

COUNCIL AGENDA
March 3, 2014, 6:30 p.m.
Council Chamber

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Proclamation presented to American Red Cross proclaiming March 2014 as American Red Cross Month.

PUBLIC HEARINGS:

PERSONAL APPEARANCES:

(A list will be provided following submittal deadline)

REMARKS OF COUNCIL:

REPORTS FROM MANAGER:

Management Update:

1. Presentation on Unfunded Liabilities and Michigan Employees Retirement System (MERS) by Dennis Jordan, Director of Employee Services.

CONSENT AGENDA:

1. Approve minutes for the February 17, 2014 regular Council meeting.
2. Approve a purchase order to DLT Solutions, Inc., in the amount of \$6,075.25 for Fiscal Year 2014, for the Public Services Department, Engineering Division.
3. Approve a purchase order to Vance Outdoors, in the amount of \$3,455 for the purchase of 15,000 rounds of 40 caliber training ammunition for the Police Department.
4. Approve a purchase order to Lansing Uniform Company, a sole source provider, in the amount of \$8,980 for the purchase of sixteen bulletproof concealable ballistic vests for the Police Department
5. Approve a purchase order to Thomas Scientific in the amount of \$3,895.50 for the purchase of two Heratherm General Protocol Ovens, for the Water Treatment Division.
6. Approve a purchase order to Michigan Cat, Inc., a sole source provider, in the amount of \$6,674.11 for emergency backhoe repair for Maintenance and Service Division.

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7. Approve a purchase order to Marshall Campbell, in the amount of \$14,714 for the purchase of 8 decorative street light poles for the Right of Way Division.
8. Approve the request from WKCQ for in-kind service, in lieu of payment, for one-half of the special event fees for the Country Music Fest Free Concert scheduled for June 21, 2014 on Ojibway Island.
9. Approve Ojibway Island User Agreement with MacDonald Broadcasting Company WKCQ-FM.

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

1. Mayoral appointment of Brenda Moore by the Mayor to the City/School Liaison Committee.
2. Council appointment of Susanne Smokoska to the Human Planning Commission with a term to expire December 16, 2015.

INTRODUCTION OF ORDINANCES:

CONSIDERATION AND PASSING OF ORDINANCES:

RESOLUTIONS:

1. Resolution authorizing the consumption and sale of alcoholic beverages on Ojibway Island during the annual WKCQ Country Music Fest Free Concert to be held on June 21, 2014.

UNFINISHED BUSINESS:

1. City Council Vacancy.

MOTIONS AND MISCELLANEOUS BUSINESS:

ADJOURN:

Tim 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 AVENUE, 989.759.1480.

PROCLAMATION

CITY OF SAGINAW

WHEREAS: March is American Red Cross Month - a special time to recognize and thank our Everyday Heroes – those who reach out to help their neighbors when they are in need; and

WHEREAS: American Red Cross heroes are on the front lines every day. They volunteer their time, give blood, take life-saving courses or provide financial donations to help those in need.

WHEREAS: we would like to remember our heroes here in the City of Saginaw who give to help people in need. They work tirelessly to help in time of disaster, when someone needs life-saving blood, or the comfort of a helping hand. They provide round-the-clock support to members of the military, veterans and their families, and teach lifesaving classes in CPR, aquatic safety and first aid; and

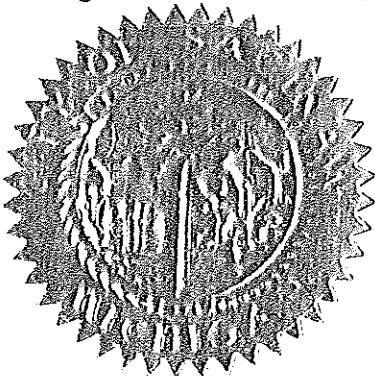
WHEREAS: across the country and around the world, the American Red Cross responded to hurricanes, tornados, floods and wildfires, the tragedy at the Boston Marathon, and typhoon Haiyan in the Philippines; and

WHEREAS: when an injured service member ended up in a hospital far from home, the American Red Cross offered comfort. When a hospital patient needed blood, American Red Cross blood donors helped them. When a lifeguard jumped in to save a drowning child or someone stepped up to help a heart attack victim, the American Red Cross was there; and

WHEREAS: we dedicate this month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission.

NOW, THEREFORE, I, Dennis Browning, Mayor of Saginaw, on behalf of my fellow Councilmembers and all our citizens, do hereby proclaim March 2014 as **American Red Cross Month** in the City of Saginaw as a time to honor the heroes and celebrate the lives that have been saved. I encourage all Americans to support this organization and its noble humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Saginaw to be affixed this 27th day of February in the year of our Lord two thousand fourteen.



February 27, 2014

Dennis D. Browning, Mayor
City Councilmembers

*Amos O'Neal, Mayor Pro Tem
Michael D. Balls, Annie Boensch,
Larry Coulouris, Daniel Fitzpatrick,
Floyd Kloc, and Brenda Moore*

Timothy Morales, City Manager

REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, FEBRUARY 17, 2014, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

Mayor Browning offered a prayer and Eagle Scout Gabriel Christian Thomas led the pledge of allegiance.

ROLL CALL

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

ANNOUNCEMENTS

City Clerk Janet Santos announced that the agenda has been revised to include a resolution regarding General Obligation Limited Tax Refunding Bonds.

Mayor Pro Tem O'Neal read a proclamation in recognition of Gabriel Christian Thomas obtaining Eagle Scout status. Eagle Scout Thomas accepted the proclamation and thanked the Council.

Council Member Fitzpatrick entered the meeting at 6:35 p.m.

PUBLIC HEARINGS

Clerk Santos announced the public hearing for the 2014 Single Lot Special Assessment Tax Roll. Mayor Browning called for comments. The following person presented an objection to Council: Robert Diebold. Mayor Browning called for comments two more times. There were no additional comments.

Moved by Council Member Braddock, seconded by Council Member Coulouris to close the public hearing. 9 ayes, 0 nays, 0 absent. Motion approved.

PERSONAL APPEARANCES

The following persons addressed the Council: Frederick Ford and Larry Campbell.

REMARKS OF COUNCIL

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

Council Member Braddock announced, that effective tomorrow, he will resign from his Council seat to run for the 95th District State Representative position.

REPORTS FROM CITY MANAGER

Management Update

Interim City Manager Tim Morales congratulated the Mayor on his presentation at the State of the City/County meeting and provided informational updates on the Neighborhood Association Action Group and the Delta College Board meetings.

City Manager Morales introduced Bobby Bendzinski. Mr. Bendzinski is our financial

advisor on bond issues at Bendzinski & Company. Mr. Bendzinski reported that FirstMerit has accepted to refinance a bond at a 2.13% interest rate that will save the City approximately \$73,000. Council must adopt a resolution to authorize the issuance and sale of the bond series. Since a 30-day notice must be given the action is to be completed by March 1, 2014 for the April 1, 2014 effective date.

City Manager Morales introduced Police Chief Brian Lipe. Chief Lipe updated Council on the Saginaw Public Safety Forum. He explained the activities and process conducted. The results of the forum will be compiled into a report and shared with the Council. Chief Lipe provided an update on the Citizens Police Academy and invited Council to attend. Chief Lipe presented details of the iRobot 110 FirstLook Robotic System grant. A video was viewed that demonstrated its use and features.

Consent Agenda

1. Approve minutes for the January 21, 2014 closed session and the February 3, 2014 regular Council meeting.
2. Approve a Development Agreement with Great Lakes Crossroad, LLC.
3. Approve payment to BS&A Software for \$5,385 for the renewal of annual software maintenance/support for the Fiscal Services Department.
4. Approve the 2013-2014 General Fund Housing and Urban Development budget adjustment.
5. Accept the Saginaw County Department of Public Health Treatment and Preventive Services Grant for \$84,000 for the Police Department and approve a budget adjustment.
6. Accept the Alcona County Region 3 Homeland Security Grant for \$19,867.69 for the Police Department and approve a budget adjustment.
7. Approve a purchase order to iRobot for \$19,867.69 for the purchase of one iRobot 110 FirstLook Robotic System for the Police Department.
8. Approve the Water Operations and Maintenance budget adjustment.
9. Approve a purchase order to Central Metallizing and Machine for \$2,875 for the repair of Aqua Station booster pump #3 for the Water Treatment Division.
10. Approve a \$2,000 increase to Alro Steel P.O. #48834 and a \$2,000 increase to McMaster Carr P.O. #48847 for additional stock steel products for the Wastewater Treatment Plant.
11. Approve a purchase order to 3M for \$11,665.55 for vinyl sheeting and sign faces for the Public Services Department, Right of Way Division.

Council Action:

Moved by Council Member Coulouris, seconded by Council Member Fitzpatrick to approve consent agenda items 1, 3 and 5 through 11 as presented. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Council Member Kloc, seconded by Council Member Braddock to approve consent agenda item 2 as presented. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Council Member Kloc, seconded by Council Member Fitzpatrick to approve consent agenda item 4 as presented. 9 ayes, 0 nays, 0 absent. Motion approved.

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

Mayor Browning announced that Mayor Pro Tem O'Neal was appointed by the Michigan Municipal League (MML) to their Foundation Board. The MML Foundation Board is the fundraising arm for the League and is responsible for education and research.

CONSIDERATION AND PASSING OF ORDINANCES

Moved by Council Member Kloc, seconded by Council Member Braddock to adopt an Ordinance to Repeal Chapter 110: "General Provisions," and Introduce a New Chapter 110: "General Provisions," of Title XI, "Business Regulations," of the City of Saginaw Code of Ordinances, O-1. 9 ayes, 0 nays, 0 absent. Motion approved.

RESOLUTIONS

Moved by Council Member Coulouris, seconded by Council Member Fitzpatrick to adopt a resolution to revoke the Obsolete Properties Rehabilitation Certificate #3-02-0007 from Manhattan Catering, Inc. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Council Member Moore, seconded by Council Member Boensch to adopt a resolution to revoke the Obsolete Properties Rehabilitation Certificate #3-03-0002 from Samurai Stirfry. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Council Member Kloc, seconded by Council Member Boensch to adopt a resolution approving the Automated Clearing House Policy. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Council Member Balls, seconded by Council Member Kloc to adopt a resolution eliminating the Deficit Fund Balance in the Celebration Park Fund. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Council Member Kloc, seconded by Council Member Coulouris to adopt a resolution authorizing the issuance and sale of General Obligation Limited Tax Refunding Bonds, Series 2014. 9 ayes, 0 nays, 0 absent. Motion approved.

MOTIONS AND MISCELLANEOUS BUSINESS

Mayor Browning informed Council that the City Clerk would forward information regarding the procedures to fill the Council vacancy. He thanked Council Member Braddock for his time of service to the City.

Moved by Mayor Pro Tem O'Neal, seconded by Council Member Kloc to appoint Tim Morales as City Manager subject to contract approval. Mayor Browning asked Clerk Santos to conduct a roll call vote.

Ayes: Braddock, Boensch, Mayor Pro Tem O'Neal, Coulouris, Moore, Balls,
Kloc, Fitzpatrick and Mayor Browning.

Nays: None

Absent: None

Abstain: None

Motion approved.

City Manager Morales expressed his appreciation to the Council for the appointment.

ADJOURNMENT

Moved by Council Member Kloc, seconded by Council Member Fitzpatrick to adjourn the meeting at 8:45 p.m. 9 ayes, 0 nays, 0 absent. Motion approved.

Janet Santos, CMC/MMC
City Clerk

From: Tim Morales, City Manager
Subject: Engineering Software and Support Subscription Renewal
Prepared by: Jeff Klopac, Technical Services

Manager's Recommendation:

I recommend that a purchase order be approved and issued to DLT Solutions, Inc. in the amount of \$6,075.25 for Fiscal Year 2014. This software maintenance renewal and support is for the Public Services Department, Engineering Division.

Justification:

DLT Solutions is the General Services Administrations (GSA) vendor for the Federal Government. The City uses this contract for reduced software pricing. The Engineering Division uses several specialized engineering software applications developed by AutoDesk. This request renews the subscription and maintenance with support for AutoCAD, AutoCAD Map and AutoCAD Civil 3D. Engineering staff utilizes these software applications for all design and build projects for the City of Saginaw

The fiscal year 2013 annual renewal maintenance fee was \$12,944.26. The FY 2014 request is a decrease of \$6,869.01. This decrease is due to a server license upgrade last year.

This vendor meets all requirements of §14.23 "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of "Title 1, "General Provisions," of the Saginaw Code of Ordinances O-1.

Funds for this purchase are budgeted in the Technical Services, Information Services Fund, Computer Software Account No. 658-1720-741.000.

Council Action:

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

From: Tim Morales, City Manager
Subject: Training Ammunition
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager's Recommendation:

It is recommended that a purchase order be approved and issued to the second lowest bidder Vance Outdoors of Columbus, OH, in the amount of \$3,455 for the purchase of 15,000 rounds of 40 caliber training ammunition for the Police Department.

Justification:

On February 11, 2014, four qualified vendors submitted bids in response to the City of Saginaw's request for Proposal #1190-13 for 15,000 rounds of 40 caliber training ammunition for the Saginaw Police Department. Michigan Police Equipment (MPE) has been the low bidder on at least three separate occasions when purchasing ammunition. However, they cannot forecast delivery with back orders. The SPD currently has an outstanding bid, since July 1, 2013, with MPE that has not been fulfilled. By paying the \$140.00 shipping costs to Vance we will receive the ammunition in an expeditious manner.

The following is a tabulation of the bids received:

VENDOR	TRAINING AMMUNITION	SHIPPING COST	TOTAL BID
Louka, LLC Belleville, MI	\$4,020.00	\$0	\$4,020.00
Kiesler Police Supply Jeffersonville, IN	\$3,967.50	\$0	\$3,967.50
Vance Outdoors Columbus, OH	\$3,315.00	\$140.00*	\$3,455.00
Michigan Police Equipment Charlotte, MI	\$3,000.00	\$0	\$3,000.00

*Bidder offered alternate option for shipping to allow for faster delivery.

This vendor meets all requirements of §14.23 "Vendors, Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title 1, "General Provisions," of the Saginaw Code of Ordinances O-1.

Funds for this purchase are budgeted in the Drug Forfeiture Fund's Parts and Supplies Account No. 264-3040-742.000.

Council Action:

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

From: Tim Morales, City Manager
Subject: Bulletproof Ballistic Concealable Vests
Prepared by: Sienna Rendon, Community Public Safety – Police

Manager's Recommendation:

It is recommended that a purchase order be issued to Lansing Uniform Company of Lansing, MI, a sole source provider, in the amount of \$8,980 for the purchase of sixteen (16) bulletproof concealable ballistic vests.

Justification:

All sworn officers are equipped with concealable body armor/ballistic vests as part of their uniform. The vests worn by Saginaw Police Officers are guaranteed for 5 years and are presently due for replacement.

This vendor meets all requirements of §14.23 "Vendors, of Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of "Title 1, "General Provisions," of the Saginaw Code of Ordinances O-1.

Funds for this purchase are available in Community Public Safety - Police Clothing Supplies Account No. 101-3514-728.000.

Council Action:

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

From: Tim Morales, City Manager
Subject: Drying Ovens for Laboratory Analysis
Prepared by: Amanda Kiel, Water & Wastewater

Manager's Recommendation:

I recommend that the bid from Thomas Scientific of Swedesboro, NJ be accepted and a purchase order be approved and issued to them in the amount of \$3,895.50 for the purchase of two Heratherm General Protocol Ovens for the Water Treatment Division.

Justification:

On February 11, 2014, the City received bids for two (2) Heratherm General Protocol Ovens (\$1,947.75 each) to perform bacterial and solids laboratory analysis, as required by the Michigan Department of Environmental Quality. The current oven(s) are no longer functioning properly and need replacement. Following is a tabulation of the bids received and reviewed by the Purchasing Committee:

Thomas Scientific Swedesboro, NJ	\$3,895.50
Products Unlimited, Inc. Justin, TX	\$4,056.00
Fisher Scientific Hanover Park, IL	\$4,633.92
Brunning Business Services Longboat Key, FL	\$4,659.96
VWR International Suwanee, GA	\$4,670.98

This vendor meets all requirements of §14.23, "Vendors, of Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of Title 1, "General Provisions," of the Saginaw Code of Ordinances O-1.

Funds for this purchase are available in the Water Operation and Maintenance Fund – Treatment and Pumping Division's Capital Outlay/Less than \$5,000.00 Account No. 591-4730-971.000.

Council Action:

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

From: Timothy Morales, City Manager

Subject: Garage Emergency Purchase – Backhoe Repair Parts

Prepared by: Don Riley, Public Services Department

Manager's Recommendation:

I recommend that the sole source vendor Michigan Cat, Inc., of Detroit, MI, be approved and the cost for an emergency purchase order issued to them be approved in the amount of \$6,674.11 for a Maintenance & Service Backhoe No. 57-0839.

Justification:

On February 18, 2014, an emergency purchase order no.493741 was issued to Michigan Cat, Inc. in the amount of \$6,674.11 for a replacement Boom Stick assembly for the 2008 Caterpillar Backhoe. The Backhoe is a frontline piece of equipment that assists in emergency repairs and maintenance of City water lines, sewers, and catch basins. The City has had over 50 watermain breaks this year and this piece of equipment needs to be available at all times to assist in excavation of road way for these repairs. This is one of four (4) Backhoes in the Maintenance & Service Division.

This vendor meets all requirements of §14.23 "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of "Title 1, "General Provisions," of the Saginaw Code of Ordinances O-1.

Funds for this purchase are budgeted in the Motor Pool Operation Fund's Motor Vehicle Supplies Account No. 661-4480-737.000.

Council Action:

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

From: Timothy Morales, City Manager

Subject: Purchase of Decorative Street Light Poles – ROW Division

Prepared by: Beth D. London, Public Services Department

Manager's Recommendation:

I recommend the low bid from Marshall Campbell, of Saginaw, MI be accepted and a purchase order be issued to them in the amount of \$14,714.00 for the purchase of 8 decorative street light poles.

Justification:

The Traffic Maintenance Section of the Right of Way Division is required to maintain and replace, when necessary, the decorative streetlights within the City of Saginaw. On February 18, 2014, the City received two bids for 8 decorative street light poles for replacement of damaged poles. Marshall Campbell, being an in City bidder, was given the option to match the low bid price from Standard Electric per the Purchasing Ordinance. Marshall Campbell agreed to match Standard Electric's bid. The following is a tabulation of the bids received:

Standard Electric Saginaw, MI (out City)	\$14,714.00
Marshall Campbell Saginaw, MI (in City)	\$15,270.00

This vendor meets all requirements of §14.23 "Vendors," of "Purchasing, Contracting, and Selling Procedure," of Chapter 14, "Finance and Purchasing," of "Title 1, "General Provisions," of the Saginaw Code of Ordinances O-1.

Funds for this purchase are available in the General Fund Street Lighting Division's, Parts and Supplies Account No. 101-4620-742.000.

Council Action:

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

From: Timothy Morales, City Manager
Subject: WKCQ Country Music Fest Free Concert
Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend that Council approve the request by WKCQ for in-kind service, in lieu of payment, for one-half of the special event fees for the Country Music Fest Free Concert scheduled for June 21, 2014 on Ojibway Island.

Justification:

On January 29, 2014, the Public Services Department received a special event application from WKCQ for the annual Country Music Fest Free Concert to be held on June 21, 2014. WKCQ has requested that we extend payment terms of half cash and half in-kind advertising for payment of city services and facility use fees.

An Ordinance became effective on May 30, 2013 to add Chapter 99, "Special Events Regulations" to Title IX, General Regulations of the City of Saginaw Code of Ordinances O-1. Section §99.09 of this ordinance states that fees and insurance (Section §99.06) will not be waived under any circumstances. The fees would not be waived in this instance, but another form of payment would be accepted.

Last year's actual cost for services totaled \$16,843.15, of which in-kind services totaled \$8,421.58. In 2013, the City utilized \$10,670.00 of advertisement from MacDonald Broadcasting Company, WKCQ. The current remaining balance of in-kind service from McDonald Broadcasting Company WKCQ – FM totals \$29,292.84.

Council Action:

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

From: Timothy Morales, City Manager
Subject: MacDonald Broadcasting Company WKCQ–FM Island User Agreement

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend approval of the Ojibway Island User Agreement between the City of Saginaw and MacDonald Broadcasting Company WKCQ-FM. The Agreement is approved by me as to substance and the City Attorney as to form.

Justification:

On June 21, 2014, WKCQ - FM will host its annual WKCQ Country Music Festival Free Concert on Ojibway Island (Ojibway). WKCQ-FM will pay the City a flat fee of \$700 for the rental of Ojibway. This is the third year that WKCQ-FM will charge a limited number of participants for tickets to a special seating area at the festival and sell alcoholic beverages.

Therefore, the parties have agreed that WKCQ-FM will pay the City a minimum service fee of \$2,000. In lieu of payment, one-half of the service fees will be in-kind services. WKCQ-FM will pay the City, Fifty Cents (\$0.50) per ticket for ticket sales over 500, of which one-half of total sales will be applied to City in-kind services. Furthermore, WKCQ-FM must provide an insurance certificate and liquor liability license to the City. WKCQ-FM must provide a liquor liability license to the City because it plans to sell alcoholic beverages to participants.

Council Action:

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

From: Timothy Morales, City Manager

Subject: Authorization to Allow the Sale of Alcoholic Beverages on Ojibway Island

Prepared by: Evelyn McGovern, Public Services Department

Manager's Recommendation:

I recommend adoption of the Resolution authorizing the consumption and sale of alcoholic beverages on Ojibway Island, a public property, during the annual WKCQ Country Music Fest Free Concert to be held on June 21, 2014.

Justification:

On June 21, 2014, MacDonald Broadcasting Company WKCQ-FM (WKCQ) will host its annual Country Music Fest Free Concert on Ojibway Island, a public property. WKCQ has requested that the City allow for alcoholic beverages to be served to participants for consumption during this event. Title XIII, Chapter 132, Section 132.01(C) of the Saginaw Code of Ordinances states that City Council can authorize the consumption and sale of alcoholic beverages on public property, if the vendor provides the following to the City:

- (1) The precise location where said beverages are to be sold and consumed;
- (2) The dates and times for said activities;
- (3) A proper state license for the sale and consumption of alcoholic beverages at the place and times listed in subsections (1) and (2) above;
- (4) Adequate public liability and property damage insurance for the benefit of the City with a company licensed to sell insurance in the State of Michigan;
- (5) Such other insurance as the City Council deems adequate for the benefit of the City;
- (6) Adequate personnel to control the premises where the alcoholic beverages are to be sold and consumed; and
- (7) Such other reasonable requirements as said City Council deems appropriate.

Approval to sell alcoholic beverages for this event is contingent upon the applicable vendors providing the proper required documents to the appropriate City department by June 6, 2014. The City has set the insurance requirements and all insurance certificates must be reviewed and approved by the City. Furthermore, the vendor has been advised of the insurance requirements and the deadline for submitting insurance certificates to the City.

Council Action:

This council communication is for informational purposes of the resolution to be considered for approval.

RESOLUTION TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES ON OJIBWAY ISLAND

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

WHEREAS, the MacDonald Broadcasting Company WKCQ – FM plans to host its annual festival at Ojibway Island on June 21, 2014; and

WHEREAS, the MacDonald Broadcasting Company WKCQ – FM requests that they be allowed to consume and sell alcoholic beverages to participant's at Ojibway Island on public property; and

WHEREAS, City Council can provide authorization for the consumption and sale of alcoholic beverages on public property; and

WHEREAS, MacDonald Broadcasting Company WKCQ – FM must provide certain documents prior to the event; and

WHEREAS, if MacDonald Broadcasting Company WKCQ – FM does not provide the documents by the stated date, they will not be allowed to sell alcoholic beverages for consumption during the event on June 21, 2014; and

WHEREAS, the City will set all insurance requirements and all insurance certificates must be reviewed and approved by the City; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Saginaw hereby authorizes the consumption and sale of alcoholic beverages on public property during the annual WKCQ Country Music Fest Free Concert to be held on June 21, 2014 at Ojibway Island, provided that the mandatory information listed in Title XIII, Section 132.01(C) of the Saginaw Code of Ordinances be provided no later than June 6, 2014.

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 March 3, 2014; 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