

May 23, 2022

A regular meeting of the City Council was held on Monday, May 23, 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 May 9, 2022 regular meeting was offered by Councilman Wazbinski and seconded by Councilman Brown Wilhelm. (Motion ADOPTED.)

LGBTQ+ PRIDE MONTH

Director of Community Affairs Selina Tisdale introduced Scott Ellis, Executive Director of Great Lakes Bay Pride. The following resolution was then offered by Councilman Hall and seconded by Councilman Brown Wilhelm:

RESOLVED, that the Mayor is authorized to issue the attached proclamation designating June 2022 as LGBTQ+ Pride Month in the city of Midland and urging residents to celebrate the Great Lakes Bay Pride's 20th anniversary with our members of the LGBTQ+ community. (Motion ADOPTED.) Mayor Donker presented Scott Ellis with the proclamation.

ACCEPTED OFFERED GIFT FROM THE ROLLIN M. GERSTACKER FOUNDATION

City Engineer Matt Lemon presented information on the repairs and roadway modification for Currie Parkway Bridge and introduced Bill Schuette of the Rollin M. Gerstacker Foundation and J. W. Fisher of Fisher Contracting. The following resolution was then offered by Councilman Arnosky and seconded by Councilman Brown Wilhelm:

WHEREAS, the Currie Parkway Bridge was traversed by an overweight commercial vehicle in October of 2021 and sustained damage to structural bridge members; and

WHEREAS, a full inspection of the bridge was performed by Great Lakes Engineering (GLE) which indicated several repairs and their cost estimates that were necessary to maintain safety before reopening the bridge to vehicular traffic; and

WHEREAS, it is desired that any repairs include provisions for discouraging future overweight vehicles passing over the bridge; and

WHEREAS, City Staff has prepared conceptual sketches and preliminary cost estimates for roadway modifications to discourage this future traffic; and

WHEREAS, the City Manager has worked directly with the Rollin M. Gerstacker Foundation to secure their support for these repairs and modifications, including the funding of those repairs and modifications; now therefore

RESOLVED, that City Council does accept the offered gift by the Rollin M. Gerstacker Foundation of the funds needed for the Currie Parkway Bridge restoration and allows City Staff together with the Gerstacker Foundation to move forward with detailed design drawings and estimates with the intent to implement roadway modifications and bridge repairs for the restoration of vehicular traffic along the Currie Parkway Bridge. The City of Midland will retain inspection and oversight of this project. (Motion ADOPTED.)

SPECIAL ASSESSMENT ROLL FOR THE “2022 DOWNTOWN ECONOMIC REVITALIZATION PUBLIC IMPROVEMENT SPECIAL ASSESSMENT DISTRICT”

City Assessor Kayla Ripley presented information on the special assessment roll for the “2022 Downtown Economic Revitalization Public Improvement Special Assessment District”. The public hearing opened at 7:42 p.m., recognizing no public comments, the hearing closed at 7:43 p.m. The following resolution was then offered by Councilman Hall 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 "2022 Downtown Economic Revitalization Public Improvement Special Assessment District ", as heretofore established, as should be paid upon the property therein especially benefited; and

WHEREAS, that the City Council 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 \$90,000.34 and that the total estimated cost of said improvements is \$90,000.34, 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 2022, and fifty (50) percent of said roll shall be collected during the year of 2023; 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, 2022, without interest, and fifty (50) percent of said roll on July 1, 2023, without interest. (Motion ADOPTED.)

2021-22 BUDGETS AND FINANCIAL WORKING PLANS AMENDMENT

Assistant City Manager David Keenan presented information on the proposed amendment to the 2021-22 City Budgets and Financial Working Plans. The public hearing opened at 8:08 p.m., recognizing no public comments, the hearing closed at 8:09 p.m. The following resolution was then offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky:

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, May 23, 2022 on the proposal to amend the 2021-22 budgets and financial working plans to reflect the estimates submitted during the 2022-23 budget process; now therefore

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

	FY2022	FY2022
	Current	Proposed
GENERAL FUND		
Property Taxes	\$ 29,980,472	\$ 29,956,320
Intergovernmental	11,326,029	11,778,360
Other revenues	5,240,303	6,207,891
Transfers from other funds	47,064	157,164
Sources of funds	\$ 46,593,868	\$ 48,099,735
General government	\$ 7,003,177	\$ 6,915,796
Public safety	21,192,719	21,056,771
Public works	2,976,781	3,262,050
Sanitation	4,168,652	4,288,834
Parks and recreation	7,572,040	7,894,446
Other functions	2,087,515	1,839,513
Capital projects	1,855,659	1,855,659
Contingency	355,500	200,000
Transfers to other funds	6,661,199	6,279,775
Total appropriations	53,873,242	53,592,844
<i>Change in fund balance</i>	\$ (7,279,374)	\$ (5,493,109)
MAJOR STREET FUND		
Sources of funds	\$ 9,335,411	\$ 9,671,084
Total appropriations	13,072,976	13,107,804
<i>Change in fund balance</i>	\$ (3,737,565)	\$ (3,436,720)
LOCAL STREET FUND		
Sources of funds	\$ 4,595,650	\$ 4,552,250
Total appropriations	5,455,207	5,262,533
<i>Change in fund balance</i>	\$ (859,557)	\$ (710,283)

	<u>Current</u>	<u>Proposed</u>
BROWNFIELD REDEVELOP AUTHORITY		
Sources of funds	\$ 410,362	\$ 400,100
Total appropriations	410,262	400,000
<i>Change in fund balance</i>	\$ 100	\$ 100
SMARTZONE		
Sources of funds	\$ 123,000	\$ 125,971
Total appropriations	100,500	100,500
<i>Change in fund balance</i>	\$ 22,500	\$ 25,471
CENTER CITY AUTHORITY FUND		
Sources of funds	\$ 23,560	\$ 1,245,498
Total appropriations	213,179	387,366
<i>Change in fund balance</i>	\$ (189,619)	\$ 858,132
STORM WATER MANAGEMENT FUND		
Sources of funds	\$ 1,467,642	\$ 1,413,703
Total appropriations	2,703,039	2,635,782
<i>Change in fund balance</i>	\$ (1,235,397)	\$ (1,222,079)
GRACE A. DOW LIBRARY FUND		
Sources of funds	\$ 5,762,725	\$ 5,505,693
Total appropriations	6,953,989	6,713,634
<i>Change in fund balance</i>	\$ (1,191,264)	\$ (1,207,941)
COMMUNITY DEVELOPMENT BLOCK GRANT FUND		
Sources of funds	\$ 529,416	\$ 876,466
Total appropriations	267,944	656,067
<i>Change in fund balance</i>	\$ 261,472	\$ 220,399
HOMELAND SECURITY GRANT PROGRAM		
Sources of funds	\$ -	\$ 1,374,143
Total appropriations	-	1,293,179
<i>Change in fund balance</i>	\$ -	\$ 80,964
SPECIAL ACTIVITIES FUND		
Sources of funds	\$ 141,050	\$ 141,050
Total appropriations	141,000	141,000
<i>Change in fund balance</i>	\$ 50	\$ 50
MIDLAND HOUSING FUND		
Sources of funds	\$ 2,160	\$ 9,810
Total appropriations	6,000	2,500
<i>Change in fund balance</i>	\$ (3,840)	\$ 7,310

	Current	Proposed
DIAL-A-RIDE FUND		
Sources of funds	\$ 2,892,917	\$ 2,651,731
Total appropriations	2,892,917	2,405,496
<i>Change in fund balance</i>	\$ -	\$ 246,235
MIDLAND COMMUNITY TELEVISION FUND		
Sources of funds	\$ 657,600	\$ 656,700
Total appropriations	856,839	734,579
<i>Change in fund balance</i>	\$ (199,239)	\$ (77,879)
DOWNTOWN DEVELOPMENT AUTHORITY FUND		
Sources of funds	\$ 1,272,113	\$ 1,270,644
Total appropriations	1,405,446	1,273,849
<i>Change in fund balance</i>	\$ (133,333)	\$ (3,205)
DEBT SERVICE FUND		
Sources of funds	\$ 1,743,099	\$ 1,742,924
Total appropriations	1,743,099	1,743,099
<i>Change in fund balance</i>	\$ -	\$ (175)
CIVIC ARENA FUND		
Sources of funds	\$ 1,357,900	\$ 1,452,926
Total appropriations	1,606,321	1,651,923
<i>Change in working capital</i>	\$ (248,421)	\$ (198,997)
LANDFILL FUND		
Sources of funds	\$ 4,129,920	\$ 4,445,400
Total appropriations	9,318,594	8,491,152
<i>Change in working capital</i>	\$ (5,188,674)	\$ (4,045,752)
WASHINGTON WOODS FUND		
Sources of funds	\$ 2,319,955	\$ 2,392,600
Total appropriations	2,639,748	2,505,686
<i>Change in working capital</i>	\$ (319,793)	\$ (113,086)
RIVERSIDE PLACE FUND		
Sources of funds	\$ 3,774,910	\$ 3,920,863
Total appropriations	6,590,067	7,784,904
<i>Change in working capital</i>	\$ (2,815,157)	\$ (3,864,041)

	Current	Proposed
CURRIE MUNICIPAL GOLF COURSE FUND		
Sources of funds	\$ 2,068,584	\$ 2,655,961
Total appropriations	2,176,420	2,309,463
<i>Change in working capital</i>	<i>\$ (107,836)</i>	<i>\$ 346,498</i>
PARKING FUND		
Sources of funds	\$ 181,200	\$ 172,830
Total appropriations	189,289	191,674
<i>Change in working capital</i>	<i>\$ (8,089)</i>	<i>\$ (18,844)</i>
WASTEWATER FUND		
Sources of funds	\$ 8,399,856	\$ 8,444,096
Total appropriations	10,545,611	10,124,986
<i>Change in working capital</i>	<i>\$ (2,145,755)</i>	<i>\$ (1,680,890)</i>
WATER FUND		
Sources of funds	\$ 13,357,020	\$ 13,074,042
Total appropriations	17,613,610	17,959,227
<i>Change in working capital</i>	<i>\$ (4,256,590)</i>	<i>\$ (4,885,185)</i>
STORES REVOLVING FUND		
Sources of funds	\$ 773,195	\$ 790,195
Total appropriations	1,345,549	1,380,049
<i>Change in working capital</i>	<i>\$ (572,354)</i>	<i>\$ (589,854)</i>
INFORMATION SERVICES FUND		
Sources of funds	\$ 1,094,200	\$ 1,093,500
Total appropriations	1,342,779	1,289,972
<i>Change in working capital</i>	<i>\$ (248,579)</i>	<i>\$ (196,472)</i>
FACILITIES MAINTENANCE		
Sources of funds	\$ 179,198	\$ 179,798
Total appropriations	194,198	181,249
<i>Change in working capital</i>	<i>\$ (15,000)</i>	<i>\$ (1,451)</i>
EQUIPMENT REVOLVING FUND		
Sources of funds	\$ 6,205,553	\$ 6,102,054
Total appropriations	7,164,357	7,174,252
<i>Change in working capital</i>	<i>\$ (958,804)</i>	<i>\$ (1,072,198)</i>
MUNICIPAL SERVICE CENTER FUND		
Sources of funds	\$ 447,013	\$ 447,013
Total appropriations	416,772	393,140
<i>Change in working capital</i>	<i>\$ 30,241</i>	<i>\$ 53,873</i>

	Current	Proposed
MUNICIPAL SERVICE ANNEX FUND		
Sources of funds	\$ 89,127	\$ 89,127
Total appropriations	51,492	54,776
<i>Change in working capital</i>	\$ 37,635	\$ 34,351
PROPERTY AND LIABILITY INSURANCE FUND		
Sources of funds	\$ 1,205,802	\$ 1,341,891
Total appropriations	1,342,557	1,478,831
<i>Change in working capital</i>	\$ (136,755)	\$ (136,940)
HEALTH INSURANCE FUND		
Sources of funds	\$ 11,144,500	\$ 10,753,500
Total appropriations	11,672,872	11,409,442
<i>Change in working capital</i>	\$ (528,372)	\$ (655,942)
SPECIAL ASSESSMENT REVOLVING FUND		
Sources of funds	\$ 46,064	\$ 6,164
Total appropriations	-	6,164
<i>Change in working capital</i>	\$ 46,064	-

(Motion ADOPTED.)

PUBLIC COMMENT

No public comments were made.

SEWER ORDINANCE (1ST READING)

Director of Wastewater Services Jared Driscoll presented the proposed amendments to Article III of Chapter 28 of the Code of Ordinances. No Action Taken.

FY 2022-23 CITY BUDGET

Assistant City Manager David Keenan presented information on the 2022-2023 City of Midland Budget. The following resolution was then offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky:

WHEREAS, a public hearing on the 2022-2023 budget was held on Monday, May 9, 2022, 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 \$2,174,297,175 plus \$20,425,100 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, 2022 and ending June 30, 2023 is hereby determined and adopted as follows:

	2023
	Adopted
GENERAL FUND	
Property taxes	\$ 30,990,596
Intergovernmental	11,216,969
Other revenues	5,698,552
Transfers from other funds	46,700
<i>Total Sources of Funds</i>	<u>\$ 47,952,817</u>
General government	\$ 7,149,498
Public safety	21,167,884
Public works	3,117,430
Sanitation	4,701,198
Parks and recreation	7,360,384
Other functions	2,390,475
Capital projects	260,000
Contingencies	400,000
Transfers to other funds	6,457,171
<i>Total Appropriations</i>	<u>53,004,040</u>
<i>Change in fund balance</i>	<u>\$ (5,051,223)</u>
MAJOR STREET FUND	
Sources of Funds	\$ 9,987,334
Total appropriations	11,241,235
<i>Change in fund balance</i>	<u>\$ (1,253,901)</u>
LOCAL STREET FUND	
Sources of Funds	\$ 4,607,420
Total appropriations	6,051,814
<i>Change in fund balance</i>	<u>\$ (1,444,394)</u>

BROWNFIELD REDEVELOPMENT FINANCING AUTHORITY FUND	
Sources of Funds	\$ 410,100
Total appropriations	410,000
<i>Change in fund balance</i>	<u>\$ 100</u>
SMARTZONE FUND	
Sources of Funds	\$ 123,000
Total appropriations	100,500
<i>Change in fund balance</i>	<u>\$ 22,500</u>
CENTER CITY AUTHORITY FUND	
Sources of Funds	\$ 3,495,583
Total appropriations	4,598,085
<i>Change in fund balance</i>	<u>\$ (1,102,502)</u>
STORM WATER MANAGEMENT FUND	
Sources of Funds	\$ 3,074,524
Total appropriations	3,469,245
<i>Change in fund balance</i>	<u>\$ (394,721)</u>
GRACE A. DOW LIBRARY FUND	
Sources of Funds	\$ 4,594,376
Total appropriations	4,604,385
<i>Change in fund balance</i>	<u>\$ (10,009)</u>

	<u>2023 Adopted</u>
COMMUNITY DEVELOPMENT BLOCK GRANT FUND	
Sources of Funds	\$ 5,947,751
Total appropriations	<u>5,947,751</u>
Change in fund balance	<u>\$ -</u>
HOMELAND SECURITY GRANT PROGRAM	
Sources of Funds	\$ 640,227
Total appropriations	<u>640,227</u>
Change in fund balance	<u>\$ -</u>
SPECIAL ACTIVITIES FUND	
Sources of Funds	\$ 141,050
Total appropriations	<u>141,000</u>
Change in fund balance	<u>\$ 50</u>
MIDLAND HOUSING FUND	
Sources of Funds	\$ 377,660
Total appropriations	<u>378,000</u>
Change in fund balance	<u>\$ (340)</u>
DIAL-A-RIDE FUND	
Sources of Funds	\$ 3,167,758
Total appropriations	<u>3,167,758</u>
Change in fund balance	<u>\$ -</u>
MIDLAND COMMUNITY TELEVISION FUND	
Sources of Funds	\$ 632,380
Total appropriations	<u>800,699</u>
Change in fund balance	<u>\$ (168,319)</u>
DOWNTOWN DEVELOPMENT AUTHORITY FUND	
Sources of Funds	\$ 1,295,979
Total appropriations	<u>1,339,348</u>
Change in fund balance	<u>\$ (43,369)</u>
DEBT SERVICE FUND	
Sources of Funds	\$ 1,553,450
Total appropriations	<u>1,553,450</u>
Change in fund balance	<u>\$ -</u>
CIVIC ARENA FUND	
Sources of Funds	\$ 1,817,000
Total appropriations	<u>2,046,748</u>
Change in working capital	<u>\$ (229,748)</u>
LANDFILL FUND	
Sources of Funds	\$ 5,294,256
Total appropriations	<u>5,381,506</u>
Change in working capital	<u>\$ (87,250)</u>
WASHINGTON WOODS FUND	
Sources of Funds	\$ 2,010,920
Total appropriations	<u>2,257,374</u>
Change in working capital	<u>\$ (246,454)</u>

	2023
	Adopted
RIVERSIDE PLACE FUND	
Sources of Funds	\$ 3,237,000
Total appropriations	<u>2,277,004</u>
<i>Change in working capital</i>	<u>\$ 959,996</u>
CURRIE MUNICIPAL GOLF COURSE FUND	
Sources of Funds	\$ 1,775,478
Total appropriations	<u>1,333,572</u>
<i>Change in working capital</i>	<u>\$ 441,906</u>
PARKING FUND	
Sources of Funds	\$ 197,120
Total appropriations	<u>204,679</u>
<i>Change in working capital</i>	<u>\$ (7,559)</u>
WASTEWATER FUND	
Sources of Funds	\$ 23,684,208
Total appropriations	<u>22,541,371</u>
<i>Change in working capital</i>	<u>\$ 1,142,837</u>
WATER FUND	
Sources of Funds	\$ 14,553,454
Total appropriations	<u>15,034,293</u>
<i>Change in working capital</i>	<u>\$ (480,839)</u>
STORES REVOLVING FUND	
Sources of Funds	\$ 814,195
Total appropriations	<u>764,037</u>
<i>Change in working capital</i>	<u>\$ 50,158</u>
INFORMATION SERVICES FUND	
Sources of Funds	\$ 1,068,960
Total appropriations	<u>1,437,305</u>
<i>Change in working capital</i>	<u>\$ (368,345)</u>
FACILITIES MANAGEMENT FUND	
Sources of Funds	\$ 200,000
Total appropriations	<u>197,130</u>
<i>Change in working capital</i>	<u>\$ 2,870</u>
EQUIPMENT REVOLVING FUND	
Sources of Funds	\$ 6,295,694
Total appropriations	<u>4,794,301</u>
<i>Change in working capital</i>	<u>\$ 1,501,393</u>
MUNICIPAL SERVICE CENTER FUND	
Sources of Funds	\$ 460,388
Total appropriations	<u>362,227</u>
<i>Change in working capital</i>	<u>\$ 98,161</u>
MUNICIPAL SERVICE ANNEX FUND	
Sources of Funds	\$ 32,976
Total appropriations	<u>33,916</u>
<i>Change in working capital</i>	<u>\$ (940)</u>

	2023
	Adopted
PROPERTY AND LIABILITY INSURANCE FUND	
Sources of Funds	\$ 835,670
Total appropriations	<u>952,255</u>
<i>Change in working capital</i>	<u>\$ (116,585)</u>
 HEALTH INSURANCE FUND	
Sources of Funds	\$ 11,205,000
Total appropriations	<u>11,500,980</u>
<i>Change in working capital</i>	<u>\$ (295,980)</u>
 SPECIAL ASSESSMENT REVOLVING FUND	
Sources of Funds	\$ 45,700
Total appropriations	<u>45,700</u>
<i>Change in working capital</i>	<u>\$ -</u>

; and

RESOLVED FURTHER, that the City Assessor is hereby authorized and instructed to levy 12.3396 mills for operations, 0.5207 mills for storm water operations, 1.0000 mill for library operations, and 1.2782 mills for public safety pension, a total of 15.1385 mills, on the taxable value of the various classes of property in the City of Midland on the 2022 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 2021 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, 2022, the General Fund's fund balance shall include \$5,051,223 as a Committed Fund Balance for Future Year Expenditures and \$7,920,482 as a Committed Fund Balance for Budget Stabilization; and RESOLVED FURTHER, that for the City's fiscal year ending June 30, 2022, 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 2022-2023 budgets and financial working plans, providing that: 1) there is sufficient remaining budget in 2021-2022, 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, 2022. (Motion ADOPTED.)

2022 SIDEWALK IMPROVEMENT PROGRAM

City Engineer Matt Lemon presented information on 2022 Sidewalk Improvement Program. John Elsen 6106 Sturgeon Creek Pkwy spoke on the Sidewalk Improvement Program.

DUBLIN AVE. FROM SAGINAW RD. TO SOUTH OF AMBERWOOD CT.

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

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

Dublin Avenue (West side) from Saginaw Road to south of Amberwood Court and has heretofore established one special assessment district which is to be known as the "2022 SIDEWALK IMPROVEMENT SPECIAL ASSESSMENT DISTRICT" and has heretofore ordered due notice that it would meet on the 9th day of May, 2022, 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, 2022, 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 "2022 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 forty one thousand five hundred fourteen dollars and twenty five cents (\$41,514.25); 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 thirteen thousand forty six dollars and twenty five cents (\$13,046.25) and that all other costs and expenses of said improvement amounting to twenty eight thousand four hundred sixty eight dollars and zero cents (\$28,468.00) 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 owners of property located on the above described street the opportunity of causing their own sidewalks to be constructed at their own expense; now therefore

RESOLVED, that the City Council does hereby determine that all sidewalks to be constructed by property owners shall be completed on or before August 31, 2022, 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 August 31, 2022, and that said agreement is received by City Council for approval at their June 13, 2022 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 "2022 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.

RESOLVED FURTHER, that the City Assessor of said City be and hereby is directed to schedule a Public Hearing for said Special Assessment Roll, for said "2022 SIDEWALK IMPROVEMENT SPECIAL ASSESSMENT DISTRICT", as heretofore established by the Council, to be held at the regular City Council meeting on June 20, 2022. (Motion ADOPTED.)

3545 E. ASHMAN ST.

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

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

E. Ashman Street (North side) fronting 3545 E. Ashman Street

and has heretofore established one special assessment district which is to be known as the "2022 SIDEWALK IMPROVEMENT SPECIAL ASSESSMENT DISTRICT" and has heretofore ordered due notice that it would meet on the 9th day of May, 2022, 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, 2022, 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 "2022 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 three thousand nine hundred ninety three dollars and twenty five cents (\$3,993.25); 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 one thousand five hundred forty one dollars and twenty five cents (\$1,541.25) and that all other costs and expenses of said improvement amounting to two thousand four hundred fifty two dollars and zero cents (\$2,452.00) 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 owners of property located on the above described street the opportunity of causing their own sidewalks to be constructed at their own expense; now therefore

RESOLVED, that the City Council does hereby determine that all sidewalks to be constructed by property owners shall be completed on or before August 31, 2022, 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 August 31, 2022, and that said agreement is received by City Council for approval at their June 13, 2022 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 "2022 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.

RESOLVED FURTHER, that the City Assessor of said City be and hereby is directed to schedule a Public Hearing for said Special Assessment Roll, for said "2022 SIDEWALK IMPROVEMENT SPECIAL ASSESSMENT DISTRICT", as heretofore established by the Council, to be held at the regular City Council meeting on June 20, 2022. (Motion ADOPTED.)

4525 W. MAIN ST.

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

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

W. Main Street (West side) fronting 4525 W. Main Street
and has heretofore established one special assessment district which is to be known as the "2022 SIDEWALK IMPROVEMENT SPECIAL ASSESSMENT DISTRICT" and has heretofore ordered due notice that it would meet on the 9th day of May, 2022, 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, 2022, 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 "2022 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 twelve thousand four hundred sixty one dollars and fifty cents (\$12,461.50); 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 three thousand five hundred fifty seven dollars and fifty cents (\$3,557.50) and that all other costs and expenses of said improvement amounting to eight thousand nine hundred four dollars and zero cents (\$8,904.00) 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 owners of property located on the above described street the opportunity of causing their own sidewalks to be constructed at their own expense; now therefore

RESOLVED, that the City Council does hereby determine that all sidewalks to be constructed by property owners shall be completed on or before August 31, 2022, 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 August 31, 2022, and that said agreement is received by City Council for approval at their June 13, 2022 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 "2022 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.

RESOLVED FURTHER, that the City Assessor of said City be and hereby is directed to schedule a Public Hearing for said Special Assessment Roll, for said "2022 SIDEWALK IMPROVEMENT SPECIAL ASSESSMENT DISTRICT", as heretofore established by the Council, to be held at the regular City Council meeting on June 20, 2022. (Motion ADOPTED.)

6003 DUBLIN AVE.

No action taken.

WALDO AVE. FROM E. PATRICK TO SOUTH OF EASTLAWN DR.

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

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

Waldo Avenue (East side) from E. Patrick Road to south of Eastlawn Drive and has heretofore established one special assessment district which is to be known as the "2022 SIDEWALK IMPROVEMENT SPECIAL ASSESSMENT DISTRICT" and has heretofore ordered due notice that it would meet on the 9th day of May, 2022, 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, 2022, 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 "2022 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 eighty three thousand eight hundred seventy six dollars and fifty cents (\$83,876.50); 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 two thousand one hundred thirty two dollars and fifty cents (\$32,132.50) and that all other costs and expenses of said improvement amounting to fifty one thousand seven hundred forty four dollars and zero cents (\$51,744.00) 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 owners of property located on the above described street the opportunity of causing their own sidewalks to be constructed at their own expense; now therefore

RESOLVED, that the City Council does hereby determine that all sidewalks to be constructed by property owners shall be completed on or before August 31, 2022, 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 August 31, 2022, and that said agreement is received by City Council for approval at their June 13, 2022 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 "2022 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.

RESOLVED FURTHER, that the City Assessor of said City be and hereby is directed to schedule a Public Hearing for said Special Assessment Roll, for said “2022 SIDEWALK IMPROVEMENT SPECIAL ASSESSMENT DISTRICT”, as heretofore established by the Council, to be held at the regular City Council meeting on June 20, 2022. (Motion ADOPTED.)

TRAFFIC CONTROL ORDER NO. S-22-01

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

RESOLVED, that Traffic Control Order No. S-22-01 filed March 3, 2022 pursuant to Chapter 24 of the Code of Ordinances to establish traffic control as follows:

That the current all-way stop control at the intersection of Chapel Ln. and Wanetah Dr. shall be changed to traffic along Wanetah Dr. stopping for traffic along Chapel Ln. The existing stop signs along Chapel Ln. at this intersection shall be removed.

Further, should this traffic control order become permanent, that previous Traffic Control Orders for stop control at this intersection be rescinded.
is hereby made permanent. (Motion ADOPTED.)

2021 PLANNING COMMISSION ANNUAL REPORT

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

WHEREAS, the City Planning Commission has documented the activity the body handled during the 2021 calendar year in an annual report; and

WHEREAS, the Planning Commission has submitted its approval of 2021 Annual Report to City Council; now therefore

RESOLVED, that the City Council receives and files the 2021 Planning Commission Annual Report. (Motion ADOPTED.)

BOARDS AND COMMISSIONS APPOINTMENTS AND REAPPOINTMENTS

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

WHEREAS, City staff has contacted all boards and commissions members whose terms expire June 30, 2022, to confirm their interest in being reappointed and has provided City Council with said information; now therefore

RESOLVED, that the City Council hereby reappoints the following incumbents to the following boards and commissions effective July 1, 2022 for three (3) year terms ending June 30, 2025:

James Pollack, Aviation Advisory Commission, Citizen at Large

David Dziedzic, Cable Access Advisory Commission, Midland Public Schools Representative

Brandon Guiles, Cable Access Advisory Commission, Citizen at Large

Grant Helms, International Fire Code Board of Appeals, Code Professional

Julie Hyatt, Library Board, Citizen at Large

Darren Bartle, Parks and Recreation Commission, Citizen at Large

Ares Varela, Parks and Recreation Commission, Citizen at Large

Jamie Broderick, Planning Commission, Citizen at Large

Mike Storey, West Main Street Historic District Commission, Historical Society Rep

Randall Swierzbis, West Main Street Historic District Commission, Historical Society Rep

Meaghan Woodward, West Main Street Historic District Commission, Citizen at Large

Roger Mead, Zoning Board of Appeals, Full Member; and

RESOLVED FURTHER, that City Council hereby reappoints Randall Frank to the Board of Review for a three (3) year term effective immediately and ending April 30, 2025; and
RESOLVED FURTHER, that City Council confirms the City Manager's reappointment of Linda Barth and Jeff Gandy to the Center City Authority for a four (4) year term effective July 1, 2022 and ending June 30, 2026; and
RESOLVED FURTHER, that City Council confirms the City Manager's reappointment of Jonathan Lauderbach and Chris Moultrup to the Downtown Development Authority for a four (4) year term effective immediately and ending May 1, 2026; and
RESOLVED FURTHER, that City Council hereby appoints Meki Craig as a citizen-at-large member of the Planning Commission for an unexpired term ending June 30, 2022 and for a three (3) year term effective July 1, 2022 and ending June 30, 2025; and
RESOLVED FURTHER, that City Council hereby appoints Nathan McCoy as a citizen-at-large member of the Planning Commission to a three (3) year term effective July 1, 2022 and ending June 30, 2025; and
RESOLVED FURTHER, that City Council hereby appoints Jillian McCoy as a citizen-at-large member of the Parks and Recreation Commission to a three (3) year term effective July 1, 2022 and ending June 30, 2025. (Motion ADOPTED.)

CENTER CITY REDEVELOPMENT PLAN: S. SAGINAW RD. STREETScape

Director of Community Affairs Selina Tisdale presented on the Center City Redevelopment Plan. John Elsen, 6106 Sturgeon Creek Parkway spoke in opposition. The following resolution was offered by Councilman Wazbinski and seconded by Councilman Hall:

WHEREAS, on August 5, 2019, Midland City Council approved the pursuit of funding and design development for Phase One of the Center City Redevelopment Plan: S. Saginaw Road Streetscape, Dartmouth to Patrick Road; and
WHEREAS, the \$5.2 million project includes the construction of eight-foot sidewalks to improve the safety of biking and walking, a planted buffer between the sidewalk and roadway, consistent street trees and enhanced motorist and pedestrian lighting; and
WHEREAS, on September 13, 2021, Midland City Council allocated \$1,000,000 from the Midland County Road Millage to the S. Saginaw Road Streetscape project; and
WHEREAS, an additional \$15,000 in funding is necessary to complete a \$500,000 challenge grant from the Dow Company Foundation; now, therefore
RESOLVED, Midland City Council hereby allocates an additional \$15,000 in funding from the Midland County Road Millage to the S. Saginaw Road Streetscape project. (Motion ADOPTED.)

SOCIAL DISTRICT PERMIT

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

WHEREAS Under Public Act 124 of 2020 Midland City Council designated the boundaries of Downtown Midland as a Social District with an identified Commons Area; and
WHEREAS, seven businesses were recommended to the Michigan Liquor Control Commission (MLCC) for Social District Permit approval; and
WHEREAS, a newly-licensed business, Aster, LLC located at 134 Ashman Street now qualifies as a business to be recommended for approval of a Social District Permit application by the Michigan Liquor Control Commission; and
WHEREAS, the licensed premises of Aster is contiguous to the Commons Area within the designated Social District; and
WHEREAS, Midland City Council desires to recommend approval of the Social District Permit application of Aster, LLC; now therefore

RESOLVED that the Social District Permit application from Aster, LLC, 134 Ashman Street, Midland, MI is recommended by Midland City Council for consideration and approval by the Michigan Liquor Control Commission; and
RESOLVED FURTHER, that the City Clerk is authorized and directed to provide Aster LLC with a certification of this action in the form specified by the Michigan Liquor Control Commission. (Motion ADOPTED.)

TRAFFIC ANALYSIS OF ASHMAN ST AND RODD ST

City Engineer Matt Lemon presented on the proposed contract for Professional Services for the Two-Way Traffic Restoration of Ashman Street and Rodd Street. Director of Community Affairs Selina Tisdale spoke on the proposed contract. The original resolution was then offered by Councilman Wazbinski and seconded by Councilman Hall. Following discussion Councilman Brown Wilhelm motioned, seconded by Councilman Wazbinski to amend the resolution with the additional provision directing that written verification be received from OHM Advisors that the contract provides for the analysis of existing advantages and disadvantages of all road options as part of the project scope. (Motion to Amend ADOPTED.)

WHEREAS, sealed proposals have been advertised and none were received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for professional services related to the proposed two-way traffic restoration of Ashman Street and Rodd Street; and

WHEREAS, funding for this project is provided jointly by the Major Street Fund, the Local Street Fund and the General Fund; and

WHEREAS, these professional services are time-sensitive in that the final report and recommendations will be used in directing the Michigan Department of Transportation (MDOT) as to the City's wishes for the intersections of Ashman Street and Rodd Street with Indian Street and Buttles Street for incorporation into MDOT's design of the Indian and Buttles corridors; and

WHEREAS, the timeframe required for inclusion in MDOT's design schedule makes it impractical to re-bid this project; now therefore

RESOLVED, that the proposal requested and submitted directly by OHM Advisors of Midland, MI for the "Professional Services for the Two-Way Traffic Restoration of Ashman Street and Rodd Street" in the amount of \$44,000 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 \$5,000.00, and allows a purchase order for the above-referenced project to be issued.

RESOLVED FURTHER, that written verification be received from OHM Advisors that the contract provides for the analysis of existing advantages and disadvantages of all road options as part of the project scope. (Motion ADOPTED.)

APPROVE PURCHASE ORDER INCREASE - LANDFILL HOUSEHOLD HAZARDOUS WASTE COLLECTION

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

WHEREAS, Midland County has a Solid Waste Management Plan, mandated by the State of Michigan under Public Act 451 Part 115 rules, which requires household hazardous waste (HHW) collections to protect the environment and human health at no charge to the resident; and

WHEREAS, the City of Midland Landfill and Midland County Health Department partner to provide these services through certified HHW collection and disposal companies, where the County handles appointment scheduling with residents and personnel at the collection events while the Landfill provides the facility and fund for the program; and

WHEREAS, a purchase order was created administratively for \$27,000 to ERG Environmental Services low bid from last year's multi-year Bid No. 4150, dated March 2, 2021 that only received two bidders, expiring March 2, 2024; and
WHEREAS, the Landfill has spent \$26,472.50 for the three HHW collection events this fiscal year to date based on current bid unit pricing, and a purchase order increase of \$10,000 is necessary to ensure adequate funding for the final collection this fiscal year scheduled for June 15, 2022; and
WHEREAS, funding has been made available for this purpose in the FY 2021-22 Landfill Operating Budget; now therefore
RESOLVED, that the Accounting Manager is authorized to increase PO # 2022-00000036 to ERG Environmental Solutions of Livonia, Michigan by \$10,000 bringing the total purchase order amount to \$37,000 for household hazardous waste collection services. (Motion ADOPTED.)

APPROVE PURCHASE ORDER INCREASE – SIDEWALK AND CONCRETE WORK

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

WHEREAS, City Council awarded Bid No. 4096 2020-21 Sidewalk Replacement Program to Northwood Concrete of Midland, Michigan at their June 22, 2020 meeting; and
WHEREAS, the bid specifications allowed for the contract to be extended on a year by year basis up to three additional years if the renewal is agreed upon by both parties and Council approved an extension for FY 2021-22 with PO # 2022-00001442 for \$97,500 at their June 14, 2021 meeting; and
WHEREAS, Northwood Concrete has performed additional concrete work for the City utilizing the bid's unit pricing for concrete work for projects in various City parks which has used up a portion of the approved purchase order capacity; and
WHEREAS, in order to complete the sidewalk repair work and park projects remaining for the balance of this fiscal year, it is necessary to increase the existing purchase allowance to cover the remaining expenses associated with said work; and
WHEREAS, there is adequate funding for this work included in the FY 2021-22 General Fund budget for sidewalk repair and park improvement projects; now therefore
RESOLVED, that the Accounting Manager is hereby authorized to increase the purchase allowance to Northwood Concrete of Midland, Michigan not to exceed \$135,000 for sidewalk repair and park concrete work for the remainder of FY 2021-22. (Motion ADOPTED.)

OFF-SITE FUELING OF CITY FLEET VEHICLES

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

WHEREAS, City fleet's main fueling system at the Municipal Service Center (MSC) is currently being replaced, requiring all City vehicles that routinely utilize the MSC's fueling station to purchase fuel offsite for the duration of the project; and
WHEREAS, the City of Midland is eligible to use the State of Michigan's MiDEAL cooperative purchasing agreement to participate in the WEX Fuel Card program that issues fuel cards for offsite purchasing of both unleaded gasoline and diesel fuel for City fleet vehicles at Speedway and Pacific Pride locations in Midland; and
WHEREAS, it is estimated that fuel costs will not exceed \$150,000 for City vehicles while the MSC fueling system is being replaced; now therefore
RESOLVED, that the Accounting Manager is authorized to issue a purchase order to MiDEAL's selected off-site fueling program vendor, WEX Bank of Carol Stream, Illinois, not to exceed \$150,000 for the purchase of fuel from Speedway and Pacific Pride locations in Midland as specified by the City Fleet Manager until the MSC's fueling system is brought back online. (Motion ADOPTED.)

FIRE HYDRANTS, BID NO. 4246

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

WHEREAS, sealed bids for Bid 4246, Fire Hydrants, have been advertised and received in accord with Section 2-18 of the Midland Code of Ordinances; and
WHEREAS, staff considers the low bid received from Core & Main of Shelby Township, MI to be acceptable, and recommends award for the inventory purchase of 16 fire hydrants; and
WHEREAS, funds are available in the 2021/22 Water Fund budget; now therefore
RESOLVED, that the low bid submitted by Core & Main of Shelby Township, MI, in the amount of \$58,978.64, is hereby accepted and a purchase order is authorized; and
RESOLVED FURTHER, that the City Manager is authorized to approve changes to the purchase order in an amount not to exceed \$5,000.00. (Motion ADOPTED.)

SET PUBLIC HEARING – MIDLAND HOUSING FUND 2021-22

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

RESOLVED that in accord with Section 11.6 of the Charter of the City of Midland, a public hearing shall be conducted on Monday June 20, 2022 at 7:00 p.m. in the City Council Chambers, City Hall, 333 West Ellsworth Street, Midland, Michigan, for the purpose of considering the proposal to amend the 2021-22 Midland Housing Fund by increasing revenues and expenditures by \$50,000 to provide budgetary authorization to fund price increases associated with the Building Trades School Project home. (Motion ADOPTED.)

ZONING PETITION NO. 638

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

WHEREAS, a public hearing was held by the Planning Commission on Tuesday, May 10, 2022 for property located at 1320 & 1400 W 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 B Multiple Family Residential to COM Community zoning; now therefore
RESOLVED, that notice is hereby given that a public hearing will be held by the City Council on Monday, June 20, 2022, 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, 2022, and to publish said notice on May 28, 2022.

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 A RB

RESIDENTIAL B MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICTS 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 15 AND BEG AT NW COR OF LOT 15 N 10 FT E 63 FT S 90.04 FT TO S LN OF LOT 11 W 10 FT SWLY TO SE COR OF LOT 15 STURGEON RD ASSRS PLAT AND THAT PART OF LOT 10 STURGEON RD ASSRS PLAT DESCRIBED AS BEG 53 FT E OF SW COR OF LOT 10 TH W 53 FT NELY ALG W LN OF LOT 10 27 FT TH SELY TO POB (1998 SPLIT HAS NOT BEEN APPROVED BY PLANNING DEPT) and BEG AT A PT 45.62 FT SW OF THE NE COR OF LOT 16 STURG RD ASSRS PLAT, SWLY ALG E LOT LN TO NE LN OF W MAIN ST, NWLY 76.66 FT NELY TO PT ON N LOT LN 75 FT W FROM BEG, THE SWLY TO POB

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.)

Being no further business the meeting adjourned at 9:56 p.m.

Lacey Todd, City Clerk