



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640 ♦ 989.837.3300 * 989.837.2717 Fax ♦ www.cityofmidlandmi.gov

REGULAR MEETING OF THE MIDLAND CITY COUNCIL
City Hall, 333 W. Ellsworth Street

May 09, 2016

7:00 PM

AGENDA

CALL TO ORDER - Maureen Donker, Mayor

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL - Thomas W. Adams
Steve Arnosky
Diane Brown Wilhelm
Maureen Donker
Marty A. Wazbinski

CONSIDERATION OF ADOPTING CONSENT AGENDA ITEMS:

All resolutions marked with an asterisk are considered to be routine and will be enacted by one motion. There will be no separate consideration of these items unless a Council member or citizen so requests during the discussion stage of the "Motion to adopt the Consent Agenda as indicated." If there is even a single request the item will be removed from the consent agenda without further motion and considered in its listed sequence in regular fashion.

APPROVAL OF MINUTES:

1. * Approve minutes of the April 25 regular City Council meeting. TISDALE

PROCLAMATIONS, AWARDS, RECOGNITIONS, PRESENTATIONS:

2. Recognition of 16 elementary and middle school children for outstanding work in creating posters for the 2016 Make Midland BLOOM Art Celebration. POST
3. International Economic Development Week - May 8-14. TISDALE

PUBLIC HEARINGS:

4. 2016 Sidewalk Improvement Program Hearing on Necessity and resolutions directing the City Assessor to prepare an assessment roll (also see material sent in the April 11 agenda packet). MCMANUS

- A. Jefferson Avenue Sidewalk (4/5 vote required)
- B. Wheeler Street Sidewalk

- 5. City Manager's Proposed 2016-17 Budget (also see material sent in the April 11 and 25 agenda packets). KEENAN

PUBLIC COMMENTS, IF ANY, BEFORE CITY COUNCIL. This is an opportunity for people to address the City Council on issues that are relevant to Council business but are not on the agenda.

ORDINANCE AMENDMENTS:

RESOLUTIONS:

- 6. Reinstating Dial-A-Ride Sunday service. MURPHY
- 7. * Approving the Amendment to the Midland County Solid Waste Management Plan. BUSH
- 8. * Approving the 2016-17 Saginaw-Midland Municipal Water Supply Corporation Budget for Capital Improvement and Emergency Repair Fund. BUSH
- 9. * Site Plan No. 346 - for site plan review and approval for a 9,902 square foot addition at the Hall of Fame building of Northwood University at 4000 Whiting Drive. KAYE
- 10. * Accepting the resignation of Jim Stewart from the Planning Commission. KAYE

Considering purchases and contracts:

- 11. Downtown Midland Streetscape Redevelopment and Conceptual Engineering Design Study. TISDALE
- 12. * 2016 Ottawa Street Reconstruction and Water Main; Contract No. 19. MCMANUS
- 13. * 2016 Letts Street Culvert Replacement and S. Saginaw Road Bank Stabilization Design and Engineering Services. MCMANUS
- 14. * Raw Sewage Pump Replacement - Wastewater. BUSH
- 15. * Water Meter Hand-held Reading Devices (4/5 vote required). BUSH

Setting a public hearing:

- 16. * Amendment to the 2015-16 Downtown Development Authority budget for Downtown Midland Streetscape Redevelopment and Conceptual Engineering Design Study (5/23). TISDALE

- 17. * Zoning Petition No. 605 - to amend the City of Midland Zoning Map by rezoning a portion of the property located at 5900 Waldo Avenue from Midland Township zoning to Residential B Multiple-Family zoning, subject to offered conditions (6/13). KAYE

NEW BUSINESS:

TO CONTACT THE CITY WITH QUESTIONS OR FOR ADDITIONAL INFORMATION:

Citizen Comment Line:	837-3400
City of Midland website address:	www.cityofmidlandmi.gov
City of Midland email address:	cityhall@midland-mi.org
Government Information Center:	located near the reference desk at the Grace A. Dow Memorial Library

Backup material for agenda item:

1. * Approve minutes of the April 25 regular City Council meeting. TISDALE

April 25, 2016

A regular meeting of the City Council was held on Monday, April 25, 2016, at 7:00 p.m. in the Council Chambers of City Hall. Mayor Donker presided. The Pledge of Allegiance to the Flag was recited in unison.

Councilmen present: Thomas Adams, Steve Arnosky, Diane Brown Wilhelm, Maureen Donker, Marty Wazbinski

Councilmen absent: None

MINUTES

Approval of the minutes of the April 11, 2016 regular and April 18, 2016 special meeting was offered by Councilman Brown Wilhelm and seconded by Councilman Adams. (Motion ADOPTED.)

NOTE: MAYOR DONKER MOVED AGENDA ITEM #7 TO FOLLOW THE CONSENT AGENDA. FOR EASE OF FINDING THE APPROPRIATE DOCUMENTATION CORRESPONDING TO SPECIFIC AGENDA ITEMS, THE MINUTES WERE TRANSCRIBED IN THE ORDER THEY WERE ORIGINALLY PLACED ON THE AGENDA AND NOT IN THE ORDER IN WHICH THEY WERE ACTUALLY PRESENTED FOR CONSIDERATION.

2016-17 COMMUNITY DEVELOPMENT BLOCK GRANT BUDGET

Assistant City Manager for Development Services Brad Kaye presented the proposed 2016-17 Community Development Block Grant (CDBG) budget. A public hearing opened at 7:30 p.m., recognizing no comments, the hearing closed at 7:30 p.m. Mayor Donker disclosed she is employed by the Reece Endeavor, a proposed recipient of CDBG funds. The following resolution was then offered by Councilman Arnosky and seconded by Councilman Brown Wilhelm:

WHEREAS, the City of Midland is expected to receive \$242,289 in Community Development Block Grant (CDBG) funds for fiscal year 2016-17 from the U.S. Department of Housing & Urban Development; and

WHEREAS, it is expected that the City will have a fund balance of \$80,103 that will be carried over from prior fiscal years; and

WHEREAS, it is expected that the City will receive a total of \$10,497 in program income during the 2016-17 fiscal year; and

WHEREAS, CDBG revenues totaling \$332,889 must be programmed to activities that meet the federal statutory goals and the City's objective of the CDBG program, as outlined in the 2015-2020 Consolidated Plan; and

WHEREAS, on March 2, 2016, the Housing Commission unanimously recommended approval of the proposed 2016-17 CDBG budget, as set forth in the attached table (Attachment A), which meets said goals and objective of the CDBG program; and

WHEREAS, a public hearing was held by the Midland City Council on April 25, 2016 at 7:00 p.m. in the City Council Chambers, City Hall, 333 West Ellsworth Street, Midland, Michigan, for the purpose of receiving public comment on the 2016-17 CDBG budget; now therefore

RESOLVED, that the City Council hereby adopts the proposed 2016-17 Community Development Block Grant budget, as set forth in the attached table (Attachment A), for the proposed use of funds for the Community Development Block Grant Program; and

RESOLVED FURTHER, that the Mayor and City Clerk are authorized to execute the subrecipient agreements, as approved by the City Attorney, on behalf of the City. (Motion ADOPTED.)

2016 DOWNTOWN ECONOMIC REVITALIZATION PUBLIC IMPROVEMENT SPECIAL ASSESSMENT DISTRICT SPECIAL ASSESSMENT ROLL

City Assessor Reid Duford presented the Special Assessment Roll for the "2016 Downtown Economic Revitalization Public Improvement Special Assessment District". A public hearing opened at 7:42 p.m., recognizing no public comments, the hearing closed at 7:42 p.m. The following resolution was then offered by Councilman Adams and seconded by Councilman Wazbinski:

WHEREAS, pursuant to due notice to all interested parties the City Council has duly met and reviewed the proposed Special Assessments to be assessed and levied in the Special Assessment Roll, prepared by the City Assessor to provide such part of the cost of a certain revitalization program on the "2016 DOWNTOWN ECONOMIC REVITALIZATION PUBLIC IMPROVEMENT SPECIAL ASSESSMENT DISTRICT", as heretofore established, as should be paid upon the property therein especially benefited and has heard and considered all objections made to said Assessment and has made such corrections in said roll as in its judgment ought to be made, and the City Assessor being present at said hearing; now therefore

RESOLVED, that the City Council does hereby determine that it is satisfied with said Special Assessment Roll; and

RESOLVED FURTHER, that the City Council does hereby determine that said assessments are in proportion to benefits received; and

RESOLVED FURTHER, that said Special Assessment Roll be and the same is hereby approved and confirmed in all respects, in the amount of \$90,011.80 and that the total estimated cost of said improvements is \$90,011.80, and the City at large cost is zero (0); and

RESOLVED FURTHER, that fifty (50) percent of the amount of said roll shall be collected during the year of 2016, and fifty (50) percent of said roll shall be collected during the year of 2017; and

RESOLVED FURTHER, that the said roll shall be filed in the Office of the City Clerk, and the Clerk is hereby directed to endorse on said roll the date of confirmation, and that said Clerk is hereby directed to attach the warrant to a certified copy within ten days, therein commanding the City Assessor to spread the various sums and amounts appearing therein on a Special Assessment Roll or upon the General Tax Roll of the City for the full amount or in annual installments as directed by the City Council; and

RESOLVED FURTHER, that said roll shall be forwarded to the City Assessor for spreading fifty (50) percent of said roll on July 1, 2016 without interest, and fifty (50) percent of said roll on July 1, 2017 without interest. (Motion ADOPTED.)

PROPOSED 2016-17 CITY OF MIDLAND BUDGET

Assistant City Manager David Keenan presented the City Manager's proposed 2016-17 Budget. A public hearing opened at 8:05 p.m. Oswald Anders inquired about how much the city pays in interest rates for borrowing money. The hearing closed at 8:07 p.m.

2015-16 BUDGETS AND FINANCIAL WORKING PLANS AMENDMENT

Assistant City Manager David Keenan presented an amendment to the 2015-16 Budgets and Financial Working Plans. A public hearing opened at 8:25 p.m., recognizing no public comments, the hearing closed at 8:25 p.m. The following resolution was then offered by Councilman Arnosky and seconded by Councilman Brown Wilhelm:

WHEREAS, in accord with Sections 5.11 and 11.6 of the Charter of the City of Midland, and after having given proper legal notice and having conducted a public hearing on Monday, April 25, 2016 on the proposal to amend the 2015-16 budgets and financial working plans to reflect the estimates submitted during the 2016-17 budget process; now therefore

RESOLVED, the budgets and working plans of the City of Midland be amended as follows:

	<u>Current</u>	<u>Proposed</u>
GENERAL FUND		
<i>Sources of Funds:</i>		
Property taxes	\$ 31,568,810	\$ 31,633,238
Intergovernmental	4,077,443	4,677,725
Other revenues	4,424,550	4,543,957
Transfers from other funds	51,000	51,000
Fund balance	<u>5,737,159</u>	<u>3,732,914</u>
Total Sources of Funds	<u>\$ 45,858,962</u>	<u>\$ 44,638,834</u>
<i>Appropriations:</i>		
General government	\$ 6,416,648	\$ 6,107,565
Public safety	18,224,888	17,841,230
Public works	2,995,765	2,926,918
Sanitation	3,106,050	3,129,210
Parks and recreation	5,706,416	5,607,290
Other functions	2,122,792	2,014,951
Capital projects	1,597,475	1,680,475
Contingencies	315,657	200,000
Transfers to other funds	<u>5,373,271</u>	<u>5,131,195</u>
Total Appropriations	<u>\$ 45,858,962</u>	<u>\$ 44,638,834</u>
MAJOR STREET FUND		
<i>Sources of Funds:</i>		
State gas and weight tax	\$ 2,842,000	\$ 3,000,000
County Road Millage	4,200,000	4,200,000
Other revenues	462,589	442,361
Transfers from other funds	15,000	119,000
Fund balance	<u>1,881,409</u>	<u>1,866,946</u>
Total Sources of Funds	<u>\$ 9,400,998</u>	<u>\$ 9,628,307</u>
<i>Appropriations:</i>		
Street maintenance	\$ 1,941,368	\$ 1,899,853
Street construction	4,608,708	4,872,708
Contingencies	25,000	25,000
Transfers to other funds	<u>2,825,922</u>	<u>2,830,746</u>
Total Appropriations	<u>\$ 9,400,998</u>	<u>\$ 9,628,307</u>

	<u>Current</u>	<u>Proposed</u>
LOCAL STREET FUND		
<i>Sources of Funds:</i>		
State gas and weight tax	\$ 751,000	\$ 800,000
Other revenues	151,500	753,400
Transfers from other funds	2,770,000	2,770,000
Fund balance	1,694,676	1,309,964
Total Sources of Funds	\$ 5,367,176	\$ 5,633,364
<i>Appropriations:</i>		
Street maintenance	\$ 1,346,277	\$ 1,393,553
Street construction	3,860,182	4,091,182
Contingencies	20,000	20,000
Transfers to other funds	140,717	128,629
Total Appropriations	\$ 5,367,176	\$ 5,633,364
SMARTZONE FUND		
<i>Sources of Funds:</i>		
Property taxes	\$ -	\$ 17,344
Fund balance	-	69,397
Total Sources of Funds	\$ -	\$ 86,741
<i>Appropriations:</i>		
Operating expenditures	\$ -	\$ 86,741
Total Appropriations	\$ -	\$ 86,741
CENTER CITY AUTHORITY FUND		
<i>Sources of Funds:</i>		
Property taxes	\$ 10,765	\$ 7,927
Other revenues	136,464	136,381
Fund balance	-	3,002
Total Sources of Funds	\$ 147,229	\$ 147,310
<i>Appropriations:</i>		
Operating expenditures	\$ 47,229	\$ 43,310
Transfers to other funds	100,000	104,000
Total Appropriations	\$ 147,229	\$ 147,310
STORM WATER MANAGEMENT FUND		
<i>Sources of Funds:</i>		
Other revenues	\$ 19,450	\$ 19,450
Transfers from other funds	991,639	984,375
Fund balance	325,715	284,416
Total Sources of Funds	\$ 1,336,804	\$ 1,288,241
<i>Appropriations:</i>		
Storm sewer maintenance	\$ 694,372	\$ 645,809
Storm sewer construction	58,900	58,900
Contingencies	583,532	583,532
Total Appropriations	\$ 1,336,804	\$ 1,288,241

	<u>Current</u>	<u>Proposed</u>
GRACE A. DOW LIBRARY FUND		
<i>Sources of Funds:</i>		
Property taxes	\$ 2,337,261	\$ 2,383,391
Operating revenues	611,970	610,461
State funds	40,000	47,715
Other revenues	63,800	213,500
Transfers from other funds	1,041,740	858,726
Fund balance	36,468	36,468
Total Sources of Funds	\$ 4,131,239	\$ 4,150,261
<i>Appropriations:</i>		
Operating expenditures	\$ 4,096,771	\$ 3,966,093
Capital projects	11,468	11,468
Capital expenditures	23,000	172,700
Total Appropriations	\$ 4,131,239	\$ 4,150,261
COMMUNITY DEVELOPMENT BLOCK GRANT FUND		
<i>Sources of Funds:</i>		
Federal grants	\$ 416,708	\$ 449,211
Program income	5,000	52,600
Total Sources of Funds	\$ 421,708	\$ 501,811
<i>Appropriations:</i>		
Residential home rehabs	\$ 102,211	\$ 102,211
Other expenditures	185,497	185,497
Contingencies	10,000	7,926
Transfers to other funds	124,000	126,074
Fund balance	-	80,103
Total Appropriations	\$ 421,708	\$ 501,811
SPECIAL ACTIVITIES FUND		
<i>Sources of Funds:</i>		
Grant revenues	\$ 9,000	\$ 9,000
Contributions and other	95,900	64,825
Transfers from other funds	5,000	10,000
Total Sources of Funds	\$ 109,900	\$ 83,825
<i>Appropriations:</i>		
Other expenditures	\$ 86,000	\$ 67,448
Transfers to other funds	10,000	15,000
Fund balance	13,900	1,377
Total Appropriations	\$ 109,900	\$ 83,825
MIDLAND HOUSING FUND		
<i>Sources of Funds:</i>		
Sale of assets and other	\$ 160,200	\$ 319,215
Fund balance	11,600	-
Total Sources of Funds	\$ 171,800	\$ 319,215
<i>Appropriations:</i>		
Cost of assets sold and other	\$ 171,800	\$ 153,912
Fund balance	-	165,303
Total Appropriations	\$ 171,800	\$ 319,215

	<u>Current</u>	<u>Proposed</u>
DIAL-A-RIDE FUND		
<i>Sources of Funds:</i>		
Operating revenues	\$ 105,000	\$ 102,180
State funds	873,545	801,914
Federal funds	1,055,176	1,025,264
Transfers from other funds	698,307	639,245
Other revenues	-	27,671
Fund balance	4,300	4,300
Total Sources of Funds	<u>\$ 2,736,328</u>	<u>\$ 2,600,574</u>
<i>Appropriations:</i>		
Operating expenditures	\$ 2,055,107	\$ 1,987,435
Capital expenditures	671,221	603,139
Contingencies	10,000	10,000
Total Appropriations	<u>\$ 2,736,328</u>	<u>\$ 2,600,574</u>
MIDLAND COMMUNITY TELEVISION FUND		
<i>Sources of Funds:</i>		
Franchise fees	\$ 755,300	\$ 779,900
Other revenues	3,100	3,600
Fund balance	498,418	454,849
Total Sources of Funds	<u>\$ 1,256,818</u>	<u>\$ 1,238,349</u>
<i>Appropriations:</i>		
Operating expenditures	\$ 619,068	\$ 602,767
Capital expenditures	617,750	615,582
Contingencies	20,000	20,000
Total Appropriations	<u>\$ 1,256,818</u>	<u>\$ 1,238,349</u>
DOWNTOWN DEVELOPMENT AUTHORITY FUND		
<i>Sources of Funds:</i>		
Property taxes	\$ 510,011	\$ 557,410
Other revenues	6,000	9,975
Transfers from other funds	26,500	26,500
Fund balance	31,383	-
Total Sources of Funds	<u>\$ 573,894</u>	<u>\$ 593,885</u>
<i>Appropriations:</i>		
Operating expenditures	\$ 523,894	\$ 525,534
Transfers to other funds	50,000	50,000
Fund balance	-	18,351
Total Appropriations	<u>\$ 573,894</u>	<u>\$ 593,885</u>
DEBT SERVICE FUND		
<i>Sources of Funds:</i>		
Property taxes & other	\$ 633,601	\$ 630,341
Transfers from other funds	1,819,724	1,819,724
Fund balance	-	3,260
Total Sources of Funds	<u>\$ 2,453,325</u>	<u>\$ 2,453,325</u>

	<u>Current</u>	<u>Proposed</u>
DEBT SERVICE FUND (cont'd)		
<i>Appropriations:</i>		
Debt service	\$ 1,630,663	\$ 1,630,663
Transfers to other funds	822,662	822,662
Total Appropriations	\$ 2,453,325	\$ 2,453,325
CIVIC ARENA FUND		
<i>Sources of Funds:</i>		
Operating revenue	\$ 1,090,940	\$ 1,128,640
Other revenues	19,250	20,143
Transfers from other funds	425,000	425,000
Total Sources of Funds	\$ 1,535,190	\$ 1,573,783
<i>Appropriations:</i>		
Operating expenses	\$ 962,521	\$ 939,415
Capital expenses	152,500	152,500
Debt service	349,925	349,925
Contingencies	10,000	10,000
Working capital	60,244	121,943
Total Appropriations	\$ 1,535,190	\$ 1,573,783
LANDFILL FUND		
<i>Sources of Funds:</i>		
Operating revenue	\$ 3,270,000	\$ 3,433,000
Other revenues	119,761	119,056
Working capital	1,289,440	1,033,569
Total Sources of Funds	\$ 4,679,201	\$ 4,585,625
<i>Appropriations:</i>		
Operating expenses	\$ 2,961,131	\$ 2,867,555
Other expenses	670	670
Capital expenses	817,400	817,400
Capital projects	870,000	870,000
Contingencies	30,000	30,000
Total Appropriations	\$ 4,679,201	\$ 4,585,625
WASHINGTON WOODS FUND		
<i>Sources of Funds:</i>		
Operating revenues	\$ 1,499,763	\$ 1,615,813
Other revenues	1,184,000	1,880,705
Transfers from other funds	84,000	150,001
Working capital	666,272	461,603
Total Sources of Funds	\$ 3,434,035	\$ 4,108,122
<i>Appropriations:</i>		
Operating expenses	\$ 1,490,784	\$ 1,466,715
Other expenses	342,139	315,670
Capital expenses	463,113	505,187
Capital projects	1,127,999	1,802,999
Contingencies	10,000	10,000
Transfers to other funds	-	7,551
Total Appropriations	\$ 3,434,035	\$ 4,108,122

	<u>Current</u>	<u>Proposed</u>
RIVERSIDE PLACE FUND		
<i>Sources of Funds:</i>		
Operating revenues	\$ 1,910,650	\$ 1,970,741
Other revenues	22,650	23,750
Transfers from other funds	-	7,551
Working capital	131,379	38,526
Total Sources of Funds	\$ 2,064,679	\$ 2,040,568
<i>Appropriations:</i>		
Operating expenses	\$ 1,485,266	\$ 1,453,928
Other expenses	485,000	468,300
Capital expenses	84,413	84,413
Contingencies	10,000	10,000
Transfers to other funds	-	23,927
Total Appropriations	\$ 2,064,679	\$ 2,040,568
CURRIE MUNICIPAL GOLF COURSE FUND		
<i>Sources of Funds:</i>		
Operating revenues	\$ 972,922	\$ 878,615
Other revenues	70,776	72,208
Transfers from other funds	540,000	540,000
Total Sources of Funds	\$ 1,583,698	\$ 1,490,823
<i>Appropriations:</i>		
Operating expenses	\$ 1,088,316	\$ 1,080,068
Contingencies	20,000	10,000
Capital expenses	59,437	59,337
Working capital	415,945	341,418
Total Appropriations	\$ 1,583,698	\$ 1,490,823
PARKING FUND		
<i>Sources of Funds:</i>		
Operating revenues	\$ 94,364	\$ 94,123
Other revenues	8,590	11,204
Transfers from other funds	73,500	73,500
Working capital	17,393	-
Total Sources of Funds	\$ 193,847	\$ 178,827
<i>Appropriations:</i>		
Operating expenses	\$ 167,847	\$ 173,214
Other expenses	1,000	1,240
Capital expenses	25,000	-
Working capital	-	4,373
Total Appropriations	\$ 193,847	\$ 178,827
WASTEWATER FUND		
<i>Sources of Funds:</i>		
Operating revenues	\$ 6,088,770	\$ 6,093,508
Federal funds	-	17,363
Other revenues	731,594	808,444
Transfers from other funds	822,662	822,662
Working capital	1,660,248	1,671,910
Total Sources of Funds	\$ 9,303,274	\$ 9,413,887

	<u>Current</u>	<u>Proposed</u>
WASTEWATER FUND (cont'd)		
<i>Appropriations:</i>		
Operating expenses	\$ 4,394,127	\$ 4,452,889
Other expenses	27,047	69,422
Capital expenses	1,360,786	1,225,286
Capital projects	1,977,741	2,113,241
Debt service	1,455,103	1,455,103
Contingencies	28,470	28,470
Transfers to other funds	60,000	69,476
Total Appropriations	\$ 9,303,274	\$ 9,413,887
WATER FUND		
<i>Sources of Funds:</i>		
Operating revenues	\$ 10,829,580	\$ 10,891,584
Contractual revenue	679,977	724,967
Other revenues	64,487	71,491
Working capital	3,382,964	3,170,471
Total Sources of Funds	\$ 14,957,008	\$ 14,858,513
<i>Appropriations:</i>		
Operating expenses	\$ 8,635,565	\$ 8,548,855
Other expenses	77,455	78,650
Capital expenses	597,150	597,150
Capital projects	4,366,982	4,366,982
Debt service	1,209,686	1,209,686
Contingencies	70,170	51,170
Transfers to other funds	-	6,020
Total Appropriations	\$ 14,957,008	\$ 14,858,513
STORES REVOLVING FUND		
<i>Sources of Funds:</i>		
Operating revenues	\$ 1,339,840	\$ 670,000
Other revenues	2,250	2,175
Total Sources of Funds	\$ 1,342,090	\$ 672,175
<i>Appropriations:</i>		
Operating expenses	\$ 1,283,640	\$ 671,672
Working capital	58,450	503
Total Appropriations	\$ 1,342,090	\$ 672,175
INFORMATION SERVICES FUND		
<i>Sources of Funds:</i>		
Operating revenues	\$ 1,210,008	\$ 1,210,008
Other revenues	2,500	2,500
Working capital	57,610	57,142
Total Sources of Funds	\$ 1,270,118	\$ 1,269,650

	<u>Current</u>	<u>Proposed</u>
INFORMATION SERVICES FUND (cont'd)		
<i>Appropriations:</i>		
Operating expenses	\$ 1,225,118	\$ 1,225,775
Capital expenses	20,000	18,875
Contingencies	25,000	25,000
Total Appropriations	\$ 1,270,118	\$ 1,269,650
EQUIPMENT REVOLVING FUND		
<i>Sources of Funds:</i>		
Operating revenues	\$ 4,233,265	\$ 4,287,061
Other revenues	175,000	221,525
Working capital	785,445	556,239
Total Sources of Funds	\$ 5,193,710	\$ 5,064,825
<i>Appropriations:</i>		
Operating expenses	\$ 3,067,084	\$ 2,971,571
Other expenses	-	11,878
Capital expenses	2,101,626	2,056,376
Contingencies	25,000	25,000
Total Appropriations	\$ 5,193,710	\$ 5,064,825
MUNICIPAL SERVICE CENTER FUND		
<i>Sources of Funds:</i>		
Operating revenues	\$ 373,391	\$ 373,389
Other revenues	1,764	1,164
Working capital	23,630	-
Total Sources of Funds	\$ 398,785	\$ 374,553
<i>Appropriations:</i>		
Operating expenses	\$ 294,709	\$ 267,528
Capital expenses	83,554	83,554
Capital projects	10,522	10,522
Contingencies	10,000	10,000
Working capital	-	2,949
Total Appropriations	\$ 398,785	\$ 374,553
MUNICIPAL SERVICE ANNEX FUND		
<i>Sources of Funds:</i>		
Operating revenues	\$ 34,744	\$ 34,744
Other revenues	50	25
Working capital	32,081	31,837
Total Sources of Funds	\$ 66,875	\$ 66,606
<i>Appropriations:</i>		
Operating expenses	\$ 17,875	\$ 17,606
Contingencies	5,000	5,000
Capital expenses	44,000	44,000
Total Appropriations	\$ 66,875	\$ 66,606

	<u>Current</u>	<u>Proposed</u>
RENEWABLE ENERGY SERVICES FUND		
<i>Sources of Funds:</i>		
Operating revenues	\$ 1,164,221	\$ 1,070,160
Other revenues	500	500
Transfers from other funds	60,000	60,000
Working capital	33,472	97,234
Total Sources of Funds	\$ 1,258,193	\$ 1,227,894
<i>Appropriations:</i>		
Operating expenses	\$ 685,023	\$ 708,469
Capital expenses	152,884	99,139
Debt service	405,286	405,286
Contingencies	15,000	15,000
Total Appropriations	\$ 1,258,193	\$ 1,227,894
PROPERTY AND LIABILITY INSURANCE FUND		
<i>Sources of Funds:</i>		
Operating revenues	\$ 1,096,758	\$ 1,124,927
Other revenues	70,000	70,707
Working capital	697,314	660,419
Total Sources of Funds	\$ 1,864,072	\$ 1,856,053
<i>Appropriations:</i>		
Operating expenses	\$ 1,864,072	\$ 1,856,053
Total Appropriations	\$ 1,864,072	\$ 1,856,053
HEALTH INSURANCE FUND		
<i>Sources of Funds:</i>		
Operating revenues	\$ 9,266,470	\$ 9,313,986
Other revenues	208,000	297,186
Working capital	318,981	845,261
Total Sources of Funds	\$ 9,793,451	\$ 10,456,433
<i>Appropriations:</i>		
Operating expenses	\$ 9,793,451	\$ 10,456,433
Total Appropriations	\$ 9,793,451	\$ 10,456,433
SPECIAL ASSESSMENT REVOLVING FUND		
<i>Sources of Funds:</i>		
Operating revenues	\$ 25,000	\$ 384,105
Other revenues	16,000	16,000
Transfers from other funds	-	15,496
Total Sources of Funds	\$ 41,000	\$ 415,601
<i>Appropriations:</i>		
Transfers to other funds	\$ 41,000	\$ 56,496
Working capital	-	359,105
Total Appropriations	\$ 41,000	\$ 415,601

PUBLIC COMMENTS

No public comments were made.

BRACKEN WOODS APARTMENTS PILOT ORDINANCE

Assistant City Manager David Keenan presented information on an ordinance to provide payment in lieu of taxes (PILOT) for Bracken Woods II, LDHA, LP, for Bracken Woods Apartments and repeal Sections 2-260.3 and 2.264.1 in their entirety.

Speaking in support of the amendment were: the petitioner Mark Lockwood, Lockwood Development, Southfield, Michigan and Ron Parmele, 5415 Wallbrige Lane.

Speaking in opposition were: Sid Hanson, Beaverton; Ken Hitch, St. John's Episcopal Church; AnnaMaria Morgan, President of Midland Area Real Estate Investors Association; Joe Rokosz, Midland property owner and Oswald Anders, Midland property owner.

The following ordinance amendment was then offered by Councilman Wazbinski and seconded by Councilman Brown Wilhelm:

ORDINANCE NO. 1783

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF MIDLAND, MICHIGAN, BY REPEALING SECTIONS 2-260.3 AND 2-264.1 AND BY ADDING SECTIONS 2-260.20 AND 2-264.18 AND BY AMENDING SECTION 2-262, ARTICLE XIII OF CHAPTER 2 THEREOF.

The City of Midland Ordains:

Section 1. Sections 2-260.3, 2-260.20, 2-262, 2-264.1 and 2-264.18 of Article XIII of Chapter 2 are hereby amended to read as follows:

Sec. 2-260.20. Bracken Woods Apartments.

The city acknowledges that Bracken Woods II Limited Dividend Housing Association Limited Partnership has offered, subject to receipt of financing from the authority, to purchase, rehabilitate, operate, and maintain a housing development identified as Bracken Woods Apartments located at:

5301 Dublin Street, Midland, Michigan 48640;

and further described as:

The south 660 feet of the northeast 1/4 of the southeast 1/4 of Section 1, T14N, R1E, City of Midland, Midland County, Michigan. And also described as: Beginning at a point of the east line of Section 1, T14N, R1E, City of Midland, that is south 0 degrees 13 minutes 39 seconds west, 671.46 feet from the east 1/4 corner of Section 1; thence continuing south 0 degrees 13 minutes 39 seconds west, 660.00 feet; thence north 89 degrees 43 minutes 49 seconds west, 1324.37 feet; thence north 0 degrees 17 minutes 24 seconds east, 660.00 feet; thence south 89 degrees 43 minutes 49 seconds east, 1323.65 feet to the point of beginning. Reserving therefrom that part used, taken or deeded for Dublin Road, so-called. Containing 20.06 acres or 873,847 feet more or less.

in the city to serve low income persons, and that Bracken Woods II Limited Dividend Housing Association Limited Partnership has offered to pay the city on account of said housing development an annual service charge for public services in lieu of all taxes.

Sec. 2-262. Class of housing developments.

It is hereby determined that the class of housing developments to which the tax exemption shall apply, and for which a service charge shall be paid in lieu of such taxes, shall be that portion of a development which is for elderly persons or low-income persons and which is financed or assisted pursuant to the act. It is further determined that Grove Street Commons I, Grove Street Commons II, The Village At Joseph's Run, Granite Club Acres #1, Chippewassee Court Phase I, Chippewassee Court Phase II, Adams Acres Phase I, 606/608 Hemlock Street, 5004 Tucker Street, 1111 Franklin Street, 4301 Hancock Drive, 310 E. Pine Street, 1414 Lincoln Street, 1417 Mill Street, 2520 Charles Street and 528 Cottonwood Street, Bracken Woods Apartments, and the elderly portions of Charter Square and Green Hill are of this class.

Sec. 2-264.18. Establishment of annual service charge for Bracken Woods Apartments.

- (a) *Annual service charge.* The housing development identified as Bracken Woods Apartments and the property on which it is constructed shall be exempt from all property taxes from and after the enactment of the ordinance for which this section derives and for the year subsequent to timely notification of exemption by the Michigan State Housing Development Authority. The City, acknowledging that the sponsor and the authority have established the economic feasibility of the housing development in reliance upon the enactment and continuing effect of the ordinance from which this section derives and the qualification of the housing development for exemption from all property taxes and a payment in lieu of taxes as established in the ordinance from which this section derives, and in consideration of the sponsor's offer, subject to receipt of an allocation of low-income housing tax credits under Section 42 of the Internal Revenue Code of 1986, as amended, to own, rehabilitate, operate, and maintain the housing development, agrees to accept payment of an annual service charge for public services in lieu of all property taxes. The annual service charge shall be equal to four percent (4%) of the annual shelter rents less utilities. This PILOT exemption shall last for 25 years or until the associated mortgage is paid off, whichever occurs sooner.
- (b) *Limitation on the payment of annual service charge.* Notwithstanding subsection (a), the service charge to be paid each year in lieu of taxes for the part of the housing development which is tax exempt and which is occupied by other than low-income persons shall be equal to the full amount of taxes which would be paid on that portion of the housing development if the housing development were not exempt. However, it is agreed that all 104 units of the existing facility will serve low-income persons.

Section 2. This Ordinance shall take effect upon publication. (Ordinance ADOPTED.)

SUNDAY DIAL-A-RIDE SERVICE REPORT

Director of Public Services Karen Murphy presented a report on reinstating Sunday Dial-A-Ride service. Kathy Stark, 3410 Boston Street, spoke in favor of reinstating Sunday Dial-A-Ride service. The following resolution was then offered by Councilman Wazbinski and seconded by Councilman Adams:

RESOLVED, that the City Council hereby receives and files the staff report, "Dial-A-Ride Sunday Service Cost Scenarios," dated March 11, 2016. (Motion ADOPTED.)

ANNEXATION OF PROPERTY – 4515 ISABELLA STREET

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Adams:

RESOLVED, that the City Council of the City of Midland herewith approves the annexation of the following described property to the City of Midland:

SEC 24 T14N R1E COM 1810.6 FT E & 85.6 FT S OF NW SEC COR, TH S 270 FT, W 125 FT, N 270 FT, E 125 FT. ALSO EASMT OVER COM 1810.6 FT E & 38.6 FT S OF NW SEC COR, TH S 45 FT, W 125 FT, N 47 FT, E 125 FT

pursuant to Section 9(8) of Public Act 279 of the State of Michigan of 1909, as amended {MSA 5.2088; MCLA 117.9} as a result of a similar petition filed both with the City of Midland and the Township of Homer by the property owners who hold 100 percent of the record legal title to said property, and upon which no qualified electors, other than the petitioners, presently reside, with said annexation to the City of Midland to be accomplished upon the passage of a similar resolution by the Township Board of the Township of Homer; and

RESOLVED FURTHER, that the Planning Department shall forward a copy of this resolution to the Office of the Great Seal in the Secretary of State's Office, and the City Clerk shall forward a copy to the Midland County Clerk. (Motion ADOPTED.)

ANNEXATION OF PROPERTY – 4603 ISABELLA STREET

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Adams:

RESOLVED, that the City Council of the City of Midland herewith approves the annexation of the following described property to the City of Midland:

SEC 24 T14N R1E COM 1563.1 FT E & 85.05 FT S OF NW SEC COR, TH S 176 FT,
W 247.5 FT, S 1246.06 FT, E 495 FT, N 1150.98 FT, W 125 FT, N 270 FT, W 122.5 FT.

pursuant to Section 9(8) of Public Act 279 of the State of Michigan of 1909, as amended {MSA 5.2088; MCLA 117.9} as a result of a similar petition filed both with the City of Midland and the Township of Homer by the property owners who hold 100 percent of the record legal title to said property, and upon which no qualified electors, other than the petitioners, presently reside, with said annexation to the City of Midland to be accomplished upon the passage of a similar resolution by the Township Board of the Township of Homer; and

RESOLVED FURTHER, that the Planning Department shall forward a copy of this resolution to the Office of the Great Seal in the Secretary of State's Office, and the City Clerk shall forward a copy to the Midland County Clerk. (Motion ADOPTED.)

2016 BLARNEY & LEEWAY STREET CONSTRUCTION INSPECTION SERVICES

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Adams:

WHEREAS, the Engineering Department has determined a need for outside construction inspection services on projects planned for the 2016 construction season; and

WHEREAS, proposals were received from interested engineering firms in accordance with the City's purchasing policy; and

WHEREAS, funding for said projects are provided by the Major Street, Local Street and Water Funds; now therefore

RESOLVED, that the proposal received from OHM Advisors of Midland, Michigan is hereby accepted; and

RESOLVED FURTHER, that the City Council authorizes a purchase order in the amount of \$38,500.00 for construction inspection services on the "2016 Blarney and Leeway Street Reconstruction" project based on rates provided and estimated hours; and

RESOLVED FURTHER, that the City Manager has the authority to approve any change orders modifying or altering this contract in an aggregate amount up to \$10,000. (Motion ADOPTED.)

2016 ROCKWELL DRIVE RECONSTRUCTION

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Adams:

WHEREAS, the Midland County Road Commission desires to improve Rockwell Drive in 2016 by reconstructing the roadway section between Wheeler Road and Ashman Street; and

WHEREAS, the City of Midland is adjacent to the portion of roadway to be reconstructed; and

WHEREAS, the City of Midland is responsible for a cost share of 18.75% of the street reconstruction costs, an amount estimated to be \$26,092.58; and

WHEREAS, the funding for the City share is available in the Local Street fund; now therefore

RESOLVED, that City Council authorizes the City Manager to sign and execute the project cost share agreement with the Midland County Road Commission related to said improvements; and

RESOLVED FURTHER, that the City Manager has the authority to approve change orders modifying or altering this contract in an aggregate amount not to exceed \$10,000.00. (Motion ADOPTED.)

ZONING PETITION NO. 604

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Adams:

WHEREAS, a public hearing was held by the Planning Commission on Tuesday, April 12, 2016 for property located at 2705 and 3003 East Wackerly Street and 6001 and 6209 Waldo Avenue for the purpose of considering the advisability of amending the Zoning Map of Ordinance No. 1585, the Zoning Ordinance of the City of Midland, from Midland Township zoning to Residential A-3 Single-Family zoning; now therefore

RESOLVED, that notice is hereby given that a public hearing will be held by the City Council on Monday, May 23, 2016, at 7:00 p.m. in the Council Chambers, City Hall, for the purpose of considering the advisability of amending the Zoning Map of Ordinance No. 1585, the Zoning Ordinance of the City of Midland, as set forth in the following proposed Ordinance, which is hereby introduced and given first reading; and

RESOLVED FURTHER, that the City Clerk is hereby directed to notify property owners within three hundred (300) feet of the area proposed to be rezoned by transmitting notice on or before May 6, 2016 and to publish said notice on May 7, 2016.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NO. 1585, BEING AN ORDINANCE TO REGULATE AND RESTRICT THE LOCATION OF TRADES AND INDUSTRIES AND THE LOCATION OF BUILDINGS DESIGNED FOR SPECIFIC USES, TO REGULATE AND LIMIT THE HEIGHT AND BULK OF BUILDINGS HEREAFTER ERECTED OR ALTERED, TO REGULATE AND DETERMINE THE AREA OF YARDS, COURTS, AND OTHER OPEN SPACES SURROUNDING BUILDINGS, TO REGULATE AND LIMIT THE DENSITY OF POPULATION, AND FOR SAID PURPOSES, TO DIVIDE THE CITY INTO DISTRICTS AND PRESCRIBE PENALTIES FOR THE VIOLATION OF ITS PROVISIONS BY AMENDING THE ZONING MAP TO PROVIDE A RESIDENTIAL A-3 SINGLE-FAMILY ZONING DISTRICT WHERE A MIDLAND TOWNSHIP ZONING DISTRICT PRESENTLY EXISTS.

The City of Midland Ordains:

Section 1. That the Zoning Map of Ordinance No. 1585, being the Zoning Ordinance of the City of Midland, is hereby amended as follows:

2705 and 3003 East Wackerly Street:

THE NORTH ½ OF THE NORTHEAST ¼ OF SECTION 2, TOWNSHIP 14 NORTH, RANGE 2 EAST; EXCEPT BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST ¼ OF SECTION 2, TOWNSHIP 14 NORTH, RANGE 2 EAST; THENCE SOUTH 89 DEGREES 42 MINUTES EAST 191.49 FEET; THENCE SOUTH 0 DEGREES 13 MINUTES EAST 674.70 FEET; THENCE SOUTH 14 DEGREES 04 MINUTES EAST 336.88 FEET; THENCE NORTH 89 DEGREES 32 MINUTES WEST 281.75 FEET; THENCE NORTH 0 DEGREES 21 MINUTES EAST 1000.17 FEET TO THE PLACE OF BEGINNING; EXCEPT COMMENCING 132 FEET SOUTH OF THE NORTHEAST SECTION CORNER, THENCE WEST 490 FEET, SOUTH 90 FEET, EAST 490 FEET, NORTH 90 FEET.

6001 Waldo Avenue:

THE FOLLOWING DESCRIBED PROPERTY, SITUATED IN THE TOWNSHIP OF MIDLAND, COUNTY OF MIDLAND, STATE OF MICHIGAN, AND DESCRIBED AS FOLLOWS: SITUATED IN THE TOWNSHIP OF MIDLAND, MIDLAND, MICHIGAN. THE NORTH ½ OF THE SOUTH ½ OF THE NORTHEAST ¼ OF SECTION 2 TOWN 14 NORTH, RANGE 2 EAST, EXCEPT: A PARCEL DESCRIBED AS PART OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHEAST FRACTIONAL QUARTER OF SECTION 2, TOWN 14 NORTH, RANGE 2 EAST, DESCRIBED AS; COMMENCING AT THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHEAST FRACTIONAL QUARTER OF SAID SECTION 2, RUNNING THENCE WEST 424.20 FEET; THENCE NORTH 187 FEET; THENCE EAST 224.20 FEET; THENCE NORTH 130 FEET; THENCE EAST 200 FEET THENCE SOUTH 317 FEET TO THE PLACE OF BEGINNING, EXCEPT: COMMENCING AT THE NORTH ¼ CORNER OF SAID SECTION 2; THENCE SOUTH 0 DEGREES 21 MINUTES WEST 1000.17 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 53 MINUTES EAST 266.75 FEET; THENCE SOUTH 16 DEGREES 0 MINUTES EAST, 686 FEET; THENCE

WEST 460 FEET , MORE OR LESS ALONG AN EXISTING FENCE LINE TO THE NORTH AND SOUTH ¼ LINE; THENCE NORTH 0 DEGREES 21 MINUTES EAST, 657 FEET MORE OR LESS TO THE POINT OF BEGINNING, EXCEPT: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SAID SECTION 2; THENCE SOUTH 150 FEET; THENCE WEST 210 FEET; THENCE NORTH 150 FEET; THENCE EAST 210 FEET TO THE POINT OF BEGINNING, EXCEPT: COMMENCING AT THE EAST ¼ CORNER OF SECTION 2, TOWN 14 NORTH, RANGE 2 EAST, MIDLAND TOWNSHIP, MIDLAND COUNTY, MICHIGAN; THENCE NORTH 00 DEGREES 08 MINUTES 44 SECONDS EAST, 660 FEET ALONG THE EAST SECTION LINE; THENCE NORTH 89 DEGREES 49 MINUTES 01 SECONDS WEST, 398.92 FEET; THENCE NORTH 15 DEGREES 49 MINUTES 01 SECONDS WEST, 106.91 FEET; THENCE SOUTHEASTERLY, 444.64 FEET ALONG THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 944.24 FEET, HAVING A CHORD BEARING AND DISTANCE OF SOUTH 76 DEGREES 19 MINUTES 37 SECONDS EAST, 440.54 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION.

6209 Waldo Avenue

BEING A PART OF THE NORTH ½ OF THE NORTHEAST ¼ OF SECTION 2, T14N R2E, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 2; THENCE 132 FEET SOUTH ALONG THE EAST LINE OF SECTION 2 TO THE TRUE PLACE OF BEGINNING; THENCE 490 FEET WEST PARALLEL TO THE NORTH LINE OF SECTION 2; THENCE 90 FEET SOUTH PARALLEL TO THE EAST LINE OF SECTION 2; THENCE 490 FEET EAST PARALLEL TO THE NORTH LINE OF SECTION 2; THENCE 90 FEET NORTH ALONG THE EAST LINE OF SECTION 2 TO THE TRUE PLACE OF BEGINNING.

Be, and the same is hereby changed to Residential A-3.

Section 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. This Ordinance shall take effect upon publication. (Motion ADOPTED. Considered first reading.)

ZONING PETITION NO. 606

The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Adams:

WHEREAS, a public hearing was held by the Planning Commission on Tuesday, April 12, 2016 for property located at 4203 West Main Street for the purpose of considering the advisability of amending the Zoning Map of Ordinance No. 1585, the Zoning Ordinance of the City of Midland, from Residential A-1 Single-Family Residential and Residential B Multiple-Family zoning to Community zoning; now therefore

RESOLVED, that notice is hereby given that a public hearing will be held by the City Council on Monday, May 23, 2016, at 7:00 p.m. in the Council Chambers, City Hall, for the purpose of considering the advisability of amending the Zoning Map of Ordinance No. 1585, the Zoning Ordinance of the City of Midland, as set forth in the following proposed Ordinance, which is hereby introduced and given first reading; and

RESOLVED FURTHER, that the City Clerk is hereby directed to notify property owners within three hundred (300) feet of the area proposed to be rezoned by transmitting notice on or before May 6, 2016 and to publish said notice on May 7, 2016.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NO. 1585, BEING AN ORDINANCE TO REGULATE AND RESTRICT THE LOCATION OF TRADES AND INDUSTRIES AND THE LOCATION OF BUILDINGS DESIGNED FOR SPECIFIC USES, TO REGULATE AND LIMIT THE HEIGHT AND BULK OF BUILDINGS HEREAFTER ERECTED OR ALTERED, TO REGULATE AND DETERMINE THE AREA OF YARDS, COURTS, AND OTHER OPEN SPACES SURROUNDING BUILDINGS, TO REGULATE AND LIMIT THE DENSITY OF POPULATION, AND FOR SAID PURPOSES, TO DIVIDE THE CITY INTO DISTRICTS AND

PRESCRIBE PENALTIES FOR THE VIOLATION OF ITS PROVISIONS BY AMENDING THE ZONING MAP TO PROVIDE A COMMUNITY ZONING DISTRICT WHERE A RESIDENTIAL A-1 SINGLE-FAMILY AND RESIDENTIAL B MULTIPLE-FAMILY ZONING DISTRICT PRESENTLY EXISTS.

The City of Midland Ordains:

Section 1. That the Zoning Map of Ordinance No. 1585, being the Zoning Ordinance of the City of Midland, is hereby amended as follows:

PART OF THE NORTHWEST ¼ OF SECTION 07, T14N R2E, CITY OF MIDLAND, MIDLAND COUNTY, MICHIGAN. BEING FURTHER DESCRIBED AS COMMENCING AT THE EAST ¼ CORNER OF SAID SECTION 7; THENCE ALONG THE EAST-WEST ¼ LINE, N 89D 25M 46S W, 2676.38' TO A CONCRETE MONUMENT AT THE CENTER OF SAID SECTION 7; THENCE ALONG THE EAST-WEST ¼ LINE, S 89D 51M 25S W, 209.88' TO THE NORTH LINE OF THE PERE MARQUETTE RAIL TRAIL; THENCE N 56D 31M 14S W, 142.25' TO THE POINT OF BEGINNING; THENCE N 56D 31M 14S W, 364.09'; THENCE N 62D 17M 38S E, 312.48'; THENCE ALONG A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 36.55', RADIUS OF 867.00', WITH A CHORD BEARING AND DISTANCE OF N 69D 32M 13S E, 36.54' THENCE S 01D 08M 59S W, 358.98' TO THE POINT OF BEGINNING. CONTAINING 1.28 ACRES, MORE OR LESS AND IS SUBJECT TO ANY AND ALL EASEMENTS AND/OR RIGHTS OF WAY WHETHER USED, IMPLIED OR OF RECORD.

PART OF SECTION 07, T14N R2E, CITY OF MIDLAND, MIDLAND COUNTY, MICHIGAN. BEING FURTHER DESCRIBED AS COMMENCING AT THE EAST ¼ CORNER OF SAID SECTION 7; THENCE ALONG THE EAST-WEST ¼ LINE, N 89D 25M 46S W, 1338.00' TO THE INTERSECTION OF THE EAST-WEST ¼ LINE AND THE EAST 1/8 LINE OF SAID SECTION AND THE POINT OF BEGINNING; THENCE ALONG SAID EAST 1/8 LINE, S 01D 02M 30S W, 999.27' TO THE NORTH LINE OF THE PERE MARQUETTE RAIL TRAIL; THENCE ALONG SAID NORTH LINE, N 56D 31M 14S W, 1976.61' TO A LINE THAT IS 330' WEST OF THE NORTH-SOUTH ¼ LINE OF SAID SECTION; THENCE ALONG SAID LINE, N 01D 08M 59S E, 358.98' TO THE SOUTH LINE OF WEST SUGNET ROAD; THENCE ALONG SAID SOUTH LINE THE FOLLOWING FOUR (4) COURSES; THENCE ALONG A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 783.55', RADIUS OF 867.00', AND A CHORD BEARING AND DISTANCE OF S 83D 21M 50S E, 757.15'; THENCE S 57D 28M 24S E, 183.42'; THENCE ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 576.15', RADIUS OF 1033.00', WITH A CHORD BEARING AND DISTANCE OF S 73D 27M 05S, 568.71'; THENCE S 89D 25M 46S E, 54.22'; THENCE S 56D 31M 14S E, 184.06' TO POINT OF BEGINNING. CONTAINING 28.83 ACRES, MORE OR LESS AND IS SUBJECT TO ANY AND ALL EASEMENTS AND/OR RIGHTS OF WAY WHETHER USED, IMPLIED OR OF RECORD.

Be, and the same is hereby changed to Community.

Section 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. This Ordinance shall take effect upon publication. (Motion ADOPTED. Considered first reading.)

Being no further business the meeting adjourned at 9:45 p.m.

Selina Tisdale, City Clerk

Backup material for agenda item:

2. Recognition of 16 elementary and middle school children for outstanding work in creating posters for the 2016 Make Midland BLOOM Art Celebration. POST

SUMMARY REPORT TO MANAGER
For City Council Meeting of May 9, 2016

SUBJECT: 2016 Make Midland BLOOM Art Celebration

INITIATED BY: Parks & Recreation Department

RECOGNITION SUMMARY: Recognition of 16 elementary and middle school children for outstanding work in creating posters for the 2016 Make Midland BLOOM Art Celebration.

ITEM ATTACHED:

Letter of transmittal

CITY COUNCIL ACTION:

Recognition of elementary and middle school children



Marcie Post
Recreation Manager, Parks and Recreation Department



Parks & Recreation • 4811 N. Saginaw Road • Midland, Michigan 48640-2321 • 989.837.6930 • 989.835.5651-Fax

May 3, 2016

Jon Lynch
City Manager
Midland, Michigan

Dear Mr. Lynch:

The Beautification Advisory Committee is a subcommittee of the Parks and Recreation Commission and has requested the assistance of the City Council in recognizing children who have created outstanding posters for the Make Midland BLOOM Art Celebration. Sixteen students from both public and parochial schools in Midland will be present at the May 9th City Council meeting to be recognized for their works of art that depict, from their perspective, what Makes Midland BLOOM. The Committee believes that receiving recognition by the City Council will leave a lasting impression on the children.

Over one thousand school children participated in the 2016 celebration. Two posters were selected by the art teacher and principal from each 2nd and 6th grade classroom and were submitted to a team of judges. The judges were chosen by Midland Public Schools representative, Tricia Jendretzke, who then selected one poster to represent each participating grade at each school. All of the posters submitted from each school were on display at the Grace A. Dow Memorial Library during the month of April. In addition, the school representatives' posters will be featured on MGTV May 1 – 15.

A representative of the Beautification Advisory Committee will be at the May 9th meeting to say a few words about the program and introduce the children. Mayor Donker will be greeting each child and returning their artwork to them. The Beautification Advisory Committee greatly appreciates the City Council's recognition of the outstanding work done by all the children, in depicting what Makes Midland BLOOM.

On behalf of the Beautification Advisory Committee,

Marcie Post
Recreation Manager, Parks and Recreation Department

Backup material for agenda item:

3. International Economic Development Week - May 8-14. TISDALE

SUMMARY REPORT TO MANAGER
for City Council Meeting of May 9, 2016

SUBJECT: ECONOMIC DEVELOPMENT WEEK PROCLAMATION

**RESOLUTION
SUMMARY:**

This resolution authorizes the Mayor to issue a proclamation designating the week of May 8-14, 2016, as Economic Development Week in Midland.

ITEMS

ATTACHED:

1. Letter of Transmittal
2. Resolution
3. Proclamation

**COUNCIL
ACTION:**

3/5 vote required to approve resolution.

Selina Tisdale
Community Affairs Director



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax ♦ www.cityofmidlandmi.gov

May 4, 2016

Jon Lynch, City Manager
City of Midland
Midland, MI 48640

Dear Jon:

We received a request from Midland Tomorrow asking the City of Midland to issue a proclamation designating May 8-14, 2016, as Economic Development Week in Midland, as part of the International Economic Development Council's 90th anniversary celebration.

Attached is a resolution that authorizes Midland City Council to issue the attached proclamation.

Sincerely,

Selina Tisdale
Community Affairs Director



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax ♦ www.cityofmidlandmi.gov

BY COUNCILMAN

RESOLVED, that the Mayor is authorized to issue the attached proclamation designating the week of May 8-14, 2016, as Economic Development Week in Midland.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, May 9, 2016.

Selina Tisdale, City Clerk

T:EconomicDevelopmentWeek proc



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • www.cityofmidlandmi.gov

PROCLAMATION

WHEREAS, the International Economic Development Council, the largest professional economic development organization dedicated to serving economic developers, is celebrating its 90th anniversary in 2016; and

WHEREAS, the International Economic Development Council provides leadership and excellence in economic development for communities, members, and partners through conferences, training courses, advisory services and research, in-depth publications, public policy advocacy, and initiatives such as the Accredited Economic Development Organization program and the Certified Economic Developer designation; and

WHEREAS, economic developers promote economic well-being and quality of life for their communities by creating, retaining, and expanding jobs that facilitate growth, enhance wealth, and provide a stable tax base; and

WHEREAS, economic developers stimulate and incubate entrepreneurship in order to help establish the next generation of new businesses, which is the hallmark of the American economy; and

WHEREAS, economic developers attract and retain high-quality jobs, develop vibrant communities, and improve the quality of life in their regions; and

THEREFORE, we the Mayor and the City Council of the City of Midland, Michigan, do hereby designate the week of May 8-14, 2016 as

ECONOMIC DEVELOPMENT WEEK

and commend the International Economic Development Council, its officers, staff, and members on its 90th anniversary; and recognize 2016 as

THE YEAR OF THE ECONOMIC DEVELOPER

in the City of Midland and remind individuals of the importance of this profession in expanding career opportunities and improving quality of life.

Issued by Council Authorization

Given Monday, May 9, 2016

Maureen Donker, Mayor

Attest:

Selina Tisdale, City Clerk

Backup material for agenda item:

4. 2016 Sidewalk Improvement Program Hearing on Necessity and resolutions directing the City Assessor to prepare an assessment roll (also see material sent in the April 11 agenda packet). MCMANUS
 - A. Jefferson Avenue Sidewalk (4/5 vote required)
 - B. Wheeler Street Sidewalk

SUMMARY REPORT TO CITY MANAGER
for City Council Meeting of May 9, 2016

SUBJECT: 2016 Sidewalk Improvement Special Assessment District

INITIATED BY: City Council resolution of April 11, 2016

RESOLUTION SUMMARY: Two resolutions, Part A and Part B, determine the necessity for the 2016 Sidewalk Improvement Special Assessment District project and direct the City Assessor to prepare an assessment roll. Part A determines necessity for sidewalk on Jefferson Avenue between Broadhead Drive and Joseph Drive. Part B determines necessity for the sidewalk on Wheeler Street between Congress Street and Trotters Pointe Circle.

ITEMS ATTACHED:

1. Cover Letter
2. Resolution – Part A – Jefferson Avenue Sidewalk
3. Resolution – Part B – Wheeler Street Sidewalk
4. Location and Assessment Maps
5. Correspondence

CITY COUNCIL ACTION: Part A - 4/5 vote required to adopt resolution
Part B – 3/5 vote required to adopt resolution

SUBMITTED BY: Brian P. McManus, City Engineer



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax

DATE: May 5, 2016
TO: Jon Lynch, City Manager
FROM: Brian P. McManus, City Engineer
RE: 2016 Sidewalk Improvement Program

Attached hereto are the resolutions for adoption at the Hearing on Necessity for the 2016 Sidewalk Improvement Program. The resolutions find necessity for said projects and direct the City Assessor to prepare the assessment roll for the referenced projects, following the acceptance of sidewalk agreements from property owners wishing to install their own walks. All sidewalks on this year's program were petitioned by residents.

Two segments of sidewalk are presented for consideration, one located on Jefferson Avenue between Broadhead Drive and Joseph Drive and the second located on Wheeler Street between Congress Street and Trotters Pointe Circle. There will be separate consideration for each of the two street locations during the Hearing on Necessity. At this time, communications regarding the sidewalk program have been received and are attached.

At locations where more than half of the assessable frontage is opposed to the project, a 4/5 vote is required to find necessity for the sidewalk. Currently the proposed section of sidewalk on Jefferson Avenue will require a 4/5 vote. The property owner at 101 Oakbrook has opposed the project in writing. This constitutes more than half of the assessable frontage.

Prior to your consideration of this matter at the meeting, we will advise you if the proposed sidewalk on Wheeler Street may require a 4/5 vote.

The majority of the proposed sidewalk on Jefferson Avenue is adjacent to property located outside the City of Midland in Larkin Township. The Engineering Department contacted Larkin Township to determine if they would participate in the City sidewalk program, or have a program of their own. At the April 12 Larkin Township Board meeting, participation in the sidewalk program was considered and rejected by the Board. In order to complete the sidewalk segment from Broadhead Drive to Joseph Drive, the City would need to fund the construction of the sidewalk fronting the property outside the City.

City Council may extend the term or payoff timeframe of the special assessment past the standard 5-year provisions for this program. That action would take place at the Hearing on the Roll on June 27.

Petitioners and property owners affected by the 2016 Sidewalk Improvement Program special assessment have been notified of the date scheduled for this public hearing and have been invited to attend.

SIDEWALK_HON_LTR
JNF



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax

BY COUNCILMAN

WHEREAS, the City Council has ordered due notice of its intention to construct sidewalks in certain streets, one segment of said streets being as follows:

Jefferson Avenue (east side) from Broadhead Drive to Joseph Drive

and has heretofore established one special assessment district which is to be known as the “2016 SIDEWALK IMPROVEMENT SPECIAL ASSESSMENT DISTRICT” and has heretofore ordered due notice that it would meet on the 9th day of May, 2016, for the purpose of hearing and considering any objections or suggestions on the proposed sidewalk improvements; and

WHEREAS, the City Council has met pursuant to said notice on said day at the time specified in said notice and has heard and considered all objections and suggestions to the proposed sidewalk improvement program; now therefore

RESOLVED, that the necessary plans and specifications, pertaining to the said street, contained in the City Manager’s report of April 11, 2016, on file in the office of the City Clerk be and the same hereby are approved; and

RESOLVED FURTHER, that a special assessment district for the purpose of said combined improvements be and hereby is approved to be known as the “2016 SIDEWALK IMPROVEMENT SPECIAL ASSESSMENT DISTRICT” and that said district comprises and includes the foregoing described lands and premises pertaining to said segment of street; and

RESOLVED FURTHER, that the detailed estimate of cost of said improvements in said street listed above, is hereby approved in the amount of thirty-six thousand four hundred sixty-five dollars and six cents (\$36,465.06); and

RESOLVED FURTHER, that the proportion of the cost and expense of said improvement to be borne and paid for by the General fund shall be thirty-one thousand one hundred eighty-four dollars and thirty-five cents (\$31,184.35) and that all other costs and expenses of said improvement amounting to five thousand two hundred eighty dollars and seventy-one cents (\$5,280.71) shall be borne and paid by special assessment on all lands and premises in said street, being a portion of said Special Assessment District as heretofore established and approved; and

RESOLVED FURTHER, that the Council hereby determines that the installation of sidewalk in the herein listed street are necessary public improvements, conducive to the public health and general welfare of the people of the City of Midland, and that the City Council proceed to construct said sidewalks in accordance with the plans and

specifications, adopted for the same, and in accordance with the resolutions heretofore adopted by the Council in regard to said proposed sidewalk improvements; and

WHEREAS, the Council is desirous of affording the several owners of property located on the above described streets the opportunity of causing their own sidewalks to be constructed at their own expense; now therefore

RESOLVED FURTHER, that the City Council does hereby determine that all sidewalks to be constructed by property owners shall be completed on or before September 30, 2016, and that an agreement must be executed by each property owner wishing to install their own sidewalks, in a form acceptable to the City Attorney, which guarantees completion of the sidewalks by no later than September 30, 2016, and that said agreement is received by City Council for approval at their June 13, 2016 meeting; and

RESOLVED FURTHER, subject to the qualification set forth in the immediately preceding paragraph of this resolution, that all sidewalks not being completed by the property owners, shall be constructed by the City of Midland, the cost thereof to be financed by special assessments to be levied against the several properties so affected in accordance with the Special Assessment Ordinance; and

RESOLVED FURTHER, that the City Assessor of said City be and hereby is directed to prepare and report to the City Council a Special Assessment Roll, for said "2016 SIDEWALK IMPROVEMENT SPECIAL ASSESSMENT DISTRICT", as heretofore established by the Council, and to assess and levy upon the several lots and premises remaining in said district, said sums of money in proportion to the estimated benefits resulting thereto from said improvement, computed as near as practicable on a front foot basis.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, May 9, 2016.

Selina Tisdale, City Clerk



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax

BY COUNCILMAN

WHEREAS, the City Council has ordered due notice of its intention to construct sidewalks in certain streets, one segment of said streets being as follows:

Wheeler Street (south side) from Trotters Pointe Circle to Congress Drive

and has heretofore established one special assessment district which is to be known as the “2016 SIDEWALK IMPROVEMENT SPECIAL ASSESSMENT DISTRICT” and has heretofore ordered due notice that it would meet on the 9th day of May, 2016, for the purpose of hearing and considering any objections or suggestions on the proposed sidewalk improvements; and

WHEREAS, the City Council has met pursuant to said notice on said day at the time specified in said notice and has heard and considered all objections and suggestions to the proposed sidewalk improvement program; now therefore

RESOLVED, that the necessary plans and specifications, pertaining to the said street, contained in the City Manager’s report of April 11, 2016, on file in the office of the City Clerk be and the same hereby are approved; and

RESOLVED FURTHER, that a special assessment district for the purpose of said combined improvements be and hereby is approved to be known as the “2016 SIDEWALK IMPROVEMENT SPECIAL ASSESSMENT DISTRICT” and that said district comprises and includes the foregoing described lands and premises pertaining to said segment of street; and

RESOLVED FURTHER, that the detailed estimate of cost of said improvements in said street listed above, is hereby approved in the amount of eighteen thousand two hundred thirty-four dollars and ninety-four cents (\$18,234.94); and

RESOLVED FURTHER, that the proportion of the cost and expense of said improvement to be borne and paid for by the General fund shall be eight thousand eight hundred thirty-three dollars and twelve cents (\$8,833.12) and that all other costs and expenses of said improvement amounting to nine thousand four hundred one dollars and eighty-two cents (\$9,401.82) shall be borne and paid by special assessment on all lands and premises in said street, being a portion of said Special Assessment District as heretofore established and approved; and

RESOLVED FURTHER, that the Council hereby determines that the installation of sidewalk in the herein listed street are necessary public improvements, conducive to the public health and general welfare of the people of the City of Midland, and that the City Council proceed to construct said sidewalks in accordance with the plans and

specifications, adopted for the same, and in accordance with the resolutions heretofore adopted by the Council in regard to said proposed sidewalk improvements; and

WHEREAS, the Council is desirous of affording the several owners of property located on the above described streets the opportunity of causing their own sidewalks to be constructed at their own expense; now therefore

RESOLVED FURTHER, that the City Council does hereby determine that all sidewalks to be constructed by property owners shall be completed on or before September 30, 2016, and that an agreement must be executed by each property owner wishing to install their own sidewalks, in a form acceptable to the City Attorney, which guarantees completion of the sidewalks by no later than September 30, 2016, and that said agreement is received by City Council for approval at their June 13, 2016 meeting; and

RESOLVED FURTHER, subject to the qualification set forth in the immediately preceding paragraph of this resolution, that all sidewalks not being completed by the property owners, shall be constructed by the City of Midland, the cost thereof to be financed by special assessments to be levied against the several properties so affected in accordance with the Special Assessment Ordinance; and

RESOLVED FURTHER, that the City Assessor of said City be and hereby is directed to prepare and report to the City Council a Special Assessment Roll, for said "2016 SIDEWALK IMPROVEMENT SPECIAL ASSESSMENT DISTRICT", as heretofore established by the Council, and to assess and levy upon the several lots and premises remaining in said district, said sums of money in proportion to the estimated benefits resulting thereto from said improvement, computed as near as practicable on a front foot basis.

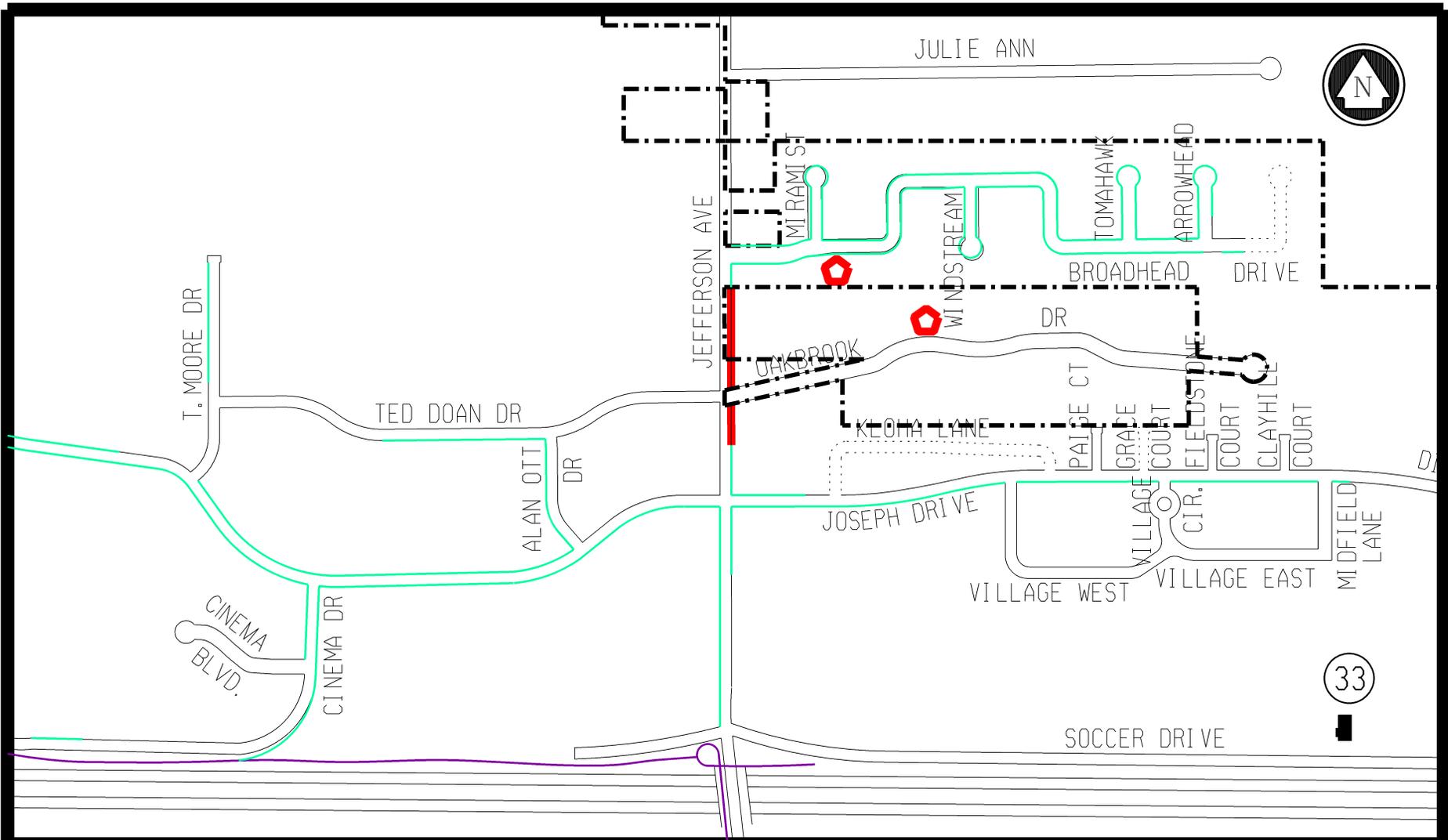
YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, May 9, 2016.

Selina Tisdale, City Clerk



JEFFERSON AVE.

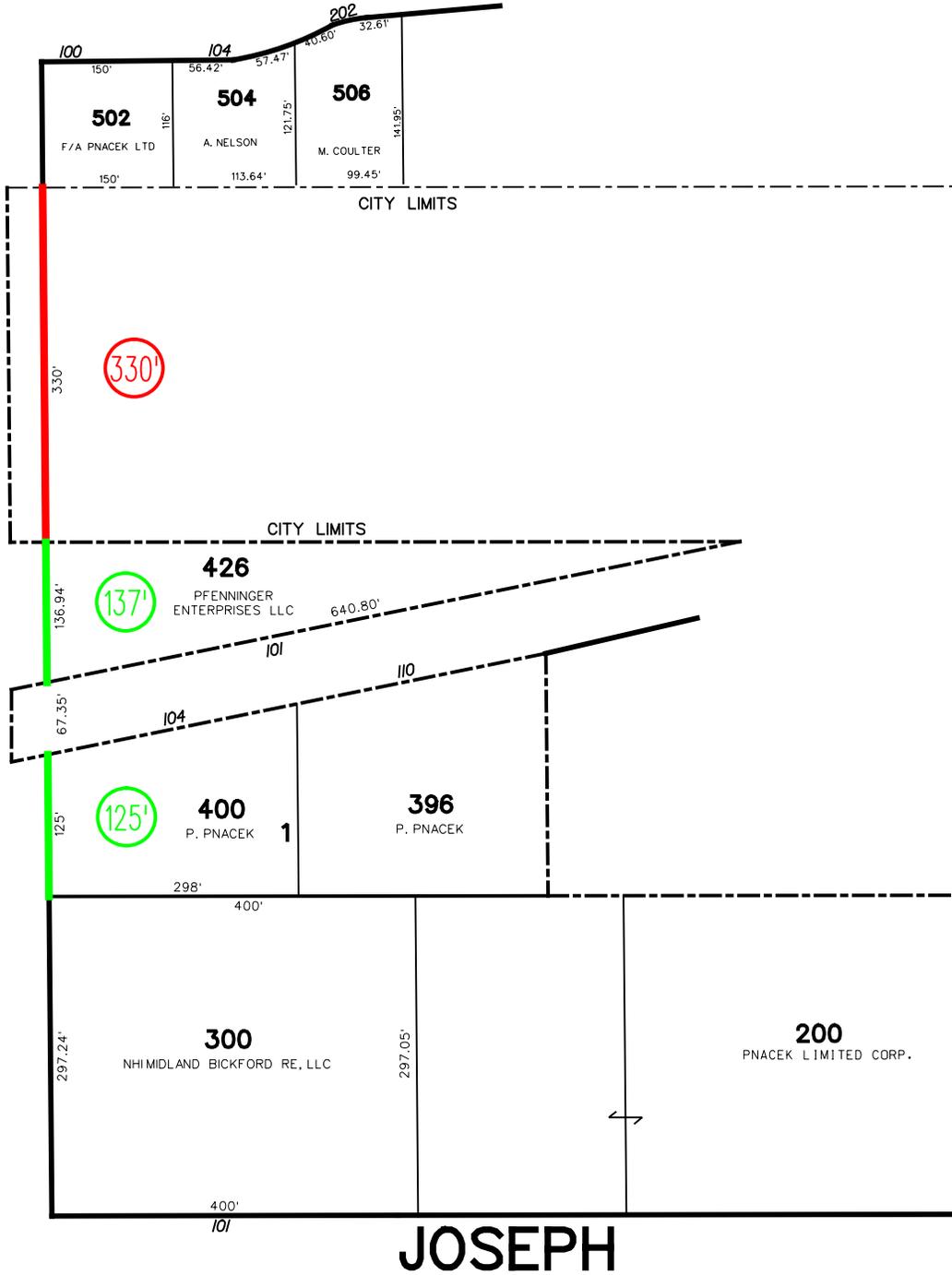
JOSEPH TO BROADHEAD

	EXISTING SIDEWALK
	PROPOSED SIDEWALK

BROADHEAD DR



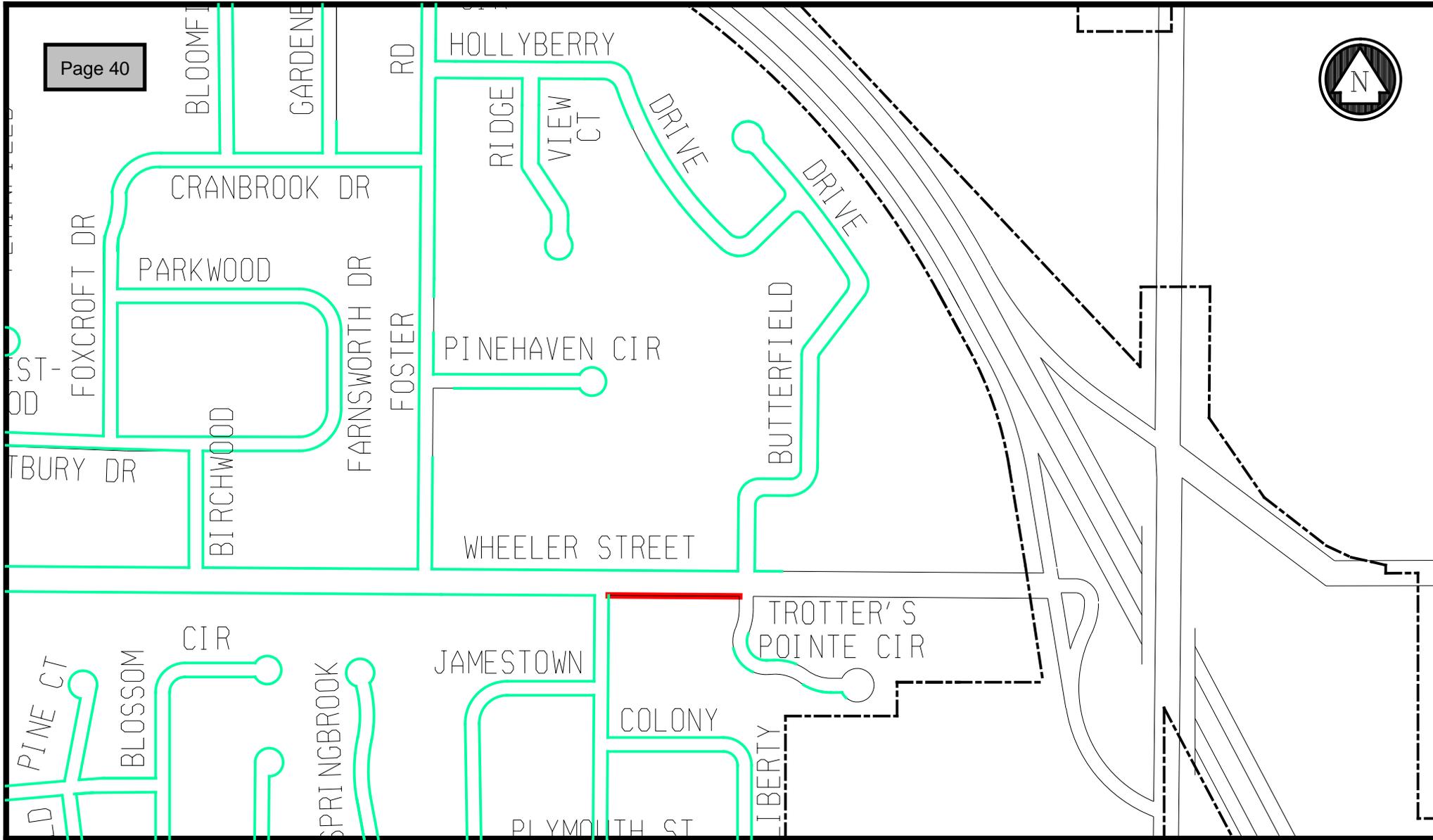
JEFFERSON AVE.



JEFFERSON AVE - EAST SIDE - JOSEPH DRIVE TO BROADHEAD DRIVE

ASSESSABLE FRONTAGE: —————

EXEMPT FRONTAGE: —————



WHEELER STREET (SOUTH SIDE)

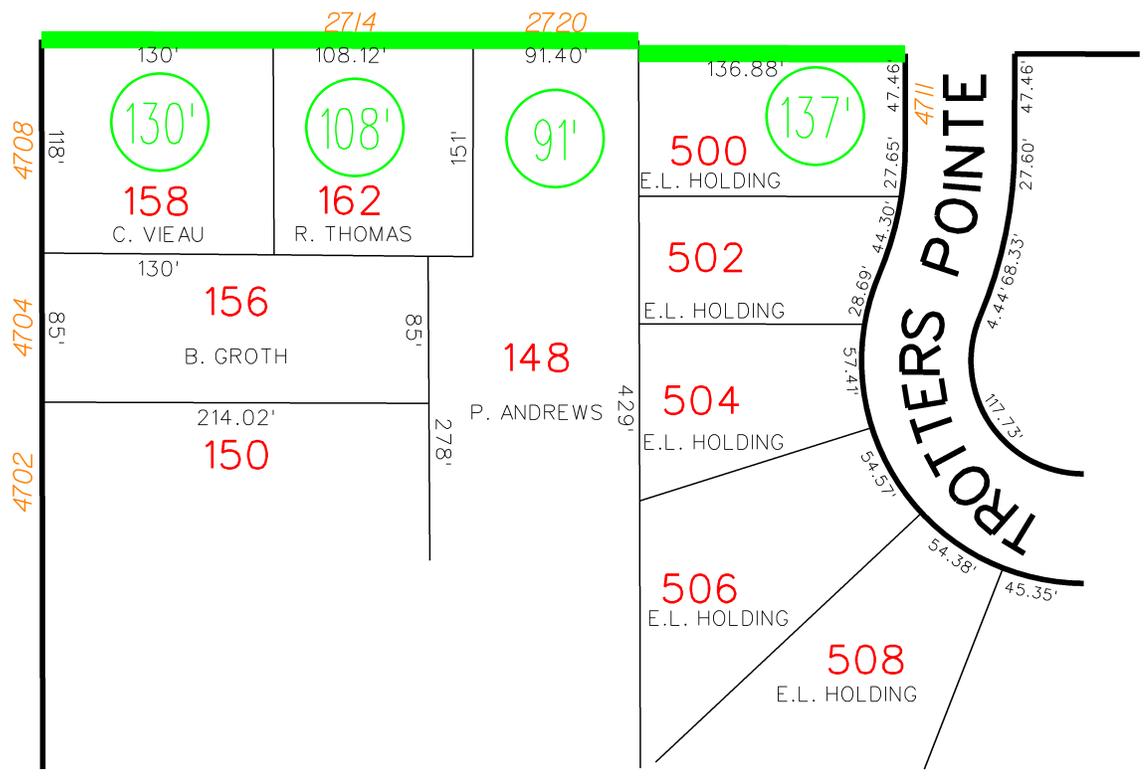
CONGRESS TO TROTTERS POINTE

- EXISTING SIDEWALK
- PROPOSED SIDEWALK

E. WHEELER ST.



CONGRESS ST.



WHEELER ST - SOUTH SIDE - CONGRESS STREET TO TROTTERS POINTE

ASSESSABLE FRONTAGE:

EXEMPT FRONTAGE:

From: Jack Pfenninger <
Sent: Sunday, May 01, 2016 6:38 PM
To: Fredrickson, Joshua
Cc: Adams, Tom; Arnosky, Steve; Wazbinski, Marty; Donker, Maureen; Brown Wilhelm, Diane;
Subject: 11-34-60-426 sidewalk assessment

May 1, 2016

Pfenninger Enterprises, LLC
2385 N. Old Pine Trail
Midland, Michigan 48642

Re: Assessment for proposed sidewalk, property parcel 11-34-60-426
101 Oakbrook Dr.

Dear Mr. Fredrickson:

I received your letter dated April 22, 2016. Thank you for taking my call and responding to my questions about the information it provided. As I mentioned, I will be out of the country on May 9 when the City Council will discuss the proposed construction of the sidewalk on the east side of Jefferson Avenue from south of Broadhead Drive to north of Joseph Drive. This letter is my response in lieu of being able to attend the meeting.

I appreciate that you confirmed that the City Council received my previous letter of total opposition to this project prior to their last meeting. The sidewalk would be very expensive and would benefit few. Have you checked how few people there are in that subdivision? At a time when everyone is complaining about the condition of the roads, is it really a prudent decision to be spending so much money on a sidewalk that such a small number of people will use? Would those residents in the subdivision who are requesting the sidewalk spend that much money if THEY had to pay for it themselves?

Thanks for confirming too that Larkin Township Supervisor Carl Crewes did inform the Council that the township voted against moving forward on this sidewalk construction.

Your letter stated that my assessment would be \$20.16 per foot totaling \$2,760.71. I didn't do the math at the time and felt that was a large amount of money for me to pay. And then, you informed me that that was only for the south 100+' frontage which is in the city! There is also 330' of frontage for the 5 A in the township. You stated that my additional assessment for that portion would be \$6652.80 making a total of \$9,413.51! I would have no choice and would have to pay the \$2,760.71 upon construction if the project is approved. Apparently the township portion could be postponed until the property is annexed to the city (with additional annual interest fees).

t of information, the rent that I currently receive for that property is only \$1000 per month. Assessment would virtually consume an entire year's rent. Property owners pay taxes and I pay my fair share for those two parcels! It would seem if the sidewalk benefits the general public, then all should share in the expense. I strongly urge the council to reconsider the law that makes the property owner financially responsible for sidewalks that cross their property. There is no downside to those requesting the sidewalk. Why not ask for it if it is free and someone else has to pay for a convenience despite the fact that it will only benefit a few? Should this sidewalk really be a priority for our city government?

I am again voicing my opposition to the sidewalk construction. I am asking the Council to be fiscally responsible and to deny this request.

In my previous letter, I suggested that an alternative would be to build the sidewalk on the other side of Jefferson (the west side) which I believe is all city. This however does not address the principle that private property owners should not be fiscally liable for projects like this. Would the subdivision owners be willing to share in the cost of the sidewalk?

Thank you for your consideration. Should the Council meeting discussing this issue be postponed to a later, please let me know.

John L. Pfenninger
President
Pfenninger Enterprises

Cc: Carl Crewes, Larking Township Supervisor
Midland City Clerk

4-11-16
Accepted Report (6)
Set PH for
5-9-16

SUMMARY REPORT TO THE CITY MANAGER
for Council Meeting of April 11, 2016

SUBJECT: 2016 Sidewalk Improvement Program

INITIATED BY: City Council resolutions of February 29 and March 14, 2016

RESOLUTION SUMMARY: This resolution describes the Special Assessment District and project costs, and sets the hearing on necessity for May 9, 2016

- ITEMS ATTACHED:**
- 1. Cover Letter
 - 2. Resolution
 - 3. Cost Summary
 - 4. Location Maps
 - 5. Assessment Maps

CITY COUNCIL ACTION: 3/5 vote required to approve resolution

SUBMITTED BY: Brian McManus, City Engineer *BM*



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax

DATE: April 6, 2016

TO: Jon Lynch, City Manager

FROM: Brian McManus, City Engineer /BPM

RE: 2016 Sidewalk Improvement Program

Attached hereto is the Manager's Report for the 2016 Sidewalk Improvement Program. The resolution sets the date for the public Hearing on Necessity for May 9, 2016. The costs for this program are summarized in the sheet attached. This program includes the two sidewalk segments considered by Council on March 14, 2016. The nearly \$55,000 program would have a City cost of approximately \$40,000.

As part of the sidewalk improvement program, property owners are provided the option of constructing sidewalks on their own outside of the City contract. For this to occur, the property owner must provide a written agreement by June 13th stating their intent to construct sidewalks. The 2016 Sidewalk Construction Program Flow Chart provided at the February 29th City Council meeting lists August 1st as the date for completion of sidewalks constructed by the property owner.

Sidewalk segments advanced include the east side of Jefferson Avenue between Broadhead Drive and Joseph Drive, and on the south side of Wheeler Street between Trotters Pointe Circle and Congress Drive.

A portion of the frontage for the proposed sidewalk on Jefferson Avenue is located in Larkin Township just outside of the city limits. We have contacted Larkin Township to determine their interest in participating in the sidewalk program. Although they do not have a regular sidewalk program they will consider this sidewalk request at their next board meeting in April. Should they agree to fund the unassessable portion outside the City, the City costs would reduce from approximately \$40,000 to \$32,000.



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax

BY COUNCILMAN

WHEREAS, the City Manager has submitted his report to the City Council presenting certain information regarding the installation of sidewalks on certain streets in the City of Midland in conformance with the Code of Ordinances of the City of Midland, said streets being listed as:

Jefferson Avenue (east side)	from Broadhead Drive to Joseph Drive
Wheeler Street (south side)	from Trotters Pointe Circle to Congress Drive

; and

WHEREAS, the City Council has reviewed and studied said report; now therefore

RESOLVED, that the Council finds and determines that the construction of said sidewalks, as before listed, appears to be necessary public improvements conducive to the general health, convenience and welfare of the people of the City of Midland and that the estimated period of usefulness of said improvements is twenty-five (25) years; and

RESOLVED FURTHER, that for the purpose of effecting a savings in cost, the several proposed improvements are combined into one project and that one special assessment district for the purpose of said combined improvements, be and is hereby established to be known as the "2016 SIDEWALK IMPROVEMENT SPECIAL ASSESSMENT DISTRICT" and that said district comprises and includes the following described lands and premises, to wit:

Jefferson Avenue (east side) from Broadhead Drive to Joseph Drive

Beginning at the West ¼ Corner of Section 34, T. 15 N., R. 02 E., City of Midland, Midland County, Michigan; thence South 658.3 feet, along the West Section Line; thence East 200 feet; thence North 658.3 feet; thence West 200 feet, to the Point of Beginning.

Wheeler Street (south side) from Trotters Pointe Circle to Congress Drive

Commencing N89°38'15"E 1,101.65 feet from the North ¼ corner of Section 11, T. 14 N., R. 02 E., City of Midland, Midland County, Michigan, being the Point of Beginning; thence 476.4 feet West; thence 100 feet South; thence 476.4 feet East; thence 100 feet North, to the Point of Beginning.

; and

RESOLVED FURTHER, that the proposed improvement and work to be done thereunder shall consist of constructing sidewalks, in said streets as before listed, and the total estimated cost and expense thereof is fifty-four thousand seven hundred dollars (\$54,700.00); and

RESOLVED FURTHER, that the proportion of the cost and expense of said improvement to be borne and paid for by the City at large shall be forty thousand seventeen dollars and forty-seven cents (\$40,017.47) and that all other costs and expenses of said improvement amounting to fourteen thousand six hundred eighty-two dollars and fifty-three cents (\$14,682.53) shall be borne and paid by special assessments on all lands and premises in said Special Assessment District as established above, in proportion to the estimated benefits resulting thereto from the improvement, determined as near as practicable on a front foot basis; and

RESOLVED FURTHER, that the report concerning said improvement is hereby adopted and shall be placed on file in the office of the City Clerk, and the same shall be available for public inspection during regular business hours; and

RESOLVED FURTHER, that the City Council will meet in the City Hall in said City on Monday, May 9, 2016 at 7:00 p.m., then and there to hear any objections or suggestions on the proposed improvements; and

RESOLVED FURTHER, that the City Clerk shall give notice of said hearing on necessity by causing a notice of this resolution to be published once in the Midland Daily News at least one week prior to said hearing date, and that the City Clerk shall also give notice of said hearing date to each property owner subject to special assessment by reason of said improvement, at the address of said property owners to be taken from the latest tax assessment roll in the City Assessor's office in accordance with Act 162 of Public Acts of Michigan, 1962.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, April 11, 2016.

Selina Tisdale, City Clerk

2016 SIDEWALK IMPROVEMENT PROGRAM – MANAGER’S REPORT

Total Project Cost \$ 54,700.00

Share Paid by Others

Federal Government 0.00

State Government 0.00

sub-total 0.00

Net for City and Property Owners \$54,700.00

City Share

Oversize (5’ wide on major streets) \$5,537.45

Unassessable Frontage 6,854.40

(340 front feet)

Ramps 2,250.00

General Purpose facilities 25,375.62

(clearing, fill, pipe, excavation)

sub-total \$ 40,017.47

Net Assessed to Property Owners \$ 14,682.53

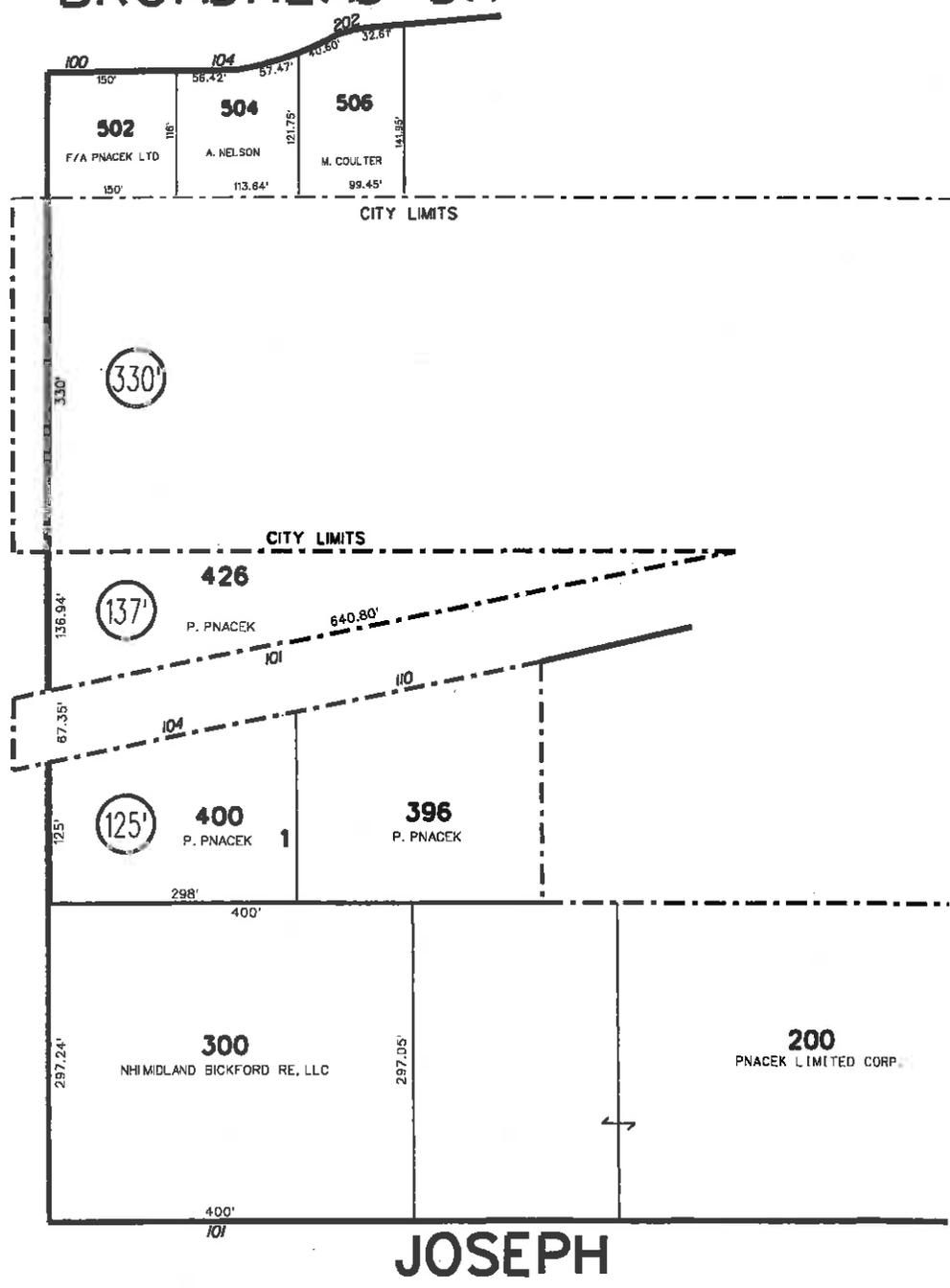
Assessable Frontage – 728.3 front feet

Assessment Rate - \$ 20.16 per front foot

BROADHEAD DR



JEFFERSON AVE.



JOSEPH

JEFFERSON AVE - EAST SIDE - JOSEPH DRIVE TO BROADHEAD DRIVE

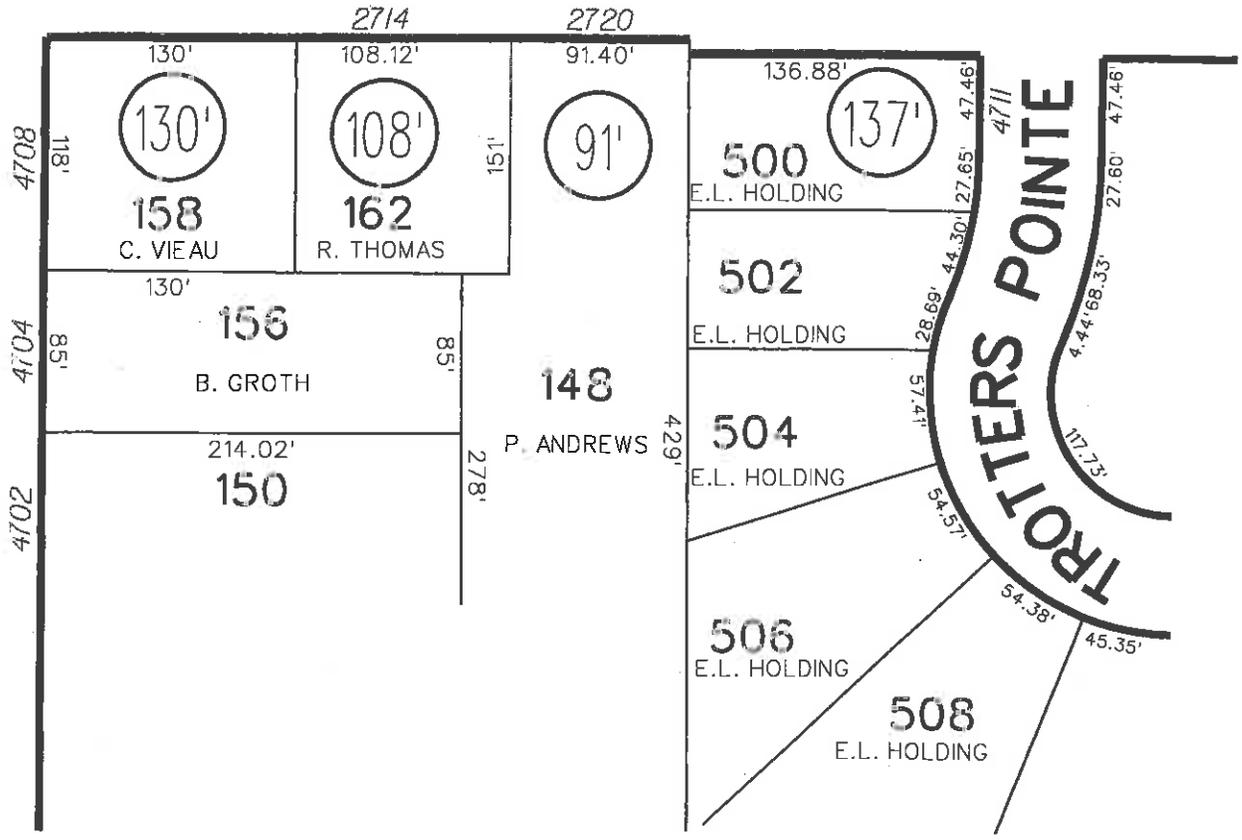
ASSESSABLE FRONTAGE:

EXEMPT FRONTAGE:

E. WHEELER ST.



CONGRESS ST.



WHEELER ST - SOUTH SIDE - CONGRESS STREET TO TROTTERS POINTE

ASSESSABLE FRONTAGE: 

EXEMPT FRONTAGE: 

JULIE ANN

MI RAMI ST
WINDSTREAM
TOMAHAWK
ARROWHEAD
BROADHEAD DRIVE

DEK BROOK
KEOHA LANE
PULSE CT
GRATE COURT
FIELDSTONE COURT
CLAYHILL COURT

VILLAGE WEST
VILLAGE EAST
MIDFIELD LANE

33

SOCCER DRIVE

JEFFERSON AVE

TED DOAN DR
ALAN OTT DR

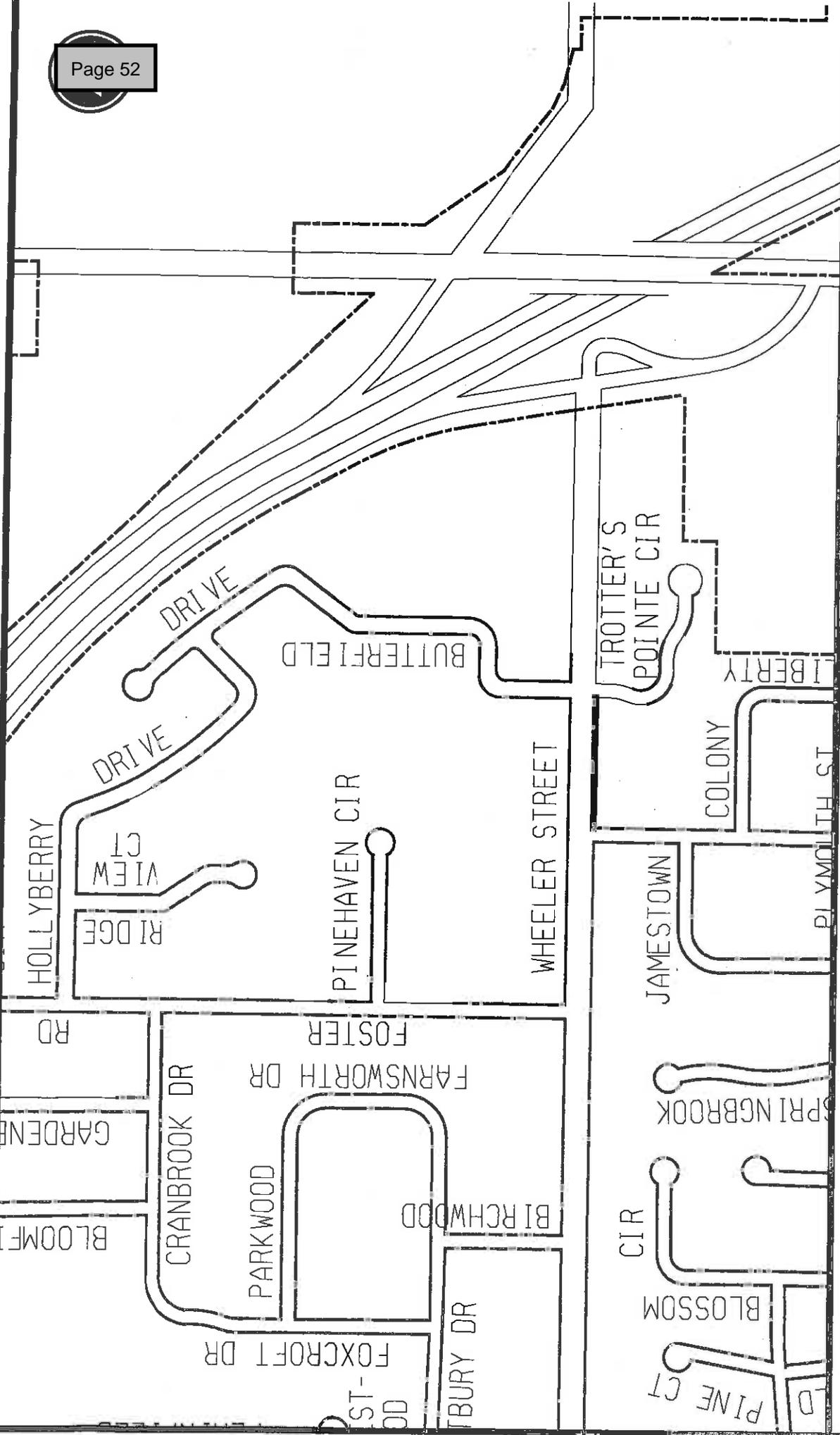
T. MOORE DR
CINEMA DR
CINEMA BLVD.

JEFFERSON AVE.

JOSEPH TO BROADHEAD

— EXISTING SIDEWALK

 - - - PROPOSED SIDEWALK



WHEELER STREET (SOUTH SIDE)

CONGRESS TO TROTTERS POINTE

- - - - - EXISTING SIDEWALK

 _____ PROPOSED SIDEWALK

Backup material for agenda item:

5. City Manager's Proposed 2016-17 Budget (also see material sent in the April 11 and 25 agenda packets). KEENAN

SUMMARY REPORT TO MANAGER
For City Council Meeting of May 9, 2016

SUBJECT: 2016-17 Proposed Budget Public Hearing

INITIATED BY: David A. Keenan, Assistant City Manager

RESOLUTION SUMMARY:

None

ITEMS ATTACHED:

Letter of Transmittal

CITY COUNCIL ACTION:

Conduct a public hearing

David A. Keenan
Assistant City Manager



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640 ♦ 989.837.3300 * 989.837.2717 Fax ♦ www.midland-mi.org

TO: Jon Lynch, City Manager

FM: David A. Keenan, Assistant City Manager

DT: May 5, 2016

RE: Public Hearing on 2016-17 Proposed Budget

A public hearing on the 2016-17 proposed budget is scheduled to be held on Monday, May 9, 2016, as part of the regular City Council meeting. This public hearing is required by both the State Budget Act and the City Charter.

While the City is not required to publish a Truth in Taxation notice or hold a separate hearing on its proposed millage, we will discuss the following information during the public hearing on May 9, 2016:

Millage	Adopted	Proposed	Change
	2015-16	2016-17	
General Operations	12.36	12.32	(0.04)
Storm Water Management	0.33	0.30	(0.03)
Subtotal - operations	12.69	12.62	(0.07)
Library - statutory	1.00	1.00	0.00
Public Safety - statutory	1.05	1.12	0.07
Voter approved debt	0.26	0.26	0.00
Total City Millage	15.00	15.00	0.00

The City Manager’s proposed budget includes a total millage rate of 15.00 mills. In addition to the millage as shown above, for properties located within the unexpanded Downtown Development District, the approved 2015-16 millage rate and the proposed 2016-17 millage rate also includes an additional millage of 2 mills specific to the Downtown Development District.

City Council is scheduled to adopt the budget at their regular meeting scheduled for May 23, 2016.

Other than holding the public hearing, no City Council action is necessary at this time.

4-11-16
Received
Set PH for
4-25 & 5-9

7

SUMMARY REPORT TO MANAGER
For City Council Meeting of April 11, 2016

SUBJECT: 2016-17 Proposed Budget

INITIATED BY: David A. Keenan, Assistant City Manager

RESOLUTION SUMMARY: Resolution acknowledges receipt of the City Manager's proposed budget for the 2016-17 fiscal year, orders same to be placed on file for public examination at City Hall and the Grace A. Dow Memorial Library, directs City Clerk to publish notice of public hearings, as previously approved by Council at its November 23, 2015 regular meeting, and directs the City Clerk to publish a comparative summary of the budget.

ITEMS ATTACHED:

- 1. Letter of transmittal
- 2. Resolution

CITY COUNCIL ACTION:

3/5 affirmative vote required to approve resolution.



 David A. Keenan, Assistant City Manager



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640 ♦ 989.837.3300 ♦ 989.837.2717 Fax ♦ www.midland-mi.org

TO: Jon Lynch, City Manager

FM: David A. Keenan, Assistant City Manager

A handwritten signature in black ink, appearing to read "D. Keenan", is written over the name of the Assistant City Manager.

DT: April 6, 2016

RE: Receiving the 2016-17 Budget

Attached to this memo is a Council resolution which would receive the proposed 2016-17 budget and place it on file for public examination at the City Clerk's office in City Hall and at the Grace A. Dow Memorial Library. The budget document itself will be presented to Council at its April 11th meeting.

The dates for special budget work sessions and public hearings were previously set by Council on November 23, 2015. As a reminder, those dates are:

- Monday, April 18, 2016 – budget study work session (special meeting)
- Monday, April 25, 2016 – preliminary public hearing (regular meeting)
- Monday, May 9, 2016 – mandatory public hearing (regular meeting).

The attached resolution will also direct the City Clerk to publish timely notice of the above public hearings, and publish a comparative summary of the 2015-16 adopted budget, and the 2016-17 proposed budget.

The Charter requires adoption of the budget no later than the fourth Monday in May, which this year is May 23. Accordingly, it is planned to present Council with a resolution at Council's regular meeting on Monday, May 23, 2016, to adopt the 2016-17 fiscal year budget.

future agd



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640 ♦ 989.837.3300 ♦ 989.837.2717 Fax ♦ www.midland-mi.org

BY COUNCILMAN BROWN WILHELM

WHEREAS, City Council has previously approved, at its regular Council meeting on November 23, 2015, that a preliminary public hearing shall be conducted at 7:00 p.m., Monday, April 25, 2016, in the Council Chambers of City Hall, on the proposed 2016-17 budget; and

WHEREAS, City Council has previously approved at the same meeting that in accord with Section 11.6 of the Charter of the City of Midland, a public hearing shall be conducted at 7:00 p.m., Monday, May 9, 2016, in the Council Chambers of City Hall on the proposed 2016-17 budget; now therefore

RESOLVED, that the City Manager's proposed budgets and financial working plans for the 2016-17 fiscal year, prepared in accord with Section 11.3 of the City Charter, are hereby acknowledged as being received by the Midland City Council on this date, as required by Section 11.2 of the Charter, and are ordered placed on file for public examination; and

RESOLVED FURTHER, that the City Clerk shall cause notice of said public hearings to be published in the Midland Daily News not less than seven days prior to the appointed date of each; and

RESOLVED FURTHER, that copies of the proposed 2016-17 budget of the City of Midland shall be placed on file for public examination during normal business hours at the City Clerk's office in City Hall, 333 W. Ellsworth Street, and at the Grace A. Dow Memorial Library, 1710 W. St. Andrews Road, in the City of Midland; and

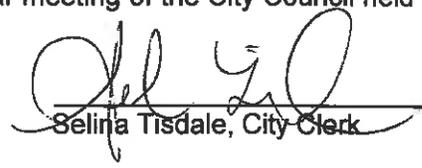
RESOLVED FURTHER, that the City Clerk is hereby directed to publish once in the Midland Daily News a comparative summary of the 2015-16 adopted budget and the 2016-17 proposed budget.

YEAS: Adams, Arnosky, Brown Wilhelm, Donker, Wazbinski

NAYS: None

ABSENT: None

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a 5/0 yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, April 11, 2016.


Selina Tisdale, City Clerk

SUMMARY REPORT TO MANAGER
For City Council Meeting of April 25, 2016

SUBJECT: 2016-17 Proposed Budget

INITIATED BY: David A. Keenan, Assistant City Manager

RESOLUTION SUMMARY:

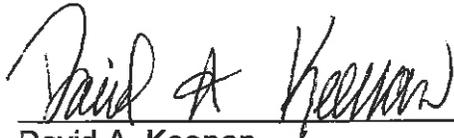
None

ATTACHMENT:

Letter of Transmittal

CITY COUNCIL ACTION:

Conduct a public hearing



David A. Keenan
Assistant City Manager



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640 ♦ 989.837.3300 ♦ 989.837.2717 Fax ♦ www.midland-mi.org

TO: Jon Lynch, City Manager

FM: David A. Keenan, Assistant City Manager

A handwritten signature in black ink, appearing to read "D. Keenan".

DT: April 20, 2016

RE: Public Hearing on Proposed 2016-17 Budget

Monday, April 25, 2016, is the date set for the first of two scheduled public hearings on the proposed 2016-17 City of Midland budget. It is designed to provide an opportunity for public input on the budget. The proposed budget has been available for public examination since April 12, 2016, at the City Clerk's office, the Grace A. Dow Memorial Library, and on the City's website.

A second public hearing, required by the City Charter, is scheduled for Monday, May 9, 2016. The City Council is scheduled to adopt the budget at their regular meeting scheduled for May 23, 2016.

No formal City Council action is necessary at this time.

From: Murphy, Karen
Sent: Monday, April 25, 2016 11:30 AM
To: Haseeb Moten
Subject: RE: Fire works

Mr. Moten,

Thank you for taking the time to share your concerns with me regarding the proposed increase for the annual July 4 fireworks celebration. The decision to increase funding for the fireworks show is based on the premise that July 4 is one of the few City-sponsored community recreation events that impacts a broad audience each year. The budget for the fireworks has remained unchanged for several years, and with costs to provide the show increasing, we have seen a noticeable decline in the quality of the show. In addition, we have received many complaints from residents about the shorter length of the show and the lower quality of the performance over the past 3 years. While the parks and recreation staff are very conscientious about controlling costs in our programming and park offerings every year, we felt it was time to adjust the budget for the fireworks celebration as it is such a well-attended community event with a widespread audience.

I will share your comments with the City Council as they consider the proposed budget over the coming weeks.

Regards,

Karen Murphy

Director of Public Services
City of Midland
Telephone: 989.837.6909
Fax: 989.837.5741
E-mail: kmurphy@midland-mi.org



From: Haseeb Moten [mailto:
Sent: Saturday, April 23, 2016 1:23 AM
To: Murphy, Karen <kmurphy@midland-mi.org>
Subject: Fire works

Hello,

I really have to object to your proposal for \$10,000 for *fireworks*. Seriously? Nearly doubling the budget to make bigger explosions? People would come regardless for the show, this just seems like a waste of money for a pet project. It is a tiny portion of the budget but considering part of the budget involves putting in parking meters and charging citizens of this city more, I'd rather see the same show and save some of the budget for a rainy day fund.

You plan on spending an additional \$10,000 for one hour of slightly louder entertainment. It really must be easy to spend when it isn't your money.

Backup material for agenda item:

6. Reinstating Dial-A-Ride Sunday service. MURPHY

SUMMARY REPORT TO MANAGER
For City Council Meeting of May 9, 2016

SUBJECT: Dial-A-Ride Sunday Service

INITIATED BY: Department of Public Services

RESOLUTION SUMMARY: This resolution authorizes City staff to reinstate Sunday service in Dial-A-Ride.

ITEMS ATTACHED:

1. Letter of Transmittal
2. Staff Report
3. Resolution
4. Communication(s)

CITY COUNCIL ACTION:

1. 3/5 vote required to approve resolution

Karen Murphy
Director of Public Services



May 4, 2016

Jon Lynch
City Manager
Midland, Michigan

RE: Dial-A-Ride Sunday Service

At their April 25 meeting, City Council received the attached report outlining two options to reinstate Sunday service hours for Dial-A-Ride (DART). City Council expressed interest in reinstating the second option on a trial basis which will provide Sunday service from 8:00 am – 3:00 pm. Buses will actually be on the road from 8:30 am – 2:30 pm as the drivers need time to do a pre-trip and post-trip bus safety inspection at either end of their shift. This service will cost approximately \$76,000 with the City's share estimated at \$27,000 and the balance of the cost would be covered by State and Federal operating assistance grants.

Staff is recommending a trial period of 18 months beginning July 1. Ridership historically drops off in the summer months, so we anticipate the Sunday service will get off to a slow start but with good marketing, we are hopeful the service will pick up once school is back in session this fall. An 18 month trial will give us a chance to promote the service for a few months and then have a full year of data with the service running at optimal capacity.

One concern raised by Council upon their initial review of the report was if the scheduled ridership would be monitored and service adjusted accordingly each week. In order to provide effective service, DART will structure each Sunday schedule with 4 buses on the road at 8:30 am to handle the peak passenger demand. Given the large service area DART covers, each bus can accommodate 2-3 passengers per half hour and still deliver passengers to their destination with a reasonable on-bus ride time. As the service demand starts to taper off around 10:30 am, one bus will end its shift with another bus ending its shift at 1:00 pm, leaving just 2 buses to finish off the day. This format is based on the knowledge that Sunday service's primary usage will be taking riders to and from Sunday morning worship services.

While this will be the standard format for Sunday bus shifts, the dispatcher who is on shift Saturday afternoon will evaluate the rides scheduled for the following day. If it is deemed that the service demand can be met with fewer buses, then the dispatcher will cancel or shorten shifts based on the rides that need to be provided.

Jon Lynch
May 4, 2016
Page Two

The DART Commission also reviewed the report to reinstate Sunday service at their May 2 meeting, and made a recommendation to City Council to proceed with reinstating the service. Therefore, the attached resolution would authorize staff to reinstate Sunday service as outlined above.

Respectfully submitted,

Karen Murphy
Director of Public Services

Dial-A-Ride Sunday Service Cost Scenarios 3/11/16

Option #1 – Same Sunday Service Hours as Previously Operated:

The City of Midland Dial-A-Ride operated Sunday service hours from 8:00 am until 6:30 pm with the following driving shifts (utilizing 5 buses and 5 drivers each Sunday):

Shift	Total Hours	Cost per Hour (includes fuel, bus maint)	Cost Per Shift	Cost per shift per year
8:00 – 11:00 am	3.0	\$65.00	\$195.00	\$10,140
8:00 – 1:30 pm	5.5	\$65.00	\$357.50	\$18,590
8:00 – 1:30 pm	5.5	\$65.00	\$357.50	\$18,590
8:00 – 4:00 pm	8.0	\$65.00	\$520.00	\$27,040
2:30 – 6:30 pm	4.0	\$65.00	\$260.00	\$13,520
TOTALS	26 Hours		\$1,690.00	\$87,880

Cost to the City of Midland to provide Sunday Service from 8:00 am – 6:30 pm less fare box revenue, state and federal funding:

Annual Cost	Estimated Rides:	Less Fare Box Revenue:	Less State Share	Less Federal Share	Annual Cost to City to provide Sunday Service from 8:00 am – 6:30 pm
	75 rides each Sunday X 52 weeks	75 rides @ \$1.00/ride x 52 weeks			
\$87,880	3,900	\$3,900	\$30,312	\$22,675	\$30,992

Total estimated cost per ride = \$21.53/ride

Total estimated cost to City per ride = \$7.95/ride

With previous Sunday Service, we booked 110 rides per Sunday and had a 30% no show and cancellation rate. So we averaged approximately 75 total rides each Sunday.

All Sunday rides had to be scheduled by Saturday at 1 pm. We did not operate with a dispatcher or any phone service on Sunday. We had a driver on the road to handle the emergency hotline for cancellations and no shows.

NOTE: Rides not cancelled by 1 pm on Saturday would be considered a 'No Show' under policy adopted in January of 2015.

Option 2 – Reduced Hours for Sunday Service (utilizing 4 buses & 4 drivers each Sunday):

Shift	Total Hours	Cost Per Hour (includes fuel, bus maint)	Cost Per Shift	Cost per shift per year
8:00 – 11:00 am	3.0	\$65.00	\$195.00	\$10,140
8:00 – 1:30 pm	5.5	\$65.00	\$357.50	\$18,590
8:00 – 3:00 pm	7.0	\$65.00	\$455.00	\$23,660
8:00 – 3:00 pm	7.0	\$65.00	\$455.00	\$23,660
Totals	22.50 Hours		\$1,462.50	\$76,050

Cost to the City of Midland to provide Sunday Service from 8:00 am – 3:00 pm less fare box revenue, state and federal funding:

Annual Cost	Estimated Rides:	Less Fare Box Revenue:	Less State Share	Less Federal Share	Annual Cost to City to provide Sunday Service from 8:00 am – 3:00 pm
	65 rides each Sunday x 52 weeks	65 rides @ \$.1.00/ride x 52 weeks			
\$76,050	3,380	\$3,380	\$25,987	\$19,621	\$27,062

Total estimated cost per ride = \$22.50/ride

Total estimated City cost per ride = \$8.01/ride

All Sunday rides would need to be scheduled by Saturday at 1 pm. We would not operate with a dispatcher or any phone service on Sunday. A driver on the road would have a cell phone to handle the emergency hotline for missed rides.

NOTE: Rides not cancelled by 1 pm on Saturday would be considered a ‘No Show’ under policy adopted in January of 2015.

The hours for this option were chosen because this would accommodate travel to and from most church services, and would accommodate rides home from free community luncheons, such as the Friendship Luncheon provided by First United Methodist Church, as this was a popular pick up location when service was offered in the past on Sundays.

Options to Consider:

To put the anticipated level of Sunday rides in perspective, DART currently averages the following:

Weekday – average of 440 rides provided per day

Saturday – average of 110 rides provided per day

Sunday – anticipated 65-75 rides provided depending on length of day

Saturday ridership has decreased about 10% since 2008 when the City last offered Sunday service. The estimated number of rides used in these calculations assumed the same ridership levels as we experienced in 2008. If the ridership levels do not reach 2008 levels, the service will still cost the same to keep buses on the road but the cost per ride goes up with fewer rides provided.

A quick search of local churches/organizations that have vehicles for Sunday use:

- Open Door
- Christian Celebration Center
- Memorial Presbyterian Church
- Pentecostal Temple
- Midland Baptist

Riders who have converted to this method of arriving at their church may not revert back to using Dial-A-Ride on Sundays so this could impact ridership levels as well.

The majority of surrounding public transportation providers do not offer Sunday Service hours – please see the following page for detailed information on hours of operation.

Reinstating Sunday Service would be a rather simple transition for DART and could be done with the current level of buses and drivers. This increase in service hours could be implemented within a two week time frame from a decision being rendered, and would likely need to be implemented along with a marketing campaign to get the word out to riders and local agencies.

Service Hours of other Local Transit Agencies

City of Midland Dial- A-Ride

Monday – Friday 6:30 am – 10:30 pm
Saturday – 9:00 am – 8:00 pm
Sunday - None

County Connection (Midland County)

Monday – Friday 5:00 am – 11:00 pm
Saturday – Split hours: 5:30 am – 9:30 am and 2:30 pm – 6:30 pm
Sunday - None

Gladwin City/County Transit

Monday – Friday – 7:00 am – 6:00 pm
Saturday – None
Sunday – None

Shiawassee Area Transportation Agency

Monday – Friday 6:00 am – 6:00 pm (Caledonia Twp. and Owosso Twp. 6:00 am – 10:00 pm)
Saturday – None
Sunday – None

Saginaw Transit Authority Regional Service

Monday – Friday 5:00 am – 8:00 pm (Fixed Route with Complimentary Para Transit Service)
Saturday – None
Sunday – None

Bay Metropolitan Transportation Authority

Monday – Friday – 6:00 am – 6:30 pm (Fixed Route with Complimentary Para Transit)
Saturday – 9:00 am – 6:00 pm
Sunday – None

Clare County Transit Corporation

Monday – Friday 6:00 am – 10:00 pm
Saturday – 8:00 am – 5:00 pm
Sunday – None

Isabella County Transportation Commission

Monday – Saturday – 6:30 am – Midnight
Sunday – 8:00 am – 5:00 pm



Midland

Department of Public Services ♦ 4811 North Saginaw Road ♦ Midland, Michigan 48640 ♦ 989.837.6900 ♦ 989.835.5651 Fax ♦ www.cityofmidlandmi.gov

BY COUNCILMAN

WHEREAS, at the request of City Council, staff presented a report at the April 25 meeting on two options for reinstating Dial-A-Ride Sunday service along with cost estimates to support each option; and

WHEREAS, City Council is supportive of reinstating Sunday service as outlined under Option 2 of the staff report, with buses on the road from 8:30 am – 2:30 pm, for a trial period of 18 months to begin July 1; and

WHEREAS, after said trial period staff will present operating data to City Council indicating the effectiveness of the reinstated service at which time Council can decide whether to continue providing the service; now therefore

RESOLVED, that the City Council authorizes staff to reinstate Sunday service for Dial-A-Ride as outlined in the staff report under Option 2 effective July 1, 2016.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, May 9, 2016.

Selina Tisdale, City Clerk

-----Original Message-----

From: John Muste

Sent: Thursday, April 28, 2016 1:22 PM

To: Arnosky, Steve <sarnosky@midland-mi.org>

Cc: Lynch, Jon <jlynch@midland-mi.org>; Donker, Maureen <mdonker@midland-mi.org>

Subject: RE: Weekend Dial-A-Ride

Thanks for your response. To me it makes little difference whether its federal or local subsidies, both come from our taxes.

Saturday rides were higher at 110 vs a projected 65 on Sunday. However, I suspect costs are also higher on Saturday since the time rides are available is longer. Also dispatch services are maintained on Saturday but were not planned for Sunday because it was indicated the cost would be prohibitive. I believe a cost per rider comparison analysis is needed for Sunday, Saturday and weekdays.

I believe many alternatives exist if DART costs are too high which appears to be the case for Sunday and perhaps for Saturday as well.

Sincerely,

John Muste

-----Original Message-----

From: Arnosky, Steve [<mailto:sarnosky@midland-mi.org>]

Sent: Thursday, April 28, 2016 12:10 PM

To: John Muste

Subject: Re: Weekend Dial-A-Ride

Thanks John for sharing your view. That amount was from both federal and local funds, but still seems to be an inefficient system to provide transportation for a very few people. Think the Saturday service is not as high because there are more riders to spread the cost-- but I am doing that from memory.

Sent from my iPad
Steve Arnosky
Councilman - Ward 3

On Apr 27, 2016, at 8:42 PM, John Muste

> wrote:

Mr. Arnosky, at the 4/25 City Council Meeting, I believe you calculated estimated government subsidies totaling \$26/ride to add Sunday service. Also it appears that subsidies for existing Saturday service are about the same.

I feel this level of government subsidization is way too high vs. other possible alternatives (including but not limited to taxis, friends, family, churches, higher fares etc.). (I wonder if the reduced life of the vehicles for the potential extra Sunday service was taken into account.) Thanks for considering my input.

Sincerely,

John Muste

Backup material for agenda item:

7. * Approving the Amendment to the Midland County Solid Waste Management Plan. BUSH

SUMMARY REPORT TO MANAGER

For City Council Meeting of May 9, 2016

SUBJECT: LANDFILL – AMENDMENT TO THE MIDLAND COUNTY SOLID WASTE MANAGEMENT PLAN

INITIATED BY: Noel D. Bush, Utilities Director

RESOLUTION SUMMARY: This resolution approves the Amendment to the Midland County Solid Waste Management Plan, authorizing the disposal of non-hazardous contaminated river sediment and floodplain soils from Saginaw County on a case-by-case basis at the City of Midland Landfill, within the out-of-county limits described in Saginaw County's Solid Waste Management Plan.

ITEMS ATTACHED:

1. Letter of transmittal
2. Resolution
3. Amendment to the Midland County Solid Waste Management Plan

COUNCIL ACTION:

1. 3/5 vote required to approve resolution.

NDB:jjjs



Utilities Department • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • (989) 837-3341 • CitizenCommentsWater@midland-mi.org

May 4, 2016

Jon Lynch, City Manager
Midland, Michigan

Re: LANDFILL – AMENDMENT TO THE MIDLAND COUNTY SOLID WASTE
MANAGEMENT PLAN

Dear Mr. Lynch:

The City of Midland Landfill operates under a permit issued by the Michigan Department of Environmental Quality (MDEQ). Solid waste in Midland County is governed by the Midland County Solid Waste Management Plan (Plan), as regulated by the MDEQ. Midland County municipal members of the Plan consist of 16 townships, two cities, and one village:

-
- | | | |
|----------------------|----------------------|----------------------|
| • Coleman City | • Village of Sanford | • Edenville Township |
| • Geneva Township | • Greendale Township | • Homer Township |
| • Hope Township | • Ingersoll Township | • Jasper Township |
| • Jerome Township | • Larkin Township | • Lee Township |
| • Lincoln Township | • Midland Township | • Mills Township |
| • Mt. Haley Township | • Porter Township | • Warren Township |
| | • City of Midland | |
-

In 2015, the Midland County Solid Waste Management Planning Committee (Committee) was appointed to work with the County's designated planning and operations agency, the City of Midland, to draft an amendment to the Plan. In short, the Amendment will authorize the Midland City Manager to approve disposal of non-hazardous contaminated river sediment and floodplain soils from Saginaw County on a case-by-case basis at the Midland Landfill, within the out-of-county limits described in Saginaw County's Solid Waste Management Plan, which is currently set at 622 tons per day. The Amendment will have no impact on fees for municipalities or other customers, and may even help delay potential future price increases. It will also have a minimal effect on the life of the current landfill site.

The draft Amendment was opened for a 90-day public comment period on July 15, 2015, and was approved by the Committee and the County Board of Commissioners on December 1, 2015. Each municipality is responsible for reviewing the Amendment and voting to approve or disapprove the Amendment to the Plan. If approved by 67% (13 of 19) of municipalities, the Amendment will be forwarded to the MDEQ for final approval and incorporation into the official Plan.

To date, six approvals and one disapproval has been received, while 12 municipalities, including the City of Midland, have yet to bring it to a vote. The attached resolution will approve the Amendment to the Midland County Solid Waste Management Plan. A 3/5 vote is required for approval.

Respectfully submitted,

Noel Bush, Utilities Director



Utilities Department • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • (989) 837-3341 • CitizenCommentsWater@midland-mi.org

BY COUNCILMAN

WHEREAS, the County of Midland desires to update its Midland County Solid Waste Management Plan in compliance with Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended; and

WHEREAS, the County held the required public hearing on the proposed plan on October 20, 2015 and returned the document and testimony to the Solid Waste Management Planning Committee; and

WHEREAS, recommendations received by the County Commission from the Michigan Department of Environmental Quality have been included in the final draft of the Amendment to the Midland County Solid Waste Management Plan; and

WHEREAS, the County Commission of the County of Midland approved the Midland County Solid Waste Management Plan as amended by official action on December 1, 2015; and

WHEREAS, the City of Midland believes that this plan as amended represents its interests, and therefore supports the Amended Midland County Solid Waste Management Plan; now therefore

RESOLVED, that the City of Midland hereby approves the Amendment to the Midland County Solid Waste Management Plan authorizing the disposal of non-hazardous contaminated river sediment and floodplain soils from Saginaw County on a case-by-case basis at the City of Midland Landfill, within the out-of-county limits described in Saginaw County's Solid Waste Management Plan.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeavote of all the Councilmen present at a regular meeting of the City Council held Monday, May 9, 2016.

Selina Tisdale, City Clerk

SELECTED SYSTEM

2015 PLAN UPDATE COVER PAGE

The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), Part 115, Solid Waste Management, and its Administrative Rules, requires that each County have a Solid Waste Management Plan Update (Plan) approved by the Michigan Department of Environmental Quality (DEQ). Section 11539a requires the DEQ to prepare and make available a standardized format for the preparation of these Plan updates. This document is that format. The Plan should be prepared using this format without alteration. Please refer to the document entitled "Guide to Preparing the Solid Waste Management Plan Update" for assistance in completing this Plan format.

DATE SUBMITTED TO THE DEQ:

If this Plan includes more than a single County, list all counties participating in this Plan.

Midland County with special daily cover agreements with Bay and Saginaw

The following lists all the municipalities from outside the County who have requested and have been accepted to be included in the Plan, or municipalities within the County that have been approved to be included in the Plan of another County according to Section 11536 of Part 115 of the NREPA. Resolutions from all involved County boards of commissioners approving the inclusion are included in Appendix E.

<u>Municipality</u>	<u>Original Planning County</u>	<u>New Planning County</u>
---------------------	---------------------------------	----------------------------

N/A	N/A	N/A
-----	-----	-----

DESIGNATED PLANNING AGENCY PREPARING THIS PLAN UPDATE:

City of Midland

CONTACT PERSON: Noel Bush/Scott O'Laughlin

ADDRESS: 333 W. Ellsworth
Midland, Michigan 48640

PHONE: (989) 837-3343 FAX: (989) 835-2717

CENTRAL REPOSITORY LOCATION(S): Grace A. Dow Library, Midland City Hall, City of Midland Landfill

SELECTED SYSTEM
EXECUTIVE SUMMARY

Midland County has a population of 81,713, of which approximately half is located within the City of Midland. The county is primarily rural with the exception of the City of Midland. The population of the City of Midland is expected to grow 6.5% in the next ten years, while the overall ten year county growth rate is expected to be slightly higher at 7.3%.

Midland County's solid waste system is comprised of one municipal solid waste landfill, two hazardous waste landfills, two licensed transfer stations in Lincoln and Lee Township, and various recycling services including drop-off centers and curbside collection.

Midland County is currently a "closed" county, meaning waste generated within Midland County must be disposed of within Midland County. In addition, waste from counties outside of Midland cannot be disposed of within Midland County. Only in emergency situations or through agreement with the designated planning agency, as outlined in Coordination Efforts on page A-12 and Special Conditions on page D-13, will waste be allowed to be transferred across county lines. In addition, the amended plan allows for the transfer of special waste (foundry sand as daily cover, or contaminated soils – river sediment and floodplain soils), between the counties of Midland, Bay, and Saginaw and the City of Midland Landfill.

The municipal solid waste landfill is owned and operated by the City of Midland. This landfill accepts approximately 170,000 compacted cubic yards of municipal solid waste (approximately 500,000 loose cubic yards per year). The City of Midland Landfill is situated on 330 acres and has capacity for a minimum of five additional cells. The estimated additional life of this landfill is 50 to 70 years dependent upon future source reduction and recycling practices.

The two hazardous waste landfills are owned and operated by Dow Chemical Company and Dow Corning Corporation for private use. All wastes of residential non-hazardous nature, that are not recycled, generated by these two corporations are currently or will be in the near future transported to the City of Midland Landfill for disposal. The Dow Chemical Company also owns and operates two incinerators for disposal purposes.

The City of Midland operates the collection system for residential waste generated by city residents. The townships contract out their collection systems to various haulers. Lee and Lincoln Townships each have licensed transfer stations. Each township currently contracts with the City of Midland Landfill for final disposal of waste.

Midland County also has a comprehensive recycling system. The City of Midland contracts with Waste Management for curbside collection of recyclables. The townships utilize both curbside collection and drop-off programs. Additionally, within the City of Midland, the Midland Volunteers for Recycling and Brady News and Recycling operate drop-off facilities for both residential and commercial recyclables. The Arnold Center, located in the City of Midland, also processes a large amount of recyclable materials for many local companies. In addition, both Dow Chemical Company and Dow Corning Corporation practice comprehensive recycling efforts, with Dow Corning diverting over 16,000 cubic yards of materials from landfill disposal.

The City of Midland also owns and operates a compost operation at the landfill site. This facility currently accepts approximately 75,000 yards of cubic yard waste, brush and leaves. Also, within the City of Midland, PUTT, Inc., a private company, completes large-scale process of wood waste and operates a small composting facility. They also produce approximately 200 yards of compost each year using yard clippings and leaf wastes. Additionally, Pat's Gradall, another locally privately owned company produces up to 2,000 yards of compost per year.

Lastly, the County and City of Midland recycles 100% of the asphalt wastes in roadway reconstruction projects. This amounts to approximately 37,000 tons of asphalt being recycled per year.

CONCLUSIONS AND SELECTED ALTERNATIVE

The City of Midland Landfill has an approved expansion for the construction of five additional cells beyond Cell 14, which is currently being filled. This expansion provides Midland County with at least fifty years of capacity using current projected waste generation rates. Additionally, as Midland County proceeds toward the State of Michigan's goal of 35% recycling, the capacity could increase to seventy-five years. Therefore, Midland County has sufficient landfill capacity, and the need to investigate further landfill areas is not required.

Likewise, the waste transportation systems currently utilized within Midland County appear to be sufficient. The City of Midland provides residential curbside service within the city limits, and the private sector handles pickup of commercial waste in the city and county and residential waste outside of the city. This allows each township and business owner the autonomy to choose the vendor, schedule, and methodology by which their solid waste will be handled.

Midland County has four household hazardous waste collections per year. This continues to be a popular service, with many requests for expanded service during the winter months. The program is hosted jointly by Midland County and Dow Chemical Company. The co-supporters will evaluate expansion of this program, and if warranted and economically feasible, the program may be expanded. However, if expanded, additional funding sources will need to be identified.

Midland County will also continue utilizing both curbside and drop-off recycling programs. Expansion in this area will be evaluated economically based both on cost to residents and market value for the recyclable materials. Education along with encouragement to both recycle and buy recycled will continue to be a high priority for all parties.

The City of Midland will continue its composting program including an expansion scheduled for summer of 2000. Putt, Inc. will also be used to process the large volume wood wastes and yard waste composting. Future developments may include the marketing of compost and the evaluation and use of a variety of compost feedstock including bio-solids, agricultural waste products, etc.

Midland County is currently a "closed" county, meaning waste generated within Midland County must be disposed of within Midland County. In addition, waste from counties outside of Midland cannot be disposed of within Midland County. This plan supports the continuation of such policies with the exception of a reciprocal agreement allowing for the transfer of foundry sand (special waste) between the counties of Midland, Bay, and Saginaw. This plan also allows for waste to cross county line in emergency situations or through agreement with the designated planning agency as explained in the Import/Export section on pages III-3,5 and in the Coordination Efforts section on page A-12 and Special Conditions on page D-13.

In conclusion, it was determined that Midland County's Solid Waste system currently meets the needs of the residents and businesses located in the county. Therefore, it was determined that Midland County should proceed as currently operating, while continuing to evaluate new technologies and expansion of recycling, household hazardous waste collection, and composting programs. Additionally, alliances will be maintained with neighboring counties to allow for transport of waste between counties in emergency situations.

SELECTED SYSTEM
DATA BASE

Inventory and description of all solid waste disposal areas within the County or to be utilized by the County to meet its disposal needs for the planning period.

DATA BASE

FACILITY DESCRIPTIONS

Facility Type: Type II

Facility Name: City of Midland Landfill

County: Midland Location: Town: 14N Range: 2E Section(s): 12

Map identifying location included in Attachment Section: Yes No

If facility is an Incinerator or a Transfer Station, list the final disposal site and location for Incinerator ash or Transfer Station wastes:

Public Private Owner:

Operating Status (check)

- open
- closed
- licensed
- unlicensed
- construction permit
- open, but closure pending

Waste Types Received (check all that apply)

- residential
- commercial
- industrial
- construction & demolition
- contaminated soils
- special wastes *
- other:

* Explanation of special wastes, including a specific list and/or conditions:
Tires, Appliances (Remove Freon and Recycle Scrap Iron), Yard Waste (Compost Program), Asbestos, Non-Biohazard Medical Waste, Pit Sludges and Grit, Recycle Scrap Metals, Wastewater and Water Treatment Sludges, Contaminated Soils – River Sediment and Floodplain Soils

Site Size:

Total area of facility property: 330 acres
 Total area sited for use: 265 acres
 Total area permitted: 265 acres
 Operating: 20.5 acres
 Not excavated: 49.0 acres
 Current capacity: 8.5 million compacted yds³
 Estimated lifetime: 50 years
 Estimated days open per year: 276 days
 Estimated yearly disposal volume: 125,925 compacted yds³

(if applicable)

Annual energy production:
 Landfill gas recovery projects: N/A megawatts
 Waste-to-energy incinerators: N/A megawatts

SELECTED SYSTEM

Midland County is currently a “closed” county, meaning waste generated within Midland County must be disposed of within Midland County. In addition, waste from counties outside of Midland cannot be disposed of within Midland County. This plan supports the continuation of such policies with the exception of a reciprocal agreement allowing for the transfer of foundry sand (special waste) between the counties of Midland, Bay, and Saginaw. This plan also allows for waste to cross county line in emergency situations or through agreement with the designated planning agency as explained in the Import/Export section on pages III-3,5 and in the Coordination Efforts section on page A-12 and Special Conditions on page D-13.

It is also recommended that an alliance be formed between governmental units, environmental interest groups, business leaders, etc. whose focus will be on increasing recycling and environmental awareness and encouragement of both recycling wastes and procuring products that have been manufactured using recycled materials.

In conclusion, it was determined that Midland County’s Solid Waste system currently meets the needs of the residents and businesses located in the county. Therefore, it was determined that Midland County should proceed as currently operating, while continuing to evaluate new technologies and expansion of recycling, household hazardous waste collection, and composting programs. Additionally, alliances will be maintained with neighboring counties to accept waste in emergency situations.

SELECTED SYSTEM

IMPORT AUTHORIZATION

If a Licensed solid waste disposal area is currently operating within the County, disposal of solid waste generated by the EXPORTING COUNTY is authorized by the IMPORTING COUNTY up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED in Table 1-A.

Table 1-A

CURRENT IMPORT VOLUME AUTHORIZATION OF SOLID WASTE

IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME ¹	AUTHORIZED QUANTITY/ DAILY	AUTHORIZED QUANTITY/ ANNUAL	AUTHORIZED CONDITIONS ²
<u>Midland</u>	<u>Saginaw</u>				*
<u>Midland</u>	<u>Bay</u>				*
<u>Midland</u>	<u>Saginaw</u>		<u>622 tons⁽³⁾</u>	<u>227,000 tons⁽³⁾</u>	Contaminated Soil – River Sediment and Floodplain Soils ⁽³⁾
<u>Midland</u>	<u>Shiawassee</u>				*
<u>Midland</u>	<u>Clare</u>				*
<u>Midland</u>	<u>Bay</u>		2,000 yards/month	24,000 yards	Foundry Sand – Special Waste Only
<u>Midland</u>	<u>Saginaw</u>		5,000 yards/month	60,000 yards	Foundry Sand – Special Waste Only

If a new solid waste disposal area is constructed and operating in the future in the County, then disposal of solid waste generated by the EXPORTING COUNTY is authorized by the IMPORTING COUNTY up to the AUTHORIZED QUANTITY according to the AUTHORIZED CONDITIONS in Table 1-B.

¹ Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

² Authorization indicated by P = Primary Disposal; C = Contingency Disposal

³ Only through agreement with the designated planning agency as outlined in Coordination Efforts (A-12) and Special Conditions (D-13)

* = Other conditions exist and detailed explanation is included in the Attachment Section.

FACILITY DESCRIPTIONS

Facility Type: Type II

Facility Name: City of Midland Landfill

County: Midland Location: Town: 14N Range: 2E Section(s): 12

Map identifying location included in Attachment Section: X Yes No

If facility is an Incinerator or a Transfer Station, list the final disposal site and location for Incinerator ash or Transfer Station wastes:

X Public Private Owner:

Operating Status (check)		Waste Types Received (check all that apply)	
X	open	X	residential
<input type="checkbox"/>	closed	X	commercial
X	licensed	X	industrial
<input type="checkbox"/>	unlicensed	X	construction & demolition
<input type="checkbox"/>	construction permit	X	contaminated soils
<input type="checkbox"/>	open, but closure pending	X	special wastes *
		<input type="checkbox"/>	other:

* Explanation of special wastes, including a specific list and/or conditions:
Tires, Appliances (Remove Freon and Recycle Scrap Iron), Yard Waste (Compost Program), Asbestos, Non-Biohazard Medical Waste, Pit Sludges and Grit, Recycle Scrap Metals, Wastewater and Water Treatment Sludges, Contaminated Soil – River Sediment and Floodplain Soils

Site Size:

Total area of facility property:	<u>330</u> acres
Total area sited for use:	<u>265</u> acres
Total area permitted:	<u>265</u> acres
Operating:	<u>20.5</u> acres
Not excavated:	<u>49.0</u> acres
Current capacity:	<u>8.5</u> million compacted yds ³
Estimated lifetime:	<u>50</u> years
Estimated days open per year:	<u>276</u> days
Estimated yearly disposal volume:	<u>125,925</u> compacted yds ³

(if applicable)

Annual energy production:	
Landfill gas recovery projects:	<u>N/A</u> megawatts
Waste-to-energy incinerators:	<u>N/A</u> megawatts

COORDINATION EFFORTS:

Solid Waste Management Plans need to be developed and implemented with due regard for both local conditions and the state and federal regulatory framework for protecting public health and the quality of the air, water, and land. The following states the ways in which coordination will be achieved to minimize potential conflicts with other programs and, if possible, to enhance those programs.

It may be necessary to enter into various types of agreements between public and private sectors to be able to implement the various components of this solid waste management system. The known existing arrangements are described below which are considered necessary to successfully implement this system within the County. In addition, proposed arrangements are recommended which address any discrepancies that the existing arrangements may have created or overlooked. Since arrangements may exist between two or more private parties that are not public knowledge, this section may not be comprehensive of all the arrangements within the County. Additionally, it may be necessary to cancel or enter into new or revised arrangements as conditions change during the planning period. The entities responsible for developing, approving, and enforcing these arrangements are also noted.

The City of Midland will continue to negotiate contractual agreements with the townships of Midland County for the use of the City of Midland Landfill. Additionally, the City of Midland Landfill will continue to work closely with the Department of Environmental Quality to maintain regulatory compliance and pursue future environmentally conscience endeavors.

As stated earlier, Midland County shall utilize import/export authorizations in emergency situations or through agreement with the designated planning agency as outlined on this page and Special Conditions on page D-13 only. Emergency situations are those instances in which, a county's landfills are closed or cannot handle increased landfill volumes due to regulatory closure, natural disasters such as floods, tornadoes, fires, or other acts of God.

To use these facilities on an emergency, short-term basis, Midland County will sign letters of agreement with those counties calling for reciprocal agreements. These agreements would specify that Midland County will be able to use licensed landfills in Bay, Saginaw, Shiawassee, or Clare county on an interim basis in the event of a temporary or permanent closure of the City of Midland Landfill and that those same counties would be able to use the City of Midland landfill on a temporary basis if the same conditions occurred in their jurisdiction. Such agreements would require the approval and concurrence of the City of Midland and consequently a resolution or letter of agreement between the city and county would be established. Similar agreements would be required with the owners of the landfills that are located in these surrounding counties. At the same time, the county would require all private haulers operating within the county to abide by these inter-county agreements for the transfer of wastes to the designated landfill. Such agreements could be put together in the form of a contract or a formal letter of agreement.³

This contingency plan is to remain in effect until the capacities of the designated landfills in any of the participating counties reach a point that precludes the importation of out-of-county wastes. Midland County would limit the deposition of out-of-county wastes in Midland County to a maximum contiguous period of nine months. In addition, Midland County would accept only those wastes, which must be limited to those acceptable at a Type II landfill, and are generated within the exporting county.³

Additionally, for Saginaw County contaminated soils – river sediment and floodplain soils, or for those counties not having facilities available or willing to take special wastes such as asbestos and contaminated soils, the waste generator or hauler shall petition, in writing, the City of Midland City Manager for acceptance to dispose of such waste at the City of Midland Landfill. Quantities, type of waste, test results, and proper contaminated procedures must be listed on the petition. The City Manager will determine and have final approval if such waste can be disposed of at the City of Midland Landfill.

Fee Structure

All out-of-county waste will be charged per an out-of-county fee schedule maintained by the City of Midland Council. All special waste shall be documented and filed with the Saginaw Bay District of the Department of Environmental Quality.

Special Conditions

Special conditions affecting import or export of solid waste.

The City of Midland will continue to negotiate contractual agreements with the townships of Midland County for the use of the City of Midland Landfill. Additionally, the City of Midland Landfill will continue to work closely with the Department of Environmental Quality to maintain regulatory compliance and pursue future environmentally conscience endeavors.

As stated earlier, Midland County shall utilize import/export authorizations in emergency situations or through agreement with the designated planning agency as outlined in Coordination Efforts on page A-12 and this page, as described below.

To use these facilities on an emergency, short-term basis such as floods, tornados, fire, and other natural disasters or in the event that a landfill is temporarily or permanently closed due to regulatory issues, Midland County will sign letters of agreement with those counties calling for reciprocal agreements. These agreements would specify that Midland County will be able to use licensed landfills in Bay, Saginaw, Shiawassee, or Clare County on an interim basis in the event of a temporary or permanent closure of the City of Midland Landfill or an increase of flows above and beyond capacity due to a natural disaster, and that those same counties would be able to use the City of Midland landfill on a temporary basis if the same conditions occurred in their jurisdiction. Such agreements would require the approval and concurrence of the City of Midland and consequently a resolution or letter of agreement between the City and County would be established. Similar agreements would be required with the owners of the landfills that are located in these surrounding counties. At the same time, the county would require all private haulers operating within the county to abide by these inter-county agreements for the transfer of wastes to the designated landfill. Such agreements could be put together in the form of a contract or a formal letter of agreement.³

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Fee Structure

All out-of-county waste will be charged per an out-of-county fee schedule maintained by the City of Midland Council. All special waste shall be documented and filed with the Saginaw Bay District of the Department of Environmental Quality.

Information Sources

1. Midland County Road Commission, Telephone Interview, 7/27/99 - 3:00 pm. - Depac Gupta
2. City of Midland Engineering Department, E-mail message, 7/29/1999 - 10:10 am. - Dave Foote.
3. Midland County Solid Waste Management Plan - 1988.

Backup material for agenda item:

8. * Approving the 2016-17 Saginaw-Midland Municipal Water Supply Corporation Budget for Capital Improvement and Emergency Repair Fund.
BUSH

SUMMARY REPORT TO MANAGER
For City Council Meeting of May 9, 2016

SUBJECT: SAGINAW-MIDLAND MUNICIPAL WATER SUPPLY CORPORATION: BUDGET FOR CAPITAL IMPROVEMENT AND EMERGENCY REPAIR FUND 2016-2017

INITIATED BY: Noel D. Bush, Utilities Director

RESOLUTION SUMMARY: This resolution will approve the proposed 2016-2017 Fiscal Year Saginaw-Midland Municipal Water Supply Corporation Budget for Capital Improvement and Emergency Repair Fund in the amount of \$192,000.00, with a fund income allocation set at \$0.015 per 1,000 gallons.

ITEMS ATTACHED:

1. Letter of transmittal
2. Letter of Request from Michael Quinnell, SMMWSC Manager
3. SMMWSC Proposed 2016-2017 Fiscal Year Budget for Capital Improvement & Emergency Repair Fund
4. Resolution

COUNCIL ACTION:

1. 3/5 vote required to approve resolution.

NDB:jjjs



Utilities Department • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • (989) 837-3341 • CitizenCommentsWater@midland-mi.org

May 4, 2016

Jon Lynch, City Manager
City of Midland

**SUBJECT: SAGINAW-MIDLAND MUNICIPAL WATER SUPPLY CORPORATION:
BUDGET FOR CAPITAL IMPROVEMENT AND EMERGENCY REPAIR
FUND 2016-2017**

Dear Mr. Lynch:

The Saginaw-Midland Municipal Water Supply Corporation (SMMWSC) was formed and began operations in 1948, operating as a non-profit entity pursuant to Act No. 233 of Michigan Public Acts of 1955, as amended. The Corporation was established to be a supplier of bulk Lake Huron water to its owners, the City of Saginaw and the City of Midland, as well as to other communities along the pipeline route. A board of equal representation from the cities of Saginaw and Midland governs the Corporation.

Each year the SMMWSC examines its budgetary needs to ensure sufficient funding for capital improvements and emergency repairs. The Board of Trustees for the Corporation has determined that for the 2016-2017 fiscal year several capital improvements are needed at a total estimated cost of \$192,000.00, with a fund income allocation set at \$0.015 per 1,000 gallons.

Attached is a letter from the SMMWSC Manager, Michael Quinnell, requesting approval by the City of Midland of the expenditures indicated in the Capital Improvement and Emergency Repair Fund.

Funding for these projects is available from the SMMWSC's Capital Improvement and Emergency Repair Fund, as indicated in the attachment. These expenditures will not result in a raw water rate increase for the 2016-2017 fiscal year.

The attached resolution authorizing the expenditures has been prepared for that purpose. A 3/5 vote is required for approval.

Respectfully submitted,

Noel D. Bush, Utilities Director



4678 S. THREE MILE ROAD • BAY CITY, MI 48706 • PH. 989-684-2220 • FAX 989-684-7741

April 22, 2016

Ms. Selina Tisdale, City Clerk
City of Midland
P.O. Box 1647
Midland, MI 48641-1647

Dear Ms. Tisdale:

Please be advised that the Board of Trustees of the Saginaw-Midland Municipal Water Supply Corporation, at their regular meeting this date have approved the 2016-2017 Operating, Capital Improvement, and Debt Service Budgets for the Corporation.

In accordance with the 1946 agreement between the City of Saginaw and the City of Midland, it is necessary for capital improvement expense to be additionally approved by the governing bodies of both owner Cities.

The Management and Board of Trustees of the Saginaw-Midland Municipal Water Supply Corporation; therefore, recommend that the City of Midland approve the capital expenditure items as shown on the attached Budget for Capital Improvement and Emergency Repair Fund in the amount of \$192,000 for the 2016-2017 budget year, with a fund income allocation set at \$.015 per 1,000 gallons pumped.

We request that this petition for approval be advanced to the council as soon as possible in order to meet our June 30, 2016, budget deadline. Please notify our office when Saginaw-Midland's Budget for Capital Improvement and Emergency Repair Fund has been approved. Thank you for your efforts in this regard.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Michael Quinnell".

Michael Quinnell,
Manager

MQ:kj
Enc.

**SAGINAW-MIDLAND MUNICIPAL WATER SUPPLY CORPORATION
2016-2017 FISCAL YEAR**

BUDGET FOR CAPITAL IMPROVEMENT AND EMERGENCY REPAIR FUND

I.	Projected I&ER Fund Ending Balance (June 30, 2016)		\$ 1,298,135
II.	Proposed Improvement Expenses for 2016-2017 Fiscal Year		
	a. Replacement of one (1) valve on 48" pipeline - AuGres Area (Carryover from 2015-2016)	\$65,000	
	b. Replace corroded Whitestone well house lintel and tuck/grout mortar joints (Carryover from 2015-2016)	\$35,000	
	c. Install 24" access manhole on 60" pipe to allow for repair/ adjustments of butterfly valves at Kaiser/Anderson Roads (Carryover from 2015-2016)	\$28,000	
	d. Hire Soloman Diving to replace rubber o-rings on three 48" butterfly valves	\$20,000	
	e. New Louver/Fan control-cabinet in North end of Whitestone Plant	\$6,000	
	f. New electrical cables from substation to main panel at Pinconning	<u>\$38,000</u>	
			(\$192,000)
III.	Projected Improvement Income for the 2015-2016 Fiscal Year		
	a. Income forecasted (\$0.015 per 1000 gallons)	\$214,500	
	b. Projected interest income	<u>\$2,000</u>	
			<u>\$216,500</u>
IV.	Projected I&ER Fund Ending Balance (June 30, 2017)		<u><u>\$ 1,322,635</u></u>



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BY COUNCILMAN

RESOLVED, that the Saginaw-Midland Municipal Water Supply Corporation 2016-2017 Fiscal Year Budget for the Capital Improvement and Emergency Repair Fund in the amount of \$192,000.00 is hereby approved.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, May 9, 2016.

Selina Tisdale, City Clerk

Backup material for agenda item:

9. * Site Plan No. 346 - for site plan review and approval for a 9,902 square foot addition at the Hall of Fame building of Northwood University at 4000 Whiting Drive. KAYE

**SUMMARY REPORT TO CITY MANAGER
for City Council Meeting of 5-9-16**

SUBJECT: Site Plan No. 346 – Northwood University Hall of Fame Building Additions

APPLICANT: TowerPinkster

PLANNING COMMISSION PUBLIC HEARING: April 26, 2016

PLANNING COMMISSION ACTION: Recommendation of approval.

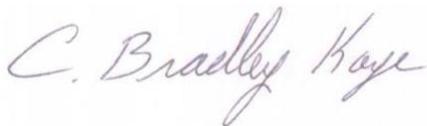
SUMMARY: THIS RESOLUTION WILL APPROVE A SITE PLAN FROM NORTHWOOD UNIVERSITY FOR SITE PLAN REVIEW AND APPROVAL FOR A 9,902 SQUARE FOOT ADDITION AT THE HALL OF FAME BUILDING LOCATED AT 4000 WHITING DRIVE.

ITEMS ATTACHED:

1. Letter to City Manager setting forth Planning Commission action.
2. Resolution for City Council action.
3. Staff Report to the Planning Commission dated April 20, 2016.
4. Planning Commission minutes of April 26, 2016. (public hearing)
5. Location map.
6. Site Plan.

CITY COUNCIL ACTION:

1. Public hearing is not required.
2. 3/5 vote required to approve resolution.



C. Bradley Kaye, AICP, CFM
Assistant City Manager for Development Services

CBK/djm

5-4-16



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax ♦ www.cityofmidlandmi.gov

May 4, 2016

Jon Lynch, City Manager
City of Midland
Midland, Michigan

Dear Mr. Lynch:

At its meeting on Tuesday, April 26, 2016, the Planning Commission held a public hearing and considered Site Plan No. 346, the request of Northwood University for site plan review and approval of a 9,902 square foot addition at the Hall of Fame building, located at 4000 Whiting Drive.

Site Plan No. 346 was recommended for approval by City Planning Staff for reasons outlined in the staff report attached hereto. After public hearing and deliberation on the request, it was moved and seconded that the Planning Commission recommend to City Council approval of Site Plan No. 346 contingent upon:

1. A bike rack must be included.
2. Light poles cannot exceed 30 feet in height above grade.
3. A final stormwater management permit amendment must be approved by the City Engineering Department.

Vote on the motion:

YEAS: Bain, Hanna, Heying, Mayville, McLaughlin, Pnacek, Senesac, and Tanzini
NAYS: None
ABSENT: Stewart

Motion approved by a vote of 8 to 0.

No public comments were received prior to or after the public hearing on this request.

Respectfully,

C. Bradley Kaye, AICP, CFM
Assistant City Manager for Development Services

LETTER OF TRANSMITTAL – Site Plan #346



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax ♦ www.cityofmidlandmi.gov

BY COUNCILMAN

WHEREAS, the City Council has received the recommendation of the city Planning Commission for approval of Site Plan No. 346, the request of Northwood University for site plan review and approval for a 9,902 square foot addition at the Hall of Fame building located at 4000 Whiting Drive; and

WHEREAS, the City Council has reviewed the proposed Site Plan No. 346 in accord with the provisions set forth in Sections 27.02(A) and 27.06(A) of the Zoning Ordinance of the City of Midland; now therefore

RESOLVED, that the City Council does hereby approve Site Plan No. 346, contingent upon the following:

1. A bike rack must be included.
2. Light poles cannot exceed 30 feet in height above grade.
3. A final stormwater management permit amendment must be approved by the City Engineering Department.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, May 9, 2016.

Selina Tisdale, City Clerk

Site Plan No. 346



Site Plan SP #346

Date: April 20, 2016

STAFF REPORT TO THE PLANNING COMMISSION

SUBJECT: Northwood University Hall of Fame Building Additions

APPLICANT: TowerPinkster

LOCATION: 4000 Whiting Drive

ZONING: (COM) Community

ADJACENT ZONE: North & East: (RB) Multi-Family & (RA-1) Single-Family Residential
 South & West: (COM) Community & (RA-1) Single-Family Residential

ADJACENT DEV: North & East: Rail-Trail and vacant
 South & West: Primarily vacant with single-family homes

REPORT

Site Plan No. 346 from TowerPinkster on behalf of Northwood University is for a total of 9,902 square foot in additions to the Hall of Fame building located within the Northwood University campus at 4000 Whiting Drive.

The subject property is zoned (COM) Community by the City of Midland Zoning Ordinance. Cultural facilities and buildings associated with universities are permitted uses by right within the Community zoning district. Site plan review and approval under Section 27.02(A) of the Zoning Ordinance is required for this proposed use. Section 27.06(A) of the Zoning Ordinance states that: "The following criteria shall be used as a basis upon which site plans will be reviewed and approved:"

BASIS FOR ACTION

1. Adequacy of Information

The site plan shall include all required information in sufficiently complete and understandable form to provide an accurate description of the proposed uses and structures.

The site plan contains most of the information required for site plan approval but is deficient in the following areas:

- Light poles cannot exceed 30 feet above grade.
- A bike rack should be included in the proposal.
- A final stormwater permit amendment must be submitted to the City Engineering Department for review and approval.

2. **Site Design Characteristics**

All elements of the site design shall be harmoniously and efficiently organized in relation to topography, the size and type of parcel, the character of adjoining property, and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted by this Ordinance.

The proposed building additions will take place on three portions of the existing building: the front entrance, the northeast side and the southeast side. The building additions will increase the facility’s footprint by just over 9,000 square feet to a total of 26,100 square feet. The location of the additions fit well within the greater campus and complement the efficiencies of the existing building. Additional sidewalk access is proposed around the north and east portions of the building additions.

3. **Appearance**

Landscaping, earth berms, fencing, signs, walls and other similar site features shall be designed and located on the site so that the proposed development is aesthetically pleasing and harmonious with nearby existing or future developments.

The building addition orientations and layout of the added sidewalks are considered appropriate for the site. Minimizing the number of trees to be removed around the building also adds to the aesthetics of the site and matches the look of the majority of campus.

4. **Compliance with District Regulations**

The site plan shall comply with the district requirements for height of building, lot size, lot coverage, density, and all other requirements set forth in the Schedule of Regulations (Article 26.00) unless otherwise provided in this Ordinance.

The project meets all setbacks, lot area, height and other dimensional requirements for the proposed use in the COM zoning district.

5. **Preservation and Visibility of Natural Features**

Natural features shall be preserved as much as possible, by minimizing tree and soil removal alteration to the natural drainage course and the amount of cutting, filling, and grading.

While the building additions will result in the loss of a portion of trees immediate to the existing structure, the amount removed has been minimized and a large portion of the trees surrounding the building will be retained.

6. **Privacy**

The site design shall provide reasonable visual and sound privacy. Fences, walls, barriers, and landscaping shall be used, as appropriate if permitted, for the protection and enhancement of property and the safety and privacy of occupants and uses.

There are no required standards for privacy screening for this development given its

location well within the Northwood University campus. The proposed development is considered appropriate for this area of the city.

7. **Emergency Vehicle Access**

All buildings or groups of buildings shall be so arranged as to permit convenient and direct emergency vehicle access.

The Fire Department has reviewed the proposed site plan for adequate emergency vehicle access and is satisfied with the plan as proposed. Adequate access will exist on all sides of the proposed building additions.

8. **Ingress and Egress**

Every structure or dwelling unit shall be provided with adequate means of ingress and egress via public or private streets and pedestrian walkways.

Adequate vehicular site access already exists for this development. No new vehicular access is proposed. Pedestrian walkways around the building will be expanded.

9. **Pedestrian Circulation**

Each site plan shall provide a pedestrian circulation system, which is insulated as completely as is reasonably possible from the vehicular circulation system.

Pedestrian circulation for this building is currently seen as adequate. Proposed with the building additions is additional sidewalks around the north and east sides of the building for emergency and maintenance purposes.

10. **Vehicular and Pedestrian Circulation Layout**

The layout of vehicular and pedestrian circulation systems shall respect the pattern of existing or planned streets or pedestrian or bicycle pathways in the vicinity of the site. The width of streets and drives shall be appropriate for the volume of traffic they will carry in accordance with subsection 3.10. In order to insure public safety and promote efficient traffic flow and turning movements, the applicant may be required to limit street access points or construct a secondary access road.

Both vehicle and pedestrian circulation is considered appropriate for this development.

11. **Parking.**

The proposed development shall provide adequate off-street parking in accordance with the requirements in Article 5.00 of this ordinance.

The parking proposed for the new development is compliant with Article 5.00 of the Zoning Ordinance. The proposal includes restriping of a portion of the abutting parking lot to accommodate an additional 6 parking spaces. A bike rack should be added to the proposal near the main entrance.

12. **Drainage**

The project must comply with the City's Stormwater Ordinance.

The applicant has indicated that adequate detention volume exists in the existing stormwater facilities on this site which allows the proposal to meet the City's Stormwater Ordinance. The City Engineering Department has reviewed the proposal and given

verification of this. A final stormwater plan and permit amendment must be submitted to the City Engineering Department for review and approval.

13. **Soil Erosion and Sedimentation**

The proposed development shall include measures to prevent soil erosion and sedimentation during and upon completion of construction, in accordance with current State, County, and City standards.

A soil erosion and sedimentation control permit is not required for this proposal as the area disturbed is less than 1 acre.

14. **Exterior Lighting**

Exterior lighting shall be designed so that it is deflected away from adjoining properties and so that it does not impede vision of drivers along adjacent streets and comply with the provisions in Section 3.12.

The applicant has submitted a photometric plan that demonstrate compliance with city standards for illumination; however, the plan includes light poles of 32 feet in height. By ordinance, the poles cannot exceed 30 feet in height. The applicant has been notified of this requirement and it is anticipated that this item will be resolved ahead of the Planning Commission meeting on April 26.

15. **Public Services**

Adequate services and utilities, including water, sewage disposal, sanitary sewer, and storm water control services, shall be available or provided, and shall be designed with sufficient capacity and durability to properly serve the development. All streets and roads, water, sewer, and drainage systems, and similar facilities shall conform to the design and construction standards of the City.

As previously discussed, a final stormwater management permit must be approved by the City Engineering Department. This is typically addressed at final permitting stage.

The City Fire and Utility Departments are satisfied with the site plan as proposed.

16. **Screening**

Off-street parking, loading and unloading areas, outside refuse storage areas, and other storage areas shall be screened by walls or landscaping of adequate height and shall comply with Articles 6.00 and 7.00 of this Ordinance. All roof-top mechanical equipment shall be screened from view from all residential districts and public roadways.

Additional screening requirements are not required for this proposal.

17. **Health and Safety Concerns**

Any use in any zoning district shall comply with all applicable public health, pollution, and safety laws and regulations.

No health and safety concerns have been identified.

18. **Sequence of Development**

All development phases shall be designed in logical sequence to insure that each phase will independently function in a safe, convenient and efficient manner without being

dependent upon subsequent improvements in a later phase or on other sites.

The applicant has indicated that this will be built in one phase.

19. Coordination with Adjacent Sites

All site features; including circulation, parking, building orientation, landscaping, lighting, utilities, common facilities, and open space shall be coordinated with adjacent properties.

The proposal is fully contained within the Northwood University campus and will not require any coordination with adjacent sites.

20. Signs.

All proposed signs shall be in compliance with the regulations in Article 8.00 of this Ordinance

No signage is proposed with this project. Any future signage will need to meet the requirements of Article 8 and be approved by the City Building Department before installation.

CONTINGENCY ITEMS

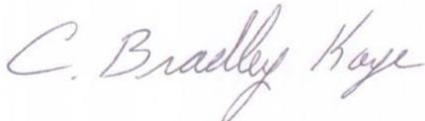
Based on consideration of the site plan thus far, staff is of the opinion that the proposal adequately meets city requirements and is designed in a manner which is harmonious with the campus. That said, however, approval of the site plan could be considered subject to the following contingencies:

- 1. A bike rack must be included.
- 2. Light poles cannot exceed 30 feet in height above grade.
- 3. A final stormwater management permit amendment must be approved by the City Engineering Department.

PLANNING COMMISSION ACTION

Staff currently anticipates that the Planning Commission will hold a public hearing on this request during its regular meeting on April 26, 2016 and will formulate a recommendation to City Council thereafter. If recommended to City Council the same evening, we anticipate that on May 9, 2016 the City Council will consider the site plan and Planning Commission recommendation. Please note that these dates are merely preliminary and may be adjusted due to Planning Commission action and City Council agenda scheduling.

Respectfully Submitted,



C. Bradley Kaye, AICP
Assistant City Manager for Development Services

/grm

**MINUTES OF THE MEETING OF THE
MIDLAND CITY PLANNING COMMISSION
WHICH TOOK PLACE ON
TUESDAY, APRIL 26, 2016, 7:00 P.M.,
COUNCIL CHAMBERS, CITY HALL, MIDLAND, MICHIGAN**

1. The meeting was called to order at 7:00 p.m. by Chairman McLaughlin
2. The Pledge of Allegiance was recited in unison by the members of the Commission and the other individuals present.

3. **Roll Call**

PRESENT: Bain, Hanna, Heying, Mayville, McLaughlin, Pnacek, Senesac, and Tanzini

ABSENT: Stewart

OTHERS PRESENT: Brad Kaye, Assistant City Manager for Development Services; Debbie Marquardt, Technical Secretary; and nine (9) others.

4. **Approval of Minutes**

Moved by Heying and seconded by Hanna to approve of the amended minutes of the regular meeting of April 12, 2016. Motion passed unanimously.

5. **Public Hearing**

- a. Site Plan No. 346 – initiated by Northwood University for site plan review and approval for a 9,902 square foot addition at the Hall of Fame building, located at 4000 Whiting Drive.

Mr. Kaye presented the site plan for Northwood University. It is zoned Community. The application meets all the standards of the Zoning Ordinance. The recommendation of staff is that this application be approved based on recommended contingencies. No public comments have been received on advance of the meeting.

John VerPlank, 3355 Evergreen Drive, Grand Rapids, MI 49525 presented on behalf of the applicant. He provided a quick summary, explaining that the northerly portion of the addition is a heating and cooling plant while the southerly addition is for future office and classroom space. The changes will bring together the accounting and finance departments. Regarding the concerns noted in the staff report, they will hold off on the parking lot lighting for now. The requested bike rack has been located near the entrance of the door to the building.

Public hearing closed.

A motion was made by Senesac to waive the procedural requirements to delay a decision on the site plan until the next meeting. The motion was seconded by Mayville. The motion was approved unanimously.

Senesac thinks it is a good site plan and meets all the criteria. Heying is glad to see the investment in the community and that site.

It was moved by Senesac and supported by Mayville to recommend approval of Site Plan No. 346 initiated by Northwood University for site plan review and approval to City Council contingent on:

1. A bike rack must be included.
2. Light poles cannot exceed 30 feet in height above grade.
3. A final stormwater management permit amendment must be approved by the City Engineering Department.

YEAS: Bain, Hanna, Heying, Mayville, McLaughlin, Pnacek, Senesac, and Tanzini.

NAYS:

ABSENT: Stewart

6. Old Business

- a. Zoning Petition No. 605 – initiated by Primrose Retirement Communities, LLC to rezone a portion of the property located at 5900 Waldo Avenue from Township zoning to Residential B Multiple-Family Residential zoning.

Kaye gave a brief background. The location is a vacant site and 14 acres in size. Much of the surrounding area is either vacant or agricultural. The applicant has offered conditions to the zoning request. The first option would eliminate multiple family dwellings. The second option would only permit two family dwellings, senior apartments and elderly housing and congregate housing and dependent housing facilities. The commission can accept the offer to eliminate multiple family dwellings, accept both offers or accept neither offers. Staff is recommending that the first option sufficiently addresses the previous concerns expressed about general compliance with the Master Plan.

Senesac questioned whether or not a property owner can remove uses such as fire stations and schools through a conditional rezoning offer. Kaye stated that the property owner can make the offer but only City Council can pass an ordinance giving effect to this as the land owner does not have zoning authority. Senior apartments and multiple family dwellings can be a range of different uses. Senior apartments are age restricted based on the definition in the ordinance. High density, per the Master Plan, is greater than 10 units per acre. It was also clarified that the offer to remove uses would apply to the zoning of the parcel and not just the project intended by Primrose.

Heying indicated that he did not want to narrow the options more than necessary. When he looks at the list of potential uses, there are a number of them. It makes sense to eliminate multiple family dwellings. Kaye stated that as planners we want to be as broad and flexible as we can. We try not to pigeon hole a property to just a few uses if that is not necessary.

Senesac thinks that both of the conditional proposals they have leave in two family dwellings. Senior housing is age limitations in the dwellings. Senior apartments, however, would allow the highest density zoning that we have in the city. He sees no reason to do this.

Heying responded that he is at the other end of it. If you think about that whole area, and what is it going to look like in the future, he feels the proposal meets the Master Plan intent when you look at what this request does. This area has a road structure and utility structure that would accommodate this kind of potential concentration of people. It looks like a good option. It is adjacent to medium density and it fits the trend for that particular part of the city.

Pnacek sees this property and this area as high density. He is in favor of this. There needs to be a buffer to this property to the east.

Bain explained that he struggles to divorce this zoning request from the details of the project as presented by Primrose. That said, he supports the first restriction.

Tanzini believes in following the Master Plan as best we can. He struggles with Residential A-1,

A-2 and A-3 as he does not think they line up with the Master Plan densities. He sees a much higher use for this area of the city. Residential B zoning up to Diamond Drive he can support and that area can take it.

Senesac asked about a Master Plan to Zoning Ordinance comparison done previously. Kaye explained that four years ago the Planning Commission developed a chart with these comparisons. The charts shows Residential A-1, A-2 and A-3 allowed less than six dwelling units per acre. Residential A-4 was set at 7 to 10 units per acres. Residential B goes from 12.1 units and anywhere up to 30 units per acre. These generally equate to the Low, Medium and High Density designations of the Master Plan, respectively.

McLaughlin said that this is a difficult decision but he supports option one. He is looking at some of the challenges in the future. How far north is that lower density going to prevail? You are looking at a trend of development and it is lessening in intensity. The Planning Commission will have to circle back and take a look at the Master Plan. The best rational is it is transitional from commercial to a form of medium density and he likes option one best.

It was moved by Heying and support by Pnacek to recommend approval of Zoning Petition No. 605 initiated by Primrose Retirement Communities, LLC to zone a portion of the property located at 5900 Waldo Avenue from Township zoning to Residential B Multiple-Family Residential zoning with the following offered condition:

1. Elimination of Multiple-Family dwellings from the list of permitted uses.

YEAS: Bain, Hanna, Heying, Mayville, McLaughlin, Pnacek, and Tanzini.

NAYS: Senesac

ABSENT: Stewart

7. Public Comments (unrelated to items on the agenda)

None

8. New Business

a. Temporary Accessory Buildings

Kaye presented an overview of problems arising from the increased use of temporary accessory buildings. Most of these temporary structures go up without the required permits and city review. Existing temporary use standards were developed more to regulate commercial land than residential. In addition to aesthetic issues, such structures are required to meet all of the construction code standards. Temporary structures under the Residential Building Code may only be permitted for up to 180 days. Even when approved as temporary use, such structures must comply with all construction code standards.

Planning Staff presented three options for the Planning Commission to consider. They could allow them as a temporary use with time restraints, they could permit them and regulate them as a permanent use, or they could prohibit them entirely.

Pnacek agrees with prohibiting them entirely. They must follow the building code if they want them. Senesac stated that the uses were actually for storage purposes. It is hard to find one that is being used as an actual building.

Tanzini struggles with this and he can't agree with prohibiting them entirely. Even though most people will be unwilling to comply with construction code standards, the option should be provided. Hanna agrees with Tanzini as she feels sometimes it is appropriate and other times it isn't.

Pnacek states that with a permit, and if they have to follow the code, you are going to eliminate a lot of those structures. Commissioners agreed this was a likely outcome.

Tanzini believes they should be considered as an accessory structure. They will need a permit and comply with the building code as an accessory structure. Pnacek, McLaughlin and the majority of the Planning Commission agreed with Tanzini.

9. Communications

Planning and Zoning News, March edition, was distributed to the Commission.

10. Report of the Chairperson

None.

11. Report of the Planning Director

Kaye reported that Commissioner Stewart has accepted a job out of town and has tendered his resignation to the Planning Commission. Senesac is leaving the Planning Commission at the end of June. City Council has asked for applicants and the interviews will be in a few weeks.

Hanna questioned if a training session could be organized. Kaye indicated that staff are considered that now but would not recommend it take place until after the two new commissioners have started in July. Sometime in May or June staff will initiate a discussion with the commissioners for topics for the training session.

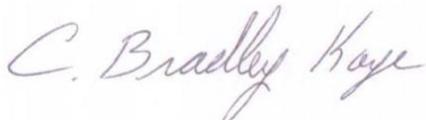
12. Items for Next Agenda – May 10, 2016

- a. Site Plan No. 347 – initiated by Designhaus Architecture on behalf of DLR Development, LLC for a 56,000 square foot medical office building, located at 801 Joe Mann Boulevard.
- b. Site Plan No. 348 – initiated by Jason Bakus for a 19,520 square foot self-storage units, located at 5911 Stark Road.
- c. North Waldo Road – Future Land Use Map
- d. North Saginaw Road – Future Land Use Map
- e. Various Amendments – Future Land Use Map

13. Adjourn

It was motioned by Hanna and seconded by Senesac to adjourn at 8:41 p.m. Motion passed unanimously.

Respectfully submitted,



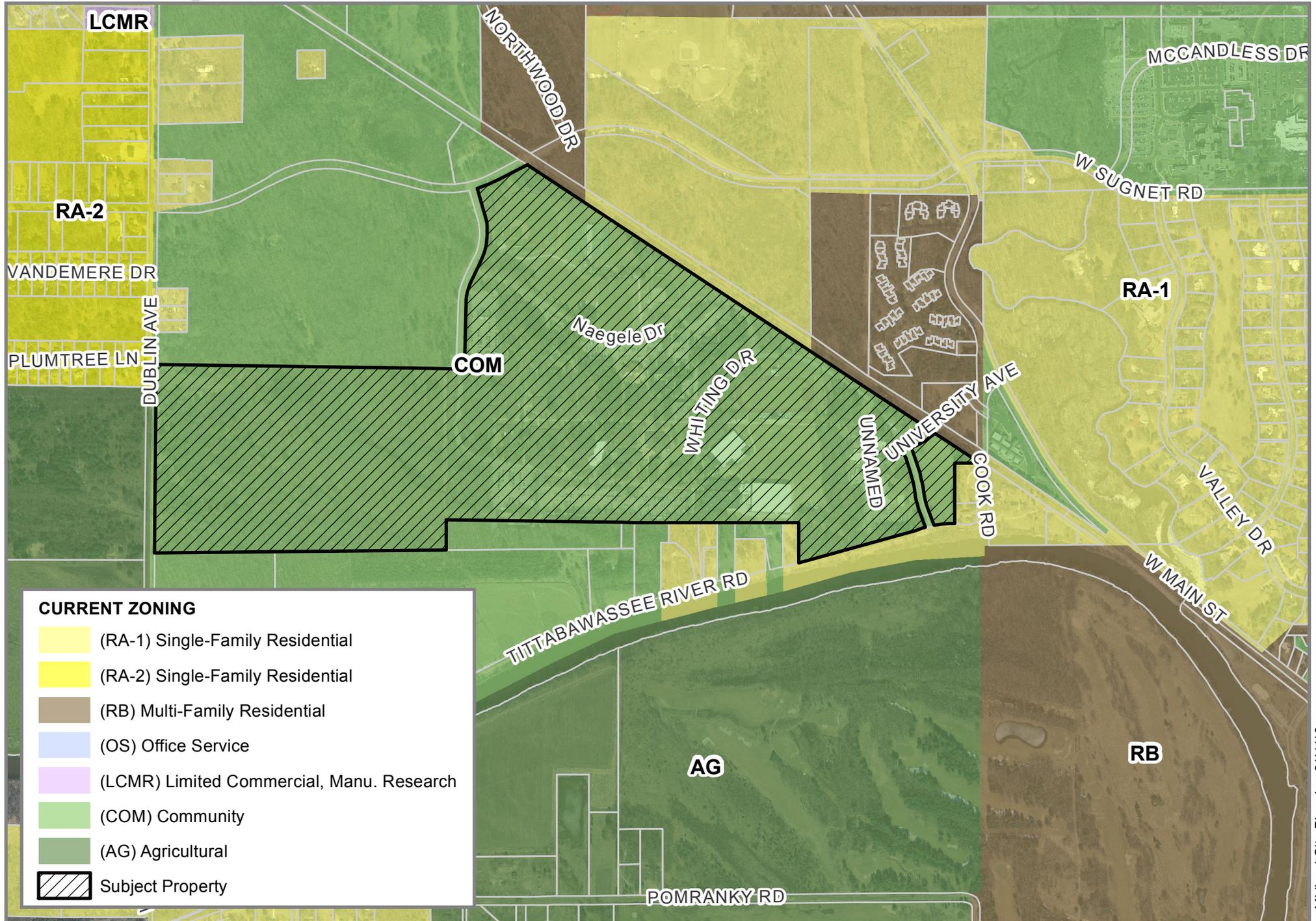
C. Bradley Kaye, AICP, CFM
Assistant City Manager for Development Services

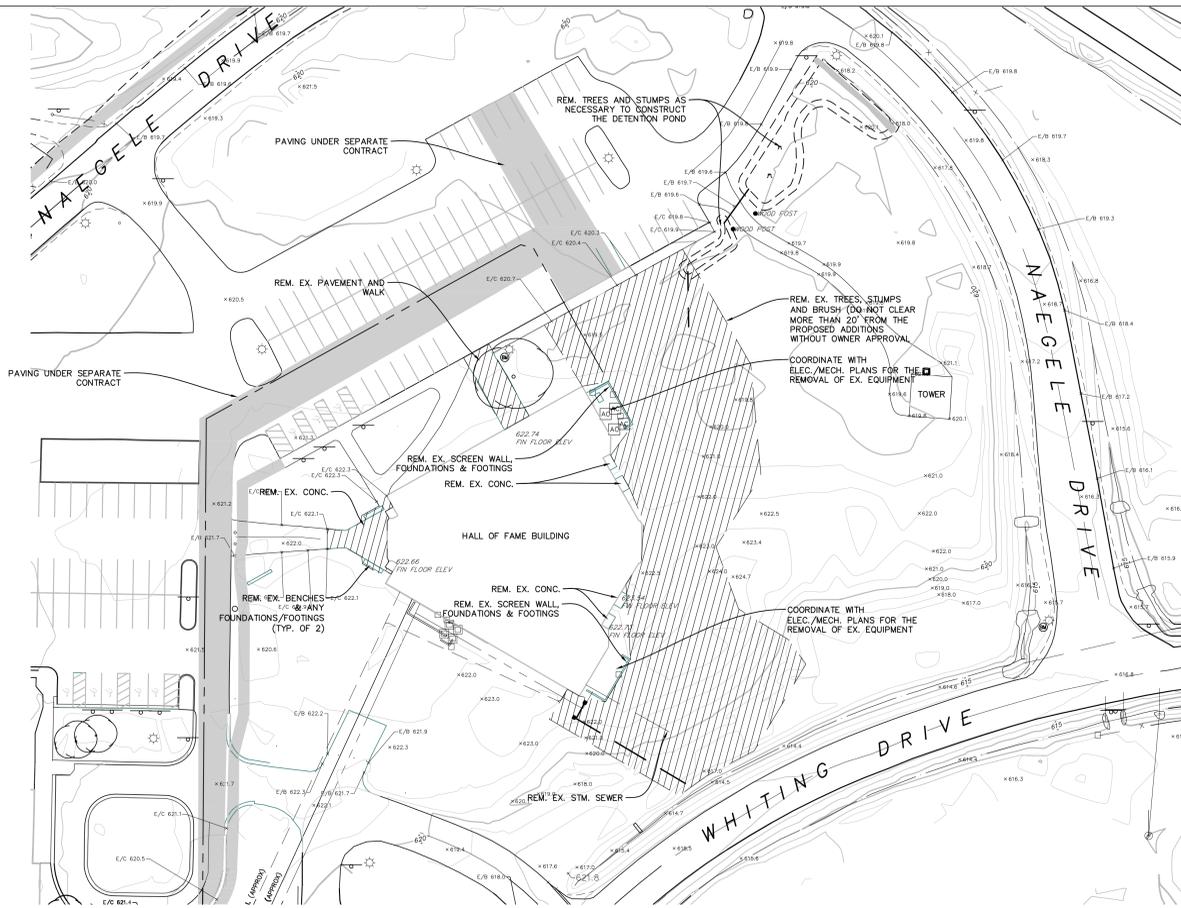
MINUTES ARE NOT FINAL UNTIL APPROVED BY THE PLANNING COMMISSION

Site Plan #346 - Northwood University

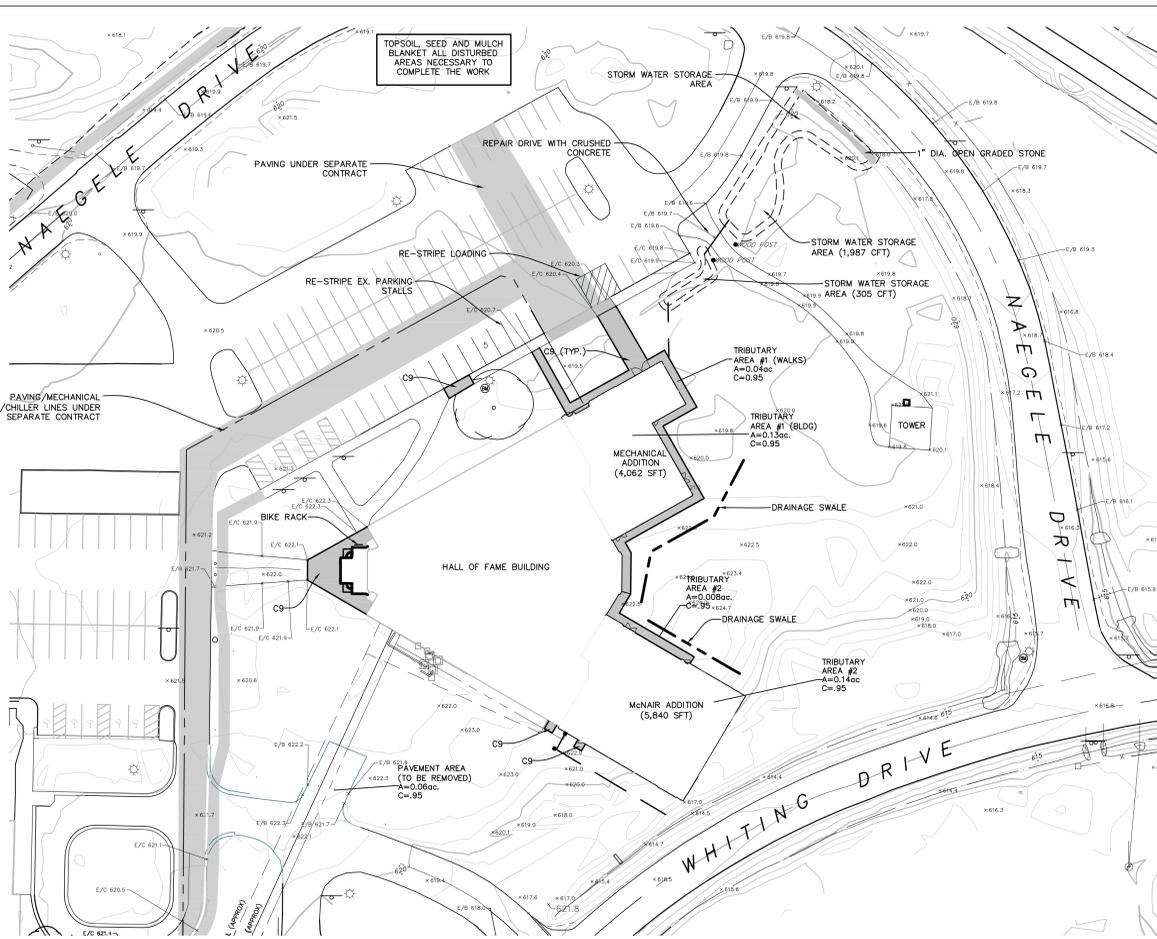


> 4 Page 107 Whiting Drive - Hall of Fame Additions



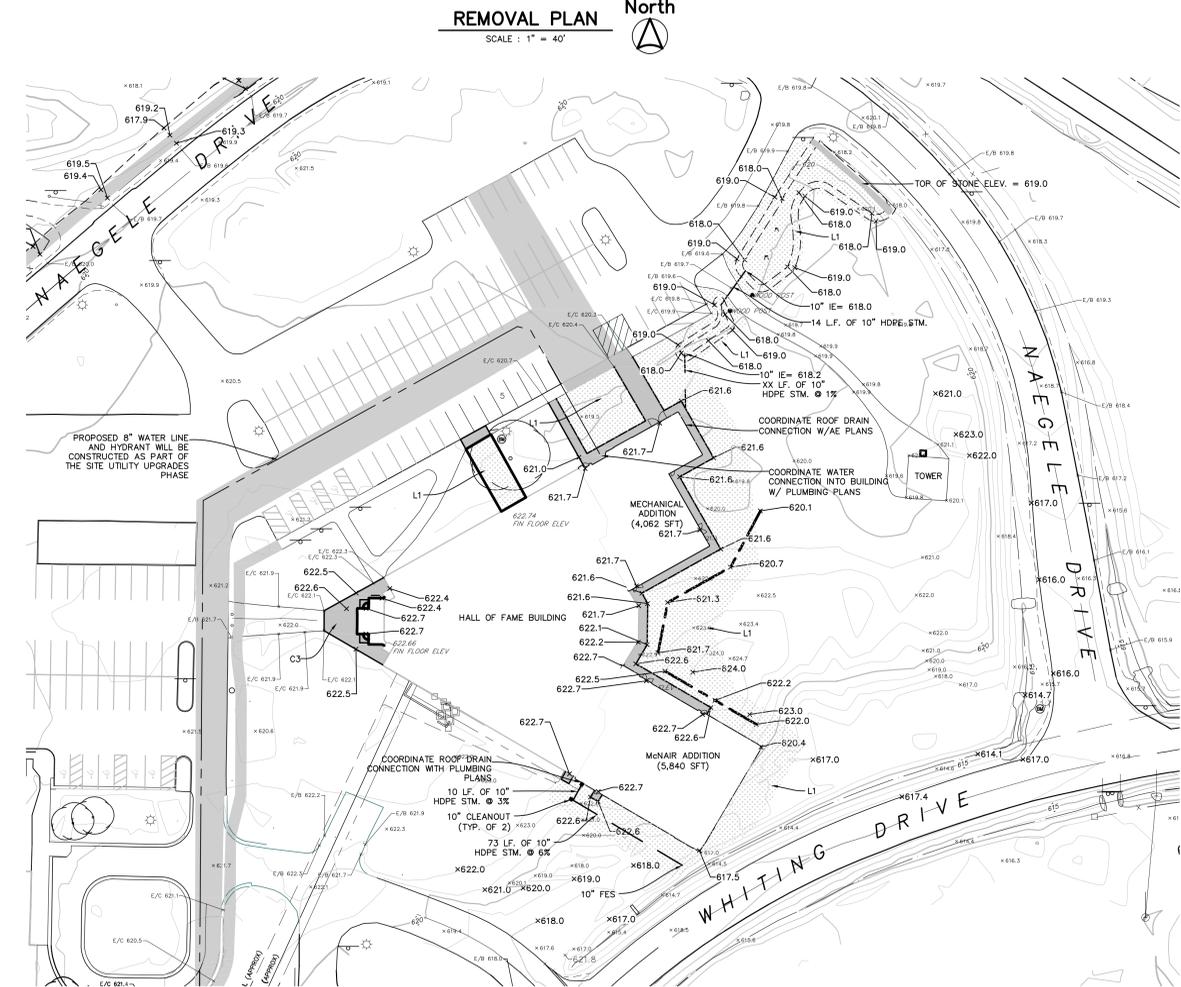


REMOVAL PLAN
SCALE: 1" = 40'



SITE LAYOUT PLAN

A5	HEAVY DUTY BITUMINOUS PAVEMENT	SEE DETAIL A5
A7	STANDARD DUTY BITUMINOUS PAVEMENT	SEE DETAIL A7
C3	TYPE 1 CONCRETE CURB & GUTTER	SEE DETAIL C3
C9	STANDARD DUTY CONCRETE WALKWAY PAVEMENT	SEE DETAIL C9
C10	HEAVY DUTY CONCRETE WALKWAY PAVEMENT	SEE DETAIL C10
L1	TOPSOIL, SEED & MULCH BLANKET DISTURBED AREA	SEE DETAIL L1



GRADING/UTILITY PLAN
SCALE: 1" = 40'

GENERAL NOTES

- CONTRACTOR SHALL VERIFY EXISTING CONDITIONS PRIOR TO CONSTRUCTION. ANY DISCREPANCIES FOUND ARE TO BE BROUGHT TO THE ENGINEER'S ATTENTION PRIOR TO COMMENCEMENT OR CONTINUATION OF CONSTRUCTION ACTIVITIES.
- CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE DIVISION OF INDUSTRIAL REGULATIONS (DIR) SAFETY STANDARDS. IF REQUESTED BY THE INSPECTOR, THE CONTRACTOR SHALL PROVIDE PROOF OF A PERMIT FROM OGD DIVISION.
- CONTRACTOR SHALL NOTIFY THE ARCHITECT, ENGINEER & NORTHWOOD UNIVERSITY AND THE CITY, COUNTY AND/OR STATE INSPECTOR 48 HOURS PRIOR TO COMMENCING CONSTRUCTION AND 24 HOURS IN ADVANCE OF STREET INSPECTION NEEDS DURING THE COURSE OF THE WORK. ALL WORK SHALL BE PERFORMED DURING NORMAL WORKING HOURS AND SUBJECT TO INSPECTION BY THE CITY, COUNTY AND/OR STATE. WHERE OVERTIME INSPECTION IS NEEDED, SUBJECT TO THE AVAILABILITY OF AN INSPECTOR AND APPROVED BY THE ENGINEER, THE CONTRACTOR WILL BE BILLED FOR SAID INSPECTION SERVICES AS PROVIDED IN THE MOST RECENTLY ADOPTED RESOLUTION WHICH ESTABLISHES THE FEES FOR SUCH SERVICES.
- CONTRACTOR SHALL PERFORM ALL CONSTRUCTION ACTIVITIES IN A MANNER TO MINIMIZE INTERFERENCE TO NORTHWOOD UNIVERSITY.
- UTILITY LOCATIONS AND DEPT'S SHOWN HEREON HAVE BEEN PLOTTED IN ACCORDANCE WITH DATA FURNISHED BY THE UTILITY COMPANIES, THE CITY AND A SITE SURVEY.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL PUBLIC AND PRIVATE PROPERTY INsofar AS IT MAY BE AFFECTED BY THESE OPERATIONS. ALL COSTS FOR PROTECTING, MAINTAINING, AND RESTORING EXISTING IMPROVEMENTS SHALL BE BORNE SOLELY BY THE CONTRACTOR.
- EXISTING TRAFFIC SIGNS ARE NOT TO BE REMOVED WITHOUT PRIOR NOTIFICATION AND APPROVAL OF THE ENGINEER. ANY SIGNS DAMAGED DURING CONSTRUCTION ACTIVITY SHALL BE REPLACED TO THE ENGINEER'S SATISFACTION, AT THE CONTRACTOR'S EXPENSE.
- CONSTRUCTION WORK ZONE TRAFFIC SIGNS AND STRIPING SHALL BE PROVIDED, INSTALLED, AND MAINTAINED IN ACCORDANCE WITH APPLICABLE REGULATORY AGENCIES HAVING JURISDICTION. A TRAFFIC CONTROL PLAN, PREPARED BY THE CONTRACTOR, MAY BE REQUIRED BY THE CITY OR STATE. "CONSTRUCTION AHEAD" WARNING SIGNS ARE TO BE INSTALLED ALONG ADJACENT DRIVEWAYS OR ROADS FLAGGED WITH CAUTION SIGNS AND TO BE REMOVED WHERE ANY CONSTRUCTION ACTIVITY CROSSES A SIDEWALK OR FREESTANDING PATH IN ACCORDANCE WITH THE SPECIFICATIONS AND ANY/ALL LOCAL REGULATIONS.
- ALL UNDERGROUND UTILITIES AND SERVICE LATERALS SHALL BE INSTALLED PRIOR TO CONSTRUCTION OF CURBS, GUTTERS, SIDEWALKS, AND PAVING UNLESS OTHERWISE PERMITTED BY THE ENGINEER.
- AN ASPHALT CONCRETE MIX DESIGN SHALL BE SUBMITTED A MINIMUM OF TWO WEEKS PRIOR TO THE START OF PAVING FOR THE ENGINEER'S APPROVAL.
- "RECORD DRAWING" PLANS SHALL BE SUBMITTED PRIOR TO FINAL WALK-THROUGH INSPECTION AND ACCEPTANCE OF THE IMPROVEMENTS BY THE OWNER.
- PROTECT ALL EXISTING TREES, SHRUBS, LAWN AREAS, EXISTING STRUCTURES, FENCES, SIDEWALKS, PAVING, CONCRETE, SIGNS, AND ANY/ALL OTHER STRUCTURES/WATERLINES UNLESS OTHERWISE SHOWN ON THESE PLANS. NO STOPPING, PARKING OR STORING OF CONSTRUCTION MATERIALS IN THE PUBLIC STREETS OR ANY DRIVEWAY.
- PARKING LOT STRIPING SHALL BE YELLOW WITH BARRIER FREE STALLS BEING BLUE.
- SIDEWALK CROSS SLOPES SHALL NOT EXCEED 2.0%.
- SIDEWALK TO BE CONSTRUCTED PER MOST SPECIFICATIONS.
- PAINTED PEDESTAL CROSSWALKS AND PAINTED PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH MOST AND THE LOCAL MUNICIPALITY STANDARDS.
- RESTRIPING ANY AREAS NOT INDICATED ON THE DRAWINGS DUE TO DAMAGE FROM CONTRACTOR'S OPERATIONS.
- PERFORM PAVEMENT REPLACEMENT ACCORDING TO THE PAVEMENT SECTION DETAILS SHOWN ON THE DETAIL SHEETS.
- REMOVAL AND REPLACEMENT OF CURB AND GUTTER SHALL BE TO THE NEAREST JOINT.
- TOPSOIL, SEED AND RESTORATION PER MOST SPECIFICATIONS.

SITE PLAN

SCALE: 1" = 40'

- GRASS RESTORATION
- C9 (CONC. WALKS)
- CLEARING AND GRUBBING

Northwood University (HOF) - City of Midland, MI (Isabella County) 3/24/2016

Proposed Time of Concentration	Drainage Area	Runoff Coefficient
15.0 min	0.31 acres	0.25
Q = CIA	0.31 acres	0.25

Area	Area	Runoff
Buildings & pavement	0.25	0.06
Wet Bottom Ponds	-	0.00
Open Areas	-	0.00
Allowable Release Rate	0.25	0.06

PROPOSED DETENTION STORAGE
Volume (in A.C.) = 2,292 CFT

Northwood University (HOF) - City of Midland, MI (Isabella County) 3/24/2016

Onsite Devel. Runoff Coeff. =	0.95
Offsite Runoff Coeff. =	0.00
Tc (onsite) =	15.0 min
Tc (offsite) =	15.0 min
Onsite area to basin =	0.25 acres
Offsite area to basin =	0.00 acres
Total area to basin, A₀ =	0.25 acres

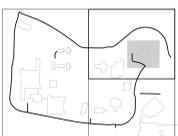
Design of Detention/Retention Basin(s)

Basin Vol. Provided =	2,292 cft
Direct Release Allowed =	0.00 cfs
Perc. Rate, P =	0 in/hr
Infiltrating Basin Area, A ₀ =	0 ac
Storage Required, S ₁₀₀ = V ₁₀₀ - Q ₁₀₀ × t ₁₀₀ = c ₁₀₀ × A ₀ × t ₁₀₀ - P ₁₀₀ × A ₀ × t ₁₀₀	
S ₁₀₀ = c ₁₀₀ × A ₀ × t ₁₀₀ - (Q ₁₀₀ × A ₀ × t ₁₀₀) - P ₁₀₀ × A ₀ × t ₁₀₀	
Storm Event =	100 yr (peak 100, 50, 25, 10, 5, 3, or 2)
	3

Detention Pond Calcs.	Onsite Storage	Offsite Storage	Total Storage
t _d (min)	(in/hr)	(in)	(in)
30	3.38	1.45	1.45
60	2.07	1.77	1.77
90	1.67	2.08	2.08
120	1.28	2.02	2.02
180	0.94	2.08	2.08
240	0.81	2.28	2.28
300	0.68	2.23	2.23
360	0.55	1.94	1.94
420	0.51	2.00	2.00
		2.28	2.28

Vol. Required = 2,067 cft
Vol. Supplied = 0.05 acre-ft
2,292 feet **OK**

BASE MAP PROVIDED SPIDER GROUP



MAP KEY
SCALE: 1" = 1000'

- BENCHMARKS BASED ON NAVD83 DATUM
- BENCHMARK 200 EL. 621.27
CHISELED SQUARE ON TOP OF CONC. L1 POLE BASE NORTH OF HALL OF FAME BUILDING, S. SIDE OF PARKING LOT PB
 - BENCHMARK 207 EL. 616.53
CHISELED SQUARE ON TOP OF CONC. L1 POLE BASE @ NW QUADRANT OF INTERSECTION OF WHITING & NAEGELE NEAR STADIUM

SITE DATA

- EXISTING PARKING
- PROPOSED PARKING (W/ RE-STRIPPIING) = 61
- EX. BARRIER FREE STALLS = 3
- STANDARD PARKING SPACE = 9x18'
- ZONING = COM
- ADJ. ZONING = COM



UTILITY LOCATIONS ARE DERIVED FROM ACTUAL MEASUREMENTS OR AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATIONS NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THIS AREA.

TowerPinkster Tillus Associates Inc.
242 East Kalamazoo Avenue, Suite 200
Kalamazoo, Michigan 49007-5826
269.343.6133 phone 269.343.6633 fax

4 East Fulton Street, Suite 200
Grand Rapids, Michigan 49503
616.456.9944 phone 616.456.6936 fax

TOWERPINKSTER.COM
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DATE
APRIL 11, 2016

PROJECT TITLE
HALL OF FAME ADDITIONS AND REMODEL

NORTHWOOD UNIVERSITY

MIDLAND, MI

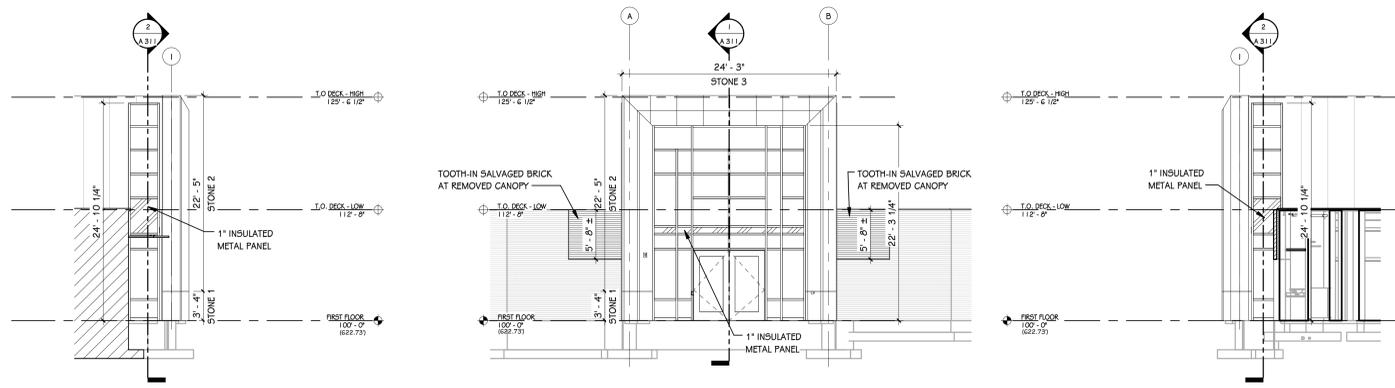
Prein&Newhof
Engineers • Surveyors • Environmental • Laboratory
3355 EVERGREEN DRIVE
GRAND RAPIDS, MI 49525
PHONE: (616) 364-8491
info@preinnewhof.com

ISSUED FOR SHEET TITLE

SITE DRAWINGS

SHEET NUMBER
C 001

00-00.00



A NORTH ELEVATION
1/8" = 1'-0"

B WEST ELEVATION
1/8" = 1'-0"

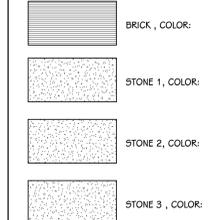
C SOUTH ELEVATION
1/8" = 1'-0"

CLEAN, REPAIR AND TUCKPOINT BRICK AS REQUIRED
CLEAN AND REPAIR EXTERIOR AGGREGATE PANEL AS REQUIRED

STONE SYSTEM WILL BE THE SAME AS DeVos GRAD SCHOOL, UTILIZING THE CLIP SYSTEM ALONG THE TOP HORIZONTAL RUN AT THE MAIN ENTRY AND THE WET SET ON THE VERTICALS

TOP OF WALL AT EXISTING AND NEW WILL ALSO BE SIMILAR TO THE TWO-PIECE GRAVEL STOP AND RIGID FLASHING AND BUILT-UP WOOD WALL CAP AS ON DeVos GRAD SCHOOL

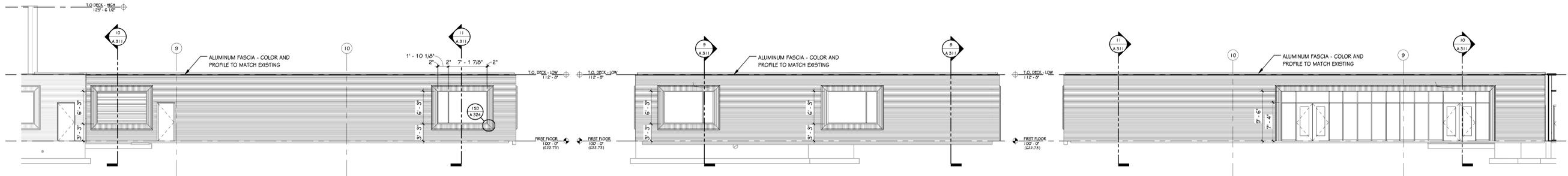
EXTERIOR ELEVATION KEY



CJ = CONTROL JOINT, COLOR:
BEJ = BRICK EXPANSION JOINT, COLOR:
EJ = BUILDING EXPANSION JOINT, COLOR:
SG = SPANDREL GLASS, COLOR:

EXTERIOR LOUVER SCHEDULE

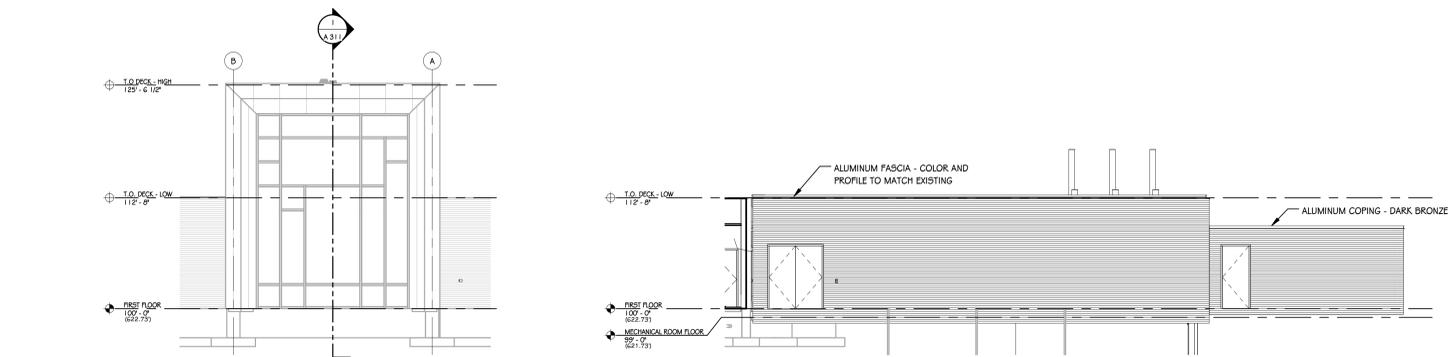
ROOM #	QUANTITY	SIZE	ELEVATION
148	1	9'-6" x 6'-3"	DIA 301
123	1	9'-6" x 6'-3"	MA 301



D SOUTHWEST ELEVATION
1/8" = 1'-0"

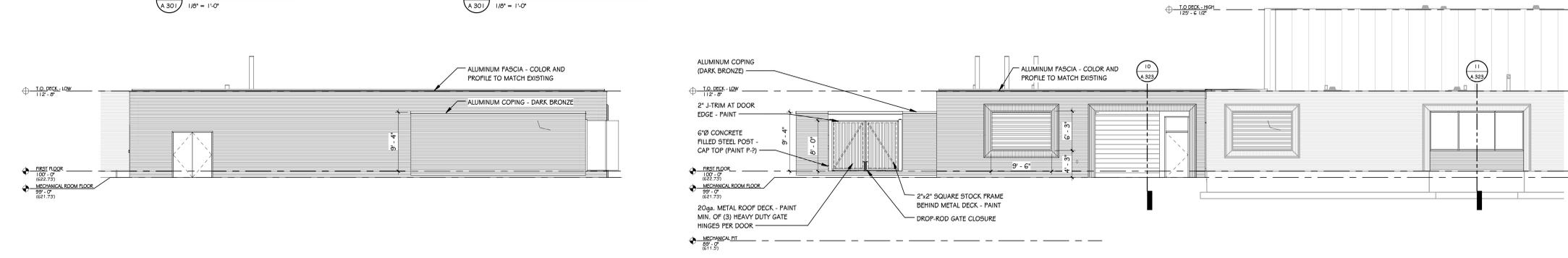
E SOUTHEAST ELEVATION
1/8" = 1'-0"

F NORTHEAST ELEVATION
1/8" = 1'-0"



G EAST ELEVATION
1/8" = 1'-0"

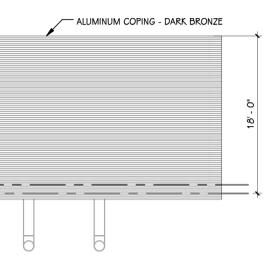
H SOUTHEAST ELEVATION
1/8" = 1'-0"



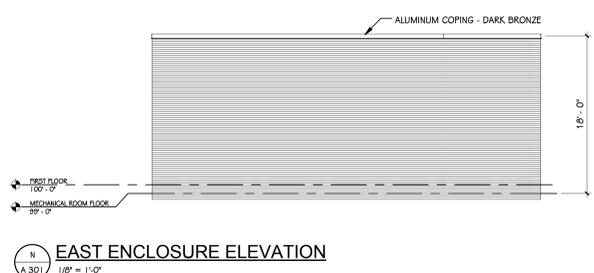
J NORTHEAST ELEVATION
1/8" = 1'-0"

K NORTHWEST ELEVATION
1/8" = 1'-0"

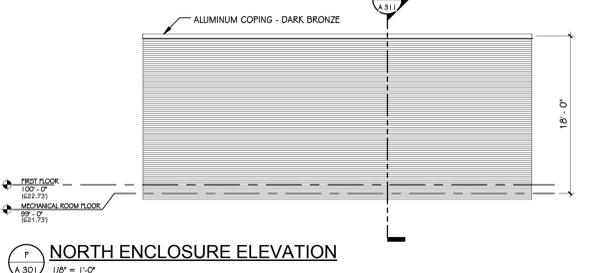
L WEST ENCLOSURE ELEVATION
1/8" = 1'-0"



M SOUTH ENCLOSURE ELEVATION
1/8" = 1'-0"



N EAST ENCLOSURE ELEVATION
1/8" = 1'-0"



P NORTH ENCLOSURE ELEVATION
1/8" = 1'-0"

ALUMINUM COPING (DARK BRONZE)
2" J-TRIM AT DOOR EDGE - PAINT
6"Ø CONCRETE FILLED STEEL POST - CAP TOP (PAINT P-2)
20ga. METAL ROOF DECK - PAINT MIN. OF (3) HEAVY DUTY GATE HINGES PER DOOR
2"x2" SQUARE STOCK FRAME BEHIND METAL DECK - PAINT
DROP-ROD GATE CLOSURE

DATE
MARCH 25, 2016

PROJECT TITLE
HALL OF FAME
ADDITIONS AND
REMODEL

NORTHWOOD
UNIVERSITY

Midland,
Michigan

ISSUED FOR DATE

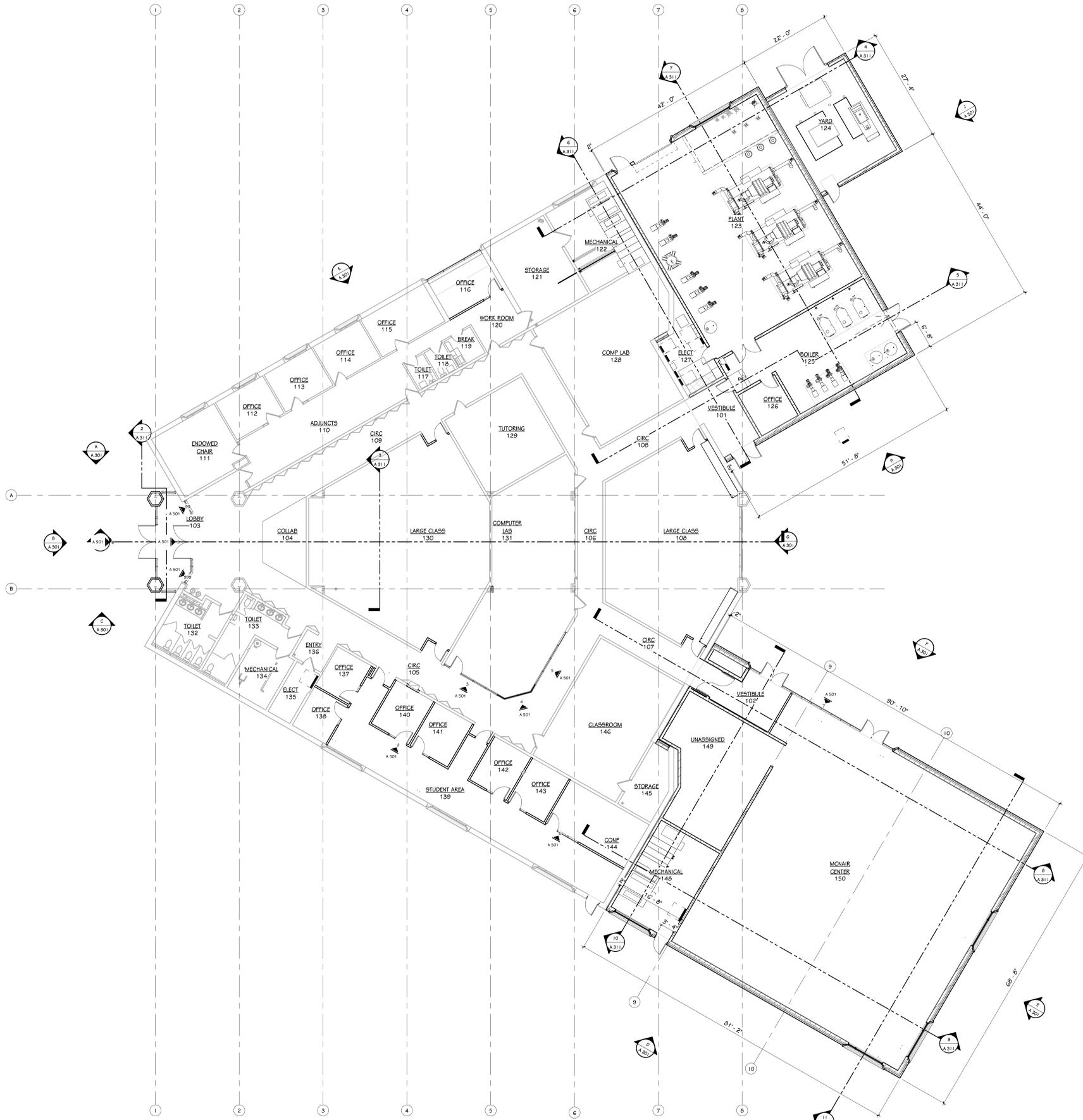
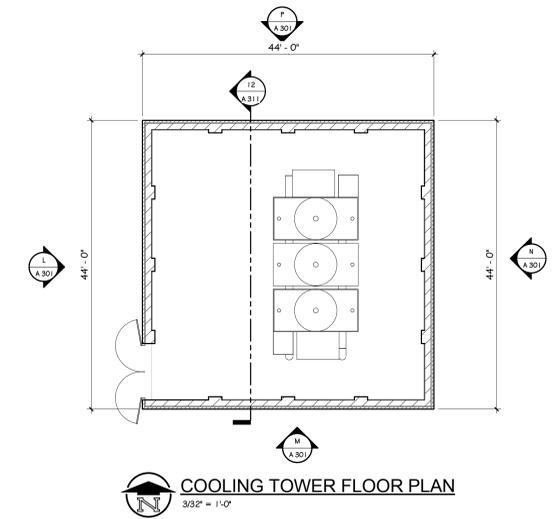
SHEET TITLE

OVERALL FLOOR
PLAN

SHEET NUMBER

A 101

15-252.00



OVERALL FLOOR PLAN
3/32" = 1'-0"

PRELIMINARY
NOT FOR CONSTRUCTION

Backup material for agenda item:

10. * Accepting the resignation of Jim Stewart from the Planning Commission.
KAYE

SUMMARY REPORT TO MANAGER
for City Council Meeting of May 9, 2016

SUBJECT: RESIGNATION OF JIM STEWART FROM THE PLANNING COMMISSION

RESOLUTION SUMMARY: This resolution accepts the resignation of Jim Stewart from the Planning Commission and expresses appreciation for his service on the Commission.

ITEMS ATTACHED:

1. Letter of transmittal
2. Letter of resignation
3. Resolution

COUNCIL ACTION:

3/5 vote required to approve resolution

C. Bradley Kaye, AICP, CFM
Assistant City Manager for Development Services



City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax ♦ www.cityofmidlandmi.gov

May 4, 2016

Jon Lynch, City Manager
City of Midland
Midland, MI 48640

Dear Mr. Lynch:

We have received notification from Jim Stewart, a member of the Planning Commission, indicating that he is resigning from the Commission effective immediately, as he taken a new job outside of Michigan.

Attached for your consideration is a resolution accepting the resignation and expressing appreciation to Mr. Stewart for his service on the Planning Commission.

Sincerely,

C. Bradley Kaye, AICP, CFM
Assistant City Manager for Development Services

CBK:pw

From: Jim Stewart <treemkr@hotmail.com>
Sent: Tuesday, April 12, 2016 10:11 PM
To: Kaye, Brad
Subject: Planning Commission

Brad

I apologize for the late notice, but I have taken a job in the Chicago area and will no longer be able to remain on the Planning Commission.

As you were aware I had been laid off from my previous employer back in November and had been looking since then.

Please accept this as my resignation notice. I will have my wife drop off my iPad at the Planning Office, or I can drop it off myself next Friday, as I will be back up in the area at that time. It was a rush making the arrangements to get down here and I apologize that I neglected to speak to you about this in person.

It has been a pleasure working with you and the other members of the Commission. I will miss the camaraderie.

I wish you and the others all the best. Please give them my warmest regards.

Thanks.

Jim Stewart
989-430-7961



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BY COUNCILMAN

RESOLVED, that the resignation of Jim Stewart as a member of the Planning Commission is hereby accepted, effective immediately, and the Administration is directed to convey the Council's appreciation to Mr. Stewart for his service on this important Commission.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, May 9, 2016.

Selina Tisdale, City Clerk

T:Planning Comm. resig - Stewart

Backup material for agenda item:

11. Downtown Midland Streetscape Redevelopment and Conceptual Engineering Design Study. TISDALE

**SUMMARY REPORT TO CITY MANAGER
for City Council meeting of May 9, 2016**

SUBJECT: Award Contract for 2016 Downtown Midland Streetscape Redevelopment Design

INITIATED BY: Selina Tisdale, Director of Community Affairs

RESOLUTION SUMMARY: This resolution awards the 2016 Downtown Midland Streetscape Redevelopment and Conceptual Engineering Design Study contract to SmithGroupJJR of Ann Arbor, Michigan in an amount not to exceed \$150,000.00 and authorizes the mayor and city clerk to execute said contract pending review and approval by the city attorney.

ITEMS ATTACHED:

1. Letter of transmittal
2. Resolution

CITY COUNCIL ACTION:

1. 3/5 vote required to approve resolution



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May 4, 2016

Jon Lynch, City Manager
City of Midland
Midland, MI 48640

Dear Mr. Lynch:

In November 2015 the Downtown Development Authority (DDA) held its annual strategic planning session and identified the redevelopment of the downtown streetscape as a needed and necessary priority for their 2016 scope of work.

Downtown districts serve as the front porch to each and every community. Typically, a community's downtown district is where the roots of the community were first cast and where the community continues to gather to shop, dine and enjoy leisure activities with friends, neighbors and coworkers.

For Midland, our downtown district is all that and more. A vibrant downtown is key to further enhancing our community and continuing to advance Midland as a place where individuals and businesses thrive.

Downtown Midland Streetscape History

The Downtown Midland Plan of 1987-1988 established a planning and design framework for future development of the downtown district. Within that plan, circulation and land use opportunities were explored to strengthen the function, vitality and image of downtown. In 1989 a further plan was designed to study the Main Street corridor and to develop streetscape continuity. The firm of Johnson, Johnson, Roy and Dow Howell & Gilmore Associates worked closely with the DDA, city administration, downtown groups and the community to design and construct the streetscape we enjoy today.

The current streetscape configuration was completed in the 1993 construction season at a cost of \$1.8 million which was financed through a combination of issuing bonds and community philanthropic support.

For 22 years this streetscape design has served Midland well. Approximately eight years ago the downtown streetscape began showing its age and has been mended together in order to extend its life. Problems identified in the recent past have included crosswalk disrepair, uneven and heaved sidewalk pavers, curbs that have been chewed away from years of street plowing, pedestrian street lighting in constant need of repair and electrical infrastructure that is inadequate to support holiday lighting and events.

Even the social aspects of the streetscape have changed during the past 20 years. Sidewalks have become more of a gathering place for friends and families to enjoy outdoor dining and socializing. Downtown Midland has had a hard time keeping up with changing businesses who now want to do more with their sidewalk space, especially in terms of outdoor dining.

Recognizing that these issues would only escalate in the future, the DDA began discussing significant streetscape improvements. Without funds available to undertake a major renovation, the DDA began allocating funds for short-term fixes of electrical issues, pedestrian lighting, resetting sidewalk pavers and patching crosswalks on an as needed basis. The maintenance costs, however, are becoming significant.

Downtown Midland - Moving Toward the Future

In 2014 the DDA undertook a long-term strategic plan targeting the years 2015-2020. Their number one infrastructure goal was:

Develop and implement a modern streetscape plan that addresses maintenance, space and aesthetic needs

Going into the 2015 year, the possibilities of a new Farmers Market and complementary development ideas took center stage and the DDA deferred streetscape planning in anticipation of a potential new addition to the Main Street design.

With the withdrawal of the Farmers Market proposal in early Fall 2015, the DDA once again revisited the streetscape goal at its November 2015 strategic planning session. At that meeting the DDA determined it was no longer feasible to apply short-term fixes to streetscape issues and identified a streetscape redevelopment plan as its main focus for its 2016 plan of work.

At the January 13 DDA board meeting, the DDA formally adopted its 2016 Plan of Work and asked that a streetscape redevelopment committee be established to oversee the project.

During the months of January and February, the 2016 Streetscape Redevelopment Committee was identified representing downtown interests. The committee includes:

- Robert Rathbun – Chair: DDA board member, representing Chemical Bank a downtown business/property holder;
- Bill Allen – representing the Midland Area Chamber of Commerce/Midland Tomorrow;
- Bobbie Arnold – DDA board member;
- Bo Brines – DDA board member, downtown business and property owner;
- Steve Bush – downtown business and property owner;
- Scott Coyer – Midland Downtown Business Association president, downtown business owner;
- David Kell – DDA vice chair;
- Stephanie Richardson – downtown horticulturist/City of Midland;
- Peter Shaheen – developer, downtown property owner;
- Marty McGuire, ex officio member, DDA chair

The committee is also assisted by city staff including Public Services Director Karen Murphy, City Engineer Brian McManus, Assistant City Engineer Josh Fredrickson, Assistant City Manager for Community Development Brad Kaye and me.

The committee was asked to accomplish five major tasks:

- ✓ Determine scope of the 2016 Downtown Midland Streetscape Redevelopment project;
- ✓ Develop a Request for Proposal (RFP) to secure a qualified planner for the project;
- ✓ Evaluate the RFPs and recommend to the Downtown Development Authority (DDA) board on hiring a planner consultant;
- Work with the planner consultant to gather public input;
- Work with the planner consultant to develop a proposed concept be recommended to the DDA

The streetscape committee met twice in February to develop their plan of work and begin drafting a Request For Proposal (RFP) to solicit engineering and design firms that could lead a community engagement process and develop initial design concepts for the downtown streetscape.

The draft RFP was recommended and approved by the DDA board at their March 9 meeting. The RFP was issued on March 16 and five RFPs were submitted by the deadline of April 5.

The streetscape committee met on April 13 to review the RFP submittals, narrowing the field down to two firms that were invited to interview with the committee on April 20.

Following the interviews, the streetscape committee voted unanimously to recommend that SmithGroupJJR be awarded the contract.

The Streetscape Committee recommendation was considered by the DDA board at a special meeting held on April 27. At this meeting it was unanimously supported that the SmithGroupJJR proposal be recommended to City Council for final approval.

With that recommendation before you tonight, the streetscape redesign committee has accomplished its first three tasks. With the approval of the planner consultant, the next two tasks of working with SmithGroupJJR to gather public input and develop a design proposal will begin.

Recommendation

The DDA recommendation before you tonight awards the contract for the Downtown Midland Streetscape Redevelopment Design Study and Conceptual Engineering Plan to SmithGroupJJR of Ann Arbor, Michigan in an amount not to exceed \$150,000.00.

The DDA will fund this initial planning phase through its fund balance reserve which currently is in excess of \$877,000.00

The work performed by SmithGroupJJR will provide a community engagement process to develop a streetscape study and conceptual engineering design plan for the priority one area defined as Main Street from Jerome Street to State Street, including Ashman Street from Larkin Street to Ann Street. It also includes a priority two area that develops an integrated, unified look and feel for the entire DDA district for future use and development.

The qualifications of the SmithGroupJJR that stood out as exceptional to the streetscape committee included:

- Strong leadership and team approach, bringing together impressive disciplines in the areas of landscape architects and engineers, community planners and designers and transportation planning;
- Successful, innovative designs implemented in other communities including Ann Arbor, Petoskey, Grand Rapids and Detroit;
- Demonstration of a well thought out community involvement process that has proven successful in other communities, along with innovative concepts designed specifically for our Midland market and;
- A strong understanding of the Midland community, its history and its vision for the future.

Considerations to be given during the design process will focus heavily on infrastructure opportunities like street design and transportation, sidewalk treatments, landscaping, electrical service, lighting, irrigation lines and more. An emphasis will also be placed on the economic and social uses of downtown Midland like shopping, dining and gathering for festivals and events.

With the award of this contract, the next goal will be to complete a public engagement process and a draft design during the months of May and June. We anticipate that community engagement along with continuous design, review and modification of concepts will continue throughout the month of June with a design concept moving toward finalization in July.

An opportunity identified early in the process is to utilize the completion of the exterior work of the H Residences development as a concept area for the new streetscape design. If the timing allows, the new streetscape design will be incorporated into the street and sidewalk design along the southeast corner of Ashman and Main as that development prepares to reopen the infrastructure to the public closer to September. It will be a great way to test market the larger vision of the entire streetscape design.

Once the design concepts are finalized and adopted, specific cost estimates will be developed for various elements of the final design. With these costs estimates in hand, the DDA will work to identify funding sources for the construction. These funding sources could range from allocation of remaining DDA fund balance to community philanthropic support of this project. Financing construction through a bond issuance is not a consideration.

The end goal is to have the design finalized, funding in place and a construction plan ready to undertake starting in 2017.

In a separate item on tonight's agenda, City Council will consider a resolution setting a public hearing for Monday, May 23, 2016 to amend the 2015-16 Downtown Development Authority budget and allocate funding from the DDA fund balance to provide for the expense of the SmithGroup JJR Downtown Midland Streetscape Redevelopment and Conceptual Engineering Design Study.

Downtown Midland is extremely excited about the progress made thus far in the streetscape redevelopment process and looks forward to the community engagement process and development opportunities yet to come.

Respectfully,



Selina Crosby Tisdale
City of Midland
Director of Community Affairs



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BY COUNCILMAN

WHEREAS, the Downtown Development Authority has identified development of a new downtown streetscape redevelopment plan as the priority for their 2016 plan of work; and

WHEREAS, five proposals were received in response to a streetscape redevelopment and conceptual engineering design study request for proposal issued by the City of Midland on March 16, 2016; and

WHEREAS, the Downtown Development Authority, as advised by its streetscape redevelopment committee, recommends the firm of SmithGroupJJR be awarded the contract based on their request for proposal submission and subsequent interview; now therefore

RESOLVED, that the request for proposal received from SmithGroupJJR of Ann Arbor, Michigan in an amount not to exceed \$150,000.00 is hereby accepted and the mayor and city clerk authorized to execute a contract pending final review and approval by the city attorney; and

RESOLVED FURTHER, that the city manager has the authority to approve any change orders modifying or altering this contract in an aggregate amount up to \$20,000.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, May 9, 2016.

Selina Tisdale, City Clerk

T: DDA Streetscape Design contract 5-2016

Backup material for agenda item:

12. * 2016 Ottawa Street Reconstruction and Water Main; Contract No. 19.
MCMANUS

SUMMARY REPORT TO THE CITY MANAGER

for City Council Meeting of May 9, 2016

SUBJECT: 2016 Ottawa Street Reconstruction & Water Main;
Contract No. 19

INITIATED BY: City of Midland Engineering Department

RESOLUTION SUMMARY: This resolution authorizes the Mayor and City Clerk to execute a contract with Pat's Gradall Service in the amount of \$265,513.00 for the street reconstruction of Ottawa Street from Meadowbrook Drive to the end of the street, and the reconstruction and water main replacement of Ottawa Court from Meadowbrook Drive to the end of the court.

ITEMS ATTACHED:

1. Cover Letter
2. Resolution
3. Location Map

CITY COUNCIL ACTION: 3/5 vote required to approve resolution

SUBMITTED BY: Brian P. McManus, City Engineer



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May 4, 2016

Jon Lynch, City Manager
City of Midland, Michigan

Dear Mr. Lynch:

On Tuesday, May 3, 2016 at 2:00 p.m., sealed proposals were publicly opened and read by the Interim Purchasing Agent for the "2016 Ottawa Street Reconstruction & Water Main; Contract No. 19".

There were 4 individuals attending the opening representing contractors and the City.

Bids were received as follows:

*Engineers Estimate		\$230,000.00
Pat's Gradall Service	Midland	265,513.00
Shaw Contracting Co.	Bay City	272,549.75
Sterling Excavating Co.	West Branch	278,243.25
Crawford Contracting, Inc.	Mt. Pleasant	292,879.35

Funding for this project is provided by the Local Street Fund and the Water Fund. This contract is for the reconstruction of Ottawa Street from Meadowbrook Drive to the end of the street, and the reconstruction and water main replacement of Ottawa Court from Meadowbrook Drive to the end of the court. This project was recommended by the Engineering Department, the Department of Public Services and the Utilities Department, and approved by City Council during the annual Construction Priority process.

It is our recommendation that the low bid of \$265,513.00 submitted by Pat's Gradall Service of Midland be accepted in the best interest of the City of Midland.

Respectfully submitted,

Brian P. McManus
City Engineer

Purchasing Approval



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BY COUNCILMAN

WHEREAS, sealed proposals have been advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for reconstruction, including water main, of the following segments of roadway: Ottawa Street from Meadowbrook Drive to the end of the street and Ottawa Court from Meadowbrook Drive to the end of the court; and

WHEREAS, funding for this project is provided by the Local Street Fund and the Water Fund; now therefore

RESOLVED, that the low sealed proposal submitted by Pat’s Gradall Service of Midland, Michigan, for the “2016 Ottawa Street Reconstruction & Water Main; Contract No. 19”, in the indicated amount of \$265,513.00, based upon City estimated quantities is hereby accepted and the Mayor and the City Clerk are authorized to execute a contract therefore in accord with the proposal and the City's specifications; and

RESOLVED FURTHER, that the City Manager has the authority to approve change orders modifying or altering this contract in an aggregate amount not to exceed \$20,000.00.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, May 9, 2016.

Selina Tisdale, City Clerk



OTTAWA RECONSTRUCTION / WATER CUL-DE-SAC TO END

Backup material for agenda item:

13. * 2016 Letts Street Culvert Replacement and S. Saginaw Road Bank Stabilization Design and Engineering Services. MCMANUS

SUMMARY REPORT TO THE CITY MANAGER
for Council Meeting of May 9, 2016

SUBJECT: Design & Construction Engineering Services –
2016 Letts Street Culvert Replacement & S. Saginaw Road Bank
Stabilization

INITIATED BY: City of Midland Engineering Department

RESOLUTION SUMMARY: This resolution authorizes a purchase order to OHM
Advisors of Midland, MI for construction design services.

ITEMS ATTACHED: 1. Cover Letter
2. Resolution

CITY COUNCIL ACTION: 3/5 vote required to approve resolution

SUBMITTED BY: Brian McManus, City Engineer



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May 4, 2016

Jon Lynch, City Manager
City of Midland, Michigan

Dear Mr. Lynch:

Due to increased work load in the Engineering Department, we have determined a need for outside design and construction engineering services on a construction project scheduled to be completed in the 2016 construction season. The project involves a culvert replacement on Letts Street and bank stabilization along S. Saginaw Road south of Salzburg.

Proposals were received on May 3, 2016 for qualifications and hourly rates from engineering firms to perform the requested services. The bid proposals were analyzed based on minimum required MDOT quality assurance and quality control qualifications, minimum of 5 years of related project experience and hourly rates. The firms submitting proposals are listed below:

OHM Advisors (Midland)	\$23,600.00
Rowe Professional Services (Mt. Pleasant)	\$30,560.00

It is our recommendation that the proposal submitted by OHM Advisors of Midland be accepted in the best interest of the City of Midland and that a purchase order in the amount of \$23,600.00 be authorized.

Respectfully submitted,

Brian P. McManus, City Engineer

Purchasing Approval



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BY COUNCILMAN

WHEREAS, the Engineering Department has determined a need for outside design and construction engineering services on the “2016 Letts Street Culvert Replacement and S. Saginaw Road Bank Stabilization” project planned for the 2016 construction season; and

WHEREAS, proposals were received from interested engineering firms in accordance with the City’s purchasing policy; and

WHEREAS, funding for said projects is provided by the Major Street and General Fund; now therefore

RESOLVED, that the proposal received from OHM Advisors of Midland, Michigan is hereby accepted; and

RESOLVED FURTHER, that the City Council authorizes a purchase order in the amount of \$23,600.00 for design and construction engineering services on the “2016 Letts Street Culvert Replacement and S. Saginaw Bank Stabilization” project based on rates provided and estimated hours; and

RESOLVED FURTHER, that the City Manager has the authority to approve any change orders modifying or altering this contract in an aggregate amount up to \$5,000.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, May 9, 2016.

Selina Tisdale, City Clerk

Backup material for agenda item:

14. * Raw Sewage Pump Replacement - Wastewater. BUSH

SUMMARY REPORT TO MANAGER
For City Council Meeting of May 9, 2016

SUBJECT: WASTEWATER – RAW SEWAGE PUMP REPLACEMENT, BID NO. 3770

INITIATED BY: Noel D. Bush, Utilities Director

RESOLUTION SUMMARY: This resolution accepts the bid submitted by Kennedy Industries of Milford, and authorizes a purchase order in the amount of \$99,235.00 for the purchase of a Xylem Allis Chalmers 16 x 16 x 20 NSY centrifugal pump for the Main Pump House at the Wastewater Treatment Plant, in accord with Sec. 2-18 of the Code of Ordinances for the City of Midland.

ITEMS ATTACHED:

1. Letter of transmittal
2. Resolution

COUNCIL ACTION:

1. 3/5 vote required to approve resolution.



May 4, 2016

Jon Lynch, City Manager
City of Midland

RE: WASTEWATER – RAW SEWAGE PUMP REPLACEMENT, BID NO. 3770

Dear Mr. Lynch:

The City’s sanitary sewer collects wastewater from residential, commercial, and industrial facilities, initially flowing to the Main Pump House at the Wastewater Treatment Plant, and is then pumped up to the headworks of the plant prior to being discharged to the Tittabawassee River.

The Main Pump House at the wastewater plant was constructed in 1973, and consists of four original pumps, with two as primary, running on variable frequency drives. One of the existing primary pumps is no longer functional due to a catastrophic failure, and has been repaired several times.

Stantec Consultation Michigan, Inc. of Ann Arbor was retained to research and recommend the best possible solution for the replacement pump, as it is no longer cost effective to continue repairing the existing pump. The pump’s impellor has to pump sewage that consists of a large volume of grit or sand that is damaging to the impellor and causes excess wear. The most efficient and cost effective option would be to replace the pump with a new pump design along with the optional high chrome impeller and dynamic mechanical seal, which will reduce long term maintenance issues and costs. Stantec recommended either a Cornell Pump or the Xylem Allis Chalmers pump.

On April 19, 2016, two bids were received for Bid No. 3770, Raw Sewage Pump Replacement.

Bidder	Model	Amount
Kennedy Industries, Inc. - Milford	Xylem Allis Chalmers	\$99,235.00
Detroit Pump & Mfg. Co. - Ferndale	Cornell pump	\$125,658.00

The low bid received from Kennedy Industries, Inc. meets city specifications. The Xylem Allis Chalmers 16 x 16 x 20 NSY centrifugal pump is 125-horse power, with a pumping capacity of 8,400 gallons per minute. It will be installed in the Main Pump House by Wastewater staff.

Funding has been budgeted for the purpose of pump replacement in the 2015/16 Wastewater Fund Project WW1602 - Main Pump House Upgrades. Staff therefore requests that a purchase order in the amount of \$99,235.00 be made to Kennedy Industries for the purchase of the pump. The attached resolution requires a 3/5 vote to approve the purchase.

Respectfully submitted,

Noel Bush, Utilities Director

Purchasing Approval



BY COUNCILMAN

WHEREAS, the Main Pump Station was constructed in 1973 at the wastewater plant, utilizing four pumps, with two designated as primary, running on variable frequency drives; and

WHEREAS, on April 19, 2016, bids were received for Bid No. 3770, Raw Sewage Pump Replacement, in accord with section 2-18 of the Midland Code of Ordinances; and

WHEREAS, the bid received from Kennedy Industries of Milford provided one Xylem Allis Chalmers 16 x 16 x 20 NSY centrifugal pump, including a High Chrome Impellor and Dynamic Mechanical Seal, in an aggregate amount of \$99,235.00, meets city specifications; and

WHEREAS, funding has been budgeted for this purpose in the 2015/16 Wastewater Fund Project WW1602 - Main Pump House Upgrades; now therefore

RESOLVED, that the low bid price offered by Kennedy Industries for the purchase of one Xylem Allis Chalmers pump for the Main Pump House at the Wastewater Treatment Plant, is hereby accepted in the best interest of the City, and authorization is granted for the issuance of a purchase order in an amount not to exceed \$99,235.00.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, May 9, 2016.

Selina Tisdale, City Clerk

Backup material for agenda item:

15. * Water Meter Hand-held Reading Devices (4/5 vote required). BUSH

SUMMARY REPORT TO MANAGER
For City Council Meeting of May 9, 2016

SUBJECT: WATER DISTRIBUTION – PURCHASE OF HAND-HELD METER READERS

INITIATED BY: Noel D. Bush, Utilities Director

RESOLUTION SUMMARY: This resolution waives sealed proposals as impractical, in accord with Sec. 2-18 of the Code of Ordinances, and authorizes a purchase order in the amount of \$22,500.00 to ETNA Supply of Grand Rapids, the regional distributor of Sensus Metering Systems, for the supply of three Sensus FL6502-GB Hand-held Meter Reading devices.

ITEMS ATTACHED:

1. Letter to Council
2. Resolution

CITY COUNCIL ACTION:

1. 4/5 vote required to approve resolution

NDB:jjjs



Utilities Department • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • (989) 837-3341 • CitizenCommentsWater@midland-mi.org

May 4, 2016

Jon Lynch, City Manager
Midland, Michigan

Re: WATER DISTRIBUTION – PURCHASE OF HAND-HELD METER READERS

Dear Mr. Lynch:

In 1987, the City began standardizing water meters, eliminating the need to duplicate meter reading equipment. Through the competitive bid process, Sensus Metering Systems of Raleigh, North Carolina was selected to provide metering and meter reading equipment exclusively through its regional distributor, ETNA Supply Company of Grand Rapids.

Water Distribution staff utilizes compatible Sensus hand-held devices to upload pre-programmed meter reading route information, to read customer water meter usage, and download the usage to the City's billing software for automated billing. Replacement of existing hand-held devices is necessary, and staff received a quote from ETNA Supply for Sensus Metering Systems model FL6502-GB hand-held meter reading device, at a per unit price of \$7,500.00, that allows the user to enter meter read data manually, electronically, or wirelessly, and expanded functionality with a global position system (GPS) and camera for documenting field work.

Staff therefore recommends that sealed competitive bids be waived as impractical, and a purchase order be issued in the amount of \$22,500.00 (\$7,500.00 X 3) to ETNA Supply Company of Grand Rapids for the purchase of three Sensus FL6502-GB hand-held meter reading devices. Funds have been budgeted for this purpose in the Water Enterprise Fund Capital Account #591.9120.97.045 - Radio Equipment. A 4/5 vote is required to approve the resolution.

Respectfully submitted,

Noel Bush, Utilities Director

Purchasing Approval



Midland

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BY COUNCILMAN

WHEREAS, in 1987, the City began standardizing water meters through the competitive bid process, eliminating the need to duplicate meter reading equipment; and

WHEREAS, through the competitive bid process, Sensus Metering Systems of Raleigh, North Carolina was selected to provide metering and meter reading equipment exclusively through its regional distributor, ETNA Supply Company of Grand Rapids; and

WHEREAS, staff utilizes compatible Sensus hand-held devices to upload pre-programmed meter reading route information, to read customer water meter usage, and download the usage to the City's billing software for automated billing; and

WHEREAS, replacement of existing hand-held devices is necessary, and staff received a quote from ETNA Supply for Sensus Metering Systems model FL6502-GB hand-held meter reading device, at a per unit price of \$7,500.00, that allows the user to enter meter read data manually, electronically, or wirelessly, and expanded functionality with a global position system (GPS) and camera for documenting field work; and

WHEREAS, funds have been budgeted for this purpose in the Water Enterprise Fund Capital Account #591.9120.97.045 - Radio Equipment; now therefore

RESOLVED, that in accord with Code Section 2-18, the requirement for sealed competitive proposals is hereby waived as impractical, and a purchase order is authorized to ETNA Supply Company of Grand Rapids in the amount of \$22,500.00 for the supply of three Sensus FL6502-GB hand-held meter reading devices.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yeavote of all the Councilmen present at a regular meeting of the City Council held Monday, May 9, 2016.

Selina Tisdale, City Clerk

Backup material for agenda item:

16. * Amendment to the 2015-16 Downtown Development Authority budget for Downtown Midland Streetscape Redevelopment and Conceptual Engineering Design Study (5/23). TISDALE

**SUMMARY REPORT TO CITY MANAGER
for City Council meeting of May 9, 2016**

SUBJECT: Downtown Development Authority budget amendment for Downtown Midland Streetscape Redevelopment and Conceptual Engineering Design Study

INITIATED BY: Selina Tisdale, Director of Community Affairs

RESOLUTION SUMMARY: This resolution will set a public hearing for Monday, May 23, 2016 on the proposal to amend the 2015-16 Downtown Development Authority budget to provide funding for the Downtown Development Authority budget amendment for Downtown Midland Streetscape Redevelopment and Conceptual Engineering Design Study.

ITEMS ATTACHED:

1. Letter of transmittal
2. Resolution

CITY COUNCIL ACTION:

1. 3/5 vote required to approve resolution



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May 4, 2016

Jon Lynch, City Manager
City of Midland
Midland, MI 48640

Dear Mr. Lynch:

The Midland Downtown Development Authority (DDA) has requested on tonight's agenda that Midland City Council consider awarding the contract for the Downtown Midland Streetscape Redevelopment Design Study and Conceptual Engineering Plan to SmithGroupJJR of Ann Arbor, Michigan in an amount not to exceed \$150,000.00.

To fund this contract, the DDA also requests City Council consider an amendment to the 2015-16 DDA fund budget to appropriate \$150,000.00 from the DDA Fund Balance toward the expenditure of the Streetscape Redevelopment Design Study and Conceptual Engineering Plan. These funds will be transferred from the current DDA fund balance, providing for a remaining fund balance in excess of \$727,000.00.

In order to amend the budget, the City Charter requires that a public hearing be held. This is a two-step process in which the first step is to set the public hearing and the second step is to conduct the public hearing. Attached is a resolution that will set the public hearing on the transfer of these funds for Monday, May 23, 2016.

Respectfully,

A handwritten signature in black ink, appearing to read "Selina Crosby Tisdale". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Selina Crosby Tisdale
City of Midland
Director of Community Affairs



City Hall • 333 West Ellsworth Street • Midland, Michigan 48640-5132 • 989.837.3300 • 989.835.2717 Fax • www.cityofmidlandmi.gov

BY COUNCILMAN

WHEREAS, SmithGroupJJR of Ann Arbor, Michigan has been awarded the contract for the Downtown Midland Streetscape Redevelopment Design Study and Conceptual Engineering Plan in an amount not to exceed \$150,000.00; and

WHEREAS, it is necessary to amend the FY 2015-16 Downtown Development Authority (DDA) budget to appropriate \$150,000.00 from the DDA Fund Balance to fund the expenditure; now therefore

RESOLVED, that in accord with Section 11.6 of the Charter of the City of Midland, a public hearing shall be conducted at 7:00 p.m., Monday, May 23, 2016 in the Council Chambers of City Hall to amend the DDA budget, and direct the City Clerk to give notice as provided in Section 5.11 of the Charter of the City of Midland.

YEAS:

NAYS:

ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, May 9, 2016.

Selina Tisdale, City Clerk

Backup material for agenda item:

17. * Zoning Petition No. 605 - to amend the City of Midland Zoning Map by rezoning a portion of the property located at 5900 Waldo Avenue from Midland Township zoning to Residential B Multiple-Family zoning, subject to offered conditions (6/13). KAYE

**SUMMARY REPORT TO CITY MANAGER
for City Council Meeting of 5-9-16**

SUBJECT: Zoning Petition No. 605

PETITIONER: Primrose Retirement Communities, LLC.

PLANNING COMMISSION PUBLIC HEARING: April 12, 2016.

PLANNING COMMISSION ACTION: Recommendation of approval.

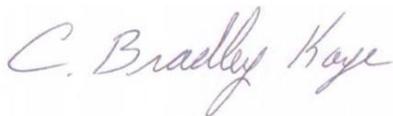
SUMMARY: ACTION TO SET A PUBLIC HEARING TO AMEND THE CITY OF MIDLAND ZONING MAP BY REZONING A PORTION OF THE PROPERTY LOCATED AT 5900 WALDO AVENUE FROM MIDLAND TOWNSHIP ZONING TO RESIDENTIAL B MULTIPLE-FAMILY ZONING, SUBJECT TO OFFERED CONDITIONS.

ITEMS ATTACHED:

1. Letter to City Manager setting forth Planning Commission action.
2. Resolution for City Council Action.
3. Staff Report to Planning Commission dated April 1, 2016.
4. Addendum Staff Report to Planning Commission dated April 20, 2016.
5. Applicant's written offer of conditions dated April 18, 2016.
6. Planning Commission minutes of April 12, 2016 (public hearing) and April 26, 2016.
7. Map showing location of property.

CITY COUNCIL ACTION:

1. Public hearing is required. Date: June 13, 2016.
2. Advertising date: May 28, 2016.
3. Public Hearing notification to area residents mail date: May 27, 2016.
4. 3/5 vote required to set a public hearing.



C. Bradley Kaye, AICP, CFM
Assistant City Manager for Development Services

CBK

5-4-16



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May 4, 2016

Jon Lynch, City Manager
City Hall - 333 West Ellsworth Street
Midland, Michigan

Dear Mr. Lynch:

At its meeting on Tuesday, April 12, 2016, the Planning Commission considered Zoning Petition No. 605, the request of Primrose Retirement Communities, LLC, to rezone a portion of the property located at 5900 Waldo Avenue from Midland Township zoning to Residential B Multiple-Family Residential zoning. Considered as part of the request were conditions offered in writing by the applicant, voluntarily prohibiting higher intensity uses of the parcel.

After deliberation on the petition, the Planning Commission took the following action:

Motion by Heying and seconded by Pnacek to recommend to City Council the approval of Zoning Petition No. 605 initiated by Primrose Retirement Communities, LLC to zone a portion of the property at 5900 Waldo Avenue from Midland Township zoning to Residential B Multiple-Family zoning subject to the following offered condition:

1. Elimination of Multiple-Family dwellings from the list of permitted uses.

Vote on the motion:

YEAS: Bain, Hanna, Heying, Mayville, McLaughlin, Pnacek, and Tanzini
NAYS: Senesac
ABSENT: Stewart

The motion was approved 7 to 1.

The City Council is therefore being requested to set a public hearing to consider Zoning Petition No. 605 for June 13, 2016 at 7:00 p.m.

Respectfully,

C. Bradley Kaye, AICP, CFM
Assistant City Manager for Development Services

CBK/djm

LETTER OF TRANSMITTAL – ZP #605 Set PH



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BY COUNCILMAN

WHEREAS, a public hearing was held by the Planning Commission on Tuesday, April 12, 2016 for property located at 5900 Waldo Avenue for the purpose of considering the advisability of amending the Zoning Map of Ordinance No. 1585, the Zoning Ordinance of the City of Midland, from Township zoning to Residential B Multiple-Family Residential zoning; now therefore

RESOLVED, that notice is hereby given that a public hearing will be held by the City Council on Monday, June 13, 2016, at 7:00 p.m. in the Council Chambers, City Hall, for the purpose of considering the advisability of amending the Zoning Map of Ordinance No. 1585, the Zoning Ordinance of the City of Midland, as set forth in the following proposed Ordinance, which is hereby introduced and given first reading; and

RESOLVED FURTHER, that the City Clerk is hereby directed to notify property owners within three hundred (300) feet of the area proposed to be rezoned by transmitting notice on or before May 27, 2016 and to publish said notice on May 28, 2016.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NO. 1585, BEING AN ORDINANCE TO REGULATE AND RESTRICT THE LOCATION OF TRADES AND INDUSTRIES AND THE LOCATION OF BUILDINGS DESIGNED FOR SPECIFIC USES, TO REGULATE AND LIMIT THE HEIGHT AND BULK OF BUILDINGS HEREAFTER ERECTED OR ALTERED, TO REGULATE AND DETERMINE THE AREA OF YARDS, COURTS, AND OTHER OPEN SPACES SURROUNDING BUILDINGS, TO REGULATE AND LIMIT THE DENSITY OF POPULATION, AND FOR SAID PURPOSES, TO DIVIDE THE CITY INTO DISTRICTS AND PRESCRIBE PENALTIES FOR THE VIOLATION OF ITS PROVISIONS BY AMENDING THE ZONING MAP TO PROVIDE A RESIDENTIAL B MULTIPLE-FAMILY ZONING DISTRICT WHERE A TOWNSHIP ZONING DISTRICT PRESENTLY EXISTS.

The City of Midland Ordains:

Section 1. That the Zoning Map of Ordinance No. 1585, being the Zoning Ordinance of the City of Midland, is hereby amended as follows:

PART OF THE SOUTH ½ OF THE NORTHWEST FRACTIONAL ¼ OF SECTION 1, T14N-R2E, CITY OF MIDLAND, MIDLAND COUNTY, MICHIGAN BEING FURTHER DESCRIBED AS BEGINNING AT THE WEST ¼ CORNER OF SAID SECTION 1; THENCE N 00D 00M 46S W 650.00 FEET ALONG THE WEST LINE OF SAID SECTION 1; THENCE S 89D 59M 33S E 900.00 FEET PARALLEL WITH THE EAST-WEST ¼ LINE OF SAID SECTION 1; THENCE S 00D 00M 46S E 650.00 FEET TO SAID EAST-WEST ¼ LINE; THENCE N 89D 59M 33S W 900.00 FEET ALONG SAID ¼ LINE TO THE POINT OF BEGINNING, CONTAINING 13.43 ACRES, MORE OR LESS, AND SUBJECT TO ANY AND ALL EASEMENTS AND OR RIGHTS-OF-WAY WHETHER USED, IMPLIED OR OF RECORD.

Be, and the same is hereby changed to Residential B Multiple-Family zoning with the following conditions:

- 1. Elimination of Multiple-Family dwellings from the list of permitted uses.

Section 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. This Ordinance shall take effect upon publication.

YEAS:
NAYS:
ABSENT:

I, Selina Tisdale, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, May 9, 2016.

Selina Tisdale, City Clerk



ZP #605

Date: April 1, 2016

STAFF REPORT TO THE PLANNING COMMISSION

- SUBJECT: ZONING MAP AMENDMENT (Portion of Annexed Parcel)
- APPLICANT: Primrose Retirement Communities, LLC
- LOCATION: 5900 Waldo Avenue (portion of property)
- PROPOSAL: From Township Zoning to RB Multiple-Family Residential Zoning
- AREA: 14 Acres (approximately)

REPORT

Zoning Petition No. 605, initiated by Primrose Retirement Communities, LLC, proposes to rezone the subject property from Township Zoning to (RB) Multiple Family Residential Zoning. Primrose Retirement LLC desires to construct a retirement village consisting of independent living facilities, assisted living facilities and memory care facilities on the subject property. Under the City of Midland Zoning Ordinance, these uses would fall within the definition of Housing for the Elderly and the Disabled. The RB Zoning District requested would permit these uses, as well as a range of additional uses including multiple family dwellings, by right. Further uses, including child care centers, adult foster care facilities, group and family day cares, and foster family homes, could be permitted subject to conditional land use approval.

BACKGROUND

The subject land is part of a larger 80 acre parcel that was annexed from Midland Township, effective March 20, 2014. Pursuant to City of Midland Zoning Ordinance standards, city zoning is to be applied to an annexed parcel within 2 years of annexation.

A background report with recommended zoning for the 80 acre parcel, as well as several others in the area, was first presented to the Planning Commission on August 26, 2014. At that time, a rezoning of the 80 acre parcel (including the 14 acres subject to this application) to RA-1 Single Family Residential was proposed. At the request of the land owners, who were considered a variety of development options for this and other nearby properties, however, the proposed RA-1 zoning petition was put on hold. No public hearing was held at the time.

Also expressed at the time of initial review, however, were concerns over the status of utility and road improvements. An update on the road improvements was specifically requested. This update was promised prior to moving any rezoning petition to public hearing.

WALDO ROAD - UTILITY AND ROAD IMPROVEMENT STATUS

Utility installation and road reconstruction on Waldo Rd North of US-10 commenced in the early summer of 2015. Phase I included both utility and road restoration from the north side of US-10 to the Diamond Drive intersection. Phase II included the installation of services across the Diamond Drive intersection, followed by restoration of the intersection. Phase III completed the project by extending utilities 400 feet north of Diamond Drive and then completing the road reconstruction. All phases took place through the summer of 2015, with completion in early October.

As previously advised, the Waldo Road utility and road project was a cooperative venture between the major property owners in the area and the City of Midland. A cost-sharing agreement was entered into whereby these landowners pay the portion of the road and utility improvements attributable to their lands and future developments. The required payments under the agreement have been made by the property owners.

ASSESSMENT

In accordance with Section 30.03(D) of the Zoning Ordinance, the Planning Commission and City Council shall at a minimum, consider the following before taking action on any proposed zoning map amendment:

1. Is the proposed amendment consistent with the City's Master Plan?

Yes, in concept.

The subject land is located in an area that contains a mix of land use designations. In this largely undeveloped area of the city, the specific limitations of these designations are more conceptual in nature and are not tightly aligned with existing property lines, as they are throughout much of the city.

When looking at the Future Land Use Map, the site would appear to be designated Low Density Residential. Upon review of the Commercial and Medium Density Residential designations, however, it is apparent that the designations are intended to present a pattern of development beginning with commercial land uses to the south, medium and high density development surrounding the commercial node, and lower density residential development thereafter. In this context the use of the subject property for uses that would be more consistent with the Medium Density Residential land use designation can be interpreted to be consistent with the Master Plan.

Having said the above, the RB Multiple Family Residential Zoning District is requested by this petition. The RB District is not typically used to implement the policy directives of the Medium Density Land Use Designation. This designation does, however, specifically provide for low density multiple family developments, including senior housing developments. The RB Zoning District is the only zoning district that provides for this type of housing.

2. Will the proposed amendment be in accordance with the intent and purpose of the Zoning Ordinance?

Yes. In staff's opinion, the proposed zonings will promote the intent of the zoning code through reclassification of the parcel as stated (outlined below) in the City's zoning code.

Section 1.02 INTENT

It is the purpose of this Zoning Ordinance to promote the public health, safety, comfort, convenience, and general welfare of the inhabitants of Midland by encouraging the use of lands and natural resources in accordance with their character, adaptability and suitability for particular purposes; to enhance social and economic stability; to prevent excessive concentration of population; to reduce hazards due to flooding; to conserve and stabilize the value of property; to provide adequate open space for light and air; to prevent fire and facilitate the fighting of fires; to allow for a variety of residential housing types and commercial and industrial land uses; to minimize congestion on the public streets and highways; to facilitate adequate and economical provision of transportation, sewerage and drainage, water supply and distribution, and educational and recreational facilities; to establish standards for physical development in accordance with the objectives and policies contained in the Master Plan (Comprehensive Development Plan); and to provide for the administration and enforcement of such standards.

3. Have conditions changed since the Zoning Ordinance was adopted that justifies the amendment?

Yes. The subject land has been annexed from an adjacent Township into the City of Midland boundaries. City Zoning Ordinance standards call for the application of city zoning following annexation.

4. Will the amendment merely grant special privileges?

No. The zoning amendments, if granted, will apply residential zoning to a parcel of land located and surrounded by lands suitable for various residential uses.

5. Will the amendment result in unlawful exclusionary zoning?

No. The zoning amendment would promote a pattern of zoning designation that is consistent with the overall intent of the Master Plan. It would, however, be the first application of city zoning in this area.

6. Will the amendment set an inappropriate precedent?

No. It is a regular occurrence to apply city rezoning to annexed parcels.

7. Is the proposed zoning consistent with the zoning classification of surrounding land?

Yes, in concept.

The subject land will be the first in this area to have city zoning applied to it. Future zoning districts will be applied to the surrounding parcels in a manner deemed most appropriate by the city, as guided by the Master Plan.

8. Is the proposed zoning consistent with the future land use designation of the surrounding land in the City Master Plan?

Yes.

The general form of development anticipated for this area has been established by the City of Midland Master Plan, as reflected by the Future Land Use Map. The proposed RB zoning will be consistent with this anticipated development pattern.

9. Could all requirements in the proposed zoning classification be complied with on the subject parcel?

Yes. The subject land will be able to meet all applicable zoning requirements. All future development and use of the site will be subject to zoning ordinance compliance, including site plan approval for any developments of a multiple family nature.

10. Is the proposed zoning consistent with the trends in land development in the general vicinity of the property in question?

Yes, as envisioned by the Master Plan. Actual development of this area has not yet commenced beyond a limited number of single family dwellings that have existed for a number of years.

STAFF RECOMMENDATION

This petition presents two primary points of concern requiring decisions of the Planning Commission. First, does the application sufficiently comply with the Master Plan to support approval? Second, is the RB Zoning District appropriate for the site given the full scope of uses that would be permitted?

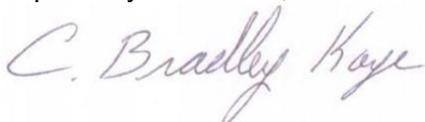
Upon review of the requested zoning change, staff recommends approval of the rezoning petition for the following reasons:

- The current pattern of land use designations included on the Future Land Use Map is reflective of higher density development transitioning to lower density development moving north from US-10.
- The subject parcel is consistent with the development pattern envisioned by the City of Midland Master Plan.
- The RB district is the only zoning district that permits the intended use of the subject parcel for senior housing development, a land use specifically permitted by the Medium Density Residential Designation of the Master Plan.
- The proposed zoning district is considered appropriate given the anticipated future development patterns in the area.

PLANNING COMMISSION ACTION

Staff currently anticipates that the Planning Commission will hold a public hearing on this request during its regular meeting on April 12, 2016 and will formulate an appropriate recommendation to City Council thereafter. If recommended to City Council the same evening, we anticipate that on April 25, 2016 the City Council will set a public hearing on this matter. Given statutory notification and publication requirements, the City Council will schedule a public hearings for May23, 2016 at which time a decision will be made on each proposed zoning change. Please note that these dates are merely preliminary and may be adjusted due to Planning Commission action and City Council agenda scheduling.

Respectfully Submitted,



C. Bradley Kaye, AICP
Assistant City Manager for Development Services



ZP #605

Date: April 20, 2016

ADDENDUM STAFF REPORT TO THE PLANNING COMMISSION

SUBJECT: ZONING MAP AMENDMENT (Portion of Annexed Parcel)

APPLICANT: Primrose Retirement Communities, LLC

LOCATION: 5900 Waldo Avenue (portion of property)

PROPOSAL: From Township Zoning to RB Multiple-Family Residential Zoning

AREA: 14 Acres (approximately)

ADDENDUM REPORT

Zoning Petition No. 605, initiated by Primrose Retirement Communities, LLC, proposes to rezone the subject property from Township Zoning to (RB) Multiple Family Residential Zoning. Primrose Retirement LLC desires to construct a retirement village consisting of independent living facilities, assisted living facilities and memory care facilities on the subject property. Under the City of Midland Zoning Ordinance, these uses would fall within the definition of Housing for the Elderly and the Disabled. The RB Zoning District requested would permit these uses, as well as a range of additional uses including multiple family dwellings, by right. Further uses, including child care centers, adult foster care facilities, group and family day cares, and foster family homes, could be permitted subject to conditional land use approval.

BACKGROUND

Project background was provided in the earlier staff report dated April 1, 2016. That report was presented to and discussed by the Planning Commission at a public hearing held on April 12, 2016. No recommendation on the petition was rendered by the Planning Commission at that time.

Since the public hearing was concluded, the applicant has submitted a voluntary offer of conditions for consideration by the Planning Commission. That offer is attached to this report. As submitted, the following conditions are offered by the applicant:

1. Multiple family dwellings will be removed from the list of permitted land uses for the subject parcel.
2. Use of the property will be limited to the following three uses:
 - Two family dwellings
 - Senior apartments and elderly housing
 - Congregate housing and dependent housing facilities

ASSESSMENT

Based on the previous staff report and the discussion that took place at the public hearing, the primary concerns arising from this petition related to conformity with the City of Midland Master Plan. More specifically, the proposed RB Multiple Family Residential Zoning District was questioned based on the intensity and density of development that can occur under the regulations of that district.

The applicant's offered conditions appear intended to address the above concerns in two ways. First, by offering to eliminate multiple family dwellings from the list of permitted land uses, the most intensive forms of residential use possible under an RB zoning district will be removed. The list of uses remaining would then be limited to less intensive uses such as senior developments, nursing homes and two family dwellings.

Second, by offering to limit the permitted uses of the site to three specific classifications, the applicant has committed to the type of development that they indicated during the public hearing would be built on the site. Once again, this offer would eliminate the more intensive forms of development possible under the RB zoning district that are harder to justify as being in compliance with the Master Plan.

OPTIONS

The offer made by the applicant provides the Planning Commission with two primary paths forward. Option 1 would be to accept the offer and simply eliminate multiple family dwellings from the list of permitted land uses. Option 2 would be to accept the offer and limit the permitted land uses to only the three specific uses now requested. It would also be possible to accept both parts of the offer, which would essentially have the same effect as moving forward with option 2.

STAFF RECOMMENDATION

The offer to remove multiple family dwellings from the list of permitted uses (Option 1 above) appears to fully address the density and intensity concerns previously identified and discussed. Staff therefore see this as a viable and reasonable approach to responding to this petition.

The applicant's second offer (option 2) is also considered a viable approach to addressing the issue of Master Plan compliance. That said, this offer would eliminate all of the more public uses identified as being permitted by the RB district, as well as the list of conditional land uses permitted by the RB district. Since the public uses do not appear to raise concern with this petition, and since the conditional land uses would only be permitted following application and careful discretionary review by the city, there would appear to be no public benefit to eliminating all of these other uses from the RB district as it would apply to this property. For this reason, it is recommended that only the applicant's offer to eliminate multiple family dwellings from the list of permitted land uses for this parcel be accepted.

Accordingly, staff recommends approval of the rezoning petition for the following reasons:

- The current pattern of land use designations included on the Future Land Use Map is reflective of higher density development transitioning to lower density development moving north from US-10.
- The subject parcel is consistent with the development pattern envisioned by the City of Midland Master Plan.
- The RB district is the only zoning district that permits the intended use of the subject parcel for senior housing development, a land use specifically permitted by the Medium Density Residential Designation of the Master Plan.

- The applicant has voluntarily offered in writing the condition that multiple family dwellings be excluded from the list of permitted uses in the RB district as it will apply to the subject parcel, thereby demonstrating compliance with the Master Plan
- The proposed zoning district is considered appropriate given the anticipated future development patterns in the area.

PLANNING COMMISSION ACTION

The Planning Commission held a public hearing on this request during its regular meeting on April 12, 2016. The applicant's voluntary offer of conditions narrows the potential uses of the property and therefore does not require a further public hearing.

At this time, a recommendation to City Council is required. If recommended to City Council on April 26, 2016, we anticipate that on May 9, 2016 the City Council will set a public hearing on this matter. Given statutory notification and publication requirements, the City Council will schedule a public hearings for June 13, 2016 at which time a decision will be made on the proposed zoning change. Please note that these dates are merely preliminary and may be adjusted due to Planning Commission action and City Council agenda scheduling.

Respectfully Submitted,



C. Bradley Kaye, AICP
Assistant City Manager for Development Services

COMPANY HEADQUARTERS
815 N. 2ND ST.
PO BOX 1359
ABERDEEN, SD 57402-1359

PHONE (605) 725-3970
EMAIL mmcneary@primroseretirement.com

WWW.PRIMROSERETIREMENT.COM

April 18, 2016

Sent via email - bkaye@midland-mi.org
and
Fed Ex Tracking Number
7761 2779 1143

City of Midland Planning Commission
Attention: C. Bradley Kaye
Assistant City Manager for Development Services City of Midland
333 West Ellsworth Street
Midland, Michigan 48640

In re: Primrose Retirement Communities, LLC – Letter of Conditions for Rezone

Dear Bradley:

This letter is intended as Primrose Retirement Communities, LLC's (Primrose) voluntary offering of the following conditions for consideration by the City of Midland during review and deliberation on Zoning Petition No. 605.

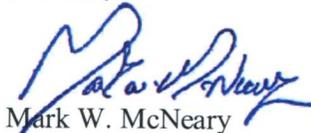
Primrose is voluntarily offering to eliminate multiple family dwellings from the list of permitted uses for the subject parcel as a condition to our requested zoning approval.

Primrose is voluntarily offering to limit its development to the following for the subject parcel as a condition to our requested zoning approval:

- Two family dwellings;
- Senior apartments and elderly housing; and
- Congregate housing and dependent housing facilities.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Mark W. McNery
General Counsel
Primrose Retirement Communities, L.L.C.

Enclosures

MWM/ran



**MINUTES OF THE MEETING OF THE
MIDLAND CITY PLANNING COMMISSION
WHICH TOOK PLACE ON
TUESDAY, APRIL 12, 2016, 7:00 P.M.,
COUNCIL CHAMBERS, CITY HALL, MIDLAND, MICHIGAN**

1. The meeting was called to order at 7:00 p.m. by Chairman McLaughlin.
2. The Pledge of Allegiance was recited in unison by the members of the Commission and the other individuals present.

3. **Roll Call**

PRESENT: Bain, Hanna, Heying, Mayville, McLaughlin, Pnacek, Senesac, and Tanzini

ABSENT: Stewart

OTHERS PRESENT: Brad Kaye, Assistant City Manager for Development Services; Grant Murschel, Community Development Planner; and sixteen (16) others.

4. **Approval of Minutes**

Under *Items for Next Agenda*, “east” of West Main Street should read “west”. Under paragraph five of *New Business*, the second “that” in the second sentence should be change to “than”.

Moved by Heying and seconded by Hanna to approve the minutes of the regular meeting of March 22, 2016 with the corrections as mentioned. Motion passed unanimously.

5. **Public Hearing**

- a. Zoning Petition No. 604 – initiated by DGR Developments, Inc. to zone property located at 2705 and 3003 East Wackerly Street and 6001 and 6209 Waldo Avenue from Township zoning to Residential A-3 Single-Family Residential zoning.

Murschel gave the staff presentation. He indicated that the subject area has been recently annexed into the city limits and therefore must be given city zoning. The property owner is proposing RA-3 zoning to allow for low density residential development. He reviewed the criteria of zoning amendments and indicated staff’s position of support of the petition, for the reasons outlined in the staff report.

David Rapanos, property owner of the subject parcels, intends to build a single-family residential development on the property that will include smaller lot sizes than traditional but that match the RA-3 regulations. He showed a concept of a cluster-style development for the western portion of the subject area and indicated that the zoning is being proposed for the full area to be ready for future development.

There were no public comments in support of the petition.

Stacey Cowan, of 4477 E Wackerly Road, wanted to know what the rezoning means for his property and particularly the easement that is between his property and the subject properties that he uses to access his driveway.

Murschel explained that the easement Cowan referenced is not under the jurisdiction of the City of Midland. It is not part of the area subject to the zoning petition. Dealings with this easement or street right-of-way would need to take place with the other parties of the easement or the Midland County Road Commission, respectively.

The public hearing was closed.

A motion was made by Heying to waive the procedural requirements to delay a decision on the zoning until the next meeting. The motion was seconded by Hanna. The motion was approved unanimously.

Heying explained his support of the petition and indicated that he is supportive of this type of growth in this area. The zoning of this type is the first step. Pnacek explained that it is a good transitional zone moving north from the intersection of US-10 and Waldo Avenue.

It was moved by Heying and supported by Hanna to recommend approval of Zoning Petition No. 604 initiated by DGR Developments, Inc. to zone property at 2705 and 3003 East Wackerly Street from Township zoning to Residential A-3 Single-Family zoning.

YEAS: Bain, Hanna, Heying, Mayville, McLaughlin, Pnacek, Senesac, and Tanzini.
NAYS: None
ABSENT: Stewart

- b. Zoning Petition No. 605 – initiated by Primrose Retirement Communities, LLC to zone a portion of the property located at 5900 Waldo Avenue from Township zoning to Residential B Multiple-Family Residential zoning.

Kaye gave the staff presentation indicated the proposal is for RB Multi-Family Residential on land that has been previously annexed into the City of Midland from Midland Township. The subject area is planned as Low Density Residential by the future land use map within the Master Plan. He explained the intent of the RB district. He reviewed the ten criteria of review applying to this petition. Staff believes that the proposal is consistent with the future land use map of the Master Plan in concept as the medium density and high density residential designated areas appear to be fairly arbitrary in this area of the city.

Bain questioned who was notified as part of process. Kaye indicated that it is any property owner or occupant within 300 feet of the full extent of the 80 acre parcel that is affected. Senesac underscored the key issue facing the Commission regarding the proposal for high density residential zoning in an area planned for low density residential.

The question of conditional zoning was raised. Kaye indicated that staff and the Planning Commission by state law cannot ask for conditions on a zoning petition; only the applicant can volunteer conditions to be applied to the petition. If offered, such conditions must be offered in writing.

BJ Schaeftbauer, of 815 North Second Street, Aberdeen, South Dakota, indicated that Primrose Retirement Communities, LLC is a developer and operator of senior housing communities across the country. A handout was given to the Commission showing the concept site plan that will follow the rezoning request at a later date. He indicated that the layout of the property will not be high density in nature. The site plan was for conceptual purposes only and was not part of the formal petition.

Bain questioned if the facility will require state licenses. Schaeftbauer indicated that some of the memory care that is provided on site will require specific state licenses. Mayville wondered about fire department coverage in the area. Mayville commented that if higher density residential is allowed in this area than it might result in more of a need for additional fire coverage.

Hanna wondered why the specific site was selected as opposed to a parcel just south of the subject area. The land south of the subject area is planned for medium density residential and would better support the RB zoning request.

Mark McNeary, of 815 North Second Street, Aberdeen, South Dakota, indicated that the company has been looking in the Midland area for many years and have had other properties under contract. He indicated that they would be willing to offer conditions on the rezoning as necessary since their only interest is the proposed retirement community.

David Rapanos, the property owner, indicated that he is supportive of the application because he thinks it is an appropriate development to step down from high density residential to lower density. He does not think that the areas indicated on the Master Plan as low density residential will become RA-1 in the future as the market does not desire the large lot sizes that are required by the RA-1 zoning district.

Stacey Cowan, of 4477 E Wackerly Road, indicated that he understands there is a need for more assisted living in the community. He is concerned with the speed of vehicles on N Waldo Road and wonders if there are any plans to add any safety measures, such as a traffic signal or stop sign, to this busy corridor.

Schaeffbauer indicated that traffic studies for their developments have indicated that they produce less traffic than single-family developments of the same geographical size.

Hearing no other public comments, McLaughlin closed the public hearing.

Senesac indicated that he is uncomfortable with voting on this petition this evening. He believes the conversation regarding the future land use map designations should take place first before acting on the petition. Heing indicated that he would like to move forward this evening understanding that this is a use that will likely be developed in this area. He believes that this area has been discussed in great detail and that it is a matter of how the Commission would like to get there to permit this kind of use. Bain pointed out that no one this evening spoke in opposition to the petition and that staff had not received any comments in opposition.

The Commission decided to maintain their current rules of order and wait till the next meeting to formulate a recommendation Zoning Petition 605.

- c. Zoning Petition No. 606 – initiated by Tower Pinkster on behalf of Northwood University to zone the property located at 4203 West Main Street from Residential A-1 Single-Family Residential and Residential B Multiple-Family Residential zoning to Community zoning.

Murschel gave the staff presentation on the petition. He reviewed the background on the proposal and reviewed the criteria for zoning amendments. Northwood University is pursuing this rezoning request in order to allow for the construction of additional student housing on the subject parcel. The property is abutted to the north by property owned by the Midland Public School district and to the south by Northwood University and the Pere Marquette Rail Trail.

Senesac mentioned that during the time the future land use map of the Master Plan was drafted in this area, there was consideration to plan all of the Northwood land holdings as Institution and Civic. The fact that the subject property was not owned by Northwood at the time resulted in the split designations that currently cover the parcel.

Keith Pretty, President of Northwood University, indicated that the University pursued purchasing this property from Midland Public Schools because it squares up the campus nicely. It also is separated by the Pere Marquette Rail Trail, a community asset that is greatly used by students of the University.

No one spoke in support of the petition.

R. Dean Cooper, of 4300 W Main Street, expressed concern about how future construction will negatively impact W Main Street which he feels is already a busy road. He is concerned that a long construction window would cause heavy trucks to move past his property, especially if access to the site is given directly off of W Main Street.

Pretty indicated that access to the site would come from the current constructed portion of W Sugnet Road that intersects Northwood Drive, to the northwest of the subject parcel. The University has no intention to seek access off of W Main Street for this development.

The public hearing was closed.

A motion was made by Hanna to waive the procedural requirements to delay a decision on the zoning until the next meeting. The motion was seconded by Heying. The motion was approved unanimously.

Heying indicated his support for the petition that agreed that the parcel would have been planned differently if Northwood would have owned it at the time of the last revision of the future land use map in this area. Mayville indicated his support for the desired zoning. McLaughlin mentioned that the designation of the balance of the site on the future land use map should be changed to Institution and Civic in the future to support the new zoning.

It was moved by Heying and supported by Hanna to recommend approval of Zoning Petition No. 606 initiated by Tower Pinkster on behalf of Northwood University to zone the property located at 4203 West Main Street from Residential A-1 Single-Family Residential and Residential B Multiple-Family Residential zoning to Community zoning.

- YEAS: Bain, Hanna, Heying, Mayville, McLaughlin, Pnacek, Senesac, and Tanzini.
- NAYS: None
- ABSENT: Stewart

McLaughlin recessed the meeting at 8:52 PM and then called the meeting back to order at 8:58 PM.

6. Old Business

a. North Waldo Road – Future Land Use Map Discussion

Kaye gave the staff presentation and explained the background on the previous discussions that have taken place regarding the future land use map designations in this area. The future land use map might not need to be amended to accommodate Zoning Petition 605 by Primrose Retirement Communities. However, the zoning ordinance might need to be reviewed to better accommodate clustered style residential development. This discussion has been prompted by staff to gain additional comments from the Commission.

Senesac commented that it might be helpful to gain consensus of the Commission to intend to plan the subject area of Zoning Petition 605 in the future for medium density residential on the future land use map. The Commission agreed that this is an appropriate designation for the subject area. McLaughlin indicated that the list of areas to review for the future land use map has continued to lengthen and that it would be appropriate to open all of these for formal review soon.

Dave Rapanos indicated that action on the Primrose portion should be done first before opening up broader discussion on the future land use designations of this area.

Mark McNearly indicated Primrose's intent to provide conditions for rezoning to be considered during the next meeting as part of Zoning Petition 605.

b. North Saginaw Road – Future Land Use Map Discussion

Kaye gave the staff presentation regarding the discussions that have taken place on the future land use designations of the area along North Saginaw Road to the Midland Urban Growth Area (MUGA) boundary. He explained the staff proposal for the future land use designations in this area that were developed using the input that was received from property owners in this area. Development in this area has been limited as sanitary sewer service has not been extended to the majority of the properties. There are no current plans by the City at this time to extend sanitary sewer in this area. Kaye indicated that access management could be handled generically at the policy level but could then be more extensive through zoning requests.

Commissioners indicated general support for the proposed land use designations. Kaye advised the next step would be to contact the property owners once again, advising them of the proposed designations, prior to initiating the formal Master Plan amendment process.

7. Public Comments (unrelated to items on the agenda)

None

8. New Business

None. Temporary accessory buildings, listed on the agenda, will be discussed at the next meeting.

9. Communications

The Michigan Planning News was distributed to the Commission.

10. Report of the Chairperson

None

11. Report of the Planning Director

None

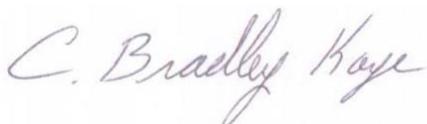
12. Items for Next Agenda – April 26, 2016

- a. Site Plan No. 346 – initiated by Northwood University for site plan review and approval for a 9,902 square foot addition at the Hall of Fame building, located at 4000 Whiting Drive.
- b. Temporary Accessory Buildings
- c. Zoning Petition No. 605

13. Adjourn

It was motioned by Mayville and seconded by Heying to adjourn at 9:51 p.m. Motion passed unanimously.

Respectfully submitted,

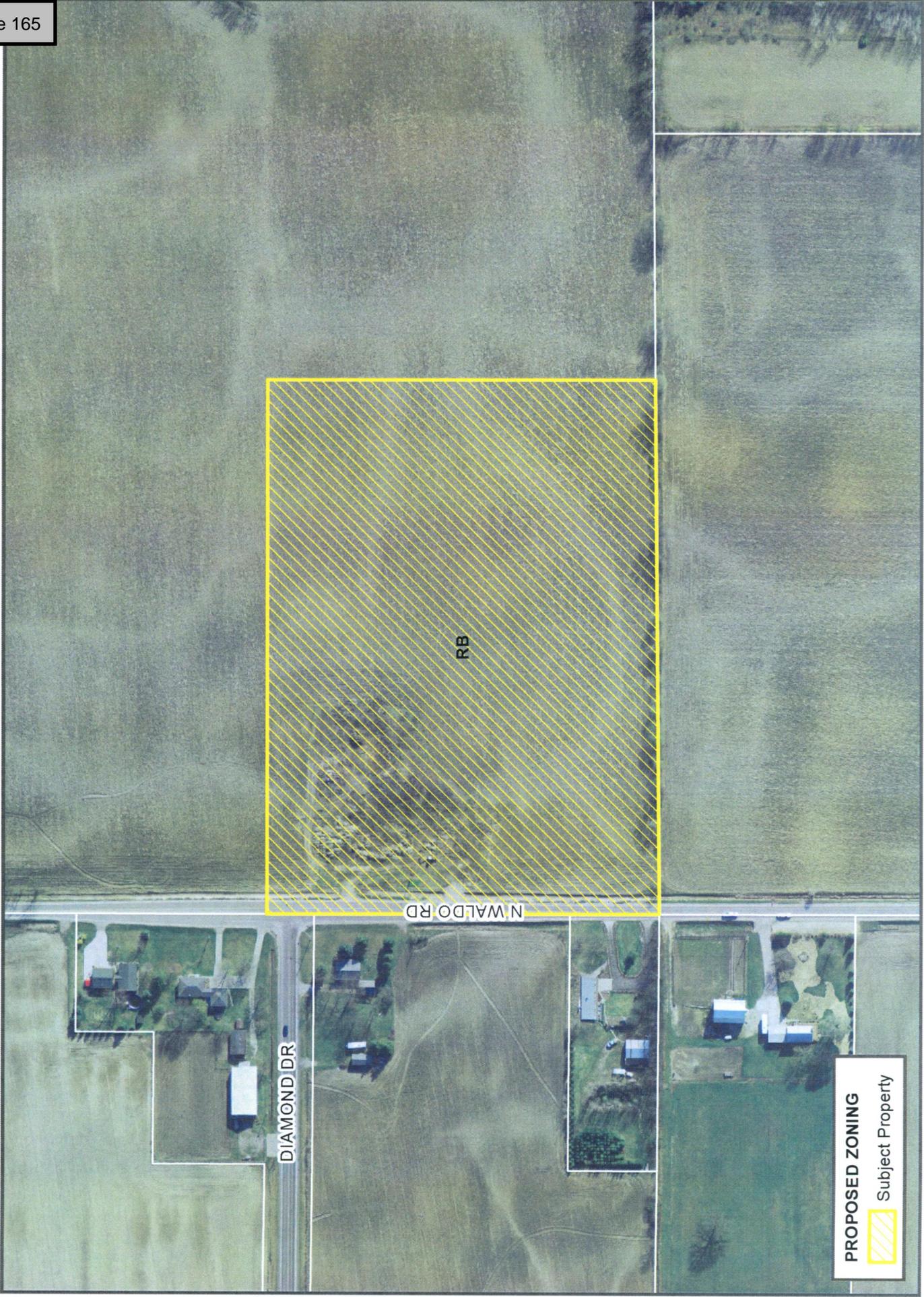


C. Bradley Kaye, AICP, CFM
Assistant City Manager for Development Services

MINUTES ARE NOT FINAL UNTIL APPROVED BY THE PLANNING COMMISSION

ZP #605 - Twp Zoning to RB Multiple-Family Residential

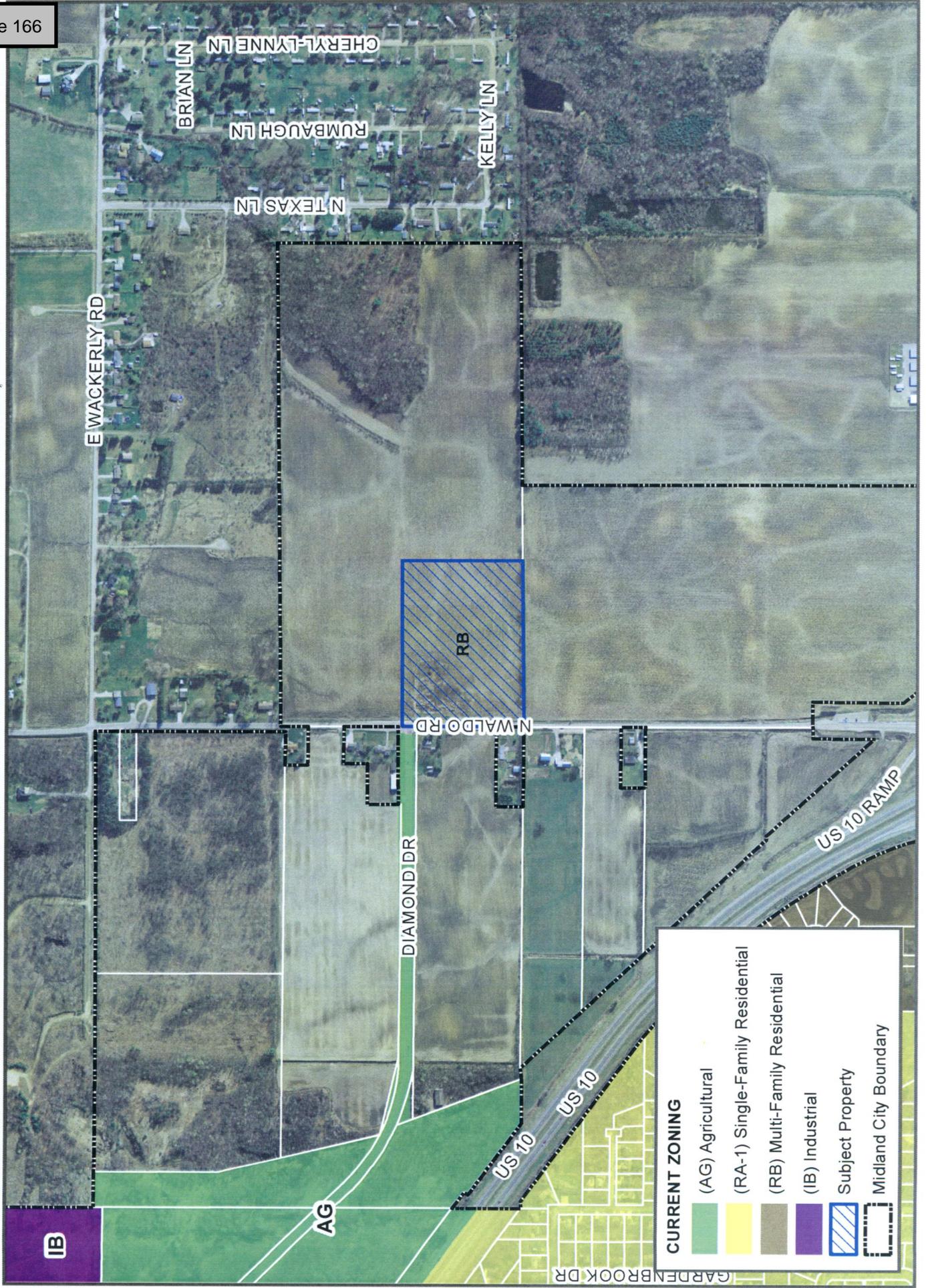
> Portion of 5900 Waldo Avenue - Primrose Retirement Communities, LLC



PROPOSED ZONING
Subject Property

ZP #605 - Twp Zoning to RB Multiple-Family Residential

> Portion of 5900 Waldo Avenue - Primrose Retirement Communities, LLC



ZP #605 - Twp Zoning to RB Multiple-Family Residential

> Portion of 5900 Waldo Avenue - Primrose Retirement Communities, LLC

