

August 10, 2020

A regular electronic meeting of the City Council was held on Monday, August 10, 2020, at 7:00 p.m. online via <https://zoom.us/join>, with Webinar ID: 878 4728 8963 ~ Password: 973161. 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 July 27, 2020 regular electronic meeting was offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky. (Motion ADOPTED by a Roll Call Voice Vote.)

## **2020-2021 GENERAL FUND BUDGET AMENDMENT THRONE PARK MAINTENANCE**

Director of Public Services Karen Murphy presented information regarding the gift from the Charles J. Strosacker Foundation and related budget amendment for Throne Park maintenance. A public hearing opened at 7:12 p.m., recognizing no public comments, the hearing closed at 7:13 p.m. The following resolution was then offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky:

WHEREAS, that in accordance with Section 11.6 of the Charter of the City of Midland, a public hearing has been conducted at 7:00 p.m., Monday, August 10, 2020, in the Council Chambers of City Hall, or virtually due to social distancing guidelines as a result of the coronavirus pandemic; and

WHEREAS, a generous gift of \$29,500 has been offered to the City from the Charles J. Strosacker Foundation for Throne Park maintenance improvements; now therefore

RESOLVED, that City Council accepts the generous gift from the Charles J. Strosacker Foundation and extends their appreciation for the Foundation's continued support of Throne Park; and

RESOLVED FURTHER, that the 2020-21 General Fund budget is hereby amended to increase revenues and expenditures by \$29,500 to recognize the gift and allow the improvements to be made at Throne Park. (Motion ADOPTED by a Roll Call Voice Vote.)

## **ZONING TEXT AMENDMENT NO. 161 – SITE PLAN REVIEW PROCESS**

Director of Planning and Community Development Grant Murschel presented information on the proposed amendments to the site plan review process. A public hearing opened at 8:02 p.m., Tony Stamas, President and CEO of the Midland Business Alliance, spoke in favor of the proposed amendment. Mike Cronenberger, 6208 Pebble Stone Dr., Ron Parmele, 5415 Walbridge Ln., Nancy Carney, 1002 W. Park Dr., Nancy Janoch, 1806 Wyllys St., Eric Anders, 1408 Lee St., Jan Lanter, 5811 Stillwater Ln. Cindy Weir, 900 Crescent Dr., spoke in opposition to the proposed amendments The public hearing closed at 8:34 p.m.

## **PUBLIC COMMENT**

Eric Anders, 1408 Lee St. inquired about if item #5 was removed from the consent agenda and when it would be addressed.

## **SITE PLAN NO. 402**

Director of Planning and Community Development Grant Murschel presented information on the proposed site plan of an 11,200 sq. ft. addition to the existing self-storage facility located at 5911 Stark Road. The petitioner, Jason Backus commented regarding the proposed site plan. 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. 402, initiated by William A. Kibbe & Assoc., for site plan review and approval of an 11,200 sq. ft. addition to the existing self-storage facility located at 5911 Stark Road; and

WHEREAS, the City Council has reviewed the proposed Site Plan No. 402 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. 402, contingent upon the following:

1. A final stormwater management plan and permit amendment 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.)

### **WATER SERVICE AGREEMENTS**

Director of Water Services Peter Schwarz presented information regarding the proposed authorization to amend water service agreements. The following resolution was then offered by Councilman Wazbinski and seconded by Councilman Brown Wilhelm:

WHEREAS, the City of Midland has previously entered into water service agreements with the surrounding communities; and

WHEREAS, these water service agreements have been amended numerous times over the years to accommodate service requests from individual property owners; and

WHEREAS, the City of Midland has recently received additional requests for water service connections and expects to receive more in the future; and

WHEREAS, in most situations, the City desires to grant these requests in a timely manner; and

WHEREAS, it is not in the best interest of City Council, the respective Township and the impacted property owner to be delayed by the need for individual review and approval of each of these requests; now therefore

RESOLVED, that the Mayor and City Clerk, subject to final review and approval by the City Attorney, are hereby authorized to execute amendments to the existing Water Service Agreements between the City of Midland and surrounding communities in order to provide water service to properties which do not otherwise have access to City water from their respective townships; and

RESOLVED FURTHER that such agreements shall be authorized to the extent that they permit only one connection per parcel having direct frontage on a common township boundary road with such connection being not more than 1500 feet of depth into the property from the curb box, and that no increase of water connections be permitted. (Motion ADOPTED by a Roll Call Voice Vote.)

### **PURCHASE OF POLICE VEHICLES**

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

WHEREAS, competitive bids for light duty vehicles are solicited by the Macomb County Cooperative Purchasing Program on a bi-annual basis and the City of Midland is authorized to make purchases from this cooperative purchasing program; and

WHEREAS, sufficient funding for the purchase of three Police patrol cars and one Police community relations vehicle are included in the FY 2020/21 Equipment Revolving Fund Capital Outlay account as replacements for existing aging, high maintenance units utilized by the Police Department; now therefore

RESOLVED, that the Accounting Manager is authorized to issue a purchase order to Macomb County's selected vendor, Signature Ford of Owosso, Michigan, in the amount of \$131,379.00 for the purchase of three Police patrol cars and one Police community relations vehicle, all in

accordance with the associated cooperative purchasing program's proposals and specifications. (Motion ADOPTED by a Roll Call Voice Vote.)

### **PURCHASE OF DUMP TRUCKS WITH SNOW AND ICE REMOVAL EQUIPMENT**

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

WHEREAS, the Department of Public Services has two front line single axle snow/ice removal trucks in need of replacement; and

WHEREAS, to replace such a unit requires the purchase of a truck chassis from one vendor with the purchase and installation of the associated snow/ice removal equipment from a separate vendor; and

WHEREAS, competitive bids for heavy duty trucks are solicited by the State of Michigan's Extended Purchasing Program on a bi-annual basis and the City of Midland is authorized to make purchases from this cooperative purchasing program; and

WHEREAS, competitive bids for snow/ice removal equipment were solicited by the City of Rochester Hills, Michigan on behalf of the City of Midland under a cooperative purchasing agreement; and

WHEREAS, sufficient funding for the purchase of two single axle dump trucks with snow/ice removal equipment is included in the FY 2020/21 Equipment Revolving Fund Capital Outlay account as a replacement for two existing aging, high maintenance units; now therefore

RESOLVED, that the Accounting Manager is authorized to issue purchase orders to the State of Michigan's selected vendor, D&K Truck Company of Lansing, MI, in the amount of \$158,766.00 for the purchase of two single axle dump truck chassis; and the City of Rochester Hills' selected vendor, Truck and Trailer Specialties of Dutton, MI, in the amount of \$183,780.00 for the purchase of two stainless steel dump boxes and associated snow/ice removal equipment, all in accordance with the associated cooperative purchasing programs' proposals and specifications. (Motion ADOPTED by a Roll Call Voice Vote.)

### **PURCHASE OF WHEELED BACKHOE AND TWO MINI FRONT END LOADERS**

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

WHEREAS, competitive bids for heavy and medium duty off-road equipment are solicited by the State of Michigan's MiDeal and Sourcewell's Cooperative Purchasing Programs on a bi-annual basis and the City of Midland is authorized to make purchases from these two cooperative purchasing programs; and

WHEREAS, sufficient funding for the purchase of a wheeled backhoe and two mini front-end loaders are included in the FY 2020/21 Equipment Revolving Fund Capital Outlay account as replacements for three existing aging, high maintenance units utilized by Water Distribution, Public Works and the Parks Department; now therefore

RESOLVED, that the Accounting Manager is authorized to issue a purchase order to the State of Michigan's MiDeal and Sourcewell's Cooperative Purchasing Programs' selected vendor, AIS/JDE Equipment of Traverse City, Michigan, in the amount of \$303,573.00 for the purchase of a wheeled backhoe and two mini front-end loaders, all in accordance with the associated cooperative purchasing programs' proposals and specifications; and

RESOLVED FURTHER, that the City Manager is authorized to approve change orders to the purchase order not to exceed 5% of the cost to cover any modifications that need to be done during the production of the units; and

RESOLVED FURTHER, the City has been offered trade-in values on each of the existing units. The City will offer the units being replaced for sale via online auction. If the City receives auction bids that exceed the trade-in values, the units will be sold via the auction process. However, if the City does not receive bids that exceed the trade-in values, the units will be traded-in to AIS/JDE Equipment of Traverse City as a condition of the purchase agreement. (Motion ADOPTED by a Roll Call Voice Vote.)

**PLYMOUTH WATER TANK AND LIME SILO PAINTING, BID NO. 4104**

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

WHEREAS, sealed bids for Bid No. 4104 Plymouth Elevated Tank, to provide interior and exterior painting and upgrades for the Plymouth Elevated Tank, located in Plymouth Park, and exterior painting of the Lime Silo located at the Water Treatment Plant have been advertised and received in accord with Section 2-18 of the Midland Code of Ordinances; and

WHEREAS, Dixon Engineering, Inc. recommends that the low bid from Industrial Painting Contractors, Inc. be disqualified per Article 3 – Qualification/Prequalification of Bidders of the bid package; and

WHEREAS, Dixon Engineering Inc. along with city staff consider the bid from Seven Brothers Painting, Inc. to be acceptable; and

WHEREAS, funds are available for this purpose in the FY 2020/21 Water Enterprise Fund; now therefore

RESOLVED, that execution of a contract and purchase order is hereby authorized to Seven Brothers Painting, Inc. of Shelby Township, in the amount of \$498,300.00 for interior and exterior painting of the Plymouth Elevated Tank with required upgrades and exterior painting of the Lime Storage Silo located at the Water Treatment Plant; and

RESOLVED FURTHER, that the City Manager is hereby authorized to approve changes modifying the purchase order in an aggregate amount not to exceed \$20,000.00. (Motion ADOPTED by a Roll Call Voice Vote.)

Being no further business the meeting adjourned at 9:32 p.m.

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Erica Armstrong, City Clerk