

# Council Agenda

December 8, 2014 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. 211 Update, Tom Begin, Consumers Energy Public Affairs Regional Manager; and 211 Northeast Michigan Board President and Sara Kile, Executive Director.
2. Saginaw-Midland Municipal Water Supply Corporation Update, Mike Quinnell, General Manager.

## CONSENT AGENDA:

1. Approve the November 24, 2014 regular Council meeting minutes.
2. Approve the restated Wastewater Service Agreement with the Northwest Utilities Authority.
3. Approve to receive and file the 2013-2014 Annual Audit of the Saginaw-Midland Municipal Water Supply Corporation.
4. Approve ratification of a payment to Michigan Turbo for \$2,100 for emergency purchase order no. 495656 for a replacement turbo charger for plow truck 53-0401 for the Motor Pool Operations Garage Division.
5. Approve a purchase order to Red Holman Buick-GMC for \$27,686.20 for a 2015 GMC Sierra 2500 HD vehicle for the Maintenance and Service Division.
6. Approve to modify blanket purchase orders issued to ten of the City's primary suppliers of parts and supplies for the Wastewater Treatment Division for FY 2015.

# Council Agenda

December 8, 2014 6:30 p.m.

Council Chamber

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

1. Approval of City Manager's reappointment of Gary Glaza to the Downtown Development Authority with a term to expire December 31, 2019.
2. Approval of City Manager's reappointment of John Markey to the Downtown Development Authority with a term to expire December 31, 2018.
3. Approval of City Manager's reappointment of Todd Gregory to the Downtown Development Authority with a term to expire December 31, 2018.

## INTRODUCTION OF ORDINANCES:

## CONSIDERATION AND PASSING OF ORDINANCES:

## RESOLUTIONS:

1. Adopt the Resolution agreeing to the Municipal Employees' Retirement System of Michigan Hybrid Plan.
2. Adopt the Resolution approving a Small Distiller's License for Old Town Distillery at 124 S. Michigan Avenue.

## 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 AVENUE, 989.759.1480.

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF SAGINAW, MICHIGAN, HELD MONDAY, NOVEMBER 24, 2014, AT 6:30 P.M. IN THE COUNCIL CHAMBER OF CITY HALL.

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: Demond Tibbs, Annie Boensch, Larry Coulouris, Brenda Moore, Michael Balls, Floyd Kloc, and Mayor Dennis Browning: 7. Council Members absent: Dan Fitzpatrick and Mayor Pro Tem Amos O'Neal: 2.

ANNOUNCEMENTS

City Clerk Janet Santos made the following announcements:

- City Hall will be closed for the Thanksgiving Holiday, November 27 and 28.
- Waste Collection Convenience Station will be open Saturday, December 13 from 10:00 am to 2:00 p.m.
- Curbside yard waste collection will end November 30 and resume in April.
- The Neighborhood Association Action Group (NAAG) meeting is rescheduled for November 25 at 12:00 p.m. in the Council Chamber.

PERSONAL APPEARANCES

The following person addressed the Council: Joe Loperena and Debbie Melkonian.

*Mayor Pro Tem Amos O'Neal and Council Member Fitzpatrick entered the meeting at 6:42 p.m.*

REMARKS OF COUNCIL

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

REPORTS FROM CITY MANAGER

Management Update

City Manager Tim Morales provided informational updates of several City activities, meetings and events. He introduced Debbie Melkonian and Jan Cook. Ms. Melkonian and Ms. Cook presented an update regarding the Arson Watch program and its success.

Consent Agenda

1. Approve the November 10, 2014 special meeting and regular Council meeting minutes.
2. Approve a purchase order to Environmental Systems Research Institute for \$2,000 for annual software renewal for maintenance and support for the GIS Division.

3. Approve a purchase order to Winter Equipment Company, Inc. for \$5,690.50 for underbody snowplow blade wear guards for the Motor Pool Operations Garage Division.
4. Approve a purchase order to George Instrument Corporation, a sole source, for \$2,290.72 for two differential pressure transducers for the Wastewater Treatment Plant.
5. Approve the technical support services agreement with Optimization Solutions Environmental, LLC, a sole source, and issue them a purchase order for \$10,000 for FY 2015 and \$10,000 for FY 2016, for a total amount of \$20,000, to assist with the optimization of the treatment process at the Water Treatment Plant.

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

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

Moved by Council Member Coulouris, seconded by Council Member Fitzpatrick to approve the reappointment of Phil Karwat to the Mid-Michigan Waste Authority with a term to expire December 31, 2018. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Council Member Fitzpatrick, seconded by Council Member Coulouris to approve the Council appointment of Annie Boensch to the Region VII Area on Aging with a term to expire March 31, 2016. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Council Member Boensch, seconded by Council Member Kloc to approve the Council appointment of Matthew Wideman to the Building Authority with a term to expire December 31, 2019. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Council Member Boensch, seconded by Council Member Balls to approve the Council appointment of Matthew Wideman to the Zoning Board of Appeals as an Alternate with a term to expire December 31, 2016. 9 ayes, 0 nays, 0 absent. Motion approved.

Mayor Browning announced the Mayoral reappointment of Odie Pruitt III to the Saginaw Housing Commission with a term to expire September 8, 2019.

Moved by Council Member Kloc, seconded by Council Member Fitzpatrick to approve the City Manager reappointment of Thomas Basil to the Downtown Development Authority with a term to expire December 31, 2018. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Council Member Boensch, seconded by Council Member Moore to approve the City Manager reappointment of Dennis Whalen to the Downtown Development Authority with a term to expire December 31, 2018. 9 ayes, 0 nays, 0 absent. Motion approved.

Moved by Council Member Kloc, seconded by Council Member Fitzpatrick to approve the Council reappointment of Larry Coulouris to the City Planning Commission with a term to expire November 10, 2016. 9 ayes, 0 nays, 0 absent. Motion approved.

MOTIONS AND MISCELLANEOUS BUSINESS

City Manager Tim Morales will work to arrange a tour for Council Members at the Saginaw Career Complex.

ADJOURNMENT

Moved by Council Member Boensch, seconded by Council Member Balls to adjourn the meeting at 7:42 p.m. 9 ayes, 0 nays, 0 absent. Motion approved.

Janet Santos, CMMC/CMC/MMC  
City Clerk

**From:** Timothy Morales, City Manager  
**Subject:** Restated Wastewater Service Agreement with Northwest Utilities  
**Prepared by:** Andre R. Borrello, City Attorney

**Manager’s Recommendation:**

I recommend that the Restated Wastewater Service Agreement (Agreement) with the Northwest Utilities Authority be approved and that the City Manager be authorized to execute same. The Agreement has been approved by the City Manager as to substance and the City Attorney as to form.

**Justification:**

In 1989, the City of Saginaw (City) entered into a Wastewater Service Agreement (WSA) with the Northwest Utilities Authority (NWUA). In summary, the Agreement provides for the City to process sanitary sewage from all or portions of Saginaw Township, Kochville Township, Carrollton Township and the City of Zilwaukee in exchange for the payment of these services by a formula set forth in the WSA. Over the past several years, representatives from the City and NWUA have been in discussions concerning several issues, among them the annual reconciliation of charges, operational efficiencies and the upcoming expiration of the WSA, which is in 2016.

Through the good faith efforts of the parties, past years’ reconciliations have now been completed and both parties are in agreement as to the amount owed to the City by NWUA, which is approximately \$1.2 million. The amount will be paid in full by August of 2019 in accordance with the payment schedule set forth in the Agreement. Also as part of this Agreement, the parties have agreed to timely communications and accounting requirements in reference to annual reconciliations so that any future issues are addressed immediately. Importantly, the Agreement also reaffirms the parties’ relationship until a successor agreement is reached before 2016.

The City and NWUA have enjoyed a mutually beneficial relationship for more than twenty-five (25) years and this Agreement continues that association and satisfies years-long concerns in reference to the billing, costs and reconciliations.

**Council Action:**

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

## RESTATED WASTEWATER SERVICE AGREEMENT

City of Saginaw  
And  
Northwest Utilities Authority

THIS AGREEMENT, made effective this \_\_\_\_\_ day of November, 2014, by and between the CITY of SAGINAW, a Michigan municipal corporation, organized and existing under the laws of the State of Michigan, hereinafter referred to as City, and the NORTHWEST UTILITIES AUTHORITY, an authority organized pursuant to Act No. 233, Public Acts of Michigan, 1955, as amended, hereinafter referred to as Authority.

### RECITALS

1. City and Authority entered into a Wastewater Service Agreement dated February 1, 1989, herein referred to as "1989 Agreement," which permits sanitary sewage from Authority's service area to be discharged to City's wastewater treatment plant under terms and conditions set forth therein;
2. The City's wastewater treatment service to Authority commenced on October 21, 1991, and the 1989 Agreement expires October 21, 2016, subject to City's agreement to provide continued service as provided in Section 18 of the 1989 Agreement;
3. Since 1989, the City's procedure for allocation of certain costs, including indirect administrative expenses, has changed. The current procedure for allocation of costs, which is reflected in the account allocation in this Agreement, is acceptable to the Authority. As a result of the change, the parties have agreed to reconcile the cost of wastewater treatment services.

NOW THEREFORE, it is agreed as follows:

1. For the remainder of the term of the Agreement, City agrees to provide Authority with account reconciliation statements within the time required under the 1989 Agreement which are prepared consistent with the procedure which was followed in preparing the 2007-2013 account reconciliations. Authority will complete its review of the account reconciliation within 60 days of receipt of the reconciliation statement and supporting data which Authority requests from City. In order to enable Authority and its constituent member municipalities sufficient time to budget for payment of amounts resulting from the account reconciliation, said additional payment will commence beginning the month of June in the year following Authority's review of the account reconciliation amount from the City.
2. The reconciled amount and payment schedule for years 2007 through 2013, inclusive, is set forth in the attached **Exhibit 1**. The reconciliation payment schedule for years 2015 through 2019 is set forth in the attached **Exhibit 2**.
3. This Agreement sets forth the amended and restated terms and conditions of the Agreement and the parties' respective obligations under that Agreement. Nothing in this Agreement is intended to modify the 1989 Agreement, except as expressly provided for herein.

4. The parties hereto expressly agree that no other person or entity except the parties hereto shall acquire any rights or benefits, directly or indirectly, from this Agreement. It is the intent of the parties hereto not to create any rights or benefits in any third party or entity whatsoever.

5. This Agreement shall be binding upon the parties hereto, their successors and assigns.

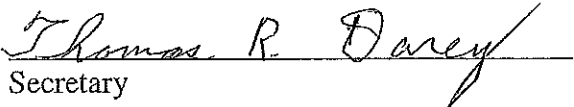
IN WITNESS, the parties hereto have caused this Agreement to be signed by their duly designated representatives as of the day and year written above.

NORTHWEST UTILITIES AUTHORITY,  
An Act 233 Authority (Public Acts of 1955)

Dated: \_\_\_\_\_, 2014

  
\_\_\_\_\_  
Chairperson

Dated: \_\_\_\_\_, 2014

  
\_\_\_\_\_  
Secretary

CITY OF SAGINAW, a Michigan Municipal  
Corporation

Dated: \_\_\_\_\_, 2014

\_\_\_\_\_  
City Manager

Dated: \_\_\_\_\_, 2014

\_\_\_\_\_  
City Clerk



**EXHIBIT 1**

2007-2013 Reconciliation Summary

<u>Contract Reconciliation Year</u>	<u>Amount</u>
2007	(\$59,854.00)
2008	\$45,905.00
2009	\$256,975.00
2010	\$377,836.00
2011	\$308,565.00
2012	\$179,309.00
2013	\$133,390.00
<b>TOTAL</b>	<b>\$1,242,126.00</b>

**Exhibit 2**  
**Restated Wastewater Service Agreement**  
**Reconciliation Summary**

Payment Date	Monthly Payment	Annual Pmt	Amount Owed	Payment Date	Monthly Payment	Annual Pmt	Amount Owed
1/1/2015	8,000		1,242,126	1/1/2017	8,000		842,126
2/1/2015	8,000		1,234,126	2/1/2017	8,000		834,126
3/1/2015	8,000		1,226,126	3/1/2017	8,000		826,126
4/1/2015	8,000		1,218,126	4/1/2017	8,000		818,126
5/1/2015	8,000		1,210,126	5/1/2017	8,000		810,126
6/1/2015	8,000		1,202,126	6/1/2017	8,000	200,000	602,126
7/1/2015	8,000		1,194,126	7/1/2017	8,000		594,126
8/1/2015	8,000		1,186,126	8/1/2017	8,000		586,126
9/1/2015	8,000		1,178,126	9/1/2017	8,000		578,126
10/1/2015	8,000		1,170,126	10/1/2017	8,000		570,126
11/1/2015	8,000		1,162,126	11/1/2017	8,000		562,126
12/1/2015	8,000		1,154,126	12/1/2017	8,000		554,126
1/1/2016	8,000		1,146,126	1/1/2018	8,000		546,126
2/1/2016	8,000		1,138,126	2/1/2018	8,000		538,126
3/1/2016	8,000		1,130,126	3/1/2018	8,000		530,126
4/1/2016	8,000		1,122,126	4/1/2018	8,000		522,126
5/1/2016	8,000		1,114,126	5/1/2018	8,000		514,126
6/1/2016	8,000	200,000	1,106,126	6/1/2018	8,000	200,000	306,126
7/1/2016	8,000		898,126	7/1/2018	8,000		298,126
8/1/2016	8,000		890,126	8/1/2018	8,000		290,126
9/1/2016	8,000		882,126	9/1/2018	8,000		282,126
10/1/2016	8,000		874,126	10/1/2018	8,000		274,126
11/1/2016	8,000		866,126	11/1/2018	8,000		266,126
12/1/2016	8,000		858,126	12/1/2018	8,000		258,126
			850,126				

**Exhibit 2**  
**Restated Wastewater Service Agreement**  
**Reconciliation Summary**

Payment Date	Monthly Payment	Annual Pmt	Amount Owed
1/1/2019	8,000		250,126
2/1/2019	8,000		242,126
3/1/2019	8,000		234,126
4/1/2019	8,000		226,126
5/1/2019	8,000		218,126
6/1/2019	8,000	200,000	10,126
7/1/2019	8,000		2,126
8/1/2019	2,126		0

**From:** Timothy Morales, City Manager

**Subject:** Saginaw-Midland Municipal Water Supply Corporation (SMMWSC)  
2013-2014 Annual Audit

**Prepared by:** Janet Santos, City Clerk

**Manager's Recommendation:**

I recommend that the 2013-2014 Annual Audit of the Saginaw-Midland Municipal Water Supply Corporation (SMMWSC) be received and filed.

**Justification:**

The City of Saginaw and the City of Midland are owners of the SMMWSC. According to Article XVII of the Articles of Incorporation, it states "The Corporation shall cause an annual audit to be made of its financial transactions by a certified public accountant and furnish at least five copies thereof to each constituent municipality." This recommendation will indicate that this requirement is met. The SMMWSC 2013-2014 Annual Audit was received by the City Clerk's Office on November 24, 2014.

The audit report will be available in the City Clerk's Office for public inspection.

**Council Action:**

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

**From:** Timothy Morales, City Manager

**Subject:** Ratification of Emergency Purchase – Turbo Charger for Plow Truck 53-0401 ROW Division

**Prepared by:** Don Riley, Public Services Department

**Manager’s Recommendation:**

I recommend ratification of a payment to Michigan Turbo of Grand Rapids, MI in the amount of \$2,100 for a replacement turbo charger for plow truck 53-0401 for the Motor Pool Operations Garage Division. Emergency purchase order #495656 was issued on November 24, 2014. The bid process was not utilized because of the emergency nature of this repair.

**Justification:**

On November 10, 2014 quotes were received for the replacement of an electronically controlled turbocharger assembly, which was worn beyond service on a 2008 International plow and dump truck. This is one of twelve (12) front line plow and salt trucks, which must be maintained in a ready condition as it is relied upon during snow events, to maintain over 300 lane miles of the City's paved streets and state highways. Further uses include hauling and pulling various materials and support equipment.

The following is a listing of the quotes received.

Michigan Turbo Grand Rapids, MI (Out City)	\$2,100.00
Wieland Truck Sales Saginaw, MI (Out City)	\$2,547.35

Michigan Turbo 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 Motor Pool Operation Fund – Garage Division's, Motor Vehicle Supplies Account No. 661-4480-737.000, and will be accounted for in the Motor Pool Operation Fund – Garage Parts Inventory Account No. 661-0000-110.001.

**Council Action:**

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

**From:** Timothy Morales, City Manager  
**Subject:** Maintenance and Service - Replacement Maintenance Crew Truck  
**Prepared by:** Don Riley, Public Services Department

**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 \$27,686.20, for the purchase of a 2015 GMC Sierra 2500HD 4X4 Pickup, equipped as specified for the Maintenance and Service Division.

**Justification:**

The Maintenance and Service Division is replacing a 1999 Dodge Pickup with over 100,000 miles that was scheduled for replacement in 2009. This truck is used as transportation by the cement crews, and as a service truck when needed for inspection and repair of utilities in the City on approximately 600 miles of water and sewer mains and approximately 110 miles of out-city transmission mains that serve Saginaw, Bay, and Tuscola Counties. The new vehicle will replace a Foreman's truck that will then be cycled down to a meter service truck, which will replace the 1999 cement crew truck. 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 Water Fund – Surplus Division's Capital Outlay/Vehicles Account #591-4740-982.000 (\$13,843.10) and Sewer Fund - Surplus Division's Vehicles Account # 590-4840-982.000 (\$13,843.10).

**Council Action:**

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

**From:** Timothy Morales, City Manager  
**Subject:** Blanket P.O. Modifications for Wastewater Treatment for FY2015  
**Prepared by:** Brian Baldwin, Water and Wastewater

**Manager's Recommendation:**

I recommend that the blanket purchase orders approved and issued for the purchase of various parts and supplies needed to operate and maintain the Wastewater Treatment Plant and Remote Facilities, during fiscal year 2015, be modified as indicated below.

**Justification:**

On June 23, 2014, blanket purchase orders were requested and approved by city council to cover the purchase of certain parts and supplies needed to operate and maintain the Wastewater Treatment Plant and Remote Facilities. The blanket purchase orders of the vendors providing the best pricing are being depleted, while those of other vendors are unused. For this reason, we would like to adjust the amounts. These adjustments are budget neutral because the reductions and increases balance out. Wastewater personnel always have and will continue to solicit quotes for items purchased to insure that we obtain the lowest possible price. Issuing individual purchase orders is costly and administratively time consuming; therefore, we are requesting authorization to modify our approved blanket purchase orders as follows:

<b>PO #</b>	<b>Vendor Name</b>	<b>Approved</b>	<b>Modified</b>	<b>Change</b>
0494407	M S C INDUSTRIAL SUPPLY	\$4,500.00	\$3,000.00	-\$1,500.00
0494410	STANDARD ELECTRIC	\$4,000.00	\$6,000.00	\$2,000.00
0494412	ALRO STEEL	\$5,000.00	\$4,000.00	-\$1,000.00
0494414	MARSHALL E. CAMPBELL CO.	\$1,900.00	\$900.00	-\$1,000.00
0494419	LOWE'S COMPANIES, INC	\$1,900.00	\$900.00	-\$1,000.00
0494423	MCMaster CARR SUPPLY	\$6,000.00	\$4,000.00	-\$2,000.00
0494424	MID-STATES BOLT & SCREW	\$1,900.00	\$900.00	-\$1,000.00
0494425	STAN'S HARDWARE INC	\$1,000.00	\$500.00	-\$500.00
0494426	TRI COUNTY EQUIPMENT	\$1,900.00	\$900.00	-\$1,000.00
0494430	COMPRESSOR ENGINEERING	\$1,900.00	\$900.00	-\$1,000.00
0494431	TUPES OF SAGINAW INC	\$1,900.00	\$3,400.00	\$1,500.00
0494432	FASTENERS INC	\$1,900.00	\$900.00	-\$1,000.00
0494435	SAFETY SERVICES INC	\$1,900.00	\$3,400.00	\$1,500.00
0494437	FASTENAL	\$1,900.00	\$4,900.00	\$3,000.00
NEW	MCNAUGHTON MCKAY ELECTRIC		\$3,000.00	\$3,000.00
<b>Totals</b>		<b>37,600.00</b>	<b>\$37,600.00</b>	<b>\$0.00</b>

These vendors meet 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.

Eighty percent (\$30,080) of these purchases are budgeted in the Sewer Operations and Maintenance Fund, Treatment and Pumping Division's Parts and Supplies Account No. 590-4830-742.000 and twenty percent (\$7,520) of these purchases are budgeted in the Sewer Operations and Maintenance Fund, Remote Facilities Division's Parts and Supplies Account No. 590-4835-742.000.

**Council Action:**

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



**From:** Timothy Morales, City Manager

**Subject:** Hybrid Resolution Adoption Agreement

**Prepared by:** Dennis Jordan, Human Resources Director

**Manager's Recommendation:**

I recommend approval of the Resolution to Adopt the Municipal Employees Retirement System of Michigan (MERS) Hybrid Plan. It is also recommended that the City Council authorize the City Manager or his designee to sign all documents related to this amendment.

**Justification:**

The City successfully negotiated an agreement with the Police Officers Association of Michigan (POAM). The agreement was ratified by the Union on October 22, 2014 and approved by Council on November 10, 2014. One of the provisions agreed to was to allow Defined Contribution employee's the opportunity to move into a Hybrid Pension Plan administered through Municipal Employees' Retirement System of Michigan. The Hybrid Pension plan has two parts; a Defined Contribution part and a Defined Benefit part.

Employees' currently only have a Defined Contribution plan where the City contributes 13% of an employees' pay into that plan. In addition, the employee contributes 8%. The terms of the agreement are that the City will not contribute more than the 13% in the future. If the cost of the Defined Benefit portion increases beyond the 13%, the employee will be responsible for any additional costs, therefore mitigating additional liabilities on the City.

Adding the Hybrid plan will help the City with two ongoing issues. It is anticipated that the new plan will help improve recruitment and retention efforts for the City. Police applicants may be more inclined to consider working for an employer with some form of a Defined Benefit plan and employees' are more apt to work through normal retirement age of 60 with this benefit in place.

**Council Action:**

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

## ADOPTING THE MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM OF MICHIGAN HYBRID PENSION PLAN

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

**WHEREAS:** this Resolution is entered into under the provisions of 1996 PA 220 and the Municipal Employees' Retirement System of Michigan ("MERS") Restated Plan Document of 2012 (the "MERS Plan Document"), as each may be amended; and

**WHEREAS:** the City of Saginaw desires to adopt the Municipal Employees' Retirement System of Michigan (MERS) Hybrid Plan for its designated employees; and

**WHEREAS:** the City of Saginaw has furnished MERS with required data regarding each eligible employee and retiree, and, for employees, MERS' actuary has computed the liabilities for benefits payable and which may become payable (on account of service already, and to be, rendered) with respect to the defined benefit portion of the MERS Hybrid Plan, and the City of Saginaw has furnished MERS with required data regarding each eligible employee and retiree with respect to the defined contribution portion of the MERS Hybrid Plan; and

**WHEREAS:** as a condition of MERS membership, and pursuant to the MERS Retirement Board's power as plan administrator and trustee under Plan Document Section 36 and MCL 38.1536, as each may be amended, it is appropriate and necessary to enter into a binding agreement providing for the administration of the Hybrid Plan, the reporting of wages, and the payment of the required contributions of the City of Saginaw and withholding of employee contributions.

**NOW, THEREFORE, BE IT RESOLVED,** the City of Saginaw adopts the MERS Hybrid Plan in accordance with Plan Section 41 for its eligible employees as described in the MERS Hybrid Adoption Agreement, subject to the MERS Plan Document and as authorized by 1996 PA 220, as both may be amended.

**BE IT FURTHER RESOLVED,** the City of Saginaw agrees to the terms of and authorizes the Director of Human Resources to execute the initial MERS Hybrid Adoption Agreement.

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 December 8, 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.

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Janet Santos, CMMC/CMC/MMC  
City Clerk

# Resolution Adopting the MERS Hybrid Plan



1134 Municipal Way Lansing, MI 48917 | 800.767.2308 | Fax 517.703.9711

www.mersofmich.com

This Resolution is entered into under the provisions of 1996 PA 220 and the Municipal Employees' Retirement System of Michigan ("MERS") Restated Plan Document of 2012 (the "MERS Plan Document"), as each may be amended.

**WHEREAS**, the participating entity desires to adopt the MERS Hybrid Plan for its designated employees;

**WHEREAS**, the participating entity has furnished MERS with required data regarding each eligible employee and retiree, and, for employees, MERS' actuary has computed the liabilities for benefits payable and which may become payable (on account of service already, and to be, rendered) with respect to the defined benefit portion of the MERS Hybrid Plan, and the participating entity has furnished MERS with required data regarding each eligible employee and retiree with respect to the defined contribution portion of the MERS Hybrid Plan;

**WHEREAS**, as a condition of MERS membership, and pursuant to the MERS Retirement Board's power as plan administrator and trustee under Plan Document Section 36 and MCL 38.1536, as each may be amended, it is appropriate and necessary to enter into a binding agreement providing for the administration of the Hybrid Plan, the reporting of wages, and the payment of the required contributions of a participating entity and withholding of employee contributions; now, therefore,

## IT IS HEREBY RESOLVED:

1. On behalf of the participating entity, the governing body of \_\_\_\_\_ adopts the MERS Hybrid Plan in accordance with Plan Section 41 for its eligible employees as described in the MERS Hybrid Adoption Agreement, subject to the MERS Plan Document and as authorized by 1996 PA 220, as both may be amended;
2. The governing body agrees to the terms of and authorizes (title) \_\_\_\_\_ to execute the initial MERS Hybrid Adoption Agreement, a copy of which is attached hereto and which is hereby incorporated by reference; and

I hereby certify that the above is a true copy of the Hybrid Resolution adopted at the official meeting held by the governing body of this municipality:

Dated: \_\_\_\_\_, 20\_\_\_\_. \_\_\_\_\_  
(Signature of Authorized Official)

This Resolution shall have no legal effect under the MERS Plan Document until a certified copy of this adopting Resolution is filed with MERS, MERS determines that all necessary requirements under the Plan Document, the Adoption Agreement, and this Resolution have been met, and MERS certifies the Resolution below.

## Received and Approved by the Municipal Employees' Retirement System of Michigan:

Dated: \_\_\_\_\_, 20\_\_\_\_. \_\_\_\_\_  
(Authorized MERS Signatory)

**From:** Timothy Morales, City Manager  
**Subject:** Small Distiller's License for 124 S. Michigan Avenue  
**Prepared by:** Janet Santos, City Clerk

**Manager's Recommendation:**

I recommend approval of the request received from Old Town Distillery for a Small Distiller's license located at 124 S. Michigan Avenue, Saginaw, MI, 48602.

**Justification:**

On May 19, 2014, City Council approved a Small Distiller's license for Old Town Distillery to be located at 1400 W. Genesee. The applicant found a more suitable building while the Small Distiller's license was pending with the State of Michigan. The small distillery never opened at 1400 W. Genesee, and the license was pending from the State of Michigan. On or about November 13, 2014, the City received a request from Old Town Distillery to approve a transfer of a small, craft distillery from 1400 W. Genesee to 124 S. Michigan Avenue. A Federal Distillery License has been granted to Old Town Distillery.

On November 13, 2014, Old Town Distillery obtained a Saginaw General Business License to operate a distillery at 124 S. Michigan Avenue, Saginaw, Michigan 48602.

The City of Saginaw Fire Prevention, City Police Department and the City Building Inspections Division have completed their respective inspections and have approved 124 S. Michigan Ave. for the license as required by Chapter 110, "General Provisions," of the Title XI, "Business Regulations" of the Saginaw Code of Ordinances. Under Chapter III, "Alcoholic Beverages," §111.11, "Application for License," the City Manager is to review all applications and departmental reports and give recommendation to the City Council of approval or disapproval of the license. Since the necessary requirements have been met, I hereby recommend approval of the request from Old Town Distillery for a Small Distillery license to be located at 124 S. Michigan Avenue, Saginaw, MI 48602.

**Council Action:**

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

## APPROVING A SMALL DISTILLERS LICENSE AT 124 S. MICHIGAN AVENUE

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

**WHEREAS:** on or about November 13, 2014, the City Clerk's Office received a request for local government approval of a Small Distiller's license at 124 S. Michigan Avenue; and

**WHEREAS:** the applicant, Old Town Distillery, has applied for and received a Federal Distillery License for a small, craft distillery; and

**WHEREAS:** this resolution will be submitted to the State of Michigan for a Small Distiller's license upon receiving approval from the local government; and

**WHEREAS:** the City of Saginaw Fire Prevention, City Police Department and the City Building Inspections Division have conducted their respective inspections and have determined compliance of the applicable codes at 124 S. Michigan Avenue.

**NOW, THEREFORE, BE IT RESOLVED,** that the City Council of the City of Saginaw approves the request received from Old Town Distillery for approval of a Distillers License at 124 S. Michigan Ave., Saginaw, MI 48602, Saginaw County.

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 December 8, 2014; the original thereof is on file in the records of the Office of the City Clerk; 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.

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Janet Santos, CMMC/CMC/MMC  
City Clerk

RECEIVED  
CITY CLERK  
CITY OF SAGINAW

NOV 13 2014

To: Saginaw City Council

From: Art Felton, Old Town Distillery

I am writing this letter with regards to my proposal of opening a small, craft distillery in the City of Saginaw at 124 S. Michigan Ave., 48602. Old Town Distillery. The council had already approved my request back on May 19<sup>th</sup> 2014 but at a different location- 1400 W. Genesee Avenue. While waiting on my State license, the opportunity arose to purchase this new location.

The distillery will be capable of producing 8-10 gallons daily of high quality spirits- vodka, whiskey, rum, gin. The initial focus will be producing high quality vodka, as well as flavored vodkas using local products such as apples and grapes. My intention is to use only the highest quality locally grown grains, vegetables and fruits for my spirit recipes. It will be classified as a 'Small Distillery' in the eyes of the State- meaning that it can only produce less than 60,000 gallons per year. My still, running at full capacity could only produce 3,500 gallons per year.

The location that I have chosen is the former Ardern and Whitney Flower shop. The main floor of the building is 3,400 square feet, and has tremendous retail potential. It is currently zoned to allow this type of project, and I have been told that the City of Saginaw Zoning Department has given me approval to move forward. Currently, I am working with an architect to develop the floor plan for the main floor, in order to make sure that I am in compliance with local ordinances (building codes- ventilation, water and sewer) and make sure I am in compliance with all State and Federal laws. I purchased the building on November 6<sup>th</sup>, 2014.

I have already received my Federal Distiller's license. I have also received my State of Michigan license, but I must re-apply to amend my license to this location. The State will not approve my amended license without consent from the Saginaw City Council.

About me: I am a lifelong Saginaw and Saginaw Township resident, attended Nouvel Catholic Central High School and then Northwood University. I am the owner of Crossroads Title Agency, with 7 locations throughout Michigan. I am committed to the City of Saginaw and cannot think of another location that I want this project to take place in.

Thank you for your time and consideration,

Art Felton