

March 14, 2016

A regular meeting of the City Council was held on Monday, March 14, 2016, at 7:00 p.m. in the Council Chambers of City Hall. Mayor Donker presided. The Pledge of Allegiance to the Flag was recited in unison.

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

Councilmen absent: None

MINUTES

Approval of the minutes of the February 29, 2016 regular meeting was offered by Councilman Brown Wilhelm and seconded by Councilman Wazbinski. (Motion ADOPTED.)

2015-16 CENTER CITY AUTHORITY FUND BUDGET AMENDMENT

Community Affairs Director Selina Tisdale presented information on an amendment to the 2015-16 Center City Authority Fund budget to recognize \$136,081 in additional revenue and expenditures as a result of a grant from the Midland Area Community Foundation Entranceways Initiatives Fund for two Center City projects. A public hearing opened at 7:10 p.m., recognizing no public comments, the hearing closed at 7:10 p.m. The following resolution was then offered by Councilman Adams and seconded by Councilman Arnosky:

WHEREAS, in accordance with Sections 5.11, 11.4 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, March 14, 2016 on the proposal to amend the FY 2015-16 Center City Authority budget to recognize \$136,081.00 in unanticipated revenues and expenditures as a result of a grant from the Midland Area Community Foundation Entranceways Initiative Fund for signal pole painting and landscaping projects in the Center City district; now therefore

RESOLVED, that the FY 2015-16 Center City Authority budget is hereby amended to increase revenue and expenditures by \$136,081.00 to recognize a grant made by the Midland Area Community Foundation Entranceways Initiative Fund for signal pole painting and landscaping projects in the Center City district. (Motion ADOPTED.)

MICHIGAN NATURAL RESOURCES TRUST FUND GRANT APPLICATION – EMERSON

Department of Public Services Director Karen Murphy presented information on a grant application to the Michigan Natural Resources Trust Fund for the riverside renovation project in Upper Emerson Park. A public hearing opened at 7:25 p.m. Speaking in support of the project were Bart Heil, City of Midland Parks Supervisor, Dennis Polanski, Chippewa Nature Center and Elian Lipschitz, Little Forks Conservancy. The public hearing closed at 7:30 p.m. The following resolution was then offered by Councilman Arnosky and seconded by Councilman Brown Wilhelm:

WHEREAS, in accord with Sections 5.11, 11.4, 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, March 14, 2016, on the proposal to submit a grant application to the Michigan Natural Resources Trust Fund for \$300,000 to support a riverfront renovation project in upper Emerson Park; and

WHEREAS, Parks and Recreation staff have secured adequate local matching funds to support the grant application, which consists of grants from the Saginaw Bay Watershed Initiative (\$35,000), the Friends of the Pere Marquette Rail Trail (\$5,000), and the Midland Area

Community Foundation (\$40,000), along with \$25,000 in the FY2015/16 Parks Capital budget designated for the project; and

WHEREAS, the Parks and Recreation Commission voted unanimously at their March 10 meeting recommending support of the grant application and the future project; now therefore RESOLVED, that the City Council hereby supports the grant application to the Michigan Natural Resources Trust Fund for \$300,000, with the aforementioned local match amount of \$105,000 (25%) of the total \$405,000 project cost reserved specifically for use toward the project during the FY2015/16 year. (Motion ADOPTED.)

PUBLIC COMMENTS

No comments were made.

2016 SIDEWALK IMPROVEMENT PROGRAM

City Engineer Brian McManus presented an overview of requests received from the public for the 2016 Sidewalk Improvement Program. Gordon Tarn, spoke regarding the sidewalk requests he made for Jefferson and Ted Doan Drive. The original resolution was then offered by Councilman Adams and seconded by Councilman Wazbinski. Councilman Brown Wilhelm moved, seconded by Councilman Arnosky, to remove Jefferson Avenue (east side) from Broadhead Drive to Oakbrook Drive, Jefferson Avenue (east side) from Soccer Drive to Julie Ann Court and Ted Doan Drive (south side) from Jefferson Avenue to Alan Ott Drive and to add Jefferson Avenue (east side) from Broadhead Drive to Joseph Drive. (Motion ADOPTED.) Councilman Wazbinski moved, seconded by Councilman Brown Wilhelm, to remove Waldo Avenue (west side) from James Savage Road to Yale Avenue. (Motion ADOPTED.) The following amended resolution was then presented for consideration:

WHEREAS, the City Council has had under consideration the construction of concrete sidewalks, to be financed in part by special assessment, located in certain streets in the City of Midland, said streets being:

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

; now therefore

RESOLVED, that the City Manager is directed to prepare a report which shall include estimates of the expense thereof, an estimate of the life of the improvement, and a description of the district benefited to enable the Council to decide the cost, extent and necessity of the improvement proposed and what part or portion thereof should be paid by special assessments upon property especially benefited, and what part, if any, should be paid by the City at large, in conformance with the provisions of Chapter 20 of the Code of Ordinances of the City of Midland, Michigan. (Motion ADOPTED.)

PURCHASE OF FAN COIL UNITS – WASHINGTON WOODS

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

WHEREAS, sealed proposals were advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for replacement fan coil units, Bid No. 3753; and

WHEREAS, sufficient funds are included in account # 536.9010.97.002. Capital Outlay and Construction of the approved Washington Woods 2015/16 budget; now therefore

RESOLVED, that the proposal meeting City specifications submitted by Carrier Corporation of Byron Center, MI for purchasing fan coil units in response to Bid No. 3753 is hereby accepted; and

RESOLVED FURTHER, that a purchase order for \$163,776.48 to Carrier Corporation of Byron Center, MI in accord with this resolution and City specifications is hereby authorized; and

RESOLVED FURTHER, that the City Manager is authorized to execute any associated documents in accordance with the proposal and City of Midland specifications once prepared by and/or approved by the City Attorney. (Motion ADOPTED.)

PURCHASE OF PATIO DOORS, WINDOWS & PANELS – WASHINGTON WOODS

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

WHEREAS, sealed proposals were advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for replacement windows and patio doors, Bid No. 3759; and

WHEREAS, sufficient funds are included in account # 536.9010.97.002. Capital Outlay and Construction of the approved Washington Woods 2015/16 budget; and

WHEREAS, portions of each bid proposal received from Laurence Smith of Bay City and DeWitt Lumber of Midland have been found to be in compliance with the bid specifications and advisable for execution; now therefore

RESOLVED, that the portion of the proposal meeting City specifications submitted by Laurence Smith of Bay City for purchasing patio doors, windows, handles and frame extenders in the response for Bid No. 3759 is hereby accepted; and

RESOLVED FURTHER, that the portion of the proposal meeting City specification submitted by DeWitt Lumber of Midland for purchasing exterior architectural panels, J channel, drip caps and sealants/caulk in response for Bid No. 3759 is hereby accepted; and

RESOLVED FURTHER, that purchase orders for \$294,609.37 to Laurence Smith of Bay City and \$41,495.00 to DeWitt Lumber of Midland in accord with this resolution and City specifications are hereby authorized; and

RESOLVED FURTHER, that the City Manager is authorized to execute any associated documents in accordance with the proposal and City of Midland specifications once prepared by and/or approved by the City Attorney. (Motion ADOPTED.)

2016 HARRISON, NOESKE & PRINCETON STREET RECONSTRUCTION & WATER MAIN

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

WHEREAS, sealed proposals have been advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for reconstruction, including water main, of the following segments of roadway: Harrison Street from Ashman Street to Noeske Street, Noeske Street from Helen Street to Balfour Street, and Princeton Court from Jefferson Avenue to the end of the court; and

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

RESOLVED, that the low sealed proposal submitted by Malley Construction of Mt. Pleasant, Michigan, for the "2016 Harrison, Noeske & Princeton Street Reconstruction & Water Main; Contract No. 06", in the indicated amount of \$527,086.94, based upon City estimated quantities is hereby accepted and the Mayor and the City Clerk are authorized to execute a contract therefore in accord with the proposal and the City's specifications; and

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

2016 PAVEMENT MARKING PROGRAM

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

WHEREAS, sealed proposals have been advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for the annual pavement marking of major streets; and

WHEREAS, sufficient funding for this project is provided by the Major Street Fund; now therefore

RESOLVED, that the sealed proposal submitted by P.K. Contracting, for the "2016 Pavement Marking Program; Contract No. 17", in the indicated amount of \$47,295.00, based upon City estimated quantities is hereby accepted and the Mayor and the City Clerk are authorized to execute a contract therefore in accord with the proposal and the City's specifications; and

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

STREET TREE REPLACEMENT PROGRAM

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

WHEREAS, sealed proposals were advertised and received in accordance with Article II of Chapter 2 of the Midland Code of Ordinances for Bid No. 3760, "Street Tree Replacement"; and WHEREAS, the low bidder, Agroscaping, Inc. of Swartz Creek, Michigan has provided tree planting services to the City in the past with good results; and

WHEREAS, adequate funding for the planting of replacement outlawn trees is included in the FY 2015-2016 Forestry budget; now therefore

RESOLVED, that the issuance of a purchase order to Agroscaping, Inc. of Swartz Creek, Michigan not to exceed \$60,000.00 for the planting of replacement trees in the city rights-of-way in accordance with the proposal and City specifications is hereby authorized. (Motion ADOPTED.)

PROPOSED 2015-16 WASHINGTON WOODS BUDGET AMENDMENT

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

WHEREAS, Washington Woods is in need of replacing an original 1976 boiler and tanks in the west wing; and

WHEREAS, Washington Woods has been approved to use \$42,074.00 of Community Development Block Grant funding for west wing boiler and tank replacement; and

WHEREAS, the approved CDBG funds are not included in the Washington Woods FY 2015-16 budget; and

WHEREAS, the additional expenditure of \$42,074.00 for the equipment and installation is not provided for in the current fiscal year 2015-16 budget; and

WHEREAS, it is necessary to amend the FY 2015-16 Washington Woods budget for the purpose of recognizing the CDBG funding and authorizing the expenditure of these CDBG funds for the purpose of replacing the west wing boiler and tank; now therefore

RESOLVED, that in accord with Section 11.6 of the Charter of the City of Midland, a public hearing shall be conducted at 7:00 p.m., April 11th, 2016 in the Council Chambers of City Hall on the proposal to amend the FY 2015-16 Washington Woods budget for the purpose of replacing a west wing boiler and tanks. (Motion ADOPTED.)

PROPOSED 2016-17 COMMUNITY DEVELOPMENT BLOCK GRANT BUDGET

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

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

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

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

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

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

WHEREAS, it is necessary to provide an opportunity for public input on the proposed expenditure of said funds in accordance with the required 30-day public comment period to commence on Thursday, March 24, 2016; now therefore

RESOLVED, that a public hearing will be held on April 25, 2016, for the purpose of receiving public input on the use of federal funds through the City's Community Development Block Grant program, as set forth in the attached table (Attachment A). (Motion ADOPTED.)

Being no further business the meeting adjourned at 8:15 p.m.

Selina Tisdale, City Clerk