

Council Agenda

June 8, 2015 6:30 p.m.
Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

(A list will be provided following submittal deadline.)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

Management Update:

1. Update on the 2015 "Light Up the City" Initiative, Tom Begin, Consumers Energy Public Affairs Regional Manager.

CONSENT AGENDA:

1. Approve the minutes from the May 18, 2015 regular Council meeting.
2. Approve Petition 15-08 for the Saginaw African Cultural Festival Committee to erect banners located at Court Street and East Genesee Avenue from July 15 through August 17, 2015 to promote the Saginaw African Cultural Festival Weekend.
3. Approve Petition 15-10 for the Light Up the City Committee to erect banners located at Court Street from June 20 through July 15, 2015 and at East Genesee Avenue from June 9 through July 15, 2015 to promote the Light Up the City Event.
4. Approve the Interlocal Agreement with Saginaw County for administration of the Byrne Justice Assistance Grant – 2015 in the amount of \$41,790.
5. Approve a FY 2016 budget adjustment to increase the Department of Justice - JAG 2015 revenue Account No. 263-0000-501.030 from \$0 to \$41,790. This increase in revenue will be offset by an increase in the Department of Justice – JAG 2015 Division's Vehicles Account No. 263-3334-982.000 by the same amount.
6. Approve a purchase order to Gerald Bergman for \$5,950 for the masonry column repair at the Police Department.
7. Approve a purchase order to O'Connor's Carpet One for \$3,375 for laminate flooring surrounding the front desk at the Police Department.

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8. Approve the contract between the Saginaw Police Department, the Environmental Services Department, and Mike's Wrecker Service, Inc. for removal, impound, and storage of vehicles.
9. Approve a purchase order to Red Holman Buick GMC for \$45,343.15 for a 2015 GMC Yukon 4X4 SLT Utility vehicle for the Fire Department.
10. Approve the contract with American Excavating, Inc., for \$82,135 for the N. Hamilton Street Condominiums Water Main 300 & 400 Blocks Contract.
11. Approve the contract with American Excavating, Inc. for \$241,738 for the Malleable Iron Sewer Separation Contract.
12. Approve the Metropolitan Extension Telecommunications Rights-of-Way Oversight (METRO) Act permit extension issued to Windstream Norlight, LLC for an additional five-year term to end on May 2, 2020.
13. Approve a purchase order to Spence Brothers for \$10,200 for the repair of the men's restroom in City Hall.
14. Approve a purchase order to Jay's Septic Service for \$1,340 for eight annual Portable Toilet Services for FY 2015; and pending approval of the FY 2016 and 2017 budgets, accept the bid from Jay's Septic Service for \$4,840 each year for the same services.
15. Adopt the Resolution to approve Cost Agreement No. 15-5220 with the Michigan Department of Transportation for rehabilitation work on the Genesee Street Bridge.
16. Approve the agreement with Saginaw School District to utilize the playground equipment from closed school properties.
17. Approve the Resolution authorizing the use of amplifying equipment at the "Light Up the City" events on Ojibway Island on June 17, 2015 and August 12, 2015 from 12:00 p.m. and 8:00 p.m.
18. Approve the Resolution authorizing the use of amplifying equipment at the Akin/Dugan Family Reunion at Celebration Park on June 20, 2015 from 11:00 a.m. to 9:00 p.m.
19. Adopt the Resolution authorizing Temieka Shannon the use of amplifying equipment at the "Project Next Generation Restoration" event at Burt Street between S. 13th Street and S. 14th Street from June 24 through June 28, 2015 from 10:00 a.m. and 10:00 p.m.

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

1. Approval of the Mayoral reappointment of Michael Hanley to the Saginaw Economic Development Commission with a term to expire June 30, 2018.

INTRODUCTION OF ORDINANCES:

1. An Ordinance to amend §110.23, "Pawnbrokers," of Chapter 110, "General Provisions," of Title XI, "Business Regulations," of the City Of Saginaw Code of Ordinances, O-1.
2. An Ordinance to amend §110.25, "Secondhand Merchants," of Chapter 110, "General Provisions," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-1.
3. A new Ordinance to add §110.35, "Precious Items Dealers," of Chapter 110, "General Provisions," Of Title XI, "Business Regulations," of the City of Saginaw Code Of Ordinances, O-1.

CONSIDERATION AND PASSING OF ORDINANCES:

1. An Ordinance to amend Chapter 16, titled "Police Officers and Firefighters Retirement System," §16.03(B), §16.03(C), titled "Retirement System Continued," and §16.04(A)(1), §16.04(A)(2)(c), §16.04(A)(2)(e), §16.04(A)(3), §16.04(C), §16.04(E)(1), §16.04(E)(2), §16.04(E)(3), and §16.04(E)(4), titled "Board of Trustees," and §16.27(A), titled "Management of Funds," shall be amended in the City of Saginaw Code of Ordinances, O-1.

RESOLUTIONS:

1. Resolution supporting 2015 "Light Up the City" Initiative.

UNFINISHED BUSINESS:

MOTIONS AND MISCELLANEOUS BUSINESS:

ADJOURN:

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.

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, MAY 18, 2015, AT 6:30 P.M. IN THE COUNCIL CHAMBER AT CITY HALL, 1315 S. WASHINGTON AVENUE, SAGINAW, MICHIGAN.

PRAYER AND PLEDGE OF ALLEGIANCE

Mayor Browning offered a prayer and led the pledge of allegiance.

ROLL CALL

Mayor Browning called the meeting to order. Council Members present: Dan Fitzpatrick, Demond Tibbs, Annie Boensch, Mayor Pro Tem Amos O'Neal, Brenda Moore, Michael Balls, Floyd Kloc and Mayor Dennis Browning - 8. Council Member absent: Larry Coulouris - 1.

ANNOUNCEMENTS

City Clerk Janet Santos made the following announcements:

- Due to inclement weather the Riverfront Development Commission's Annual Clean-Up Day has been rescheduled for Friday, May 29. Volunteers and donations are welcome and appreciated;
- A revised agenda, Council Communication 2, Resolution 1, and an ordinance introduction have been distributed; and
- That City Hall will be closed Monday, May 25 for the Memorial Day Holiday.

Mayor Browning read and presented a proclamation designating May 2015 as "Mental Health Month." Tim Ninemire, Director of Recipient Rights and Customer Service of the Saginaw County Community Mental Health Authority, accepted the proclamation.

Mayor Browning read and presented a proclamation designating May 25, 2015 as "Theodore Roethke Day." Joyce Seals and Annie Ransford of the "Friends of Theodore Roethke Committee," accepted the proclamation.

PUBLIC HEARINGS

City Clerk Janet Santos announced the public hearing for the Proposed Budget and Property Tax Millage for Fiscal Year 2015-2016. Mayor Browning called for comments three times. No public comments were made.

Moved by Council Member Balls, seconded by Council Member Moore to close the public hearing. 8 ayes, 0 nays, 1 absent. Motion approved.

City Clerk Janet Santos announced the public hearing for the Special Assessment District for a Police and Fire Millage for Fiscal Year 2015-2016. Mayor Browning called for comments. Brandon Hausbeck, Vice President of the Firefighters Union stated concern regarding the allocation percentage between the Fire and the Police Departments. Mr. Hausbeck stated that Union representatives are willing to meet with City Management staff to review additional cost savings options. Mayor Browning called for comments a second time. Bill Schaiberger commented that in the future the City should consider an equal split of the millage between the Fire and Police Departments. Mayor Browning called for comments for a third time. No additional comments were made.

Moved by Council Member Boensch, seconded by Council Member Moore to close the public hearing. 8 ayes, 0 nays, 1 absent. Motion approved.

PERSONAL APPEARANCES

The following personal appearance addressed City Council: Bill Schaiberger.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Boensch, Tibbs, Fitzpatrick, Kloc, Balls, Moore, Mayor Pro Tem O'Neal and Mayor Browning.

REPORTS FROM CITY MANAGER

Management Update

City Manager Tim Morales provided informational updates on meetings, projects and events. City Manager Morales addressed concerns presented during "Remarks of Council."

City Manager Morales introduced Dennis Jordan, Director of Human Resources. Mr. Jordan presented and explained the changes to the Fiscal Year 2015-2016 Personnel Complement.

Council Member Fitzpatrick left the meeting at 8:18 p.m. and returned at 8:21 p.m.

Mr. Jordan presented the benefits that will result through the transition of the Patrol and Command Unions of the Police Department from the Police and Fire Pension System to the Municipal Employees Retirement System (MERS).

Consent Agenda

1. Approve the May 4, 2015 closed session, committee of the whole and regular council meeting minutes; and the May 11, 2015 closed session and special meeting minutes.
2. Approve the amendments to the FY2014-2015 Approved Budget to recognize any changes that have occurred during the 9th period.
3. Approve the changes to the FY2015–2016 Personnel Complement.
4. Approve a purchase order to CPS HR Consulting for \$2,851.75 for 180 entry-level firefighter examinations administered by Human Resources.
5. Approve a purchase order to Viewfinity for \$12,994 to purchase privilege management security software for desktop PC's and laptops.
6. Approve a purchase order to Innovative Communications, Inc. for \$10,514 for three LED SMART TV's for Council Chambers.
7. Approve a purchase order to Bailey Construction for \$5,863 for the frame-in construction of the rear projection screen opening in Council Chambers.

8. Approve ratification for emergency purchase order #496528 and payment to Michigan Truck Spring, a sole source, for \$4,062.84 for suspension repairs to truck #57-0456 for the Maintenance and Service Division.
9. Approve a blanket purchase order to Hymmco, Inc., a sole source, for \$10,000 for materials and supplies for concrete road repairs for the Right of Way Division.
10. Approve to increase the blanket purchase order to Airgas Great Lakes by \$1,420 for payment of tank rental charges for the Motor Pool Operations Garage Division.
11. Approve the Resolution authorizing the sale and consumption of alcoholic beverages at Morley Plaza during "Friday Night Live" outdoor concert events for 2015.
12. Approve the Resolution authorizing the use of amplifying equipment at 107 S. Washington Avenue for the Team One "Run for Wine" event.
13. Approve the Resolution authorizing the use of amplifying equipment at FirstMerit Bank Event Park for events from May through November 2015.
14. Approve the Resolution authorizing the use of amplifying equipment at 2622 E. Genesee Avenue during the "Xtreme Blessings Over Our City" event.
15. Approve the sublease of Ground Lease #87788 with American Tower Corporation.
16. Approve a purchase order to HESCO for \$24,914.40 for one Limitorque actuator for the Water Treatment Division.

Moved by Council Member Moore, seconded by Council Member Boensch to approve consent agenda items 1 through 3, 5, and 8 through 16 as presented. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Tibbs, seconded by Council Member Boensch to approve consent agenda item 4 as presented. Mayor Browning asked Clerk Santos to conduct a roll call vote.

Ayes: Moore, Kloc, Fitzpatrick, Boensch, Mayor Pro Tem O'Neal, Mayor Browning

Nays: Balls, Tibbs

Absent: Coulouris

Motion approved.

Moved by Council Member Tibbs, seconded by Council Member Boensch to approve consent agenda item 6 as presented. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Tibbs, seconded by Council Member Boensch to approve the consent agenda item 7 as presented. 8 ayes, 0 nays, 1 absent. Motion approved.

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

Mayor Browning announced the Mayoral appointment of Debra Melkonian to the

Citizens' Advisory Committee with a term to expire September 12, 2016.

Moved by Council Member Moore, seconded by Council Member Boensch to approve the following:

- the Mayoral appointment of Ana Hidalgo to the Local Officers Compensation Commission with a term to expire March 1, 2016.
- the Mayoral reappointment of Lori Hausbeck to the Saginaw Arts & Enrichment Commission with a term to expire June 30, 2018.
- the Mayoral reappointment of Suzanne Skrelunas to the Saginaw Arts & Enrichment Commission with a term to expire June 30, 2018.

8 ayes, 0 nays, 1 absent. Motion approved.

INTRODUCTION OF ORDINANCES

Moved by Mayor Pro Tem O'Neal, seconded by Council Member Boensch to introduce an ordinance to amend Chapter 16, titled "Police Officers and Firefighters Retirement System," §16.03(B), §16.03(C), titled "Retirement System Continued," and §16.04(A)(1), §16.04(A)(2)(c), §16.04(A)(2)(e), §16.04(A)(3), §16.04(C), §16.04(E)(1), §16.04(E)(2), §16.04(E)(3), and §16.04(E)(4), titled "Board of Trustees," and §16.27(A), titled "Management of Funds," in the City of Saginaw Code of Ordinances, O-1. 8 ayes, 0 nays, 1 absent. Motion approved.

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

RESOLUTIONS

Moved by Mayor Pro Tem O'Neal, seconded by Council Member Fitzpatrick to adopt the resolution approving the FY 2015-2016 Budget. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Mayor Pro Tem O'Neal, seconded by Council Member Kloc to adopt the resolution approving the amount for the FY 2015-2016 Public Safety Millage. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Balls, seconded by Council Member Moore to adopt the resolution to accept the Transportation Alternatives Grant from the Michigan Department of Transportation for the North Hamilton Street Enhancement Project. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Boensch, seconded by Council Member Moore to adopt the resolution authorizing FirstMerit Bank to manage City funds. 8 ayes, 0 nays, 1 absent. Motion approved.

ADJOURNMENT

Moved by Mayor Pro Tem O'Neal, seconded by Council Member Moore to adjourn the meeting at 9:38 p.m. 8 ayes, 0 nays, 1 absent. Motion approved.

MAY 20 2015

Petition for Banner

#15-08

PLEASE NOTE: PETITION WILL NOT BE ACCEPTED PRIOR TO SIX (6) MONTHS BEFORE YOUR EVENT.

TO SAGINAW CITY COUNCIL:

We, the undersigned, do hereby petition your Honorable Body to give favorable consideration to the erection of a banner at not more than two (2) of the locations listed below. We are aware of the \$150.00 banner fee and understand that the fee must be paid to the Department of Engineering prior to hanging the banner. (Note: Fee set by Resolution of Council at a regularly scheduled meeting held 6/7/04.)

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

For: Saginaw African Cultural Festival
(Organization)

Advertising the coming of the Festival to the community.
Purpose of Banner

MESSAGE ON BANNER Saginaw African Cultural Festival

Morley School Park August 14th, 15th + 16th

Time Period Requested: July 15th, 2015 to August 17th, 2015
(Not to exceed 30 days)

PETITIONERS

Charles McNair Lawrence Brooks

NAME, ADDRESS AND TELEPHONE NUMBER OF CONTACT PERSON:

NAME Lawrence Brooks PHONE (989) 714-6052

ADDRESS: 2417 Whittier St. Saginaw, MI 48601

-----FOR OFFICE USE ONLY-----

DATE APPROVED BY COUNCIL: _____

CITY CLERK

Petition for Banner

PLEASE NOTE: PETITION WILL NOT BE ACCEPTED PRIOR TO SIX (6) MONTHS BEFORE YOUR EVENT.

TO SAGINAW CITY COUNCIL:

We, the undersigned, do hereby petition your Honorable Body to give favorable consideration to the erection of a banner at **not more than two (2)** of the locations listed below. We are aware of the \$150.00 banner fee and understand that the fee must be paid to the Department of Engineering prior to hanging the banner. (Note: Fee set by Resolution of Council at a regularly scheduled meeting held 6/7/04.)

- #15-10
- ☒ 500 Block of Court Street 4/20 - 7/15
 - ☐ 200 Block of West Genesee
 - ☐ 300 Block of South Michigan
 - ☒ 1000 Block of East Genesee Avenue 6/9 - 7/15

For: LIGHT UP THE CITY
(Organization)

COMMUNITY AWARENESS
Purpose of Banner

MESSAGE ON BANNER LIGHT UP THE CITY FREE COMMUNITY EVENT

WWW.LIGHTUPTHECITYSAGINAW.COM

Time Period Requested: SEE ABOVE to _____
(Not to exceed 30 days)

PETITIONERS

TROOPER JOE McMILLAN

NAME, ADDRESS AND TELEPHONE NUMBER OF CONTACT PERSON:

NAME JOE McMILLAN PHONE 989 948 0682

ADDRESS: 2402 SALZBURG RD FREELAND 48623

-----FOR OFFICE USE ONLY-----

DATE APPROVED BY COUNCIL: _____

CITY CLERK

From: Tim Morales, City Manager
Subject: Byrne Justice Assistance Grant (JAG)-2015
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager's Recommendation:

It is recommended approval of the Interlocal Agreement between the City of Saginaw ("City") and County of Saginaw ("County") for administration of the Byrne Justice Assistance Grant (JAG)-2015 and distribution of proceeds. I have approved the Interlocal Agreement as to substance and the City Attorney as to form.

Justification:

The City and County are required to enter into an Interlocal Agreement ("Agreement") before the disbursement of the Byrne JAG Grant-2015. The Agreement sets forth the rights and obligations of the parties. The City and County have negotiated the division of the 2015 JAG grant. Pursuant to the terms of the Agreement, the County will serve as facilitator and fiduciary of the \$83,580.00 grant. The County will receive \$41,790.00. These funds will be used to support the maintenance, including salary & fringe benefits, of a sworn Deputy in the department's Law Enforcement Division for the purpose of sustaining the delivery of basic law enforcement services. Meanwhile, the City will receive \$41,790.00. It will use the funds to purchase and equip patrol vehicles for the purpose of sustaining the delivery of basic law enforcement services.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Tim Morales, City Manager

Subject: Budget Adjustment –Byrne Justice Assistance Grant (JAG) - 2015

Prepared by: Sienna Rendon, Community Public Safety – Police

Manager's Recommendation:

It is recommended that the FY 2016 approved budget be amended to increase Department of Justice - JAG 2015 revenue Account No. 263-0000-501.030 from \$0 to \$41,790.00. This increase in revenue will be offset by an increase in the Department of Justice – JAG 2015 Division's Vehicles Account No. 263-3334-982.000 by the same amount.

Justification:

This budget adjustment is necessary to recognize the Byrne Justice Assistance Grant - 2015 into the approved FY 2016 Budget as well as the cost related to the purchase and outfitting of patrol vehicles for the purpose of sustaining the delivery of basic law enforcement services in the amount of \$41,790.00.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Tim Morales, City Manager
Subject: Masonry Column Repair
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager's Recommendation:

It is recommended that a purchase order be issued to Gerald Bergman of Saginaw, MI, the low bidder, in the amount of \$5,950.00 for the masonry column repair inside the walls at the Saginaw Police Department.

Justification:

On May 19, 2015, three (3) qualified vendors submitted bids in response to the City of Saginaw's request for Proposal #1296-15 for the repair of the pillar/column located inside the walls of the Saginaw Police Department. The pillar has deteriorated annually due to being struck by a snow plow a few years back and is in need of immediate repair.

The following is a tabulation of the bids received:

VENDOR & LOCATION	MASONRY COLUMN REPAIR	TOTAL COST
Gerald Bergman Saginaw, MI	\$5,950.00	\$5,950.00
Ram Construction Livonia, MI	\$6,500.00	\$6,500.00
National Restoration, Inc. Milford, MI	\$9,900.00	\$9,900.00

This vendor meets all requirements of §14.23, "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-1.

Funds for this purchase are available in Community Public Safety – Police, Police Building and Maintenance Division's Repairs & Replacements Account No. 101-3514-974.000.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Tim Morales, City Manager
Subject: Front Desk (Main Floor) Area Replacement Flooring
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager's Recommendation:

It is recommended that a purchase order be issued to O'Connor's Carpet One of Saginaw, MI, the low bidder, in the amount of \$3,375.00 for the purchase and installation of new laminate flooring surrounding the front desk on the main floor of the police department.

Justification:

On May 19, 2015, three (3) qualified vendors submitted bids in response to the City of Saginaw's request for Proposal #1297-15 for new loose lay commercial LVT flooring, all materials, all installation and labor excluding the moving of furniture prior, for the front desk area (first floor) in which the floor is aged with holes and cracks beyond repair. Installation of a 'carpet to tile reducer' in the lobby area was also included in the bidding.

The following is a tabulation of the bids received:

VENDOR & LOCATION	FRONT DESK & LOBBY AREA LABOR & MATERIALS (440 FT)	TOTAL COST
O'Connor's Carpet One Saginaw, MI	\$3,375.00	\$3,375.00
Northeastern Paint Supply Saginaw, MI	\$3,644.30	\$3,644.30
Westside Decorating Saginaw, MI	\$3,940.70	\$3,940.70

This vendor meets all requirements of §14.23, "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-1.

Funds for this purchase are available in Community Public Safety – Police, Police Patrol Division's Capital Less Than \$5,000 Account No. 101-3511-971.000.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Towing/Impound Services
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager's Recommendation:

It is recommended that the contract between the Saginaw Police Department and the City of Saginaw Environmental Services Department and Mike's Wrecker Service, Inc., of Saginaw, MI, the low bidder, be approved. The contract has been approved by me as to substance and the City Attorney as to form.

Justification:

On March 10, 2015, two (2) qualified vendors submitted bids in response to the City of Saginaw's request for Proposal #1281-14 for a 3-year contract commencing on July 1, 2015 through June 30, 2018. Services rendered will include, but are not limited to, the removal, impounding and storage of: junk vehicles; abandoned or illegally parked vehicles; impounded vehicles stemming from an arrest; evidentiary vehicles; any vehicle requiring removal as directed by the Saginaw Police Department or City of Saginaw Environmental Services. Costs will be paid by the owner of the impounded vehicle directly to Mike's Wrecker for services provided.

The following is an itemized tabulation of the bids received:

Mike's Wrecker Services, Inc. of Saginaw, MI

TOWING/IMPOUND SERVICES – POLICE/ENVIRONMENTAL SERVICES	UNIT COST/ VEHICLE 2015 – 2016	UNIT COST/ VEHICLE 2016 – 2017	UNIT COST/ VEHICLE 2017 – 2018
POLICE IMPOUNDS – WHEEL LIFT UP TO ¾ TON	\$77	\$80	\$83
POLICE IMPOUNDS – FLAT BED UP TO ¾ TON	\$88	\$91	\$93
POLICE IMPOUNDS – MEDIUM DUTY	\$100/hr	\$105/hr	\$110/hr
POLICE IMPOUNDS – HEAVY DUTY / LOW BOY	\$125/hr	\$135/hr	\$145/hr
WINCHING – LIGHT DUTY	\$55/hr	\$60/hr	\$65/hr
R&R TRANSMISSION LINKAGE	\$20	\$20	\$20
DOLLIES AND/OR SKATES	\$25	\$25	\$25
R&R DRIVE SHAFTS	\$30	\$30	\$30

FUEL SURCHARGE %	8%	8%	8%
DAILY STORAGE FEE – OUTSIDE	\$15	\$18	\$20
DAILY STORAGE FEE – INSIDE	\$24	\$27	\$30

Kreager Towing of Saginaw, MI

TOWING/IMPOUND SERVICES – POLICE/ENVIRONMENTAL SERVICES	UNIT COST/ VEHICLE 2015 – 2016	UNIT COST/ VEHICLE 2016 – 2017	UNIT COST/ VEHICLE 2017 – 2018
POLICE IMPOUNDS – WHEEL LIFT UP TO ¾ TON	\$85	\$89	\$95
POLICE IMPOUNDS – FLAT BED UP TO ¾ TON	\$95	\$99	\$105
POLICE IMPOUNDS – MEDIUM DUTY	\$110	\$115	\$120
POLICE IMPOUNDS – HEAVY DUTY / LOW BOY	\$130	\$135	\$140
WINCHING	\$80	\$85	\$90
R&R TRANSMISSION LINKAGE	\$25	\$26	\$28
DOLLIES AND/OR SKATES	\$25	\$30	\$35
R&R DRIVE SHAFTS	\$32	\$36	\$40
FUEL SURCHARGE %	10%	10%	12%
DAILY STORAGE FEE – OUTSIDE	\$30/day	\$30/day	\$33/day
DAILY STORAGE FEE – INSIDE	\$40/day	\$40/day	\$43/day

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Replacement of Fire Department Vehicle
Prepared by: Christopher Van Loo, Fire Chief

Manager's Recommendation:

I recommend that a purchase order be approved and issued to Red Holman Buick GMC of Westland, MI at the State bid price of \$45,343.15 for the purchase of a 2015 GMC Yukon 4X4, SLT Utility equipped as specified for the Fire Department.

Justification:

The Fire Department is replacing a 1997 Ford Econoline van with over 238,000 miles that was scheduled for replacement in 2010, it has extensive wear, rust, and fatigue to the body, frame, and driveline, along with electrical and mechanical issues that make this vehicle expensive to maintain in operable condition. Operating dependability, efficiency, operator safety, and loss of productivity due to down time are contributing factors for the need to replace this vehicle. This truck is used daily by the Fire Marshal for the transportation of fire investigation equipment. The new vehicle will replace the current Battalion Chief's Vehicle that will then be cycled down to an Auxiliary Reserve unit, which will then replace the 1997 Ford Econoline, Fire Marshal's vehicle. This purchase will be made using State bid pricing.

Red Holman Buick GMC meets all requirements of §14.23, "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-1.

Funds for this purchase are budgeted in the General Fund Community Public Safety - Fire, Fire Apparatus Operations and Maintenance Division's Vehicles Account No. 101-3554-982.000.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Contract with American Excavating, Inc. (C-1621) - ROW Division
Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend that the sole bid from American Excavating, Inc., for the N. Hamilton Street Condominiums Water Main 300 and 400 Blocks Contract, (C-1621), be accepted and a contract awarded to them in the amount of \$82,135. Contract documents have been signed by the contractor. The contract has been approved by me as to substance and the City Attorney as to form.

Justification:

On May 26, 2015, the City received one bid for the N. Hamilton Street Condominiums Water Main 300 and 400 Blocks. The project consists of installing an eight-inch water main in an easement given to the City of Saginaw to be able to provide water service for a new condominium development that will be constructed this summer in the 300 and 400 blocks of North Hamilton Street. The water main will be constructed between North Hamilton Street and North Niagara Street, in an easement, with the connections made to the City's existing water distribution system on Madison Street and North Niagara Street.

American Excavating, Inc. meets all requirements of §14.23, "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-1.

Funds are available and budgeted in the Water Operations and Maintenance Fund – Water Refunding Bonds Division's Construction Projects Account No. 591-4741-822.000.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Contract with American Excavating, Inc. (C-1622) - ROW Division
Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend that the low bid from American Excavating, Inc., Saginaw, MI for the Malleable Iron Sewer Separation Contract, (C-1622), be accepted and a contract awarded to them in the amount of \$241,738. Contract documents have been signed by the contractor. The contract has been approved by me as to substance and the City Attorney as to form.

Justification:

On July 7, 2014, the Saginaw City Council approved a Consent Order and Resolution between the City of Saginaw and RACER, the current owner of the Malleable Iron site. This Consent Order specified that RACER pay for a bulk heading and sewer abandonment project, including the City's administration and construction oversight costs. RACER will reimburse the City for all costs associated with this project based on the Consent Order.

On March 17, 2015, the City received bids for the Malleable Iron Sewer Separation project. The following is a tabulation of the bids received:

<u>Vendor</u>	<u>Cost</u>
American Excavating, Inc. Saginaw, MI (Out-City)	\$241,738
Bourdow Contracting, LLC Carrollton, MI	\$317,081
Champagne & Marx Exc. Inc. Saginaw, MI (Out-City)	\$425,936*
Fisher Contracting Company Midland, MI	\$426,340

*Corrected bid due to an addition error

American Excavating, Inc. meets all requirements of §14.23, "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-1.

Funds are available and budgeted in the Sewer Operations and Maintenance Fund – Surplus Division’s Construction Projects Account No. 590-4840-822.000.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager

Subject: METRO Act Permit Extension for Windstream Norlight - ROW Division

Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend approval of the Metropolitan Extension Telecommunications Rights-of-Way Oversight (METRO) Act Permit Extension issued to Windstream Norlight, LLC of Little Rock, AR. The current permit expired on May 2, 2015 and the extension is for a five-year term to end on May 2, 2020. I further recommend that the City Manager be authorized to execute the permit extension on behalf of the City. The City Manager has approved the permit extension as to substance and the City Attorney as to form.

Justification:

The METRO Act was created to, among other things, streamline the process for authorizing access to and use of public rights-of-way by telecommunications providers and ensure the reasonable control and management of public rights-of-way by municipalities. A telecommunications provider using or seeking to use the public rights-of-way for its facilities must obtain a permit from the municipality and pay all fees required under the Act. The Act determines all aspects of the permitting process, including application, dispute resolution and fees. The Act requires that municipalities act reasonably and promptly on all applications for a permit and must grant providers a permit for access to and use of all public rights-of-way.

The recommendation is to extend an already existing permit. It does not change the relationship between the parties, requirements regarding the payment of fees or requirements regarding construction and maintenance of telecommunications facilities within the City's rights-of-way.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: City Hall Men's Room Urinals Replacement – Facilities Division
Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend that the low quote from Spence Brothers, Saginaw, MI be accepted and a purchase order issued to them in the amount of \$10,200 to furnish material and labor for the total replacement of two toilet room urinals in City Hall Building.

Justification:

On May 21, 2015, quotes were received for total replacement of two men's urinals on the second floor of City Hall. This quote will fix the second floor men's urinals and repair the ceiling on the first floor that was damaged due to deteriorated plumbing from the men's urinal drains. This service includes demolition, floor patching, ceiling rework, two new urinals, two urinal screens, wall construction, required painting and permits.

The following is a tabulation of the quotes received:

<u>Vendor</u>	<u>Cost</u>
Spence Brothers Saginaw, MI (In City)	\$10,200
RC Hendrick & Sons, Inc. Saginaw, MI (Out City)	\$21,000

Spence Brothers meets all requirements of §14.23, "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-1.

Funds for these services are budgeted in the following accounts: General Fund - Department of Public Services – Facilities Division's Repair and Replacement Account No. 101-7575-974.000 (\$4,600); Water Operations & Maintenance Fund – Water Customer Accounting Division's Repair and Replacement Account No. 591-5311-974.000 (\$934); Sewer Operations & Maintenance Fund – Sewer Customer Accounting Division's Repair and Replacement Account No. 590-5310-974.000 (\$933); General Fund - Fiscal Services Administration Division's Repairs and Replacement Account No. 101-1740-974.000 (\$1,866); and the General Fund – Office of Inspection and Neighborhood Services - Inspection Division's Repair and Replacement Account No. 101-3865.974.000 (\$1,867).

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: Annual Portable Toilet Services – Facilities Division
Prepared by: Bruce Caradine, Public Services Department

Manager's Recommendation:

I recommend that the low bid from Jay's Septic Service, Lapeer, MI be accepted and a purchase order issued to them in the amount of \$1,340 for eight (8) annual Portable Toilet Services for FY 2015. I also recommend, pending approval of the FY 2016 and 2017 budgets, to accept the bid from Jay's Septic Service for \$4,840 each year for Portable Toilet Services for FY 2016 and FY 2017.

Justification:

On February 17, 2015, bids were received for an annual portable toilet services to be located at various City properties. This service requires that portable toilets be set out at designated City properties from May 1st thru October 31st. The City properties that will receive these eight (8) portable toilets include Bliss Park, Celebration Square Splash Park, Crayola Park, Lee Street Boat Launch, Garber Tennis Court, Ojibway Island and Fordney Park. The Facilities Division provides the oversight for these services of various City properties annually May through October during City Park open operational months.

The following is a tabulation of the bids received as follows:

<u>Vendor</u>	<u>Cost</u>
Jay's Septic Service	FY15 \$ 1,340.00
Lapeer, MI	FY16 \$ 4,840.00
	FY17 \$ 4,840.00
Total	<u>\$11,020.00</u>
Jonnie on the Spot Company	FY15 \$ 1,992.00
Saginaw, MI (In City)	FY16 \$ 7,584.00
	FY17 \$ 7,584.00
Total	<u>\$17,160.00</u>

Jay's Septic Service meets all requirements of §14.23, "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-1.

Funds for these services are budgeted in the General Fund - Department of Public Services – Facilities Division's, Operating Services Account No. 101-7575-805.000, and pending approval, will be budgeted in the same amounts and account number for FY 2016 and 2017.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

From: Timothy Morales, City Manager
Subject: MDOT Cost Agreement (No.15-5220) – ROW Division
Prepared by: Beth London, Public Services Department

Manager's Recommendation:

I recommend that the Michigan Department of Transportation ("MDOT") Cost Agreement No. 15-5220 for the rehabilitation of the Genesee Street Bridge be approved and that the Mayor or his designee be authorized to execute this Agreement on behalf of the City of Saginaw. The Agreement has been approved by me as to substance and the City Attorney as to form. A resolution to approve the subject Agreement appears under the regular order of business.

Justification:

The proposed Agreement with MDOT is for the purpose of fixing the rights and obligations of the parties in agreeing to the following improvements in the City of Saginaw:

Rehabilitation work for the structure B01 of 73-07-01 (#9446), which carries Genesee Street over the Saginaw River, T12N, R4E/R5E, City of Saginaw, Saginaw County, Michigan, including steelbeam repairs, partial beam painting, riprap replacement and traffic control work, and all together with necessary related work.

The project cost is estimated to be \$414,400. Federal Funds shall be applied to the eligible items of the project cost up to the lesser of (1) \$331,500, or (2) 80 percent, the normal Federal participation ratio for such funds. State Local Bridge Funds, in the amount of \$62,200 or 15% of the total cost, shall be applied to the balance of the project after deductions of Federal Funds. The total project cost to be paid with Federal and State Funds is equal to 95% of the eligible costs. The balance of the project cost, \$20,700 or 5% shall be paid by the City of Saginaw.

MDOT meets all the requirements of §14.23, "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-1.

Funds will be made available in the Major Street Fund – Bridge Projects Division's, Construction Projects Account No. 202-4616-822.000 in the FY 2016 budget.

Council Action:

This communication is for explanation purposes only of the Resolution to be adopted.

MDOT Cost Agreement No. 15-5220

Moved by Council Member _____, seconded by Council Member _____ to adopt the following resolution:

WHEREAS: Cost Agreement No. 15-5220 has been submitted by the Michigan Department of Transportation, which requires the City of Saginaw to adopt a resolution indicating its willingness to participate in agreeing to bridge improvements in the City of Saginaw that include rehabilitation work for the structure B01 of 73-07-01 (#9446), which carries Genesee Street over the Saginaw River, T12N, R4E/R5E, City of Saginaw, Saginaw County, Michigan, including steel beam repairs, riprap replacement, and traffic control work, and all together with necessary related work; and

WHEREAS: Cost Agreement No. 15-5220 has been approved by the City Manager as to substance and the City Attorney as to form;

NOW, THEREFORE, BE IT RESOLVED, that the Council for the City of Saginaw does hereby approve Cost Agreement No. 15-5220 submitted by the Michigan Department of Transportation and that the Mayor or his designee be authorized to execute this Agreement on behalf of the City of Saginaw.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED

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 June 8, 2015; 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, CMMC/CMC/MMC
City Clerk

From: Timothy Morales, City Manager

Subject: School District of the City of Saginaw Agreement

Prepared by: Phillip Karwat, Director of Public Services

Manager's Recommendation:

I recommend that the Agreement ("Agreement") between the City of Saginaw ("City") and the School District of the City of Saginaw ("School District") to utilize the playground equipment from closed school properties be approved. The Agreement has been approved by me as to substance and the City Attorney as to form. I further recommend that the Director of Public Services or his designee be authorized to sign the Agreement and any other related documents.

Justification:

The City of Saginaw Public Services Department has been working closely with several organizations through its Adopt-A-Park program in an effort to help maintain and make improvements to its park system. During this process a request was made of the City for potential use and relocation of existing playground equipment that is located within closed School properties. The relocation of the playground equipment will be provided by the Adopt-A-Park organizations under the approval and direction of the City as required within the Adopt-A-Park Agreements. The main purpose of this is to relocate the playground equipment to where it will be better utilized in more active City parks than currently closed school areas. Some of the existing closed schools where playground equipment is located are Webber, Nelle Halle, Emerson, Jones, Morley, Longstreet, Edith Baille, Fuerbringer and John Moore Elementary Schools. On May 20, 2015, the School District of the City of Saginaw Board approved playground equipment from Webber Elementary and Longstreet Elementary Schools. The City Public Services Director will work directly with the Superintendent of Saginaw Schools on individual request and relocations. On beginning removal of the equipment from School District property, the City will be solely responsible for the maintenance, ownership and control of the equipment. Each party will hold harmless, indemnify and defend each other, its agents and employees from any claims, actions, damages or expenses, including attorney fees, arising directly or indirectly from any act or omission of each party in connection with its duties hereunder and not with regard to any other agreement.

Council Action:

Moved by Council Member _____, seconded by Council Member _____ to approve the recommendation from the City Manager.

**RESOLUTION TO AUTHORIZE
LIGHT UP THE CITY COMMITTEE
TO USE AMPLIFYING EQUIPMENT
JUNE 17, 2015 AND AUGUST 12, 2015
LOCATED AT OJIBWAY ISLAND**

Moved by Council Member _____, seconded by Council Member _____ to adopt the following resolution:

WHEREAS: Light Up The City Committee plans to have an event “Light Up The City” for the community on June 17, 2015 and August 12, 2015; and

WHEREAS: Light Up The City Committee has requested permission to use amplifying equipment between the hours of 12:00 p.m. and 8:00 p.m.; and

WHEREAS: City Council can provide authorization for the use of amplifying equipment on public property;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment during the “Light Up The City” events to be held on June 17, 2015 and August 12, 2015 between the hours of 12:00 p.m. and 8:00 p.m. located at Ojibway Island.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED

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 June 8, 2015; 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, CMMC/CMC/MMC
City Clerk

**RESOLUTION TO AUTHORIZE
DENNIS MORRISON
TO USE AMPLIFYING EQUIPMENT
JUNE 20, 2015
LOCATED AT CELEBRATION PARK**

Moved by Council Member _____, seconded by Council Member _____ to adopt the following resolution:

WHEREAS: Dennis Morrison plans to have an event “Akin/Dugan Family Reunion” on June 20, 2015; and

WHEREAS: Dennis Morrison has requested permission to use amplifying equipment between the hours of 11:00 a.m. and 9:00 p.m.; and

WHEREAS: City Council can provide authorization for the use of amplifying equipment on public property;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment during the “Akin/Dugan Family Reunion” event to be held on June 20, 2015 between the hours of 11:00 a.m. and 9:00 p.m. located at Celebration Park.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED

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 June 8, 2015; 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, CMC/MMC
City Clerk

**RESOLUTION TO AUTHORIZE
TEMIEKA SHANNON
TO USE AMPLIFYING EQUIPMENT
JUNE 24 – 28, 2015
BLOCK PARTY
LOCATED ON BURT STREET BETWEEN S. 13TH STREET & S. 14TH STREET**

Moved by Council Member _____, seconded by Council Member _____ to adopt the following resolution:

WHEREAS: Temieka Shannon plans to have a Neighborhood Clean Up and Block Party event “Project Next Generation Restoration” on June 24-28, 2015; and

WHEREAS: This Block Party is the beginning of a new community initiative that includes youth and volunteers cleaning vacant lots, planting community gardens, youth basketball tournaments, music, revivals, talent shows, crafts, food, and other activities; and

WHEREAS: Temieka Shannon has requested permission to use amplifying equipment each day on June 24-28, 2015 between the hours of 10:00 a.m. and 10:00 p.m.; and

WHEREAS: City Council can provide authorization for the use of amplifying equipment on public property;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the use of amplifying equipment during the “Project Next Generation Restoration” event to be held on June 24-28, 2015 between the hours of 10:00 a.m. and 10:00 p.m. located on Burt Street between S. 13th Street and S.14th Street.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED

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 June 8, 2015; 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, CMMC/CMC/MMC
City Clerk

From: Timothy Morales, City Manager

Subject: Pawnbrokers Ordinance Amendment

Prepared by: Sienna Rendon, Community Public Safety – Police

Manager's Recommendation:

I recommend that Council approve the changes to the Pawnbrokers Ordinance. These changes are modeled after the State's Pawnbrokers Act, Public Act 273 of 1917. This ordinance amendment has been approved by me as to substance and the City Attorney as to form.

Justification:

The proposed changes forbid any person to operate or engage in the business of dealing pawned items to and from the public without first obtaining a license, which will be granted upon certification of the Police Chief. The ordinance will also ensure that all licensed pawnbrokers keep thorough records of all transactions on file, including photographs of the property and identifying information related to the seller. All reports of transactions must be electronically submitted to the Chief of Police within 48 hours. The amendments prohibit a pawnbroker from purchasing or receiving an item from certain individuals, including minors, individuals without identification, and those the pawnbroker suspects of having stolen the article. A pawnbroker would also be prohibited from accepting and offering pistols for resale.

Council Action:

This council communication is for explanation purposes only of the ordinance to be introduced.

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

AN ORDINANCE TO AMEND §110.23, "PAWNBROKERS," OF CHAPTER 110, "GENERAL PROVISIONS," OF TITLE XI, "BUSINESS REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

Laid over under the Charter provision.

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced June 8, 2015, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND §110.23, "PAWNBROKERS," OF CHAPTER 110, "GENERAL PROVISIONS," OF TITLE XI, "BUSINESS REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

§110.23, "Pawnbrokers," of Chapter 110, "General Provisions," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-1, is hereby amended to read as follows:

§110.23 PAWNBROKERS.

- (A) No person shall directly or indirectly operate, conduct, or engage in the business of a pawnbroker without first obtaining a license therefor. No such license shall be granted except upon certification of the Police Chief and Fire Chief or their designees. For purposes of this section, a pawnbroker shall mean a person who loans money on deposit, or pledge of personal property, or other valuable thing, other than securities or printed evidence of indebtedness, or who deals in the purchasing of personal property or other valuable thing on condition of selling the same back again at a stipulated price.
- (B) No such license shall be granted to any person unless a complete set of fingerprints of such person is on file in the noncriminal identification file of the Police Department.
- (C) Before any such license is issued, the applicant therefor shall furnish a corporate surety bond in the penal sum of ten thousand dollars (\$10,000.00) with a surety who is listed on the Department of the Treasury's Listing of Certified Companies to be approved by the City Clerk, which bond shall be conditioned for the due observance during the time of the license of all laws of the state and all ordinances of the City. Any person aggrieved by the action of any such licensee shall have a right of action on the bond for the recovery of money or damages, or both. Such bond shall remain in full force and effect for a period of ninety (90) days after the expiration or cancellation of any such license or after the termination of any action upon such bond.
- (D) No pawnbroker shall purchase or receive any article:
 - (1) From any person under the age of eighteen (18) years;
 - (2) From any person the pawnbroker suspects as having stolen the article or is known to the pawnbroker to be a thief or an associate of thieves;

- (3) Between the hours of 9:00 p.m. and 7:00 a.m.;
- (4) On a Sunday;
- (5) From any person who is intoxicated;
- (6) When the serial number or other identifying insignia on the article has been defaced, scratched, melted, or otherwise damaged; or
- (7) From any person who has not presented a valid form of identification.

(E) No pawnbroker shall accept, offer, or display a pistol for resale. For purposes of this section, the term pistol means any firearm that is twenty-six (26) inches or less in length, or is any firearm that by its construction and appearance conceals it as a firearm. For purposes of this section, a flaregun is a pistol.

(F)

- (1) No ~~person~~ pawnbroker shall fail to keep record of all persons with whom he or she does business and all property coming into their possession. Such records shall, at a minimum, contain the following information:
 - (a) A description of the article;
 - (b) A photograph of the article;
 - (c) A sequential transaction number;
 - (d) Any amount of money loaned on the article;
 - (e) The name, address, general description, operator's or chauffeur's license or state identification number, and fingerprint of the person from whom the article was received;
 - (f) A copy of the operator's or chauffeur's license or state identification card;
 - (g) The date and time the article was received;
 - (h) The method and amount of payment, if any;
 - (i) The customer's signature.
- (2) The records, the place where the business is carried on, and all articles of property in that place of business are subject to examination at any time by the city attorney, city police department, county prosecuting attorney, or department of state police.
- (3) All ~~reports~~ records must be electronically transmitted to the Chief of Police or their designee. Every pawnbroker must, within forty-eight (48) hours, transmit to the Chief of Police or their designee by means of electronic transmission through a modem or similar device in such a format that the data is capable of direct electronic entry into the Saginaw Police Department's computerized system all transactions in which the pawnbroker received ~~articles used goods~~ the preceding day by pawn, trade, purchase, or consignment, in a format approved by the Chief of Police or their designee. A transaction reported by electronic transmission under this subsection shall not be reported on paper forms unless the Chief of Police or their designee so requests.
- (4) A pawnbroker need not report electronically transactions taking place at a business location where the number of ~~pawn~~ transactions in each ninety (90) day period does not exceed ten (10). A pawnbroker reasonably believing a location at which they conduct a ~~business pawnshop~~ qualified under this division for exemption from computerized reporting and wishing to be exempt from the

requirements of this section shall sign, under penalty of perjury, a declaration to that effect in a form developed by the Chief of Police or the Chief's designee, and once the declaration is signed, so long as the volume of transactions does not exceed ten (10) ~~in~~ each ninety (90) day period, ~~pawn~~ transactions taking place at that pawn~~brokershop~~ need not be reported electronically, but shall be reported on paper forms.

- (5) All pawnbrokers must have the equipment installed in their place of business no later than July 31, 2006. The Saginaw Police Department will require all pawnbrokers to electronically submit data beginning August 1, 2006.

(G) Every pawnbroker must make daily, a sworn statement of all transactions, describing the items received, and setting forth the name, address, and description of the person from whom the articles were received.

(H) A fee of two dollars (\$2.00) will be assessed per transaction. The fee breakdown is as follows: The electronic information data manager and pawnbroker will each receive fifty cents (\$0.50) per transaction and the City will receive one dollar (\$1.00) per transaction. The electronic information data manager will assess a property registration fee of fifty cents (\$0.50) for each transaction the pawn~~brokershop~~ reports, either through batch file upload, ~~or~~ directly using the electronic information data manager's business interface, or on the electronic information data manager's Automated Reporting Service ~~that involves the purchasing, pawning or re-pawning of secondhand goods.~~

(I)

- (1) A **TRANSACTION** is defined as a single buy or pawn, which may involve one or more ~~articles second-hand goods~~ and does not include contract extensions or claims. This is a per transaction registration fee, not a per item fee included in the transaction. It is in the pawn~~brokershop~~'s discretion to recover the fees from its customers for registering the transaction. Further, the pawn~~brokershop~~ may choose to incorporate the fee within other fees associated with the transaction.
- (2) The pawn~~brokershop~~ will be invoiced on a monthly basis. The electronic information data manager's Automated Reporting Service will generate a list of the billable transactions, which are used for deriving the invoiced amounts. The above fees are assessed for the use of the standard electronic information data manager's Automated Reporting Service.
- (3) Any custom programming completed for the pawn~~brokershop~~ will be negotiated on a contract basis and may result in unique licensing arrangements between the electronic information data manager and the pawn~~brokershop~~.

(J) Every pawnbroker must comply with requirements and procedures established by state law, including, but not limited to those governing memorandums of pawn, interest on loans, storage fees, and title and possession of pawned articles.

§ 16.27 MANAGEMENT OF FUNDS.

(A) MERS and the Board of Trustees shall be the trustees of their respective assets of the retirement system and shall have full power to invest and reinvest such assets subject to the terms, conditions, limitations, and restrictions imposed by law of the state upon domestic life insurance companies in the making and disposing of their investments, and by law pertaining to the investments of public employee retirement system assets. MERS and the Board of Trustees shall have full power to hold, sell, assign, transfer, and dispose of any securities and investments in which any of the respective monies under their management of the system have been invested as well as the proceeds of such investments and any monies belonging to the system.

This ordinance shall become effective June 18, 2015.

Enacted: June 8, 2015.

Yeas:

Nays:

Absent:

Abstain:

ORDINANCE DECLARED ADOPTED

Dennis D. Browning
Mayor

Janet Santos, CMMC/CMC/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 June 8, 2015; 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, CMMC/CMC/MMC
City Clerk

From: Timothy Morales, City Manager
Subject: Secondhand Merchants Ordinance Amendment
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager's Recommendation:

I recommend that Council approve the changes to the Secondhand Merchants Ordinance. These changes are modeled after the State's Secondhand Dealers and Junk Dealers Act, Public Act 350 of 1917. This ordinance amendment has been approved by me as to substance and the City Attorney as to form.

Justification:

The proposed changes include identifying items to be sold, exchanged, received, or stored as "goods or junk" and clarifies what "goods or junk" are not covered in the ordinance (such as antiques and scrap). The amendments will also ensure that all licensed secondhand merchants keep thorough records of all transactions on file, including photographs of the property and identifying information related to the seller. All reports of transactions must be electronically submitted to the Chief of Police within 48 hours. The amendments prohibit a merchant from purchasing an item from certain individuals, including minors, individuals without identification, and those the merchant suspects of having stolen the article. A merchant would also be prohibited from accepting and offering pistols for resale.

Council Action:

This council communication is for explanation purposes only of the ordinance to be introduced.

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

AN ORDINANCE TO AMEND §110.25, "SECONDHAND MERCHANTS," OF CHAPTER 110, "GENERAL PROVISIONS," OF TITLE XI, "BUSINESS REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

Laid over under the Charter provision.

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced June 8, 2015, entitled and reading as follows, be taken up and enacted:

AN ORDINANCE TO AMEND §110.25, "SECONDHAND MERCHANTS," OF CHAPTER 110, "GENERAL PROVISIONS," OF TITLE XI, "BUSINESS REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

§110.25, "Secondhand Merchants," of Chapter 110, "General Provisions," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-1, is hereby amended to read as follows:

§110.25 SECONDHAND MERCHANTS.

- (A) No person shall directly or indirectly operate, conduct, or engage in the business or occupation of dealing in secondhand ~~goods or junk or used personal property~~ without first obtaining a license therefor. For the purpose of this section, dealing in secondhand ~~goods or junk or used personal property~~ shall include purchasing, selling, exchanging, ~~receiving~~, or storing to facilitate or promote the sale of secondhand ~~goods or junk or used personal property~~ of any kind or description; provided, that this section shall not apply to persons who deal exclusively in used personal property commonly known as "antiques," ~~nor shall this section apply to persons involved in scrap processing, automotive recycling, or a junkyard that deals principally in industrial scrap and is licensed by the City for same.~~
- (B) No such license shall be granted except upon certification of the Police Chief or their designee and unless a complete set of the fingerprints of the applicant therefor ~~is are~~ on file in the noncriminal identification file of the Police Department.
- (C) No licensee shall purchase or receive any article:
- (1) From any person under the age of eighteen (18) years ~~without the written consent of a parent or guardian;~~
 - (2) From any person the licensee suspects as having stolen the article or is known to the secondhand merchant to be a thief or an associate of thieves;
 - (3) Between the hours of 9:00 p.m. and 7:00 a.m.;
 - (4) From any person who is intoxicated; or
 - (5) From any person who has not presented a valid form of identification.
 - (6) ~~From any person that was the subject of a written notice by authorized officers pursuant to MCL 446.205 or 446.214.~~
- (D) ~~No secondhand merchant shall accept, offer, or display a pistol for resale. For purposes of this section, the term pistol means any firearm that is twenty-six (26)~~

inches or less in length, or is any firearm that by its construction and appearance conceals it as a firearm. For purposes of this section, a flaregun is a pistol.

(E)

- (1) A secondhand merchant shall post in a conspicuous place in or upon its place of business a sign having its name and occupation.
- (2) No ~~person~~ secondhand merchant shall fail to keep record of all persons with whom he or she does business and all property coming into his or her possession. Such records shall, at a minimum, contain the following information:
 - (a) The name, description and photograph of the property, and the fingerprint, operator's or chauffeur's license or state identification number, registration plate number, and address of the person from whom the article was purchased and received;
 - (b) A copy of the operator's or chauffeur's license or state identification card;
 - (c) The date and time the purchase or exchange was made;
 - (d) The method and amount of payment; and
 - (e) The customer's signature.
- (3) The records, the place where the business is carried on, and all secondhand goods or junk in that place of business are subject to examination at any time by the city attorney, city police department, county prosecuting attorney, or department of state police.
- (4) All ~~reports~~ records must be electronically transmitted to the Chief of Police or their designee. Every secondhand merchant, within forty- eight (48) hours, must transmit to the Chief of Police or their designee by means of electronic transmission through a modem or similar device in such a format that the data is capable of direct electronic entry into the Saginaw Police Department's computerized system approved by the Chief of Police for identifying secondhand ~~goods or junk or used personal property~~, all transactions in which the secondhand merchant received secondhand ~~goods or junk or used personal property~~ the preceding day by ~~pawn~~, trade, purchase, or consignment. A transaction reported by electronic transmission under this subsection shall not be reported on paper forms unless the Chief of Police or their designee so requests.
- (5) A secondhand merchant need not report electronically transactions taking place at a business location where the number of transactions in each ninety (90) day period does not exceed ten (10). A secondhand merchant reasonably believing a location at which they conduct~~s~~ a business ~~is~~ qualified under this division for exemption from computerized reporting and wishing to be exempt from the requirements of this section shall sign, under penalty of perjury, a declaration to that effect in a form developed by the Chief of Police or their designee, and once the declaration is signed, so long as the volume of transactions does not exceed ten (10) ~~in~~ each ninety (90) day period, transactions taking place at that business need not be reported electronically, but shall be reported on paper forms.
- (6) All secondhand merchants must have the equipment installed in their place of business no later than July 31, 2006. The Saginaw Police Department will

require all secondhand merchants to electronically submit data beginning August 1, 2006.

(F)

- (1) A fee of two dollars (\$2.00) will be assessed per transaction. ~~,which must be paid to the secondhand merchants pursuant to the following fee breakdown~~ The fee breakdown is as follows: The electronic information data manager and secondhand merchant will each receive fifty cents (\$0.50) per transaction and the City will receive one dollar (\$1.00) per transaction. The electronic information data manager will assess the property registration fee of fifty cents (\$0.50) for each transaction the secondhand merchant reports, either through batch file upload, ~~or~~ directly using the electronic information data manager's business interface, or on the electronic information data manager's Automated Reporting Service ~~that involves the purchasing of secondhand goods or used personal property.~~
- (2) A **TRANSACTION** is defined as a single buy ~~or which~~ may involve one or more secondhand goods ~~or junk or used personal property~~ and does not include contract extensions or claims. This is a per transaction registration fee, not a per item fee included in the transaction. It is in the secondhand merchant's discretion to recover the fees from its customers for registering the transaction. Further, the secondhand merchant may choose to incorporate the fee within other fees associated with the transaction.
- (3) The secondhand merchant will be invoiced on a monthly basis. The electronic information data manager's Automated Reporting Service will generate a list of the billable transactions, which are used for deriving the invoiced amounts. The above fees are assessed for the use of the standard electronic information data manager's Automated Reporting Service. Any custom programming completed for the secondhand merchant will be negotiated on a contract basis and may result in unique licensing arrangements between the electronic information data manager and the secondhand merchant.

~~(G) The articles purchased or received shall be retained by the secondhand merchant for at least fifteen (15) days before disposing of them.~~

(H) Before any such license is issued, the applicant therefore shall furnish a license and permit bond in the penal sum of ten thousand dollars (\$10,000.00) with surety who is listed on the Department of Treasury's Listing of Certified Companies to be approved by the City Clerk, which bond shall be conditioned for the due observance during the time of the license of all laws of the state and all ordinances of the City. Any person aggrieved by the action of any such licensee shall have a right of action on the bond for the recovery of money, ~~or~~ damages, or both. Such bond shall remain in full force and effect for a period of ninety (90) days after the expiration or cancellation of any such license or after the termination of any action upon such bond.

- (I) Every secondhand merchant must comply with requirements and procedures established by state law.

This ordinance shall become effective July 2, 2015.

Enacted: June 22, 2015.

Yeas:

Nays:

Absent:

Abstain:

Motion Carried.

Dennis D. Browning
Mayor

Janet Santos, CMMC/CMC/MMC
City Clerk

ORDINANCE DECLARED ADOPTED

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 June 22, 2015; 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, CMMC/CMC/MMC
City Clerk

From: Tim Morales, City Manager
Subject: New Precious Items Dealers Ordinance
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager's Recommendation:

I recommend that Council approve the new ordinance "Precious Items Dealers." The language of the ordinance is modeled after the State's Precious Metal and Gem Dealer Act, Public Act 95 of 1981. This ordinance has been approved by me as to substance and the City Attorney as to form.

Justification:

The proposed ordinance forbids any person to operate or engage in the business of dealing precious items to and from the public without first obtaining a license, which will be granted upon certification of the Police Chief. Precious items include jewelry, precious gems, or an item containing gold, silver, or platinum. The ordinance will also ensure that all licensed dealers keep thorough records of all transactions on file, including photographs of the property and identifying information related to the seller. All reports of transactions must be electronically submitted to the Chief of Police within 48 hours. The ordinance also prohibits a dealer from purchasing an item from certain individuals, including minors, individuals without identification, and those the dealer suspects of having stolen the article.

Council Action:

This council communication is for explanation purposes only of the ordinance to be introduced.

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

A NEW ORDINANCE TO ADD §110.35, "PRECIOUS ITEMS DEALERS," OF CHAPTER 110, "GENERAL PROVISIONS," OF TITLE XI, "BUSINESS REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

Laid over under the Charter provision.

Moved by Council Member _____, seconded by Council Member _____ to adopt an ordinance introduced June 8, 2015, entitled and reading as follows, be taken up and enacted:

A NEW ORDINANCE TO ADD §110.35, "PRECIOUS ITEMS DEALERS," OF CHAPTER 110, "GENERAL PROVISIONS," OF TITLE XI, "BUSINESS REGULATIONS," OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

The City of Saginaw ordains:

§110.35, "Precious Items Dealer," of Chapter 110, "General Provisions," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-1, is hereby added and to read as follows:

§ 110.35 PRECIOUS ITEMS DEALERS.

- (A) No person shall directly or indirectly operate, conduct, or engage in the business or occupation of dealing in precious items without first obtaining a license therefor. For the purpose of this section, a person is a dealer of precious items if that person, in whole or in part, engages in the ordinary course of repeated and recurrent transactions of buying and receiving precious items from the public.
- (B) For purposes of this section, a precious item means jewelry, a precious gem, or an item containing gold, silver, or platinum. Precious item does not include the following:
- (1) Coins, commemorative medals, and tokens struck by, or on behalf of, a government or private mint.
 - (2) Bullion bars and discs of the type traded by banks and commodity exchanges.
 - (3) Industrial machinery or equipment.
 - (4) An item being returned to or exchanged at the dealer where the item was purchased and that is accompanied by a valid sales receipt.
 - (5) An item which is received for alterations, redesign, or repair in a manner that does not substantially change its use and is returned directly to the customer.
 - (6) An item which does not have a jeweler's identifying mark or serial mark and which the dealer purchases for less than \$5.00.
 - (7) Scrap metal which contains incidental traces of gold, silver, or platinum that are recoverable as by-product.
- (C) No such license shall be granted except upon certification of the Police Chief or their designee and unless the names, addresses and thumbprint of the dealer and all agents or employees of the dealer are on file in the noncriminal identification file of the Police Department. Such certifications shall be posted in a conspicuous place at dealer's place of business.

- (D) Any person who is convicted of buying, receiving, possessing, concealing, or aiding in the concealment of stolen, embezzled, or converted money, goods, or property shall not be permitted to operate as a dealer for a period of one (1) year after conviction of a misdemeanor offense or five (5) years after conviction of a felony offense.
- (E) No licensee shall purchase or receive any article:
- (1) From any person under the age of eighteen (18) years;
 - (2) From any person the licensee suspects as having stolen the article or is known to the dealer to be a thief or an associate of thieves;
 - (3) Between the hours of 9:00 p.m. and 7:00 a.m.;
 - (4) From any person who is intoxicated; or
 - (5) From any person who has not presented a valid form of identification.
- (F)
- (1) A dealer shall post in a conspicuous place in or upon its place of business a sign having its name and occupation.
 - (2) No precious item dealer shall fail to keep record of all persons with whom he or she does business and all property coming into his or her possession. Such records shall, at a minimum, contain the following information:
 - (a) The name, description (including the name of the maker, type of metal or gem, and all letters and marks inscribed) and photograph of the property, and the thumbprint, operator's or chauffeur's license or state identification number, registration plate number, and address of the person from whom the article was purchased and received;
 - (b) A copy of the operator's or chauffeur's license or state identification card;
 - (c) The date or time the purchase or exchange was made;
 - (d) The method and amount of payment; and
 - (e) The customer's signature.
 - (3) All reports must be electronically transmitted to the Chief of Police or their designee. Every dealer, within forty- eight (48) hours, must transmit to the Chief of Police or their designee by means of electronic transmission through a modem or similar device in such a format that the data is capable of direct electronic entry into the Saginaw Police Department's computerized system, all transactions in which the dealer received precious items the preceding day. A transaction reported by electronic transmission under this subsection shall not be reported on paper forms unless the Chief of Police or their designee so requests.
- (G)
- (1) A fee of two dollars (\$2.00) will be assessed per transaction. The fee breakdown is as follows: The electronic information data manager and dealer will each receive fifty cents (\$0.50) per transaction and the City will receive one dollar (\$1.00) per transaction. The electronic information data manager will assess the property registration fee of fifty cents (\$0.50) for each transaction the dealer reports, either through batch file upload, directly using the electronic information

data manager's business interface, or on the electronic information data manager's Automated Reporting Service.

(2) A transaction is defined as a single buy, which may involve one or more precious items. This is a per transaction registration fee, not a per item fee included in the transaction. It is in the dealer's discretion to recover the fees from its customers for registering the transaction. Further, the dealer may choose to incorporate the fee within other fees associated with the transaction.

(3) The dealer will be invoiced on a monthly basis. The electronic information data manager's Automated Reporting Service will generate a list of the billable transactions, which are used for deriving the invoiced amounts. The above fees are assessed for the use of the standard electronic information data manager's Automated Reporting Service. Any custom programming completed for the dealer will be negotiated on a contract basis and may result in unique licensing arrangements between the electronic information data manager and the dealer.

(H) The articles purchased or received shall be retained by the dealer for at least nine (9) days before disposing of them.

(I) Before any such license is issued, the applicant therefore shall furnish a corporate surety bond in the penal sum of ten thousand dollars (\$10,000.00) with surety who is listed on the Department of Treasury's Listing of Certified Companies to be approved by the City Clerk, which bond shall be conditioned for the due observance during the time of the license of all laws of the state and all ordinances of the City. Any person aggrieved by the action of any such licensee shall have a right of action on the bond for the recovery of money, damages, or both. Such bond shall remain in full force and effect for a period of ninety (90) days after the expiration or cancellation of any such license or after the termination of any action upon such bond.

(J) Every precious items dealer must comply with requirements and procedures established by state law.

This ordinance shall become effective July 2, 2015.

Enacted: June 22, 2015.

Yeas:

Nays:

Absent:

Abstain:

Motion Carried.

Dennis D. Browning
Mayor

Janet Santos, CMMC/CMC/MMC
City Clerk

ORDINANCE DECLARED ADOPTED

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 June 22, 2015; 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, CMMC/CMC/MMC
City Clerk

Moved by Council Member _____, seconded by Council Member _____ that an ordinance introduced on May 18, 2015, be taken up and enacted, entitled and reading as follows:

O- _____

AN ORDINANCE TO AMEND CHAPTER 16, TITLED "POLICE OFFICERS AND FIREFIGHTERS RETIREMENT SYSTEM," §16.03(B), §16.03(C), TITLED "RETIEMENT SYSTEM CONTINUED," AND §16.04(A)(1), §16.04(A)(2)(c), 16.04(A)(2)(e), §16.04(A)(3), §16.04(C), §16.04(E)(1), §16.04(E)(2), §16.04(E)(3), AND §16.04(E)(4), TITLED "BOARD OF TRUSTEES," AND §16.27(A), TITLED "MANAGEMENT OF FUNDS," SHALL BE AMENDED IN THE OF THE CITY OF SAGINAW CODE OF ORDINANCES, O-1.

THE CITY OF SAGINAW HEREBY ORDAINS:

§ 16.03 RETIREMENT SYSTEM CONTINUED.

(B) The Board of Trustees established by the aforesaid Chapter XVI, as amended, and now existing pursuant thereto is hereby designated and continued as the Board of Trustees authorized and empowered to administer the retirement system established by this chapter for the firefighters only and all other active employees previously covered by this ordinance and all retired police plans will be administrated and managed by the Municipal Employees' Retirement System ("MERS"), effective June 1, 2015.

(C) Fifty seven point nine three percent (57.93%) of assets at the time of transfer if before July 1, 2015, for active and retired police officers belonging to the City of Saginaw Police Officer and Firefighter Retirement System established by the aforesaid Chapter XVI, as amended, shall be transferred to MERS and shall be administered by MERS as established under this chapter. Remaining assets shall be allocated for the firefighters and managed by the Board of Trustees. When transferred, MERS shall credit said assets to the various funds and accounts provided for in this chapter, according to the purpose for which such assets were held and credited in the retirement system created under the aforesaid Chapter XVI, as amended.

§ 16.04 BOARD OF TRUSTEES.

(A) *Generally.*

(1) The Board of Trustees of the retirement system shall have the responsibility for the general administration and management of the system for the firefighters, and for making effective and construing the provisions of this chapter. It shall have the power to negotiate and execute legal documents provided that any such legal document be approved by the Board of Trustees. The City Manager or his designee and firefighter member shall sign any such legal document.

(2) The Board shall consist of five (5) trustees, as follows:

(c) A duly registered tax-paying elector of the City who holds no other current or previous City position, to be selected by a majority vote of the Mayor, City Manager and Firefighter trustees.

(e) A duly registered tax-paying electors of the City who holds no other City position, to be selected by a majority vote of the other trustees.

(3) The elections of the firefighter trustee shall be held under such rules and regulations as the Board of Trustees shall from time to time adopt. Only members of the defined benefit plan are eligible to serve as trustees or vote in the selection of trustees.

(C) *Vacancy on Board; how filled.* If a trustee leaves the employ of the City, or if a trustee provided for in sections (A)(2)(c) or (d) fails to attend three (3) consecutive scheduled meetings of the Board of Trustees, unless in each case excused for cause by the remaining trustees attending such meetings, he or she shall be considered to have resigned from the Board and the Board shall, by motion, declare his or her office of trustee vacated as of the date of adoption of such motion. If a vacancy occurs it shall be filled, within sixty (60) days from and after the date of the vacancy, for the unexpired portion of the term, in the same manner as the office was previously filled.

(E) *Alternate trustees.*

(1) The firefighter members may elect an alternate trustee at their respective elections to determine the firefighter member on the Board of Trustees. The election for an alternate trustee shall be held under the same rules and regulations applicable to elections for the respective fire fighter member on the Board of Trustees. The election for an alternative trustee shall be held under the same rules and regulations applicable to elections for the respective firefighter member on the Board of Trustees.

(2) The term of office for each alternate trustee shall be for the same duration as that of his or her respective fire fighter member on the Board of Trustees. An alternate trustee shall, within ten (10) days from and after his or her election, take an oath of office to be administered by the City Clerk. An alternate trustee shall serve without compensation for his or her services as an alternate trustee.

(3) An alternate trustee shall be subject to the provisions of division (C) above, except that said alternate trustee shall not be required to attend scheduled meetings of the Board of Trustees unless previously notified to do so by his or her respective firefighter member on the Board of Trustees.

(4) Only in the event of an absence of his or her respective fire fighter member on the Board of Trustees shall each alternate trustee be entitled to one (1) vote on each question before the Board of Trustees and be counted for purposes of constituting a quorum for said Board.

SUPPORTING THE "LIGHT UP THE CITY" INITIATIVE

Moved by Council Member _____, seconded by Council Member _____ to adopt the following resolution:

WHEREAS: the "Light Up the City" Initiative is a community outreach action plan working toward crime prevention through community participation. The Initiative provides leadership from law enforcement and unites partners with community organizations; local residents, politicians, healthcare organizations, educators, housing organizations and other stake holders; and

WHEREAS: the "Light Up the City" (LUTC) idea began as a grassroots initiative in Saginaw with the Michigan State Police, Saginaw Police Department, Consumers Energy and the Saginaw Neighborhood Associations in early fall of 2013. LUTC began doing promotional walks and events in September until the season was no longer favorable. A total of five events were held with the last event being held on "devil's night" as a city-wide LUTC with an Arson Watch event; and

WHEREAS: the initiative would empower citizens to take action and report crime by getting involved in solving the issues that the community is currently facing. The initiative will focus on strategically identified areas in the City of Saginaw, and will begin the process of building partnerships and trust in the community; and

WHEREAS: the LUTC initiative is a partner with Consumers Energy. Consumers Energy will support the initiative with the "Helping Neighbors" program. Prior to each event, a promotional walk will be done in the identified area to educate the residents about the "Light up the City" initiative as well as the "Helping Neighbors" program; and

WHEREAS: a free energy efficient light bulb provided by Consumers Energy will be distributed to participating residents. The residents will be encouraged to turn on their porch light in support of the initiative. The visual message signifies the unity of law enforcement and the community by taking back control of their neighborhoods.

NOW, THEREFORE BE IT RESOLVED: that the Saginaw City Council fully supports the vision of "Light Up the City."

Ayes:
Nays:
Absent:
Abstain:

RESOLUTION DECLARED ADOPTED

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 June 8, 2015; 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, CMMC/CMC/MMC
City Clerk

REVISED ORDINANCE

O-1

This ordinance shall become effective July 2, 2015.

Enacted: June 22, 2015.

Yeas:

Nays:

Absent:

Abstain:

Motion Carried.

Dennis D. Browning
Mayor

Janet Santos, CMMC/CMC/MMC
City Clerk

ORDINANCE DECLARED ADOPTED

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 June 22, 2015; 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, CMMC/CMC/MMC
City Clerk