

May 18, 2020

A regular electronic meeting of the City Council was held on Monday, May 18, 2020, at 7:00 p.m. online via <https://zoom.us/join>, with Webinar ID: 839 9805 4271 ~ Password: 982665. 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 May 11, 2020 regular electronic meeting was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski. (Motion ADOPTED by a Roll Call Voice Vote.)

CONDITIONAL USE PERMIT NO. 67

Director of Planning and Community Development Grant Murschel presented information on Conditional Use Permit No. 67 – a single family residential use in an OS Office Service zoning district, located at 2905 W. Wackerly Street. A public hearing opened at 7:12 p.m. and hearing no comments, the public hearing closed at 7:13 p.m. The following resolution was offered by Councilman Arnosky and seconded by Councilman Wazbinski:

WHEREAS, Benjamin Hayes has submitted a request for a Conditional Use Permit for a single family residential use in an OS Office Service zoning district. The property is located at 2905 W. Wackerly Street; and

WHEREAS, the City Planning Commission has conducted a public hearing in accord with Section 28.02(A) of the Zoning Ordinance of the City of Midland on said conditional use; and

WHEREAS, the Planning Commission has submitted its recommendation to approve the permit, in accord with Section 28.02(B) of the Zoning Ordinance of the City of Midland; now therefore RESOLVED, that the City Council finds the request for the conditional use permit to be in accord with Section 28.03 of the Zoning Ordinance of the City of Midland, and hereby approves Conditional Use Permit No. 67, in accord with documents provided and submitted at the meeting of May 18, 2020. (Motion ADOPTED by a Roll Call Voice Vote.)

CONDITIONAL USE PERMIT NO. 68

Director of Planning and Community Development Grant Murschel presented information on Conditional Use Permit No. 68 – a single family residential dwelling in an RB Multiple family residential zoning district, located at 311 Sam Street. A public hearing opened at 7:22 p.m. and hearing no comments, the public hearing closed at 7:24 p.m. The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Hall:

WHEREAS, the Midland County Habitat for Humanity has submitted a request for a Conditional Use Permit for a single family residential dwelling in an RB Multiple-Family Residential zoning district. The property is located at 311 Sam Street; and

WHEREAS, the City Planning Commission has conducted a public hearing in accord with Section 28.02(A) of the Zoning Ordinance of the City of Midland on said conditional use; and

WHEREAS, the Planning Commission has submitted its recommendation to approve the permit, in accord with Section 28.02(B) of the Zoning Ordinance of the City of Midland; now therefore RESOLVED, that the City Council finds the request for the conditional use permit to be in accord with Section 28.03 of the Zoning Ordinance of the City of Midland, and hereby approves Conditional Use Permit No. 68, in accord with documents provided and submitted at the meeting of May 18, 2020. (Motion ADOPTED by a Roll Call Voice Vote.)

ZONING PETITION NO. 630

Director of Planning and Community Development Grant Murschel presented information on Zoning Petition No. 630 – rezoning property located at 1420 Bayliss Street from RC Regional Commercial to RB Multiple Family Residential. A public hearing opened at 7:38 p.m. and hearing no comments the hearing closed at 7:39 p.m. The following ordinance amendment was then offered by Councilman Hall and seconded by Councilman Wazbinski:

ORDINANCE NO. 1836

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 RB MULTIPLE FAMILY RESIDENTIAL B ZONING DISTRICT, WHERE AN RC REGIONAL COMMERCIAL 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:

A PARCEL OF LAND SITUATED IN THE CITY OF MIDLAND, MORE PARTICULARLY DESCRIBED BEG 132 FT E & 533 FT N OF W 1/8 POST ON S LN SEC 15, TH E 132 FT, N 127 FT, W 132 FT, S 127 FT TO BEG

Be, and the same is hereby changed to RB Multiple Family Residential B

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 by a Roll Call Voice Vote.)

PUBLIC COMMENTS

No public comments were made.

2020-2021 CITY BUDGET

Assistant City Manager David Keenan presented information on the 2020-2021 City of Midland Budget. The following resolution was then offered by Councilman Arnosky and seconded by Councilman Wazbinski:

WHEREAS, a public hearing on the 2020-2021 budget was held on Monday, May 11, 2020, at 7:00 p.m., in accord with Section 11.4 of the Charter of the City of Midland and State of Michigan Act 5, Public Acts of 1982, as amended; and

WHEREAS, MCL 211.44 permits local governments which administer property taxes to impose a Property Tax Administration Fee not to exceed one percent (1%) on taxes payable before February 15th of the succeeding year; and

WHEREAS, Section 12.17 of the Charter of the City of Midland requires the City Treasurer to add a four percent (4%) collection fee to all taxes paid after the 15th day of September; and

WHEREAS, MCL 211.44 permits local property tax collecting units to add to taxes collected after February 15 and before March 1, four percent (4%) for late charges and additional fees; and

WHEREAS, pursuant to MCL 211.44, as amended, the governing body must approve by resolution or ordinance an authorization for the imposition of a property tax administration fee, collection fee or any type of late penalty charge; and

WHEREAS, it is the desire of the governing body of the City of Midland to authorize the imposition of a one percent (1%) tax administration fee and a four percent (4%) late penalty

collection fee to all applicable taxes levied by all taxing units and payable to the City of Midland; and

WHEREAS, the taxable value of real and personal property in the City of Midland has been determined to be \$2,121,434,585 plus \$48,190,400 of value on the Industrial Facilities Tax Roll; now therefore

RESOLVED, that the budget of the City of Midland for the fiscal year beginning July 1, 2020 and ending June 30, 2021 is hereby determined and adopted as follows:

	<u>Adopted</u>
GENERAL FUND	
<i>Sources of Funds:</i>	
Property taxes	\$ 29,166,623
Intergovernmental	9,853,434
Other revenues	5,411,293
Transfers from other funds	76,903
Fund balance	<u>4,306,125</u>
<i>Total Sources of Funds</i>	<u>\$ 48,814,378</u>
 <i>Appropriations:</i>	
General government	\$ 6,321,367
Public safety	20,699,726
Public works	2,593,705
Sanitation	4,099,021
Parks and recreation	6,754,183
Other functions	1,968,358
Capital projects	191,000
Contingencies	400,000
Transfers to other funds	<u>5,787,018</u>
<i>Total Appropriations</i>	<u>\$ 48,814,378</u>
 MAJOR STREET FUND	
<i>Sources of Funds:</i>	
State gas and weight tax	\$ 4,900,000
County Road Millage	3,866,116
Other revenues	<u>745,621</u>
<i>Total Sources of Funds</i>	<u>\$ 9,511,737</u>
 <i>Appropriations:</i>	
Street maintenance	\$ 2,230,711
Street construction	1,865,000
Transfers to other funds	3,350,283
Contingencies	20,000
Fund balance	<u>2,045,743</u>
<i>Total Appropriations</i>	<u>\$ 9,511,737</u>
 LOCAL STREET FUND	
<i>Sources of Funds:</i>	
State gas and weight tax	\$ 1,326,400
Other revenues	192,000
Transfers from other funds	3,200,000
Fund balance	<u>1,064,186</u>
<i>Total Sources of Funds</i>	<u>\$ 5,782,586</u>

LOCAL STREET FUND (cont'd)*Appropriations:*

Street maintenance	\$ 1,818,696
Street construction	3,795,000
Transfers to other funds	148,890
Contingencies	20,000
<i>Total Appropriations</i>	<u>\$ 5,782,586</u>

SMARTZONE FUND*Sources of Funds:*

Property taxes	\$ 138,215
Other revenues	15,000
<i>Total Sources of Funds</i>	<u>\$ 153,215</u>

Appropriations:

Operating expenditures	\$ 75,000
Capital expenditures	5,000
Fund balance	73,215
<i>Total Appropriations</i>	<u>\$ 153,215</u>

CENTER CITY AUTHORITY FUND*Sources of Funds:*

Other revenues	\$ 1,700
Transfers from other funds	14,000
<i>Total Sources of Funds</i>	<u>\$ 15,700</u>

Appropriations:

Operating expenditures	\$ 15,000
Fund balance	700
<i>Total Appropriations</i>	<u>\$ 15,700</u>

STORM WATER MANAGEMENT FUND*Sources of Funds:*

Operating revenues	\$ 17,500
Other revenues	17,500
Transfers from other funds	1,319,173
Fund balance	76,142
<i>Total Sources of Funds</i>	<u>\$ 1,430,315</u>

Appropriations:

Operating expenditures	\$ 895,315
Storm sewer construction	510,000
Contingencies	25,000
<i>Total Appropriations</i>	<u>\$ 1,430,315</u>

GRACE A. DOW LIBRARY FUND*Sources of Funds:*

Property taxes	\$ 2,090,536
Operating revenues	416,089
State funds	381,146
Other revenues	70,600
Transfers from other funds	1,341,490
Fund balance	191,000
<i>Total Sources of Funds</i>	<u>\$ 4,490,861</u>

GRACE A. DOW LIBRARY FUND (cont'd)*Appropriations:*

Operating expenditures	\$ 4,299,861
Capital expenditures	191,000
Total Appropriations	\$ 4,490,861

COMMUNITY DEVELOPMENT BLOCK GRANT FUND*Sources of Funds:*

Federal and program	\$ 347,091
Total Sources of Funds	\$ 347,091

Appropriations:

Other expenditures	\$ 153,400
Transfers to other funds	188,055
Contingencies	5,000
Fund balance	636
Total Appropriations	\$ 347,091

HOMELAND SECURITY GRANT PROGRAM*Sources of Funds:*

Federal	\$ 873,812
Total Sources of Funds	\$ 873,812

Appropriations:

Other expenditures	\$ 873,812
Total Appropriations	\$ 873,812

SPECIAL ACTIVITIES FUND*Sources of Funds:*

Contributions and other	\$ 83,250
Transfers from other funds	5,000
Fund balance	8,250
Total Sources of Funds	\$ 96,500

Appropriations:

Other expenditures	\$ 77,500
Transfers to other funds	19,000
Total Appropriations	\$ 96,500

MIDLAND HOUSING FUND*Sources of Funds:*

Sale of assets	\$ 250,000
Other revenues	5,200
Fund balance	800
Total Sources of Funds	\$ 256,000

Appropriations:

Cost of assets sold	\$ 250,000
Other expenditures	6,000
Total Appropriations	\$ 256,000

DIAL-A-RIDE FUND*Sources of Funds:*

Operating revenues	\$ 120,000
State funds	855,881
Federal funds	1,055,264
Other revenues	5,744
Transfers from other funds	549,017
<i>Total Sources of Funds</i>	<u>\$ 2,585,906</u>

Appropriations:

Operating expenditures	\$ 2,376,706
Capital expenditures	199,200
Contingencies	10,000
<i>Total Appropriations</i>	<u>\$ 2,585,906</u>

MIDLAND COMMUNITY TELEVISION FUND*Sources of Funds:*

Operating revenues	\$ 681,500
Other revenues	22,916
Fund balance	47,171
<i>Total Sources of Funds</i>	<u>\$ 751,587</u>

Appropriations:

Operating expenditures	\$ 713,587
Capital expenditures	28,000
Contingencies	10,000
<i>Total Appropriations</i>	<u>\$ 751,587</u>

DOWNTOWN DEVELOPMENT AUTHORITY FUND*Sources of Funds:*

Property taxes	\$ 1,224,087
Other revenues	5,900
Transfers from other funds	16,500
<i>Total Sources of Funds</i>	<u>\$ 1,246,487</u>

Appropriations:

Contingencies	\$ 859,426
Transfers to other funds	25,000
Fund balance	45,000
<i>Total Appropriations</i>	<u>\$ 317,061</u>
	<u>\$ 1,246,487</u>

DEBT SERVICE FUND*Sources of Funds:*

Property taxes	\$ 281,436
Intergovernmental	103,939
Other revenues	6,000
Transfers from other funds	1,747,511
Fund balance	243,471
<i>Total Sources of Funds</i>	<u>\$ 2,382,357</u>

Appropriations:

Debt service	\$ 1,558,450
Transfers to other funds	823,907
<i>Total Appropriations</i>	<u>\$ 2,382,357</u>

CIVIC ARENA FUND*Sources of Funds:*

Operating revenue	\$ 1,094,000
Other revenues	35,000
Transfers from other funds	350,000
Working capital	193,468
<i>Total Sources of Funds</i>	<u>\$ 1,672,468</u>

Appropriations:

Operating expenses	\$ 1,102,298
Capital expenses	201,134
Contingencies	25,000
Debt service	344,036
<i>Total Appropriations</i>	<u>\$ 1,672,468</u>

LANDFILL FUND*Sources of Funds:*

Operating revenue	\$ 3,910,520
Other revenues	149,100
Working capital	4,177,329
<i>Total Sources of Funds</i>	<u>\$ 8,236,949</u>

Appropriations:

Operating expenses	\$ 4,056,836
Capital expenses	405,000
Capital projects	3,326,475
Other expenses	700
Contingencies	65,000
Debt service	382,938
<i>Total Appropriations</i>	<u>\$ 8,236,949</u>

WASHINGTON WOODS FUND*Sources of Funds:*

Operating revenues	\$ 1,400,080
Other revenues	417,190
Transfers from other funds	188,055
Working capital	500,634
<i>Total Sources of Funds</i>	<u>\$ 2,505,959</u>

Appropriations:

Operating expenses	\$ 1,540,055
Other expenses	255,258
Capital expenses	700,646
Contingencies	10,000
<i>Total Appropriations</i>	<u>\$ 2,505,959</u>

RIVERSIDE PLACE FUND*Sources of Funds:*

Operating revenues	\$ 1,460,400
Other revenues	729,803
Working capital	513,539
<i>Total Sources of Funds</i>	<u>\$ 2,703,742</u>

RIVERSIDE PLACE FUND (cont'd)*Appropriations:*

Operating expenses	\$ 1,638,845
Other expenses	593,302
Capital expenses	461,595
Contingencies	10,000
<i>Total Appropriations</i>	<u>\$ 2,703,742</u>

CURRIE MUNICIPAL GOLF COURSE FUND*Sources of Funds:*

Operating revenues	\$ 1,063,432
Transfers from other funds	250,000
Other revenues	45,207
<i>Total Sources of Funds</i>	<u>\$ 1,358,639</u>

CURRIE MUNICIPAL GOLF COURSE FUND (cont'd)*Appropriations:*

Operating expenses	\$ 1,127,184
Capital expenses	120,000
Contingencies	20,000
Debt service	29,456
Working capital	61,999
<i>Total Appropriations</i>	<u>\$ 1,358,639</u>

PARKING FUND*Sources of Funds:*

Operating revenues	\$ 99,750
Other revenues	15,005
Transfers from other funds	60,000
Working capital	10,050
<i>Total Sources of Funds</i>	<u>\$ 184,805</u>

Appropriations:

Operating expenses	\$ 183,525
Other expenses	1,280
<i>Total Appropriations</i>	<u>\$ 184,805</u>

WASTEWATER FUND*Sources of Funds:*

Operating revenues	\$ 6,685,460
Other revenues	298,684
Transfers from other funds	1,323,907
Working capital	1,021,766
<i>Total Sources of Funds</i>	<u>\$ 9,329,817</u>

Appropriations:

Operating expenses	\$ 5,347,719
Other expenses	17,490
Capital expenses	605,000
Capital projects	1,936,430
Debt service	1,373,178
Contingencies	50,000
<i>Total Appropriations</i>	<u>\$ 9,329,817</u>

WATER FUND*Sources of Funds:*

Operating revenues	\$ 11,784,279
Contractual revenue	88,448
Other revenues	218,150
Working capital	975,845
<i>Total Sources of Funds</i>	<u>\$ 13,066,722</u>

Appropriations:

Operating expenses	\$ 9,702,892
Other expenses	48,853
Capital expenses	258,500
Capital projects	2,770,000
Debt service	186,477
Contingencies	100,000
<i>Total Appropriations</i>	<u>\$ 13,066,722</u>

STORES REVOLVING FUND*Sources of Funds:*

Operating revenues	\$ 751,000
Other revenues	4,325
<i>Total Sources of Funds</i>	<u>\$ 755,325</u>

Appropriations:

Operating expenses	\$ 692,506
Working capital	62,819
<i>Total Appropriations</i>	<u>\$ 755,325</u>

INFORMATION SERVICES FUND*Sources of Funds:*

Operating revenues	\$ 1,020,598
Other revenues	20,500
Working capital	259,906
<i>Total Sources of Funds</i>	<u>\$ 1,301,004</u>

Appropriations:

Operating expenses	\$ 1,236,004
Capital expenses	40,000
Contingencies	25,000
<i>Total Appropriations</i>	<u>\$ 1,301,004</u>

EQUIPMENT REVOLVING FUND*Sources of Funds:*

Operating revenues	\$ 5,854,684
Other revenues	171,000
<i>Total Sources of Funds</i>	<u>\$ 6,025,684</u>

Appropriations:

Operating expenses	\$ 3,392,917
Capital expenses	1,744,000
Contingencies	25,000
Working capital	863,767
<i>Total Appropriations</i>	<u>\$ 6,025,684</u>

MUNICIPAL SERVICE CENTER FUND*Sources of Funds:*

Operating revenues	\$ 432,863
Other revenues	10,564
Working capital	<u>15,026</u>
Total Sources of Funds	<u>\$ 458,453</u>

Appropriations:

Operating expenses	\$ 288,453
Capital expenses	160,000
Contingencies	<u>10,000</u>
Total Appropriations	<u>\$ 458,453</u>

MUNICIPAL SERVICE ANNEX FUND*Sources of Funds:*

Operating revenues	\$ 31,909
Other revenues	<u>1,730</u>
Total Sources of Funds	<u>\$ 33,639</u>

Appropriations:

Operating expenses	\$ 23,674
Contingencies	5,000
Working capital	<u>4,965</u>
Total Appropriations	<u>\$ 33,639</u>

PROPERTY AND LIABILITY INSURANCE FUND*Sources of Funds:*

Operating revenues	\$ 560,000
Other revenues	95,000
Working capital	<u>191,000</u>
Total Sources of Funds	<u>\$ 846,000</u>

Appropriations:

Operating expenses	\$ 846,000
Total Appropriations	<u>\$ 846,000</u>

HEALTH INSURANCE FUND*Sources of Funds:*

Operating revenues	\$ 10,742,000
Other revenues	402,500
Working capital	<u>517,731</u>
Total Sources of Funds	<u>\$ 11,662,231</u>

Appropriations:

Operating expenses	\$ 11,662,231
Total Appropriations	<u>\$ 11,662,231</u>

SPECIAL ASSESSMENT REVOLVING FUND*Sources of Funds:*

Other revenues	\$ 66,903
Total Sources of Funds	<u>\$ 66,903</u>

Appropriations:

Transfers to other funds	\$ 66,903
Total Appropriations	<u>\$ 66,903</u>

; and

RESOLVED FURTHER, that the City Assessor is hereby authorized and instructed to levy 12.1012 mills for operations, 0.4602 mills for storm water operations, 1.0000 mill for library operations, 1.4425 mills for public safety pension, and 0.1346 mills for general obligation sanitary sewer debt, a total of 15.1385 mills, on the taxable value of the various classes of property in the City of Midland on the 2020 City tax roll, in accordance with provisions of Act 114, Public Acts of 1979; and

RESOLVED FURTHER, that in accordance with the recommendation of the Downtown Development Authority, the City Assessor is hereby authorized and instructed to levy an additional 2.0000 mills for operations on the taxable value of the various classes of property on the 2020 City tax roll in the 2006 Amended Downtown Development District; and

RESOLVED FURTHER, that in accordance with MCL 211.44 the City Assessor is hereby authorized and instructed to impose a tax administration fee of one percent (1%) on all applicable taxes levied on both the summer and winter property tax bills in the City of Midland, to offset costs incurred by the City of Midland in assessing property values, collecting property tax levies, and processing taxes under review and appeal; and

RESOLVED FURTHER, that the City Treasurer is hereby authorized and instructed to add to all summer taxes paid after the legal due date of September 15 (or the next business day if that day falls on a holiday or weekend) a four percent (4%) late penalty collection fee on all delinquent parcels within the City of Midland. The City Treasurer is also hereby authorized to add to all winter taxes paid after February 14 (or the next business day if that day falls on a holiday or weekend) a four percent (4%) late penalty collection fee on all delinquent parcels within the City of Midland. Said collection fee, for both summer and winter taxes, is to be calculated on the unpaid base tax plus the one percent (1%) tax administration fee; and

RESOLVED FURTHER, that such added penalty and administrative fees for summer and winter taxes shall belong to the City of Midland and constitute a charge and shall be a lien against the property to which the taxes themselves apply, collectible in the same manner as the taxes to which they are added. The City Treasurer shall apply payments received on delinquent parcels to penalties, interest, and administrative fees before applying payments to delinquent taxes; and

RESOLVED FURTHER, that all City of Midland taxes and administrative fees on summer and winter real property, and penalties on summer real property levied in the immediately preceding year that remain uncollected by the City Treasurer on the first day of March (or the next business day if that day falls on a holiday or weekend) shall be turned over to the County Treasurer as delinquent for collection. These delinquencies and the related settlement distributions from the County shall include all assessments, interest, charges, administrative fees and penalties hereinto provided, and shall be part of the County's delinquent tax roll, collected in the same manner as other taxes returned to the County Treasurer are collected, as provided by law, and shall be and remain a lien upon the property against which they are assessed until paid; and

RESOLVED FURTHER, that for the City's fiscal year ending June 30, 2020, the General Fund's fund balance shall include \$4,306,125 as a Committed Fund Balance for Future Year Expenditures and \$5,776,443 as a Committed Fund Balance for Budget Stabilization; and

RESOLVED FURTHER, that for the City's fiscal year ending June 30, 2020, the City's funds shall include an amount to be determined by the City's Assistant City Manager as Assigned Fund Balance for Encumbrances as authorized by the Assistant City Manager as appropriate to be encumbered into the 2020-2021 budgets and financial working plans, providing that: 1) there is sufficient remaining budget in 2019-2020, 2) each item has previous City Council budgetary approval to be spent for the purpose for which it is being requested to be encumbered, 3) the intent to spend the funds for the purpose in which it was originally approved still exists, and 4) periodic costs, such as supplies and other charges which get budgeted for each year are deemed to be non-recurring or necessary to offset unexpected adverse conditions in the upcoming year; and

RESOLVED FURTHER, that the Assistant City Manager is directed to provide an explanation of amounts encumbered, by fund, to City Council in the quarterly financial report for the period ending September 30, 2020. (Motion ADOPTED by a Roll Call Voice Vote.)

PARKS AND RECREATION COVID-19 RELATED SERVICE CHANGES

Director of Public Services Karen Murphy presented information on the recommended changes to program and facilities offerings due to Covid-19. The presentation interrupted for a break from 8:20 p.m. to 8:28 p.m. while broadcast of the meeting was restored on MCTV. City Manager Brad Kaye noted that prior to the meeting, 6 public comments were received relative to the recreation programming and provided to Council in advance of the meeting. The original resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Hall. Following discussion, Councilman Arnosky motioned and seconded by Mayor Donker to amend the resolution (Motion to Amend ADOPTED by a Roll Call Voice Vote) to the following:

WHEREAS, amid the current environment where exposure to COVID-19 raises concerns for the safety and wellbeing of both City employees and park and recreation program participants; and WHEREAS, after careful consideration of the summer recreation programs offered through the City with regard to participant safety and financial viability staff has proposed a list closures/delays to recreation programming and facility use; now therefore

RESOLVED, that City Council approves the list of recommendations for program cancellations and delays including:

- Closure of Plymouth Pool for the 2020 season
- Closure of Gerstacker, Longview and Thrune Park spray grounds and water features
- Closure of Stratford Woods Beach through June 1
- Cancellation of the LEAP program for adults with disabilities
- Postpone the start of Tunes by the Tridge to June 18
- Cancel the onsite July 4 Celebration and the fireworks launch
- Postpone organized athletic league play on City-owned properties until June 15; and

RESOLVED FURTHER, that City Council authorizes staff to modify any of the above items, including extending closures into the summer, based on further guidance provided by Executive Orders issued by the Governor's office and/or guidance provided by the Center for Disease Control, all in accordance with the proposal and City specifications. (Motion ADOPTED by a Roll Call Voice Vote.)

SITE PLAN NO. 399

Director of Planning and Community Development Grant Murschel presented information on Site Plan No. 399 – for a 22-unit multiple family residential development, totaling 50,688 square feet located at 4908 and 4912 Universal Drive. Petitioner Patrick Pnacek, Developer with PKP Properties, 2525 N. Eastman spoke regarding the project. Speaking in opposition were Adam Bruski, attorney at Warner, Norcross, and Judd, 715 E. Main Street, Suite 110, on behalf of Kathy Burwick, 5000 Universal Dr., Carol Sanford, 5012 Raintree Dr., Dwight Lewis, 5004 Raintree Dr., Robert Everett, 5130 Raintree Dr., Jennifer Nosakowski, 5126 Raintree Dr., and Shirley Brown, 5006 Stephanie Dr. Scott Bell of Lapam Associates responded regarding technical aspects of the project and Developer Patrick Pnacek responded. The following resolution was then offered by Councilman Wazbinski and seconded by Councilman Brown Wilhelm:

WHEREAS, the City Council has received the recommendation of the Planning Commission for approval of Site Plan No. 399, by PKP Properties, LLC to construct a 22 unit multiple-family residential development, totally 50,688 square feet, at property located at 4908 and 4912 Universal Drive; and

WHEREAS, the City Council has reviewed the proposed Site Plan No. 397 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. 399, contingent upon the following:

1. A final stormwater management plan and permit to the satisfaction of the City Engineering Department.
2. A final soil erosion and sedimentation control permit to the satisfaction of the City

Building Department. (Motion ADOPTED by a Roll Call Voice Vote YAYS: Brown Wilhelm, Donker, Wazbinski NAYS: Arnosky, Hall.)

SET PUBLIC HEARING FOR CDBG-CV BUDGET – COVID-19 PROPOSED GRANTS

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

WHEREAS, the City of Midland is estimated to receive \$132,247 in Community Development Block Grant (CDBG) funds for fiscal year 2020-2021 from the U.S. Department of Housing & Urban Development to be used for relief and recovery activities relating to the Coronavirus (COVID-19) pandemic; and

WHEREAS, these special CDBG-CV revenues must be programmed to activities that are eligible to be funded to support the infectious disease response; and

WHEREAS, on May 1, 2020, following a public hearing, the Housing Commission recommended approval of the first portion of activity funding proposed for the 2020-2021 CDBG-CV budget as set forth in the attached table (Attachment A); and

WHEREAS, it is necessary to provide a minimum of 5-day public comment period on the proposed budget in accordance with federal requirements; now therefore

RESOLVED, that a public hearing will be held by the Midland City Council on June 8, 2020 at 7:00 p.m. in the City Council Chambers, City Hall, 333 West Ellsworth Street, Midland, Michigan, or virtually due to social distancing guidelines as a result of the coronavirus pandemic, for the purpose of receiving public comment on the CDBG-CV budget; and

RESOLVED FURTHER, in the event the meeting on June 8, 2020 is held virtually, information on how to participate via phone or videoconference will be provided within the agenda posting for said meeting; and

RESOLVED FURTHER, that City staff is hereby directed to publish a notice of the public hearing by June 2, 2020.

Attachment A

CDBG-CV Proposed Budget

<u>Revenues</u>	<u>Estimated Amount</u>
Estimated HUD CDBG-CV Grant	\$ 132,247
<u>Expenditures</u>	<u>Proposed Budgeted Amount</u>
Planning/Administration	\$ 0
Public Services	
MidMichigan Health – Drive-Thru Testing	\$ 6,000
<u>MidMichigan Health – COVID Telehub</u>	<u>\$ 13,837.05</u>
Public Services	\$ 19,837.05
Total	\$ 19,837.05
<i>Remainder of CDBG-CV Grant</i>	<i>\$ 112,409.95</i>

(Motion ADOPTED by a Roll Call Voice Vote.)

SET PUBLIC HEARING FOR THE 2020 SIDEWALK IMPROVEMENT SPECIAL ASSESSMENT DISTRICT ROLL

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

WHEREAS, pursuant to the direction of the City Council, the City Assessor of said City of Midland has prepared and reported to the City Council the Assessment Roll covering and containing the proposed Special Assessments assessed and levied, respectively in the "2020 SIDEWALK IMPROVEMENT SPECIAL ASSESSMENT DISTRICT" as heretofore established for the proposed Sidewalk Improvement in said district, as designated in Resolutions heretofore adopted by the City Council; now therefore

RESOLVED, that the report concerning said improvements 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 that the City Council will meet in the City Hall, 333 W. Ellsworth or virtually due to social distancing guidelines as a result of the coronavirus pandemic, on Monday, June 8, at 7:00 p.m. to hear any objections or suggestions regarding the proposed improvements; and

RESOLVED FURTHER, in the event the meeting on June 8, 2020 is held virtually, information on how to participate via phone or videoconference will be provided within the agenda posting for said meeting; and

RESOLVED FURTHER, that the City Clerk give notice of said hearing by causing a copy of this Resolution to be published once in the Midland Daily News at least ten days prior to the date of June 8, 2020, and that the City Clerk also give notice of said hearing by letter to each property owner subject to Special Assessment by reason of said improvement, the addresses 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 the Public Acts of Michigan of 1962. (Motion ADOPTED by a Roll Call Voice Vote.)

Being no further business the meeting adjourned at 10:42 p.m.

Erica Armstrong, City Clerk