUSINESS

Moved by Council Member Bryant, seconded by Council Member Scherzer to enter into a closed session to discuss pending litigation in the Carter case per MCL 15.268(e). Mayor Kloc asked Clerk Santos to conduct a roll call vote.

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

Nays: None

Absent: None

Motion approved.

Council entered a closed session at 6:02 p.m.

Moved by Mayor Pro Tem Moore, seconded by Council Member Scherzer to return to regular session at 6:12 p.m. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Council Member Milne, seconded by Council Member Bryant to approve recommendation of legal counsel regarding pending litigation in the Carter case as discussed in closed session. 9 ayes, 0 nays, 0 absent. Motion approved.

ADJOURNMENT

Moved by Council Member Bryant, seconded by Council Member Boensch to adjourn the meeting at 6:13 p.m. 9 ayes, 0 nays, 0 absent. Motion approved.

Janet Santos, MMC
City Clerk

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, WAS HELD MONDAY, FEBRUARY 4, 2019, AT 6:30 P.M. IN THE COUNCIL CHAMBER AT CITY HALL, 1315 S. WASHINGTON AVENUE, SAGINAW, MICHIGAN.

PRAYER AND PLEDGE OF ALLEGIANCE

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

ROLL CALL

Mayor Pro Tem Moore called the meeting to order. Council Members present: Jamie Forbes, Clint Bryant, Annie Boensch, Brenda Moore, Autumn Scherzer, John Milne, Michael Balls, Bill Ostash, and Floyd Kloc: 9. Council Members absent: 0.

ANNOUNCEMENTS

City Clerk Janet Santos announced the following:

- The City's Waste Convenience Station is open to City residents the second Saturday of the month from 8:00 a.m. to 12:00 p.m. at the Public Works building entrance located off Holland Avenue. City residents may dispose of items such as building materials, recycling for glass, plastic, and paper. The next collection day will be this Saturday, February 9th.
- City Council will conduct a Committee of the Whole session on Monday, February 18th at 5:30 p.m. to review §151 commonly known as the "Non-Owner Occupied and Unoccupied property" ordinance.

PUBLIC INPUT

No members of the Public addressed the Council.

REMARKS OF COUNCIL

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

REPORTS FROM CITY MANAGER

City Manager Tim Morales provided information updates on various meetings, events and city projects.

CONSENT AGENDA:

1. Approve the January 25, 2019 regular council meeting minutes.
2. Approve the amendments to the FY 2019 Approved Budget to recognize changes that have occurred during the January period.
3. Approve a purchase with InSource Solutions Group for \$17,316.20 for the renewal of annual software maintenance and support fees and individual e-filing services.
4. Approve the revised guidelines for applicants requesting Poverty Exemptions.
5. Approve the amendment to the ESG Subrecipient Contract with United Way of Saginaw County to include \$1,499.30 in carryover for homelessness prevention and rapid rehousing (HPRP).
6. Approve the purchase with ContractSafe for \$5,988 for contract management software solution.

7. Approve a purchase with Ricoh USA for a five-year lease of three multi-function printers for various departments with \$4,390.08 in annual payments, for a total amount of \$21,950.40.
8. Approve a purchase with Canada Ticket, Inc. for parking ticket media and envelopes for \$4,660.06 for the Parking Operations Maintenance Division.
9. Approve a FY 2019 budget adjustment to recognize a \$4,635 donation from the Rotary Club of Saginaw for the Fire Department.
10. Approve the purchase with Graham Masonry & Waterproofing for \$9,430 for interior masonry repairs at the Saginaw Police Department.
11. Approve a FY 2019 budget adjustment to recognize a \$317.96 donation from the 100 Club of Saginaw County for the Saginaw Police Emergency Services Team.
12. Approve to increase the blanket purchase orders to various vendors by \$4,500, for a new total of \$8,490, for vehicle parts and supplies for the Garage Division.
13. Approve to increase the blanket purchase orders to various vendors by \$10,000, for a new total of \$18,000, for vehicle repairs for the Garage Division.
14. Approve the Andersen Splash Park Rehabilitation Contract with American Excavating, Inc. for \$159,587 for the Engineering Section, Right of Way Division.
15. Approve the purchase with B & B Roadway Products for \$7,150 for LED navigational lights for the Court Street Bridge for the Traffic Maintenance Section, Right of Way Division.
16. Approve the purchase with Jack Doheny Companies for \$7,700 for an Insight Vision Opticam push sewer inspection camera and a cable and pipe locator for the Maintenance and Service Division.
17. Approve the purchase of Versalift Midwest for \$2,421.92 for parts to repair an Aerial Truck for the Traffic Engineering Division.

Moved by Council Member Boensch, seconded by Mayor Pro Tem Moore to approve consent agenda items 1 through 17, as presented. 9 ayes, 0 nays, 0 absent. Motion approved.

BOARD/COMMISSION/COMMITTEE REPORTS

- MBS International Airport Commission: Council Member Milne reported that the marketing proposals received continue to be reviewed by the airport manager.
- Planning Commission: Council Member Bryant reported that a capital improvement plan will be forth coming to Council for review.
- Riverfront Development Commission: Council Member Bryant reported that Beautification Day will be May 17 and the Commission is developing special projects and setting specific goals.
- Saginaw Transit Area Regional Services: Mayor Kloc reported that the recent and possible future Federal Government shut down may have an economic impact to their operations.

APPOINTMENT OF BOARD/COMMISSION/COMMITTEE MEMBERS

Moved by Council Member Bryant, seconded by Council Member Boensch to reappoint James Wagner to the Human Planning Commission with a term to expire January 31, 2021. 9 ayes, 0 nays, 0 absent. Motion approved.

RESOLUTIONS

Moved by Mayor Pro Tem Moore, seconded by Council Member Boensch to adopt the resolution for the Municipal Employees' Retirement System of Michigan Retiree Health Funding Vehicle. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Council Member Boensch, seconded by Mayor Pro Tem Moore to adopt the resolution authorizing signatories for MERS Contracts and Service Credit Purchase Approvals. 9 ayes, 0 nays, 0 absent. Motion approved.

ADJOURNMENT

Moved by Council Member Bryant, seconded by Mayor Pro Tem Moore to adjourn the meeting at 7:04 p.m. 9 ayes, 0 nays, 0 absent. Motion approved.

Janet Santos, MMC
City Clerk

Petition for Banner



PETITION CAN NOT BE ACCEPTED SIX (6) MONTHS PRIOR TO EVENT

TO SAGINAW CITY COUNCIL:

We, the undersigned, do hereby petition the Honorable City Council to give favorable consideration to erect a banner at **not more than two (2)** of the locations listed below. We understand that the \$150.00 banner fee per location must be paid to the Department of Engineering prior to hanging the banner. Banners will only be accepted two (2) weeks prior to the approved display date and the banner/s must be picked up within ten (10) days after the FINAL display date. The city reserves the right to dispose of any banners not picked up after notification of removal. Fee established by Council resolution on June 7, 2004.

- | | |
|---|---|
| ☒ 500 Block of Court Street | ☒ 300 Block of South Michigan |
| ☐ 200 Block of West Genesee | ☐ 1000 Block of East Genesee Avenue |

SAGINAW COUNTY COMMUNITY MENTAL HEALTH AUTHORITY
Organization Name

HEALTHY CONNECTIONS EVENT
Purpose of Banner

MESSAGE ON BANNER: HEALTHY CONNECTIONS
SLC MHA

Display Dates Requested: MAY 20 to JUNE 14
First and Last Dates can NOT be a Weekend. Date span can NOT exceed 30 days.

PETITIONERS

- | | |
|-----------------------|----------------------|
| 1 <u>QUEEN SPROUL</u> | 2 <u>BO ZWINGMAN</u> |
| 3 <u>LAURA ARGILE</u> | 4 _____ |

CONTACT PERSON INFORMATION:

NAME MEISSA GUTZWILLER PHONE 989-860-5895
ADDRESS 500 HANCOCK ST
EMAIL MGUTZWILLER@SLCMHA.ORG

----- CLERK'S OFFICE USE ONLY -----

EMAIL TO: Engineer@saginaw-mi.com BY: _____ DATE: _____

APPROVED BY COUNCIL: _____

CITY CLERK

18-15

From: Timothy Morales, City Manager
Subject: Disclosure of Pecuniary Interest in STARS
Prepared by: Janet Santos, City Clerk

City Manager's Recommendation:

I recommend that disclosure of Council Member Jamie Forbes' pecuniary interest in STARS potential of funding from the Community Development Block Grant (CDBG) program be considered at the March 4, 2019, meeting of the City Council be made a part of the official record of the Council meeting and be made public in the same manner as a public meeting notice.

Justification:

On the next Council agenda will be consideration to approve CDBG funds for STARS. Under a strict reading of a statute that is intended to apply to elected officials and employees of municipalities who have an unreported or otherwise unknown financial interest in a public contract that requires a public body's approval, it could be viewed that Council Member Forbes is required to disclose her pecuniary interest in the funding agreement as an employee of STARS, though such disclosure seems obvious.

Per the statute, Council Member Forbes requests that her disclosure be made a part of the official record of the meeting and be made public in the same manner as a public meeting notice. At the City Council meeting to be held on March 4, 2019, the City Council shall approve the agreement by a vote of not less than 2/3 of the full membership of the Council. Finally, upon approval, the City shall disclose Council Member Forbes' name and the nature of her pecuniary interest, which is as an employee of STARS.

Council Action:

Motion to approve the recommendation of the City Manager.

Conflict of Interest

Jamie Forbes

to:

Janet Santos

01/30/2019 07:38 AM

Hide Details

From: Jamie Forbes/saginaw

To: Janet Santos/saginaw@saginaw

History: This message has been forwarded.

January 30, 2019

Janet Santos

Saginaw City Clerk

1315 S. Washington

Saginaw, MI 48601

Janet,

In accordance with Michigan Compiled Laws Section 15.322 and as advised by Attorney Amy Lusk, I feel it is necessary to disclose a conflict of interest that I expect to have with an upcoming vote topic before the City Council.

I have been employed by STARS (Saginaw Transit Area Regional Services) since May 2018. STARS is pursuing funding through the Federal Block Grant Funding, administered through the Human Planning Commission. I did not preset the program in question to this Commission or discuss it with any of the members individually or as a group. As a result of this relationship, I will abstain from voting on Block Grant funding as it relates to my employer.

I appreciate any additional information or instruction pertinent to this situation.

Thank you,

Jamie Forbes

Sent from my iPad

From: Timothy Morales, City Manager
Subject: Dickinson Wright, PLLC Agreement
Prepared by: Yolanda M. Jones, Office of Management and Budget

Manager's Recommendation:

I recommend the approval of the professional services agreement with Dickinson Wright, PLLC in the amount of \$5,000 to act as bond counsel for the City in connection with the issuance of the installment purchase agreement.

Justification:

Community Public Safety – Police, Community Public Safety - Fire and the Department of Neighborhood Services and Inspections is in the process of financing the replacement of equipment that was outlined in the approved budget.

In order for the installment purchase to be completed, bond counsel is required to provide documentation and any approving opinions on the total financing packages. The agreement covers the fee and provided services of bond counsel. The fee for performing such services is included in the installment contract.

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

Funds are budgeted in the General Fund, Community Public Safety Police, Police Building Maintenance Division Legal Services Account No. 101-3514-803.000 in the amount of \$1,814, in Community Public Safety – Fire, Fire Apparatus Operations and Maintenance Division, Legal Services Account No. 101-3554-803.000 in the amount of \$1,667, and in the Department of Neighborhood Services and Inspections, Inspections Division, Legal Services Account No. 101-3865-803.000 in the amount of \$1,519.

The agreement is subject to approval by the City Manager as to substance and the City Attorney as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Tim Morales, City Manager
Subject: Saginaw Valley Police Canine Association Donation
Prepared by: Brian Rowell, Community Public Safety – Police

Manager's Recommendation:

I recommend the City of Saginaw accept the donation of a highly trained police canine to the Saginaw Police Department, from the Saginaw Valley Police Canine Association. I also recommend that retiring canine, Canjo, be donated to his handler, Officer Douglas Stacer.

Justification:

The Saginaw Valley Police Canine Association (SVPCA) is donating canine, Nvee to replace retiring canine, Canjo. The SVPCA has pledged to cover any and all expenses related to the feeding, temporary lodging and medical care of this canine as they do for the SPD's current police canines. The canine units have been highly effective in the discovery and removal of dangerous narcotics in the community, the tracking of lost children, and vulnerable adults who wander away from their homes. Our canine units are proven to be invaluable in providing a pathway that establishes a foundation to stronger relationships within the community.

Canjo has spent his entire career of seven and a half years working and residing with Officer Stacer. Due to their established bond, it is logical that Officer Stacer assume ownership of his canine partner. Officer Stacer will be responsible for all expenses related to the feeding, lodging, and medical care of Canjo.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager

Subject: Approval of the Grant Award from the National Association of VOCA Assistance Administrators

Prepared by: Brian Rowell, Community Public Safety – Police

Manager's Recommendation:

I recommend the approval of the grant agreement and award of \$3,840 from the National Association of VOCA Assistance Administrators to the Saginaw Police Department to assist with costs occurring by SPD's participation in the 2019 National Crime Victims' Rights Week, April 7-13, 2019.

It is also recommended that a budget adjustment be completed to increase the Police ELERV Grant Fund, VOCA Crime Victims Account No. 267-0000-501.035 from \$0 to \$3,840. To offset the increase in revenues will be an increase to the Police ELERV Grant, Parts and Supplies Account No. 267-3341-742.000 by \$1,840 and the Professional Services Account No. 267-3341-801.000 by \$2,000.

Justification:

This grant was sought to bolster the Saginaw Police Department's community impact made since being awarded the Enhancing Law Enforcement Response to Victims (ELERV) grant in 2015. Participating in the National Crime Victims' Rights Week directly correlates with the advances made under the ELERV Grant.

On November 1, 2018, the Saginaw Police Department submitted a grant request totaling \$3,840 to the National Association of VOCA Assistance Administrators for funds to promote National Crime Victims' Rights Week and to enhance the general public's awareness of the rights and services for victims of all types of crimes.

On February 7, 2019, the Saginaw Police Department was notified that our grant request was approved. The total grant award will be \$3,840 with no matching fund requirement by the City of Saginaw.

This grant agreement is subject to approval by the City Manager as to substance and City Attorney approval as to form.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Enterprise GIS Software Purchase
Prepared by: Jeff Klopac, Technical Services Department

Manager's Recommendation:

I recommend approval of a purchase with Environmental Systems Research Institute for \$39,000.00 for an enterprise GIS software solution.

Justification:

The City of Saginaw's GIS Division is requesting the purchase of Environmental Systems Research Institute (ESRI)'s enterprise software product platform. These GIS software products will allow staff to design field data collection and verification applications, to be utilized by the City's Maintenance and Service Division for the lead service line replacement project. Staff is mandated to field verify all suspected properties that still maintain a lead water service line. These new software tools will allow GIS staff to program and update these field applications throughout the verification and replacement program process.

The GIS Division will now be allowed to install ESRI's software on all City staff's computers that wish to utilize the City's various GIS programs. The City currently has hundreds of data layers that are used in all aspects of City governmental functions. With the enterprise software purchase staff will be able to take any of the hundreds of online courses that ESRI provides, and will also be able to utilize phone and online support from ESRI staff.

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, Asset Management Division, Computer Software Account No. 590-4832-741.000 (\$9,500.00), Water Operations and Maintenance Fund, Asset Management Division, Computer Software Account No. 591-4732-741.000 (\$9,500.00), Department of Technical Services, GIS Fund, Operating Services Account No. 650-1738-805.000 (\$10,000.00), and Department of Technical Services, Information Services Fund, Computer Software Account No. 658-1720-741.000 (\$10,000.00).

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Purchase Agreement City Owned Real Estate
Prepared by: John C. Stemple, Dir. of Neighborhood Svc and Inspections

Manager's Recommendation:

I recommend approval of the amendment to the purchase and development agreement with Ann Arbor Builders, Inc. for the lease, development and purchase of real estate located at 633 S. Washington Avenue.

Justification:

On August 27, 2018, the City entered into an agreement with Ann Arbor Builders, Inc. (AAB) which provided for the lease, development, and purchase of the property located at 633 S. Washington Ave. The agreement provided that AAB would lease the property for one year during which time certain improvements were to be made to the property. If improvements were completed in the first twelve months AAB would then have the option to purchase the property. The agreement also required that the City of Saginaw use its best efforts to establish a qualifying obsolete property rehabilitation act district and certificate. While the City has established the district, establishing the certificate is proving difficult as the State of Michigan has never approved a certificate for a local unit of government.

This tax abatement is important to the success of this project. Therefore, it is recommended that the City proceed with transferring the property to AAB sooner than what is prescribed in the agreement so that AAB may proceed with securing the certificate. Pursuant to this amendment the City will still receive payment for the property once all of the repairs have been made. There are provisions within the amendment that should AAB fail to complete the project, the property will revert back to the City.

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

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Purchase Agreement City Owned Real Estate
Prepared by: John C. Stemple, Dir. of Neighborhood Svc and Inspections

Manager's Recommendation:

I recommend approval of a Purchase Agreement with TOPAZ Properties, L.L.C. for the purchase of real estate located at 216 Gallagher St., 2700 S. Washington Ave., 2701 S. Washington Ave., 2707 S. Washington Ave., 2709 S. Washington Ave., 2715 S. Washington Ave., 2717 S. Washington Ave., and 2719 S. Washington Ave.

Justification:

The City is in receipt of an offer to purchase parcels of land located at the following addresses, the year in parenthesis is the year the property was acquired by the City:

2700 S. Washington Ave.	(1995)	2709 S. Washington Ave.	(1993)
2701 S. Washington Ave.	(1993)	2707 S. Washington Ave.	(1993)
2715 S. Washington Ave.	(1993)	2717 S. Washington Ave.	(1993)
2719 S. Washington Ave.	(1993)	216 Gallagher St.	(2003)

The properties appear to have been acquired via the Michigan Department of Natural Resources through tax foreclosure and donation from private owners. The City currently has no plans to use these properties for any public purpose. Therefore, it is recommended that these properties be sold.

The purchaser of the property plans to develop the land for a retail use. The use of the property is subject to compliance with all zoning and land use laws. The sale is also subject to the vacation of an alley which abuts a number of the properties, the alley is currently not being used for any purpose. The Planning Commission will consider vacating the alley at its regular meeting in February and provide a report and recommendation to City Council.

The purchase price contained in the offer is \$40,000.00. All closing costs are to be paid by the buyer. The City Assessor has determined that the value of the property is \$16,508.00 which is less than the amount of the offer.

This is the negotiated purchase of unique real estate and is not subject to the standard requirement of competitive bidding, pursuant to section 14.27 "Sole Source", 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.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Horizontal Boring Tool
Prepared by: Joshua Hoffman, Public Services Department

Manager's Recommendation:

I recommend the approval of a purchase with AIS Construction Equipment for \$6,275.70 for a 3" Grundomat 75P Horizontal Boring Tool for the Maintenance and Service Division.

Justification:

On August 27, 2018, City Council approved a purchase with AIS Construction Equipment for a 3" Grundomat 75P Horizontal Boring Tool, this unit will be utilized for the installation of new water service connections and extensions in various sizes from ¾ inch to 2 inch in diameter throughout the City's water distribution system. AIS Construction Equipment agrees to extend their bid price of \$6,275.70. Purchasing this additional unit will give the Maintenance and Service Division the ability to have two maintenance crews replacing water service connections at the same time at two different locations throughout the City.

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, Maintenance and Service Division's Maintenance Equipment Account No. 591-4721-978.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: City Hall East and West Entrance Door Replacement
Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend approval of a purchase with Gerald Bergman, Inc. for \$18,560 for the replacement of the East and West entrance doors and frames at City Hall.

Justification:

On January 22, 2019 a sole bid was received from Gerald Bergman, Inc. This bid includes: the removal and replacement in their entirety both the existing east and west metal door frames, doors, metal door header, handicapped door opening device and thresholds to provide for new installation. Both doors will now be handicap accessible. The existing surveillance cameras, security card access system and manual override door locking devices will be reused.

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 Capitol Project Fund, Facilities Division's Repairs and Replacement Account No. 401-7575-974.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Annual Overhead Door Services
Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend the approval of a purchase with Dover and Company for an amount not to exceed \$5,000 annually for FY 2019 and for FY 2020 for overhead door maintenance service for City Hall and the Public Services Building.

Justification:

On December 18 2018, two bids were received for annual overhead door maintenance service for City Hall and the Public Services Building. This purchase includes items such as, overhead/garage door repair/replacement, and associated hardware, supplies and materials on a cost not to exceed basis and proposal price will be on a per job basis, at the rates quoted. Also, the inspections of doors after the Balance Test, Alignment Test, and Force Test that will be completed on a quarterly basis. The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Costs</u>
Dover and Company Flint, MI	\$75.00/per hour 20% Markup on Parts
Delta Door Sales, Inc. Saginaw, MI	\$100.00/per hour 50% Markup on Parts

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 Public Works Building Fund, Operating Services Account No. 641-4439-805.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Natural Gas Choice Program
Prepared by: Phillip Karwat, Director of Public Services

Manager's Recommendation:

I recommend the contract with Interstate Gas Supply, Inc. (IGS) be approved to provide natural gas from April 1, 2019 through March 31, 2020 at a fixed rate of \$3.15 per thousand cubic feet (Mcf); and at a fixed rate of \$2.94 per Mcf from April 1, 2020 through March 31, 2021; and at a fixed rate of \$2.93 per Mcf from April 1, 2021 through March 31, 2022. The fixed rate will apply to 45 service accounts for City facilities utilizing natural gas.

Justification:

In January 2019, quotes were received for the City's natural gas needs. The Michigan Public Service Commission and Consumers Energy allow natural gas customers to select third party gas suppliers in lieu of Consumers Energy as a gas provider. The Natural Gas Choice program will allow customers to select a licensed gas supplier in Consumers Energy's service territory to purchase natural gas and utilize Consumers Energy's infrastructure and metering system to deliver and meter natural gas. Delivery and meter billing charges assessed by Consumers Energy still apply.

In an effort to minimize City expenditures related to natural gas prices, the City requested quotes from three licensed natural gas providers and received quotes from two licensed natural gas providers in the Consumers Energy service territory for natural gas for 45 service accounts for municipal buildings. The City of Saginaw on average uses 41,000 Mcf per year. One Mcf unit is equivalent to 1000 cubic feet. Consumers Energy's current variable gas cost recovery fee for January 2019 is \$3.44 per Mcf compared to the City's contracted amount of \$3.28 per Mcf. Accepting the low quote from IGS may result in annual savings and reduce risks related to fluctuating monthly gas recovery charges as it relates to Consumer Energy ability to request rate increases with the Michigan Public Service Commission. The City began using the natural gas choice program in June 2012 and to date estimates its overall savings greater than \$42,000.

Two companies provided quotes to provide the City's natural gas. The City's Purchasing Committee reviewed the quotes and recommended IGS to provide the service at their low bid price. However, it must be understood we are dealing with a very volatile market where pricing may change several times a day and the bidders cannot lock in their prices until a contract or purchase order is approved, guaranteeing them a contract. Therefore, we recommend approval of the lowest bidder at the time of the final inquiry, which will allow the City to take advantage of the best possible pricing over the next three fiscal years. Quotes will again be obtained from bidders by noon on February

18th, and an updated communication will be presented to Council. The following is a tabulation of the quotes received:

<u>Company</u>	<u>Cost per Mcf</u> <u>(4-19 to 3-20)</u>	<u>Cost per Mcf</u> <u>(4-20 to 3-21)</u>	<u>Cost per Mcf</u> <u>(4-21 to 3-22)</u>
Interstate Gas Supply, Inc. Dublin, Ohio	\$3.15	\$2.94	\$2.93
Constellation Energy Gas Choice, Inc. Fort Gratiot, Michigan	\$3.15	\$3.05	\$2.99

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.

Natural gas services are paid for separately from each division's operating service accounts. Therefore, each division's funds may realize savings generated by the reduction in operating expenses.

The contract is subject to the City Manager's approval 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: Laboratory Muffle Furnace
Prepared by: Brian Baldwin, Water and Wastewater

Manager's Recommendation:

I recommend the approval of a purchase with Thomas Scientific for \$7,208.90 for a muffle furnace for the Wastewater Treatment Division.

Justification:

The City of Saginaw is required by the MDEQ, as part of our NPDES permit, to analyze on a daily basis the quality of the water being discharged to the Saginaw River. Part of this analysis requires us to volatilize samples at 1,100 degrees Fahrenheit, which requires a specialized laboratory furnace. Last year the laboratory noticed that the existing muffle furnace was becoming increasingly unreliable at maintaining the required temperature, and funds were budgeted for its replacement.

On January 21, 2019, sealed bids were opened. Following is a summary of the bids received:

Thomas Scientific Swedesboro, NJ	\$7,208.90
USA Blue Book Waukegan, IL	\$7,305.50
Cole-Parmer Instrument Vernon Hills, IL	\$7,723.80
Colonial Scientific, Inc. Richmond, VA	\$7,911.88
Thermo Fisher Scientific Pittsburgh, PA	\$8,331.02
VWR International, LLC Suwaunee, GA	\$8,982.64

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, Treatment and Pumping Division's Laboratory Equipment Account No. 590-4830-977.000.

Council Action:

Motion to approve the recommendation of the City Manager.

From: Timothy Morales, City Manager
Subject: Replacement Furnace for the Japanese Cultural Center
Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend the approval of purchase with Arizona Heating & Air Conditioning for \$2,500.00 for the replacement of the furnace for the Japanese Cultural Center.

Justification:

On February 12, 2019, three quotes were received for the replacement of the furnace for the Japanese Tea House. Per the 2008 Agreement between the City and the Japanese Cultural Center the City is responsible for all maintenance of the property. The following is a tabulation of the quotes received:

<u>Contractor</u>	<u>Cost</u>
Arizona Heating & Air Conditioning Freeland, MI	\$2,500.00
G W Heating & Air Conditioning Co, Inc Saginaw, MI	\$2,790.00
William E. Walter Inc. Saginaw, MI	\$3,875.00

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 General Fund, Japanese Cultural Center Division's General Repairs and Replacement Account No. 101-7534-974.000

Council Action:

Motion to approve the recommendation of the City Manager.

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

Manager's Recommendation:

I recommend approval to amend §92.08, "Pyrotechnics," of Chapter 92, "Fire Protection and Public Safety," of Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, O-204.

Justification:

During the 2018 Lamé Duck Session of the State of Michigan legislature, House Bills 5939-5941 passed providing amendments to three laws pertaining to the use of consumer fireworks. As you know, the State law previously provided that the City cannot ban the use of fireworks the day before, day of, or the day after a federal holiday. That law was amended to now limit the use of fireworks to the days around four holidays. It also limits the hours of use for such fireworks. Amendment to the City ordinance reflects these changes and provides the newly allowed violation language.

This ordinance has been reviewed by me for substance and the City Attorney as to form. It appears under the regular order of business.

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 §92.08, "PYROTECHNICS," OF CHAPTER 92, "FIRE PROTECTION AND PUBLIC SAFETY," OF TITLE IX, "GENERAL 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 February 18, 2019, entitled and reading as follows, be taken up and enacted:

O-_____

AN ORDINANCE TO AMEND §92.08, "PYROTECHNICS," OF CHAPTER 92, "FIRE PROTECTION AND PUBLIC SAFETY," OF TITLE IX, "GENERAL REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

The City of Saginaw ordains:

Section 1. §92.08, "Pyrotechnics," of Chapter 92, "Fire Protection and Public Safety," of Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, O-204, is hereby amended to read as follows:

§92.08 PYROTECHNICS

(A) *Definitions.* The word **PYROTECHNICS**, whenever used in this code, means devices made for professional use that are similar to consumer fireworks in chemical composition and construction but not intended for consumer use, that meet the weight limits for consumer fireworks but are not labeled as such, and that are classified as UN0431 or UN0432 under 49 C.F.R. §172.101. **CONSUMER FIREWORKS** mean fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission under 16 C.F.R. Parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks do not include low-impact fireworks.

(B) *Prohibited.* No person, firm, co-partnership, or corporation shall use, explode, or cause to explode, or manufacture, pyrotechnics or consumer fireworks within the city except as provided:

- (1) The items described in the following exclusive list are deemed exempt from this section:
 - (a) A starting pistol, a flare gun, or a flare designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation;
 - (b) Low impact fireworks, including ground and handheld sparkling devices, as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5; and
 - (c) Novelties as defined under APA standard 87-1, 3.2, 3.2.1, 3.2.2, 3.2.3, 3.2.4, and 3.2.5 and including all of the following:

1. Toy plastic or paper caps for toy pistols in sheets, strips, rolls, or individual caps containing not more than one-quarter of a grain of explosive content per cap, in packages labeled to indicate the maximum explosive content per cap;
 2. Toy pistols, toy cannons, toy canes, toy trick noisemakers, and toy guns in which toy caps as described in division (B)(1)(c)1. above are used, that are constructed so that the hand cannot come in contact with the cap when in place for the explosion, and that are not designed to break apart or be separated so as to form a missile by the explosion;
 3. Flitter sparklers in paper tubes not exceeding one-eighth inch in diameter; and
 4. Toy snakes not containing mercury, if packed in cardboard boxes with not more than 12 pieces per box for retail sale and if the manufacturer's name and the quantity contained in each box are printed on the box; and toy smoke devices.
- (2) The City Council may issue a written permit to a properly qualified person for giving a pyrotechnic or consumer firework display/show in a suitable open place. The permits shall be on forms provided by the State Department of Licensing and Regulatory Affairs. Permits so issued shall impose such restrictions as may be necessary to properly safeguard life and property. Before any such permit is issued, the applicant therefor shall furnish a bond or insurance deemed adequate by the Council, which bond or insurance shall become available in the payment of any damages to public or private property and the payment for any personal injuries resulting from said pyrotechnic or consumer firework display. All applicants will have complied with the Michigan Fireworks Safety Act and other applicable laws; ~~and~~.
- (3) This section does not pertain to the use of consumer fireworks ~~only on the day preceding, the day of, or the day after a national holiday. However, the use of consumer fireworks between the hours of 1:00 a.m. and 8:00 a.m. on the day preceding, the day of, or the day after a national holiday is strictly prohibited.~~ following days after 11:00 a.m.:
- (a) December 31 until 1:00 a.m. on January 1.
 - (b) The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.
 - (c) June 29 to July 4 until 11:45 p.m. on each of those days.
 - (d) July 5, if that date is a Friday or Saturday, until 11:45 p.m.
 - (e) The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

(C) *Violation.* A violation of this ordinance shall be deemed a municipal civil infraction subject to a civil fine of \$1,000.00. \$500.00 of the fine collected under this subsection shall be remitted to the City.

This ordinance shall become effective March 14, 2019.

Enacted: March 4, 2019.

Yeas:

Nays:

Absent:

Abstain:

ORDINANCE DECLARED ADOPTED

Floyd Kloc
Mayor

Janet Santos, MMC
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 March 4, 2019; 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, MMC
City Clerk

From: Tim Morales, City Manager
Subject: Planning Commission Ordinance Amendment
Prepared by: Janet Santos, City Clerk

Manager's Recommendation:

I recommend approval to amend §12.035, "Planning Commission," of Chapter 12, "Boards and Commissions," of Title I, "Administrative Code," of the City of Saginaw Code of Ordinances, O-204.

Justification:

The amendments to §12.035 are necessary to bring the ordinance in line with the provisions of the MCL Planning Enabling Act 33 of 2008.

This ordinance has been reviewed by me for substance and the City Attorney as to form. It appears under the regular order of business.

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 §12.035, "CITY PLANNING COMMISSION," OF CHAPTER 12, "BOARDS AND COMMISSION," OF TITLE I, "ADMINISTRATIVE CODE," 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 February 18, 2019, entitled and reading as follows, be taken up and enacted:

O-_____

AN ORDINANCE TO AMEND §12.035, "CITY PLANNING COMMISSION," OF CHAPTER 12, "BOARDS AND COMMISSION," OF TITLE I, "ADMINISTRATIVE CODE," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-204.

The City of Saginaw ordains:

Section 1. §12.035, "City Planning Commission," of Chapter 12, "Boards and Commissions," of Title I, "Administrative Code," of the City of Saginaw Code of Ordinances, O-204, is hereby amended to read as follows:

§12.035 CITY PLANNING COMMISSION

(A) *Creation.* The City Planning Commission is created for the city in accordance with the provisions of the Michigan Planning Enabling Act, Public Act 33 of 2008, being M.C.L. §§ 125.3811 et seq.

(B) *Membership.*

- (1) The City Planning Commission shall consist of nine members, six of whom shall be representative, insofar as possible, of ~~different professions or occupations~~ **important segments of the community in accordance with the major interests as they exist in the city** and shall be appointed by the ~~City Manager~~ **Mayor** subject to approval by a majority vote of the members elect of the Council, and three of whom shall be ex officio members, ~~namely, The ex officio members shall be comprised of the City Manager or his or her designee, an administrative officer of the city selected by the City Manager~~ the Mayor, and **one or more** Council Members selected by the Council, **or any combination thereof**. The term of each appointed member shall be three years or until his or her successor takes office. The terms of ex officio members shall correspond to their respective official tenures, except that the term of ~~the~~ **any** administrative official selected by the City Manager **as his or her designee** shall terminate with the term of the City Manager selecting him or her.
- (2) ~~No member, other than an ex officio member, shall hold any other office or position with the city except that one may also be a member of the Board of Appeals on Zoning.~~ **Except as otherwise provided herein, an elected officer or employee of the city is not eligible to be a member of the City Planning Commission.**
- (3) **Members of the City Planning Commission shall be qualified electors of the city, except 1 member may be a qualified elector of another jurisdiction.**

(C) *Powers and duties.* The Commission is hereby vested with all the powers and duties conferred upon it by law, by City Charter, and by ordinances.

(D) *Advisory Committee.* ~~The City Planning Commission may appoint advisory committees whose members are not members of the Commission. The Advisory Committee to the City Planning Commission shall consist of one representative from each township abutting the city. The township board of each such township shall be invited to designate a resident of its township to serve at its pleasure as a member of this Committee. This Committee shall meet with the Commission and provide such information and counsel as the Commission may from time to time deem to be of assistance to it in the performance of its duties. Any member who shall have served as a member of the Commission for ten years or more may be appointed an honorary member of the Advisory Committee by the City Manager without the necessity of Council approval, and such honorary member shall have the same authority and duties as other members of the Committee.~~

This ordinance shall become effective March 14, 2019.

Enacted: March 4, 2019.

Yeas:

Nays:

Absent:

Abstain:

ORDINANCE DECLARED ADOPTED

Floyd Kloc
Mayor

Janet Santos, MMC
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 March 4, 2019; 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, MMC
City Clerk

RESOLUTION

AUTHORIZING INSTALLMENT PURCHASE CONTRACTS FOR VEHICLES

Moved by _____ seconded by _____ to adopt the following resolution:

WHEREAS: it is determined to be necessary and desirable and in the best interest of the City of Saginaw (the "City") that the City acquire certain vehicles as described in Exhibit A hereto (collectively, the "Property") and that the acquisition of the Property be financed all or in part by installment purchase authorized under Act 99, Public Acts of Michigan, 1933, as amended ("Act 99"), and more specifically by the acquisition of the Property pursuant to one or more installment purchase contracts (each, a "Contract" and collectively, the "Contracts") with the sellers thereof (each, a "Vendor" and collectively, the "Vendors") and Huntington Public Capital Corporation; and

WHEREAS: the aggregate outstanding balance, exclusive of interest, of all purchases made by the City pursuant to Act 99, including the Contracts, does not exceed 1- $\frac{1}{4}$ % of the taxable value of the real and personal property in the City.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. It is hereby found to be necessary and desirable for the City to finance all or a portion of the cost of the Property, including costs of issuance of the Contracts, which includes the cost of bond counsel, in the aggregate principal amount of not to exceed \$147,112.20 by purchasing the Property pursuant to the terms and conditions of the Contracts; and the City hereby pledges its full faith and credit for the payment of its obligations thereunder. The balance of the cost of the Property, if any, shall be paid by the City from available funds of the City.
2. The City shall include in its budget and pay the sum or sums necessary each year to meet the payments due pursuant to the provisions of the Contracts.
3. The Contracts shall be dated the date of delivery thereof. The interest rate on the outstanding principal balance of each Contract shall equal 3.75% per annum, and each Contract shall be payable as to principal and interest in five substantially equal annual installments on March 1 in the years 2020 through 2024, inclusive, in the amounts set forth in Exhibit A to the respective Contract. The Contracts shall not be subject to prepayment.

RESOLUTION

4. The Contracts, in the form presented to this meeting, are hereby approved, and the Mayor and the City Clerk are hereby authorized to execute and deliver the Contracts in substantially the form approved, with such changes approved by them and consistent with the terms of this resolution. The approval of such changes shall be conclusively evidenced by their signatures on the Contracts. Each Contract may be executed in counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.
5. The City covenants to comply with all provisions of the Internal Revenue Code of 1986, as amended (the "Code"), necessary to maintain the exclusion of interest on the Contracts from gross income for federal income tax purposes.
6. The Mayor, the City Clerk, the Treasurer, the City Manager and other officers of the City as may be necessary are each hereby authorized to execute and deliver such documents, instruments and certificates as are necessary or desirable to consummate the described transactions and to maintain the exclusion of the interest on the Contracts from gross income for federal income tax purposes.
7. The City hereby designates the Contracts as "qualified tax exempt obligations" for the purpose of deduction of interest expense by financial institutions under Section 265(b)(3)(B) of the Code.
8. The useful life of the Property is determined to be 5 years and upwards.
9. Dickinson Wright PLLC, Troy, Michigan, is hereby appointed as bond counsel with respect to the Contracts.
10. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED

RESOLUTION

EXHIBIT A

	<u>Vendor</u>	<u>Vehicles</u>	<u>Unit Cost</u>	<u>Qty.</u>	<u>Vendor Cost</u>	<u>Contract Amt.</u>
1	Todd Wenzel Buick GMC	2019 GMC Yukon 1500 4x4 Utility Vehicle SLT	\$47,376.85	1		
		2019 GMC Yukon 1500 4x4 Utility Vehicle SLE	\$51,552.35	1	\$ 98,929.20	\$102,409.81
2	Berger Chevrolet	2019 Chevrolet Impala 4dr Sdn LS w/1FL	\$21,591.50	2	\$ 43,183.00	\$ 44,702.39

RESOLUTION

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 resolution adopted by the City of Saginaw, Saginaw County, State of Michigan, at a public meeting held on February 18, 2019; 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, MMC
City Clerk