

REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, OCTOBER 23, 2013, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

PRAYER AND PLEDGE OF ALLEGIANCE

Council Member Fitzpatrick offered a prayer and led the pledge of allegiance.

ROLL CALL

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

ANNOUNCEMENTS

City Clerk Janet Santos made the following announcements:

- the City's Waste Convenience Station will be open Saturday, October 12 from 10:00 a.m. to 2:00 p.m.;
- leaf and yard waste collection process with regular trash pick-up available through November 30th;
- ballots for the November 5 City Election are available for absentee voting; and
- a reminder of City ordinances that political signs shall be removed within 7 days of the election and are not allowed in the public right-of-way.
- A community roundtable discussion hosted by MI Vacant Property Campaign on November 12, 2013 at 10:00 a.m. at City Hall.
- SVRC Industries, Inc. is now accepting electronic recycling items.

Council Member Kloc read a proclamation declaring October 20-26, 2013 as "Pro Bono Week." Valerie Kutz-Otway accepted the proclamation and expressed appreciation for the recognition of the Saginaw County Bar Association and their pro bono work.

PUBLIC HEARINGS

City Clerk Janet Santos announced the public hearing on the change of regular City elections from odd-year elections to even-year elections. Mayor Branch called for comments. City Clerk Janet Santos spoke in favor of the proposed change. Mayor Branch called for comments two more times. No other comments were heard.

Moved by Mayor Pro Tem Browning, seconded by Council Member Wendt to close the public hearing. 8 ayes, 0 nays, 1 absent. Motion approved.

PERSONAL APPEARANCES

The following persons addressed the Council: Tina Gutierrez and Henry Porterfield.

REMARKS OF COUNCIL

Remarks were heard from the following Council Members: Wendt, Braddock, Boensch, Kloc, Fitzpatrick, Coulouris, Mayor Pro Tem Browning and Mayor Branch.

REPORTS FROM CITY MANAGER

Management Update

Interim City Manager Tim Morales reported on the meetings he attended and announced meetings planned within the next few weeks. He announced the reappointment of Yolanda

Jones to the City Planning Commission as the ex-officio Administrative Officer position and that according to ordinance this is an appointment made by the City Manager.

Interim City Manager Tim Morales introduced Tom Miller, Jr. of Saginaw Future, Inc. Mr. Miller presented an update on the following planning activities: New ERA Community Group Design Charrette which will run from November 8 through November 12, 2013; the Michigan Main Street Program; and Michigan Placemaking Program.

Interim City Manager Tim Morales introduced Lt. Dave Simon of the Michigan State Police (MSP). Lt. Simon presented an update of MSP activities and collaborative programs within the City and in conjunction with the Police Department.

Council Member Coulouris left the meeting at 7:40 and returned at 7:47 p.m.

Consent Agenda

1. Approve the October 7, 2013 regular Council meeting minutes.
2. Receive and file Petition 13-11 for rezoning classification of 2811 East Genesee Avenue from residential space to office space.
3. Approve Petition 13-12 from New ERA Community Group to erect banner located at South Michigan Avenue and West Genesee Avenue from October 22 through November 11, 2013 to promote the 2013 Central Downtown Saginaw Urban Design Charrette.
4. Approve the three-year Geographic Information Systems Professional Services Agreement with the Saginaw Area GIS Authority.
5. Approve a budget adjustment for Fiscal Year 2014 to increase various funds to recognize grant funding carried forward from Fiscal Year 2013.
6. Approve the Michigan Forestry and Park Associations Community Tree Planting Grant Program Agreement with Consumers Energy Company. Further, approve a budget adjustment for Fiscal Year 2014 to increase the Major Street Fund Local Grants Account No. 202-0000-580.004 from \$0 to \$1,000. This increase in revenue will be offset by an increase in the Major Street Fund - Routine Maintenance Division Nursery Supplies Account No. 202-4651-738.000 by the same amount.
7. Approve a purchase order to Begick Nursery for \$3,262 for Redbud and Dogwood trees; John Deere Landscapes for \$756 for Ornamental Pear trees; and Schichtel's Nursery for \$2,100 for Hawthorne and Serviceberry trees to replace trees on Court Street from State Street to Goetz Street.
8. Approve a purchase order to RMD Holdings, Ltd., d/b/a Nationwide Construction Group, for \$19,640 for the repair of the Center Street Bridge guardrail.
9. Approve the increase of blanket purchase order #48949 to Morbark, Inc. by \$9,000 for chipper parts and supplies for the Garage Division.
10. Approve the resurfacing contract agreement with Lois Kay Contracting Company for \$171,248 for the 2014 CDBG Resurfacing Contract.

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11. Approve the Metro Act Right of Way Permit Application from Great Lakes Comnet, Inc.
 12. Approve the Metro Act Right of Way Permit Application from 123.Net, Inc.
 13. Adopt the resolution to approve the Cost Agreement with the Michigan Department of Transportation for preliminary engineering services for the reconstruction of Bay Street from Court Street to State Street.
 14. Adopt the resolution to approve the Cost Agreement with the Michigan Department of Transportation for rehabilitation work along East Genesee Avenue from Hess Avenue to Harold Street.
 15. Adopt the resolution to approve the Cost Agreement with the Michigan Department of Transportation for intersection improvements at Hermansau Street and Weiss Street.
 16. Adopt the resolution to approve the Cost Agreement with the Michigan Department of Transportation for preliminary engineering services for the reconstruction of Niagara Street from the railroad crossing to Davenport Avenue.
 17. Adopt the resolution to approve the Cost Agreement with the Michigan Department of Transportation for reconstruction at Hamilton Street from Lyon Street to Court Street.
 18. Adopt the resolution to approve the Cost Agreement with the Michigan Department of Transportation for road reconstruction and lane reduction work on Remington Street from Michigan Avenue to Mason Street.
 19. Adopt the resolution to approve the Cost Agreement with the Michigan Department of Transportation for a traffic signal optimization study on Michigan Avenue from Wheeler Street to Weiss Street and on Genesee Avenue from Bay Street to Hess Avenue.
 20. Adopt the resolution to approve the Cost Agreement with the Michigan Department of Transportation for preliminary engineering services for the reconstruction and/or resurfacing of Mackinaw Street from Congress Avenue to Weiss Street.
 21. Adopt the resolution to approve the Cost Agreement with the Michigan Department of Transportation for preliminary engineering services for the reconstruction of Williamson Street from Thayer Street to Treanor Street.
 22. Adopt the resolution to approve the Cost Agreement with the Michigan Department of Transportation for traffic signal optimization implementation and timing installation on Michigan Avenue from Wheeler Street to Weiss Street and on Genesee Avenue from Bay Street to Hess Avenue.
 23. Approve a budget adjustment for Fiscal Year 2014 to increase the Major Streets Fund – State Reimbursements Account No. 202-0000-576.003 from \$183,000 to \$312,850. This increase in revenues will be offset by an increase in the Major Streets Fund – Streets Projects Division Engineering Services Account No. 202-

4614-802.000 by the same amount.

24. Approve a purchase order to JWC Environmental, a sole source, for \$7,556.60 for parts to rebuild the auger monster mechanism at the Wastewater Treatment Plant.
25. Approve a purchase order to Fife-Pearce Electric for \$4,980 for the purchase of a Motortronics variable speed AC motor drive for a pump at the Wastewater Treatment Plant.

Council Action:

Moved by Council Member Coulouris, seconded by Council Member Boensch to approve consent agenda items 1, 3 through 22, 24 and 25 as presented. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Wendt, seconded by Mayor Pro Tem Browning to approve consent agenda item 2 as presented. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Wendt, seconded by Council Member Mayor Pro Tem Browning to approve consent agenda item 23 as presented. 8 ayes, 0 nays, 1 absent. Motion approved.

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

Moved by Council Member Boensch, seconded by Council Member Kloc to appoint Interim City Manager Tim Morales to the MBS International Airport Commission to fill a vacancy with a term to expire October 15, 2014. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Boensch, seconded by Council Member Coulouris to appoint Interim City Manager Tim Morales to the Saginaw Midland Municipal Water Supply Corporation to fill a vacancy with a term to expire December 31, 2017. 8 ayes, 0 nays, 1 absent. Motion approved.

CONSIDERATION AND PASSING OF ORDINANCES

Moved by Council Member Coulouris, seconded by Council Member Kloc to adopt an Ordinance to add §92.21, "Outdoor and Open Burning," to Chapter 92, "Fire Protection and Public Safety," of Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, O-1. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Kloc, seconded by Council Member Fitzpatrick to adopt an Ordinance to amend subsection (J), "Section 307 (page 35) Chapter 3," of § 92.20, "International Fire Code," "Adopted; Fire Code Amendments," of Chapter 92, "Fire Protection and Public Safety," of Title IX, "General Regulations," of the City of Saginaw Code of Ordinances, O-1. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Kloc, seconded by Council Member Boensch to adopt an Ordinance to amend subsection (A), "Open Burning," of § 50.10, "On-Site Burning," of Chapter 50, "Solid Waste," of Title V, "Public Works," of the City of Saginaw Code of Ordinances, O-1. 8 ayes, 0 nays, 1 absent. Motion approved.

RESOLUTIONS

Moved by Mayor Branch, seconded by Council Member Kloc to adopt the resolution to support the Old Town Saginaw Association in their pursuit of the Michigan Main Street Program Associate Level Designation. 8 ayes, 0 nays, 1 absent. Motion approved.

Moved by Council Member Coulouris, seconded by Mayor Pro Tem Browning to adopt the resolution to change the regular City election from odd-year elections to even-year elections. Discussion was held.

Moved by Council Member Wendt, seconded by Council Member Fitzpatrick to postpone action on the resolution to change the regular City election from odd-year elections to even-year elections until the November 25, 2013 regular Council meeting. Discussion was held. Mayor Branch asked the City Clerk to conduct a roll call vote.

Ayes: Kloc, Fitzpatrick, Wendt

Nays: Coulouris, Mayor Pro Tem Browning, Braddock, Boensch, Mayor Branch

Absent: O'Neal

Abstain: None

Motion denied.

Mayor Branch asked the City Clerk to conduct a roll call vote on the main motion to adopt the resolution to change the regular City election from odd-year elections to even-year elections.

Ayes: Coulouris, Mayor Pro Tem Browning, Braddock, Boensch, Kloc, Mayor Branch

Nays: Fitzpatrick, Wendt

Absent: O'Neal

Abstain: None

Motion approved.

UNFINISHED BUSINESS

Moved by Mayor Pro Tem Browning, seconded by Council Member Braddock to appoint Dawn Morrell to the City Planning Commission with a term to expire December 31, 2015. Mayor Branch asked the City Clerk to conduct a roll vote.

Ayes: None

Nays: Fitzpatrick, Coulouris, Mayor Pro Tem Browning, Wendt, Braddock, Boensch, Kloc and Mayor Branch

Absent: O'Neal

Abstain: None

Motion denied.

MOTIONS AND MISCELLANEOUS BUSINESS

Council Member Wendt expressed his appreciation of the City and for the opportunity to serve the community.

Council Member Kloc left the meeting at 8:35 p.m. and returned at 8:37 p.m.

On behalf of the City and Council Members, Mayor Pro Tem Browning expressed great appreciation to Mayor Branch for his years of service conducted with professionalism and integrity. Mayor Branch was presented with a plaque and the gavel used during his term followed by a standing ovation. Mayor Branch expressed his gratitude for the opportunity to serve the community. He thanked his wife, family, friends and citizens for their support and

encouragement. Mayor Branch expressed his appreciation to his colleagues, City staff and the business community.

Moved by Council Member Kloc, seconded by Council Member Fitzpatrick to approve the Interim City Manager contract with Timothy Morales effective October 8, 2013. 8 ayes, 0 nays, 1 absent. Motion approved.

ADJOURNMENT

Moved by Council Member Kloc, seconded by Council Member Fitzpatrick to adjourn the meeting at 8:53 p.m. 8 ayes, 0 nays, 1 absent. Motion approved.

Janet Santos, CMC/MMC
City Clerk