

January 10, 2022

A regular meeting of the City Council was held on Monday, January 10, 2022, 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: Steve Arnosky, Diane Brown Wilhelm, Maureen Donker, Pamela Hall, Marty Wazbinski
Councilmen absent: None

MINUTES

Approval of the minutes of the December 20, 2021 regular meeting and the December 20, 2021 special meeting was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski. (Motion ADOPTED.)

ZONING PETITION NO. 636

Director of Planning and Community Development Grant Murschel presented information on Zoning Petition No. 636 rezoning properties located at 409 and 415 E Buttles Street, 411 and 415 Cronkright Street from OS Office Service to D Downtown zoning. A public hearing opened at 7:10 p.m., hearing no public comments, the public hearing closed at 7:11 p.m. The following ordinance amendment was then offered by Councilman Hall and seconded by Councilman Brown Wilhelm:

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 REGUL 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 D DOWNTOWN ZONING DISTRICT WHERE AN OS OFFICE SERVICE ZONING DISTRICT PRESENTLY EXIST.

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:

LOT 7 BLK 55 CARPENTERS DIV and LOT 8 BLK 55 CARPENTERS DIV and SW 1/2 OF LOTS 1 & 2 BLK 55 CARPENTERS DIV and NE 1/2 OF LOTS 1 & 2 BLK 55 CARPENTERS DIV L573 P734 Be, and the same is hereby changed to D Downtown zoning.

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 All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.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. (Ordinance ADOPTED. YEAS: Brown Wilhelm, Donker, Hall, Wazbinski NAYS: Arnosky)

ZONING PETITION NO. 637

Director of Planning and Community Development Grant Murschel presented information on Zoning Petition No. 636 rezoning properties located at 1514, 1602, 1606, 1610, and 1614 State Street; and part of 2205 Jefferson Avenue from RA-4 One and Two Family Residential to COM Community zoning. A public hearing opened at 7:24 p.m., hearing no public comments, the public hearing closed at 7:25 p.m. The following ordinance amendment was then offered by Councilman Wazbinski and seconded by Councilman Brown Wilhelm:

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 COM COMMUNITY ZONING DISTRICT WHERE AN RA-4 ONE AND TWO FAMILY RESIDENTIAL ZONING DISTRICT PRESENTLY EXIST.

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:

LOTS 57-61, PART OF LOT 56 AND THAT PART OF THE VACATED WALKWAY BETWEEN LOTS 59 AND 60 OF HIGHLAND VIEW SUBDIVISION AS PER PLAT THEREOF RECORDED IN LIBER A OF PLATS, PAGE 109 OF MIDLAND COUNTY RECORDS; LOCATED IN THE SOUTHEAST ¼, SECTION 16, T14N-R02E, CITY OF MIDLAND, MIDLAND COUNTY, MICHIGAN. BEING FURTHER DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 61; THENCE ALONG THE WESTERLY LINE OF SAID LOTS 60 AND 61, ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 103.48' AND A RADIUS OF 183.00' WITH A CHORD BEARING AND DISTANCE OF N16 57'50"E, 102.11'; THENCE N00 45'53" E ALONG THE WESTERLY LINE OF SAID LOTS 58 AND 59 PROJECTED, 242.66'; THENCE S89 40'23"E, 129.87' TO THE NORTHWEST CORNER OF LOT 47 OF SAID HIGHLAND VIEW SUBDIVISION; THENCE S00 43'44" W ALONG THE WESTERLY LINE OF LOTS 43-47 OF SAID HIGHLAND VIEW SUBDIVISION, 310.44' TO THE SOUTHWEST CORNER OF SAID LOT 43; THENCE S22 41'47"W ALONG THE WESTERLY LINE OF LOTS 42 AND 41 OF SAID HIGHLAND VIEW SUBDIVISION, 89.93' TO THE SOUTHWEST CORNER OF SAID LOT 41; THENCE S47 02'09"W ALONG THE EASTERLY LINE OF SAID LOT 61, 17.93' TO THE SOUTHEAST CORNER OF SAID LOT 61; THENCE N59 16'50"W ALONG THE SOUTHERLY LINE OF SAID LOT 61, 129.27' TO THE SOUTHWEST CORNER OF SAID LOT 61 AND THE POINT OF BEGINNING. CONTAINING 1.15 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 COM Community zoning.

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. (Ordinance ADOPTED.)

PROFESSIONAL ENGINEERING COSTS – CONCEPT 5

Director of Wastewater Services Jared Driscoll presented regarding the proposed budget amendment and purchase order related to Concept 5 along with Brian Hannon, Vice President at Moore + Bruggink. A public hearing opened at 7:39 p.m. John Elsen, 6106 Sturgeon Creek Pkwy commented on planning and risk assessment for this project. The public hearing closed at 7:42 p.m.

WASTEWATER ENTERPRISE FUND – CONCEPT 5

The following resolution was then offered by Councilman Arnosky and seconded by Councilman Hall:

WHEREAS, the City of Midland is required to invest \$1,031,000 in professional design and engineering services related to the sewer infrastructure project known as Concept 5; and WHEREAS, expenditures related to Concept 5 are reimbursable through a State Revolving Fund (SRF) bond issuance; however, to keep within the SRF timeline, it is necessary to begin engineering design work prior to the bond issuance; and WHEREAS, \$736,000 in funding is currently available in the 2021-2022 Wastewater Fund Budget to pay for these expenditures, making it necessary to amend the budget by \$295,000 to provide the complete funding; and WHEREAS, in accord with Section 11.6 of the Charter of the City of Midland, and after having given proper legal notice, and having conducted a public hearing at 7:00 p.m. on Monday, January 10, 2022, in the Council Chambers of City Hall on the proposal to amend the 2021-2022 Wastewater Enterprise Fund budget to decrease Working Capital by \$295,000 and to increase appropriations by \$295,000 for the engineering services for Concept 5 and FDDP Projects. RESOLVED, that City Council approves an amendment of the 2021-2022 Wastewater Enterprise Fund budget to decrease Working Capital by \$295,000 and to increase appropriations by \$295,000 for engineering services for Concept 5 and Footing Drain Disconnect projects. (Motion ADOPTED.)

PROFESSIONAL SERVICES – CONCEPT 5

The following resolution was then offered by Councilman Arnosky and seconded by Councilman Wazbinski:

WHEREAS, On March 8, 2021, City Council approved Concept 5 at the regularly scheduled council meeting and directed City Staff to return with a Footing Drain Disconnect Program (FDDP), which is an integral part of this concept; and WHEREAS, it is critical for M + B and any associated partners to begin design of all of the remaining elements of the Concept 5 Sewer improvements; and WHEREAS, the scope of services in this proposal will complete the design of Concept 5 to include all large linear sewer improvements as well as the design of the Priority 1 Footing Drain Disconnection Program neighborhoods; and WHEREAS, funding is available for this purpose in the Wastewater Fund 2021/22 budget; now therefore RESOLVED, that a purchase order is hereby authorized to Moore + Bruggink for professional services in the amount of \$1,031,000 for Concept 5 and Footing Drain Disconnect programs. (Motion ADOPTED.)

PUBLIC COMMENT

No public comments were made.

WARD AND PRECINCT BOUNDARIES

Erica Armstrong, City Clerk, presented information regarding the first reading of ordinances that would establish new ward and precinct boundary lines to conform to the 2020 Census of the United States.

WARD BOUNDARY LINES

Introduction and first reading of the following ordinance to establish new ward boundary lines was then offered by Councilman Arnosky and seconded by Councilman Hall:

ORDINANCE NO. _____

AN ORDINANCE TO ESTABLISH THE WARD BOUNDARIES OF THE FIVE (5) WARDS IN THE CITY OF MIDLAND TO CONFORM TO THE 2020 DECENNIAL CENSUS OF THE

UNITED STATES AND PUBLIC ACT 182 OF THE PUBLIC ACTS OF 1966 (MSA 117.27A).
STATE OF MICHIGAN.

The City of Midland Ordains:

Section 1. The First Ward

The ward boundaries of the First Ward are established as follows:

Beginning at the intersection of Jefferson Ave. and Eastlawn Dr., thence east on Eastlawn Dr. to Washington St., thence north on Washington St. to Wyllys St., then east on Wyllys St. to Swede Ave., thence north on Swede Ave. to E. Ashman St., thence east on E. Ashman St. to Waldo Ave., thence north on Waldo Ave. to E. Wheeler St. (south of US10), thence following the city limits north and easterly to the eastern city limits on Mid-Bay County Line Rd. (Rockwell Dr.), thence south on Mid-Bay County Line Rd. (Rockwell Dr.) following the eastern city limits with its various jogs, including those portions of the City of Midland in Bay County to the intersection of Mid-Bay County Line Rd. (Rockwell Dr.) and Bailey Bridge Rd., thence starting west following the city limits with its various jogs to the west line of the M.C.V. Cooling Pond, thence continuing to following the city limits north and east to the Tittabawassee River, thence following the Tittabawassee River south and east to Salzburg St. if extended west, thence east on Salzburg St. to Waldo Ave., thence north on Waldo Ave. to E. Patrick Rd., thence west on E. Patrick Rd. to Jefferson Ave., thence north on Jefferson Ave. to Eastlawn Dr. and the point of beginning.

Section 2. The Second Ward

The ward boundaries of the Second Ward are established as follows:

Beginning at the intersection of W. Wheeler St. and Jefferson Ave., thence west W. Wheeler St. to N. Saginaw Rd., thence west on N. Saginaw Rd. to Dublin Ave., thence south on Dublin Ave., to the Tittabawassee River, thence following the city limits southerly with its various jogs to the Chippewa River, thence following the city limit easterly to the Tittabawassee River, thence southeasterly along the Tittabawassee River to Salzburg St. if extended west, thence east on Salzburg St. to Waldo Ave., thence north on Waldo Ave. to E. Patrick Rd., thence west on E. Patrick Rd. to Jefferson Ave., thence north on Jefferson Ave. to W. Wheeler St. and the point of beginning.

Section 3. The Third Ward

The ward boundaries of the Third Ward are established as follows:

Beginning at the intersection of Eastman Ave. and N. Saginaw Rd., thence west on N. Saginaw Rd. to Dublin Ave., thence south on Dublin Ave. to the Tittabawassee River, thence west following the Tittabawassee River to Lambert Rd. if extended, thence northerly following the city limits with its various jogs to the intersection of the western city limits and US10, thence easterly following the city limits with its various jogs to Eastman Ave., thence south on Eastman Ave. maintaining the city limits to the intersection of N. Saginaw Rd. and Eastman Ave. and the point of beginning.

Section 4. The Fourth Ward

The ward boundaries of the Fourth Ward are established as follows:

Beginning at the intersection of Eastman Ave. and N. Saginaw Rd., thence east on N. Saginaw Rd. to W. Wheeler St., thence east along W. Wheeler Street and then E. Wheeler St. to Washington St., thence north on Washington St. to Whispering Oak Dr., thence east on Whispering Oak Dr. to Claremont St., thence north on Claremont St. to Avalon St., thence east on Avalon St. to Swede Ave., thence south on Swede Ave. to Vine St., thence east on Vine St. to Plainfield St., thence south on Plainfield St. to Westbury Dr., thence east on Westbury Dr. to Birchwood Dr., thence south on Birchwood Dr. to E. Wheeler St., thence east on E. Wheeler St. to the city limits, thence northerly following the city limits with its various jogs to the intersection with Eastman Ave., thence south on Eastman Ave. maintaining the city limits to the intersection of N. Saginaw Rd. and Eastman Ave. and the point of beginning.

Section 5. The Fifth Ward

The ward boundaries of the Fifth Ward are established as follows:

Beginning at the intersection of E. Wheeler St. and Jefferson Ave., east on E. Wheeler St. to Washington St., thence north on Washington St. to Whispering Oak Dr., thence east on Whispering Oak Dr. to Claremont St., thence north on Claremont St. to Avalon St., thence east on Avalon St. to Swede Ave., thence south on Swede Ave. to Vine St., thence east on Vine St. to Plainfield St., thence south on Plainfield St. to Westbury Dr., thence east on Westbury Dr. to Birchwood Dr., thence south on Birchwood Dr. to E. Wheeler St., thence east on E. Wheeler St. to the city limits, thence southerly following the city limits with its various jogs to Waldo Ave., thence south on Waldo Ave. to E. Ashman St., thence west on E. Ashman St. to Swede Ave., thence south on Swede Ave. to Wyllys St., thence west on Wyllys St. to Washington St., thence south on Washington St. to Eastlawn Dr., thence west on Eastlawn Dr. to Jefferson Ave., thence north on Jefferson Ave. to E. Wheeler St. and the point of beginning.

Section 6. Ordinance 1527 is hereby repealed.

Section 7. This Ordinance shall take effect upon publication. (Motion ADOPTED.)

PRECINCT BOUNDARY LINES

Introduction and first reading of the following ordinance to establish new precinct boundary lines was then offered by Councilman Arnosky and seconded by Councilman Wazbinski:

ORDINANCE NO. _____

AN ORDINANCE TO ESTABLISH NEW ELECTION PRECINCTS WITH RELATED MATTERS FOR THE CITY OF MIDLAND.

The City of Midland Ordains:

Section 1. The First Ward of the City of Midland is hereby divided into four election precincts, the boundaries of which shall be as follows:

First Ward – Precinct One – Beginning at the intersection of Jefferson Ave. and Eastlawn Dr., thence east on Eastlawn Dr. to Washington St., thence north on Washington St. to Wyllys St., thence east on Wyllys St. to Swede Ave., thence south on Swede Ave. to E. Patrick Rd., thence west on E. Patrick Rd. to Jefferson Ave., thence north on Jefferson Ave. to Eastlawn Dr. and the point of beginning.

First Ward – Precinct Two – Beginning at the intersection of Swede Ave. and E. Ashman St., thence east on E. Ashman St. to Waldo Ave., thence south on Waldo Ave. to E. Patrick Rd., thence west on E. Patrick Rd. to Swede Ave., thence north on Swede Ave. to E. Ashman St. and the point of beginning.

First Ward – Precinct Three – Beginning at the intersection of E. Patrick Rd. and Waldo Ave. thence north on Waldo Ave. following the city limits to E. Wheeler St. (south of US10), thence following the city limits north and easterly to the eastern city limits on Mid-Bay County Line Rd. (Rockwell Dr.), thence south on Rockwell Dr. to E. Patrick Rd., thence west on E. Patrick Rd. to Waldo Ave. and the point of beginning.

First Ward – Precinct Four – Beginning at the intersection of Waldo Ave. and E. Patrick Rd., thence east on E. Patrick Rd. to the intersection with the city limits, thence south following the eastern city limits with its various jogs, including all portions of the City of Midland within Bay County to the intersection of Mid-Bay County Line Rd. (Rockwell Dr.) and Bailey Bridge Rd., thence starting west following the city limits with its various jogs to the west line of the M.C.V. Cooling Pond, thence continuing to follow the city limits north and east to the Tittabawassee River, thence following the Tittabawassee River south and east to Salzburg St. if extended west, thence east on Salzburg St. to Waldo Ave., thence north on Waldo Ave. to E. Patrick Rd. and the point of beginning.

Section 2. The Second Ward of the City of Midland is hereby divided into four election precincts, the boundaries of which shall be as follows:

Second Ward – Precinct Five - Beginning at the intersection of N. Saginaw Rd. and Dublin Ave., thence south on Dublin Ave. to the Tittabawassee River, thence south along the city

limits with its various jogs to the Chippewa River, thence easterly along the Chippewa River to the intersection with the Tittabawassee River, thence north along the Tittabawassee River to the intersection with Currie Pkwy, thence northeast on Currie Pkwy to W. Main St., thence northwest on W. Main St. to Orchard Dr., thence north on Orchard Dr. to N. Saginaw Rd., thence west on N. Saginaw Rd. to Dublin Ave. and the point of beginning.

Second Ward – Precinct Six – Beginning at the intersection of Orchard Dr. and N. Saginaw Rd., thence east on N. Saginaw Rd. to Eastman Ave. (BR10), thence south on Eastman Ave. (BR10) to W. Indian St. (BR10), thence southeast on W. Indian St. (BR10) to E. Indian St. (BR10), thence easterly on E. Indian St. to Patrick Rd., thence east on Patrick Rd. to E. Patrick Rd., thence east on E. Patrick Rd. to Waldo Ave., thence south on Waldo Ave. to Salzburg St., thence west on Salzburg St. to the Tittabawassee River, thence northwest along the Tittabawassee River to the intersection with the city limits, thence west and north following the city limits to the intersection with the Chippewa River, thence east along the Chippewa River to the intersection with the Tittabawassee River, thence north on the Tittabawassee river to Currie Pkwy, thence northeast on Currie Pkwy to W. Main St., thence northwest on W. Main St. to Orchard Dr., thence north on Orchard Dr. to N. Saginaw Rd. and the point of beginning.

Second Ward – Precinct Seven – Beginning at the intersection of N. Saginaw Rd. and Eastman Ave. (BR10), thence east on N. Saginaw Rd. to W. Wheeler St., thence east on W. Wheeler St. to Jefferson Ave., thence south on Jefferson Ave. to Ashman St., thence southwest on Ashman St. to Harrison St., thence northwest on Harrison St. to Noeske St., thence south on Noeske St. to Elizabeth St., thence west on Elizabeth St. to Eastman Ave. (BR10), thence north on Eastman Ave. (BR10) to N. Saginaw Rd. and the point of beginning.

Second Ward – Precinct Eight – Beginning at the intersection of Eastman Ave. (BR10) and Elizabeth St., thence south on Eastman Ave. (BR10) to W. Indian St. (BR10), thence southeast on W. Indian St. (BR10) to E. Indian St. (BR10), thence easterly on E. Indian St. to Patrick Rd., thence east on Patrick Rd. to Jefferson Ave., thence north on Jefferson Ave. to Ashman St., thence southwest on Ashman St. to Harrison St., thence northwest on Harrison St. to Noeske St., thence south on Noeske St. to Elizabeth St., thence west on Elizabeth St. to Eastman Ave. (BR10) and the point of beginning.

Section 3. The Third Ward of the City of Midland is hereby divided into three election precincts, the boundaries of which shall be as follows:

Third Ward – Precinct Nine – Beginning at the intersection of Perrine Rd. and N. Saginaw Rd., thence west on N. Saginaw Rd. to Dublin Ave., thence south on Dublin Ave. to the Tittabawassee River, thence west along the Tittabawassee River to Lambert Rd. if extended, thence northerly following the city limits to the intersection of the western city limits and US10, thence easterly following the city limits with its various jogs to Dublin Ave. if extended north, thence south on Dublin Ave. to Warblers Way, thence east on Warblers Way to Pine Meadow Dr., thence north on Pine Meadow Dr. to Moorland Dr., thence east on Moorland Dr. to Perrine Rd., thence south on Perrine Rd. to N. Saginaw Rd. and the point of beginning.

Third Ward – Precinct Ten – Beginning at the intersection of Dublin Ave. and Warblers Way, thence north on Dublin Ave. to the intersection of US10 with Dublin Ave. if extended north, thence northeasterly following the city limits to the intersection with Sturgeon Ave., thence south along Sturgeon Ave. and following the city limits to N. Saginaw Rd., thence west on N. Saginaw Rd. to Perrine Rd., thence north on Perrine Rd. to Moorland Dr., thence west on Moorland Dr. to Pine Meadow Dr., thence south on Pine Meadow Dr. to Warblers Way, thence east on Warblers Way to Dublin Ave. and the point of beginning.

Third Ward – Precinct Eleven – Beginning at the intersection of Eastman Ave. (BR10) and N. Saginaw Rd., thence west on N. Saginaw Rd. to Sturgeon Ave., thence north on Sturgeon Ave. maintaining the city limits with its various jogs to E. Monroe Rd., thence

continue following the city limits east to Eastman Ave., thence south on Eastman Avenue maintaining the city limits with its various jogs to N. Saginaw Rd. and the point of beginning.

Section 4. The Fourth Ward of the City of Midland is hereby divided into four election precincts, the boundaries of which shall be as follows:

Fourth Ward – Precinct Twelve – Beginning at the intersection of US10 and Eastman Ave. (BR10), thence east on westbound US10 to Foster Rd. if extended north, thence starting north following the city limits with its various jogs southeasterly, thence northwesterly, to Eastman Ave., thence south on Eastman Ave. maintaining the city limits to US10 and the point of beginning.

Fourth Ward – Precinct Thirteen – Beginning at the intersection of US10 and Eastman Ave. (BR10), thence east on westbound US10 to Jefferson Ave., thence south on Jefferson Ave. to W. Wackerly St., thence west on W. Wackerly St. to Northgate Dr., thence southeast on Northgate Dr. to Summerset Dr., thence west and south on Summerset Dr. to W. Chapel Ln., thence west on W. Chapel Ln. to Wanetah Dr., thence south and east on Wanetah Dr. to Jefferson Ave., thence south on Jefferson Ave. to W. Wheeler St., thence west on W. Wheeler St. to N. Saginaw Rd., then west on N. Saginaw Rd. to Eastman Ave. (BR10), thence north on Eastman Ave. (BR10) to US10 and the point of beginning.

Fourth Ward – Precinct Fourteen – Beginning at the intersection of Jefferson Ave. and W. Wheeler St., thence north on Jefferson Ave. to Wanetah Dr., thence west and north on Wanetah Dr. to W. Chapel Ln., thence east on W. Chapel Ln. to Summerset Dr., thence north and east on Summerset Dr. to Northgate Dr., thence northwest on Northgate Dr. to W. Wackerly St., thence east on W. Wackerly St. to Whiffletree Ln., thence south on Whiffletree Ln. to Shirewood Ln., thence west on Shirewood Ln. to Stillwater Ln., thence south on Stillwater Ln. to Scenic Dr., thence east on Scenic Dr. to Woodview Pass, thence south on Woodview Pass to Adams Dr., thence west on Adams Dr. to Washington St., thence south on Washington St. to E. Wheeler St., thence west on E. Wheeler St. to Jefferson Ave. and the point of beginning.

Fourth Ward – Precinct Fifteen – Beginning at the intersection of Washington St. and Whispering Oak Dr., thence east on Whispering Oak Dr. to Claremont St., thence north on Claremont St. to Avalon St., thence east on Avalon St. to Swede Ave., thence south on Swede Ave. to Vine St., thence east on Vine St. to Plainfield St., thence south on Plainfield St. to Westbury Dr., thence east on Westbury Dr. to Birchwood Dr., thence south on Birchwood Dr. to E. Wheeler St., thence east on E. Wheeler St. to the intersection with the city limits, thence northwesterly following the city limits to the intersection with US10, thence west following westbound US10 to Jefferson Ave., thence south on Jefferson Ave. to E. Wackerly St., thence east on E. Wackerly St. to Whiffletree Ln., thence south on Whiffletree Ln. to Shirewood Ln., thence west on Shirewood Ln. to Stillwater Ln., thence south Stillwater Ln. to Scenic Dr., thence east on Scenic Dr. to Woodview Pass, thence south on Woodview Pass to Adams Dr., thence west on Adams Dr. to Washington St., thence south on Washington St. to Whispering Oak Dr. and the point of beginning.

Section 5. The Fifth Ward of the City of Midland is hereby divided into four election precincts, the boundaries of which shall be as follows:

Fifth Ward – Precinct Sixteen – Beginning at the intersection of Jefferson Ave. and E. Sugnet Rd., thence east on E. Sugnet Rd. to Lancaster St., thence south on Lancaster St. to Love St., thence west on Love St. to Washington St., thence south Washington St. to Eastlawn Dr., thence west on Eastlawn Dr. to Jefferson Ave., thence north on Jefferson Ave. to E. Sugnet Rd. and the point of beginning.

Fifth Ward – Precinct Seventeen – Beginning at the intersection of Jefferson Ave. and E. Wheeler St., thence east on E. Wheeler St. to Swede Ave., thence south on Swede Ave. to Wyllys St., thence west on Wyllys St. to Washington St., thence north on Washington St. to Love St., thence east on Love St. to Lancaster St., thence north on Lancaster St. to E. Sugnet Rd., thence west on E. Sugnet Rd. to Jefferson Ave., thence north on Jefferson Ave. to E. Wheeler St. and the point of beginning.

Fifth Ward – Precinct Eighteen – Beginning at the intersection of E. Wheeler St. and Washington St., thence north on Washington St. to Whispering Oak Dr., thence east on Whispering Oak Dr. to Claremont St., thence north on Claremont St. to Avalon St., thence east on Avalon St. to Swede Ave., thence south on Swede Ave. to Vine St., thence east on Vine St. to Plainfield St., thence south on Plainfield St. to Westbury Dr., thence east on Westbury Dr. to Birchwood Dr., thence south on Birchwood Dr. to E. Wheeler St., thence east on E. Wheeler St. to the intersection with the city limits, thence south following the city limits with its various jogs to the intersection with Waldo Ave., thence south on Waldo Ave. to Whitewood Dr., thence westerly on Whitewood Dr. to Georgetown Dr., thence west on Georgetown Dr. to Forestview Dr., thence north on Forestview Dr. to Wilmington Dr., thence west on Wilmington Dr. to Melody Ln., thence south on Melody Ln. to Laurel Ln., thence west on Laurel Ln. to Sharon Rd., thence south on Sharon Rd. to Hillgrove Pkwy., thence west on Hillgrove Pkwy. to Swede Ave., thence north on Swede Ave. to E. Wheeler St., thence west on E. Wheeler St. to Washington St. and the point of beginning.

Fifth Ward – Precinct Nineteen – Beginning at the intersection of Waldo Ave. and Whitewood Dr., thence westerly on Whitewood Dr. to Georgetown Dr., thence west on Georgetown Dr. to Forestview Dr., thence north on Forestview Dr. to Wilmington Dr., thence west on Wilmington Dr. to Melody Ln., thence south on Melody Ln. to Laurel Ln., thence west on Laurel Ln. to Sharon Rd., thence south on Sharon Rd. to Hillgrove Pkwy., thence west on Hillgrove Pkwy. to Swede Ave., thence south on Swede Ave. to E. Ashman St., thence east on E. Ashman St. to Waldo Ave., thence north on Waldo Ave. to Whitewood Dr. and the point of beginning.

Section 6. Ordinance 1729 is hereby repealed.

Section 7. This Ordinance shall take effect upon publication. (Motion ADOPTED.)

RECREATION FEE ORDINANCES

Director of Public Services Karen Murphy presented information an ordinance amending Section 21-73 – General recreation fees and 21-72 – Swimming pool fees. Introduction and first reading of the following ordinance amendments were then offered by Councilman Wazbinski and seconded by Councilman Brown Wilhelm:

RESOLVED, that in accordance with Section 6.2 of the Charter of the City of Midland, the attached ordinances amending the Recreation and Swimming fees found in Section 21-73 of Division 4 of Article II of Chapter 21 and Section 21-72 of Division 3 of Article II of Chapter 21 of the Midland Code of Ordinances are given introduction and first reading; and

RESOLVED FURTHER, that the ordinances shall be placed on the agenda for second reading and proposed adoption at the regular City Council meeting scheduled for Monday, January 24, 2022 at 7:00 p.m., in the Council Chambers of City Hall. (Motion ADOPTED.)

FIRST READING

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF MIDLAND, MICHIGAN, BY AMENDING SECTION 21-72 OF DIVISION 3 OF ARTICLE II OF CHAPTER 21 THEREOF.

The City of Midland Ordains:

Section 1. Section 21-72 of Division 3 of Article II of Chapter 21 is amended to read as follows:

Sec. 21-72. Swimming pool fees

The fees for use of the city's swimming pools are as follows:

(1)	Public Swimming - Adult	\$ 6.00	per session
	Public Swimming – Youth & Senior	\$ 5.00	per session
(2)	Limited Pass – 15 Admissions, Adult	\$ 60.00	per pass
	Limited Pass – 15 Admissions, Youth	\$ 45.00	per pass

(3)*	Swimming Lessons	\$ 45.00		per session
(4)	Individual Swim Pass, unlimited use - Adult	\$ 90.00		per pass
	Individual Swim Pass, unlimited use – Youth	\$ 75.00		per pass
(5)	Family Swim Pass – 2 members	\$ 130.00		per pass
(6)	Family Swim Pass – each additional member	\$ 45.00		per member
(7)	Family Swim Pass – maximum per family	\$ 220.00		per pass
(8)	Competitive Swim Pool Rental	\$ 65.00		per hour
(9)	Aquasize – per session	\$ 25.00		per session
(10)	Aquasize – daily drop-in	\$ 5.00		per day
(11)	LARGE GROUP FEE (FOR GROUPS OF 25 OR MORE)		USE LIMITED PASS RATE	PER SESSION

(14) (12) Midland Dolphins season contract: The director of public services is authorized with the approval of the city manager to enter into a cost recovery agreement with the Midland Dolphins consistent with the recreation fee philosophy for use of Plymouth Pool. The agreement will be reviewed and adjusted annually as needed.

* THERE SHALL BE A \$10.00 SERVICE FEE FOR REFUNDS.

Section 2. This Ordinance shall take effect upon publication

FIRST READING

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF MIDLAND, MICHIGAN, BY AMENDING SECTION 21-73 OF DIVISION 4 OF ARTICLE II OF CHAPTER 21 THEREOF.

The City of Midland Ordains:

Section 1. Section 21-73 of Division 4 of Article II of Chapter 21 is amended to read as follows:

Sec. 21-73. General recreation fees

(1)	Adult softball player	\$ 33.00	\$35.00	per player
(2)	Adult softball player (2 nd team)	\$ 33.00	\$35.00	per player
(3)	Adult softball player - Fall League	\$ 23.00	\$25.00	per player
(4)	Each softball team in individual tournaments – Fee set on per event basis in conjunction with Midland Softball Association			per event
(5)	Youth softball player	\$ 12.00	\$14.00	per player
(6)	Rugby club	\$ 450.00		per club
(7) (6)	Beach volleyball			
	Player fee— Recreation league	\$ 15.00		per player
	Player fee— 2 person Competitive league	\$ 27.00		per player
	Player fee— 4 & 6 person Competitive league	\$ 22.00		per player
	2 PERSON TEAM		\$ 70.00	PER TEAM
	4 PERSON TEAM		\$140.00	PER TEAM
	6 PERSON TEAM		\$200.00	PER TEAM
(8) (7)	Adult kickball (10 player minimum per team)			
	Recreation League	\$ 30.00		per player
	Competitive League	\$ 35.00		per player
(9) (8)	Ski rental (rental 2 hours or part thereof)	\$ 10.00		per rental
	Classic skis			

	Skate skis	\$ 15.00		per rental
(10) (9)	Toboggan rental (per hour two-hour maximum)	\$ 8.00	\$10.00	per hour
(11) (10)	Skate and sled rental	\$ 4.00	\$ 5.00	per two hours
(12) (11)	Snow shoe rental	\$ 10.00		per two hours
(13) (12)	City Forest winter packages			
	Warming House package	\$ 150.00	\$175.00	for two hours
		\$ 75.00	\$100.00	per each additional hour
	Winter Fun package	\$ 250.00	\$275.00	for two hours
		\$ 100.00	\$125.00	per each additional hour
	Toboggan Adventure package	\$ 350.00	\$375.00	for two hours
		\$ 150.00	\$175.00	per each additional hour
	Clean up if needed	\$ 100.00		per occurrence
(14) (13)	Chalet building rental (2 hour minimum)	\$ 50.00		per hour
	CHALET RENTAL CANCELLATION DEPOSIT		\$50.00	PER OCCURRENCE
(15) (14)	Ball field rental – private tournament			
	Tournament field deposit –	\$ 75.00	\$75.00 OR FULL FEE, WHICHEVER IS LESS	per event
	2 hour rental	\$ 50.00		per field
	4 hour rental	\$ 60.00	\$ 75.00	per field
	Full day rental	\$ 110.00	\$125.00	per field
	Daily complex – New Redcoats fields 9-13	\$ 400.00	\$450.00	per complex
	Daily complex – Old Redcoats fields 4-8	\$ 400.00		per complex
	Daily complex – Emerson fields 1-3	\$ 250.00		per complex
	Daily complex – Optimist fields	\$ 300.00	\$350.00	per complex
	Clean up fee if needed	\$ 200.00		per occurrence
(16) (15)	Ball diamond lights – private tournament use	\$ 25.00		per hour
(17) (16)*	Ball diamond grooming/maintenance – private tournament	\$ 20.00	\$25.00	per grooming
(18) (17)*	Ball diamond grooming/maintenance – private tournament – Overtime	\$ 75.00		per hour
(19) (18)*	Ball diamond grooming/maintenance – private tournament - Double time	\$ 100.00		per hour
(20)	Ball diamond maintenance – rake/chalk only	\$ 10.00		per game
(21) (19)**	Picnic shelter reservations			
	Emerson C, Emerson E	\$ 40.00		per use
	Plymouth F(south), F(north), G, H	\$ 40.00		per use
	Barstow Woods A	\$ 40.00		per use

	Stratford Woods J	\$ 40.00	per use
	Chippewassee B	\$ 40.00	per use
	Emerson D	\$ 60.00	per use
	Plymouth F (entire shelter)	\$ 70.00	per use
	Unsheltered areas	\$ 30.00	per use
	Addition of a canopy	\$ 25.00	per request
(22) (20)	Band shell reservation	\$ 80.00	per use
(23) (21)	Delivery of bleachers	\$ 20.00	per section
(24) (22)	Delivery of portable grill	\$ 10.00	per use
(25) (23)***	City stage rental – for community events only		
	Non-profit group inside city limits	\$ 125.00	per use
	For profit group inside city limits	\$ 275.00	per use
	Non-profit group outside city limits	\$ 200.00	per use
	For profit group outside city limits	\$ 475.00	per use
(26) (24)	Metal event fencing rental – for community non-profit events only	\$ 100.00	per trailer
		\$ 20.00	for 5 sections
		\$ 30.00	cleaning fee
(27) (25)	Delivery of picnic tables (up to 5 tables) – Fee is non-refundable. For community events only.	\$ 40.00	per use
	Additional tables (if available up to maximum of 10 tables) – fee is non-refundable	\$ 8.00	per table
(28) (26)	Trash receptacles – up to 10 receptacles delivered to non-park locations for community events only	\$ 20.00	per use
(27)	COMMUNITY GARDEN PLOT	\$35.00	PER SEASON

*Note: Fees for private tournament ball field maintenance effective starting with the 2010 softball season. All field rentals include initial field preparation (grooming and chalk lines). For private tournaments requesting special amenities or enhanced field maintenance, the director of public services may charge additional fees on a special recreation event basis to cover costs incurred.

**Note: Fees paid for shelter reservations are non-refundable.

Exceptions to (21) Picnic shelter reservation fees are as follows:

a) Donors of shelters shall be allowed one rent free use per year in the respective donated structure.

b) Daytime reservations which begin after 8:00 a.m. and end before 3:00 p.m.

Monday – Friday from April 15 – June 30 are exempt from fees.

***Note: Stage rental is intended for community events held within the City limits or Midland County only. Stage rental fees are non-refundable.

****Note: The director of public services is authorized with the approval of the city manager to implement rates for special recreation events according to the recreation fee philosophy to recover programming costs for such offerings.

Section 2. This Ordinance shall take effect upon publication

CITY COUNCIL BUDGET OBJECTIVES FOR FY 2022-2023

City Manager Brad Kaye presented the City Council Budget Objectives for FY 2021-22. The following resolution was then offered by Councilman Wazbinski and seconded by Councilman Brown Wilhelm:

WHEREAS, on January 8, 2022 the City Council conducted a planning retreat for the purpose of discussing current and future financial concerns; and

WHEREAS, at the conclusion of that session Council expressed their expectations regarding the basic approach to be taken in developing the Fiscal Year 2022-2023 budget; and WHEREAS, during their regular meeting of January 10th the City Council reviewed and affirmed those expectations embodied in a report of January 10, 2021 titled: *City Council Budget Objectives for FY 22-23*; now therefore RESOLVED, that the report *City Council Budget Objectives for FY 22-23* is hereby received. (Motion ADOPTED.)

CUSTODIAL SERVICES – MSC AND CITY HALL

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

WHEREAS, sealed proposals were advertised and received on Tuesday, December 21, 2021 in accord with Article II of Chapter 2 of the Midland Code of Ordinances for Bid No. 4196, Municipal Service Center & City Hall Custodial Services; and WHEREAS, sufficient funding is included in the FY 2021-22 Municipal Service Center and City Hall budget for janitorial services; now therefore RESOLVED, that the low sealed bid proposal meeting City specifications submitted by Rost Cleaning Service of Essexville, Michigan, for custodial service in their response to Bid No 4196 is hereby accepted; and RESOLVED FURTHER, that the 2022 Custodial services at the Municipal Service Center and City Hall is hereby approved through 2022 and allows for two automatic one-year renewals through 2024 unless either party gives notice in writing; and RESOLVED FURTHER, that the Mayor and City Clerk are hereby authorized to execute an agreement with Rost Cleaning Service of Essexville, Michigan for the custodial service at the Municipal Service Center and City Hall in the amount of \$57,720.00 per year upon document approval by the City Attorney. (Motion ADOPTED.)

2022 SUGNET RD. EXTENSION – MDOT CONSTRUCTION ENGINEERING SERVICES AND PROJECT MANAGEMENT

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

WHEREAS, the City of Midland has entered into a contract (MDOT No. 21-5418) to construct an extension of the existing Sugnet Road from Northwood Drive to Main Street; and WHEREAS, the City of Midland and MDOT requires construction engineering and project management services on the project; and WHEREAS, the funding for the construction engineering and project management is available in the Major Street Fund; now therefore RESOLVED, that City Council authorizes the Mayor and City Clerk to sign and execute the 2022 Sugnet Rd. Extension MDOT LAP CE Services/PM contract with OHM Advisors of Midland, Michigan in the amount of \$128,100.00; and RESOLVED FURTHER, that the City Manager is authorized to approve change orders modifying or altering this contract in an aggregate amount not to exceed \$5,000.00. (Motion ADOPTED.)

PORTABLE TOILET RENTAL – PARKS

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

WHEREAS, sealed proposals were advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for portable toilet rental for various parks locations on Bid No. 4209 dated December 14, 2021; and

WHEREAS, the sole bid meeting City specifications was submitted by R.B. Satkowiak City Sewer of Carrollton, Michigan; and

WHEREAS, sufficient funds are included in the FY2021/22 Parks operating budget to cover these services; and

WHEREAS, a purchase order exists for this vendor that needs to be increased to cover the anticipated rental costs through the end of this fiscal year; now therefore

RESOLVED, that the Accounting Manager is authorized to increase PO# 2022-0000072 purchase order to R.B. Satkowiak City Sewer of Carrollton, Michigan not to exceed \$43,000 for the rental of portable toilets for parks. (Motion ADOPTED.)

SET PUBLIC HEARING – WASHINGTON WOODS BUDGET AMENDMENT

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

WHEREAS, the east side chiller at Washington Woods is over 30 years old and is currently being kept in service by emergency repairs and stopgap measures; and

WHEREAS, reliant cool and comfortable air within the senior living community is critical to the health of the residents and their visitors; and

WHEREAS, Washington Woods has been awarded generous grants and recognized by City Council from the CDBG-CV fund, the Hemlock Semiconductor Community and Regional Empowerment (CARE) Fund, the Midland Area Community Foundation and the Alden and Vada Dow Family Foundation to assist in the replacement of the east side chiller; and

WHEREAS, it is necessary to amend the FY 2021-22 Washington Woods budget to include additional funds from the Washington Woods working capital to complete the project; now therefore

RESOLVED, that in accord with Section 11.6 of the Charter of the City of Midland, a public hearing shall be conducted on Monday, January 24, 2022 at 7:00 p.m. in the Council Chambers of City Hall for the purpose of considering the proposal to amend the 2021-22 Washington Woods budget by increasing revenues and expenditures by \$112,000 for the east side chiller replacement project. (Motion ADOPTED.)

SET PUBLIC HEARING – MICHIGAN STRATEGIC FUND DESIGNATED RENAISSANCE ZONE WITHIN DOW I-PARK

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

WHEREAS, that a request was made to consider the establishment of a Michigan Strategic Fund Designated Renaissance Zone for specific parcels contained within the Dow Michigan Operations I-Park. These parcels are owned and operated by The Dow Chemical Company and Dow Silicones Corporation; now therefore

RESOLVED, a public hearing shall be held before the City Council on Monday, January 24, 2022 at 7:00 p.m., in the Council Chambers of the City Hall, 333 W. Ellsworth Street, Midland, Michigan, for the purpose of affording the applicant, the City Assessor and representatives of the affected taxing units an opportunity for a hearing on the request and the City Clerk shall provide written notice thereof in accordance with Section 5 of Public Act 198. (Motion ADOPTED.)

Being no further business the meeting adjourned at 8:33 p.m.

Erica Armstrong, City Clerk