

April 11, 2016

A regular meeting of the City Council was held on Monday, April 11, 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 March 21, 2016 regular meeting was offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky. (Motion ADOPTED.)

ARBOR DAY

Department of Public Services Director Karen Murphy presented information on Arbor Day. The following resolution was then offered by Councilman Adams and seconded by Councilman Wazbinski:

RESOLVED, that the Mayor is authorized to issue the attached proclamation designating Friday, April 29, 2016, as Arbor Day in the City of Midland. (Motion ADOPTED.) Mayor Donker presented Karen Murphy with the proclamation.

2015-16 WASHINGTON WOODS BUDGET AMENDMENT

Assistant City Manager for Community Development Brad Kaye presented information on an amendment to the 2015-16 Washington Woods budget for the purpose of receiving CDBG funds for replacing the west wing boiler and tanks. 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 Brown Wilhelm and seconded by Councilman Arnosky:

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

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

WHEREAS, in accord with Section 11.6 of the Charter of the City of Midland, after having given proper legal notice and having conducted a public hearing on Monday, April 11th, 2016, on the proposal to amend the FY 2015-16 Washington Woods budget for the purpose of replacing a west wing domestic boiler and tank; now therefore

RESOLVED, that the FY 2015-16 Washington Woods budget is hereby amended to increase revenues and expenditures by \$42,074.00 for the purpose of accepting the Community Development Block Grant (CDBG) funds and authorizing expenditure thereof; and

RESOLVED FURTHER, that a purchase order for \$42,074.00 to J & D Plumbing and Heating of Sanford, MI in accord with this resolution and City of Midland 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.)

2016 DOWNTOWN ECONOMIC REVITALIZATION PUBLIC IMPROVEMENT SPECIAL ASSESSMENT DISTRICT

Community Affairs Director Selina Tisdale presented information on the "2016 Downtown Economic Revitalization Public Improvement Special Assessment District". A public hearing of necessity opened at 7:15 p.m., recognizing no public comments, the hearing closed at 7:15 p.m. The following resolution was then offered by Councilman Wazbinski and seconded by Councilman Brown Wilhelm:

WHEREAS, the City Council has given due notice of its intention to provide a revitalization program in a certain district, said improvement being more particularly described in a resolution dated March 21, 2016, said district being:

That area located in the Southwest $\frac{1}{4}$ of Section 16, the Southeast $\frac{1}{4}$ of Section 17, the Northwest $\frac{1}{4}$ of Section 21, and the Northeast $\frac{1}{4}$ of Section 20, bounded by West Main Street, Ripley Street, Eastman Avenue, Buttles Street, Cronkright Street, the Tittabawassee River, the "Tridge", and all lands within 100 feet of the structure, the Tittabawassee River, and Isabella Street (M-20) excepting the Southeasterly 10 feet of Lot 4, and all of Lots 9, 10, 11 and 12 of Block 35, Carpenter and Hines Addition, all within the City of Midland, Midland County, Michigan.

and has heretofore established one special assessment district designated:

"2016 DOWNTOWN ECONOMIC REVITALIZATION PUBLIC IMPROVEMENT SPECIAL ASSESSMENT DISTRICT"

in conjunction with said improvement and has heretofore given due notice it would meet on Monday, April 11, 2016, for the purpose of hearing and considering any objections or suggestions on the necessity of the proposed improvement; 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 improvement; now therefore

RESOLVED, that the Council finds and determines that the revitalization program is a necessary public improvement, conducive to the public health and general welfare of the people of the City of Midland, and that the Council proceed forthwith to authorize said improvement in accordance with the report of the City Manager and the assessment district adopted for the same; and

RESOLVED FURTHER, that the detailed estimate of cost of said improvement is hereby approved in the amount of ninety thousand eleven and 80/100 dollars (\$90,011.80) and that the proportion of the cost and expense to be borne and paid by the City at large, County, and/or DDA shall be zero (0) and that all other costs and expenses of said improvements amounting to ninety thousand eleven and 80/100 dollars (\$90,011.80) shall be borne and paid by special assessment on all lands and premises in said 2016 Downtown Economic Revitalization Improvement Special Assessment District; 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 the:

"2016 DOWNTOWN ECONOMIC REVITALIZATION PUBLIC IMPROVEMENT SPECIAL ASSESSMENT DISTRICT"

and to assess and levy upon the several lots and premises 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. (Motion ADOPTED.)

PUBLIC COMMENTS

No public comments were made.

BRACKEN WOODS II APARTMENT PILOT REQUEST (First Reading)

Assistant City Manager David Keenan presented information on an ordinance to provide payment in lieu of taxes for Bracken Woods II, LDHA, LP, for Bracken Woods Apartments II and repeal Sections 2-260.3 and 2-264.1 in their entirety. Petitioner Mark Lockwood, Lockwood Development, spoke regarding the PILOT request. Speaking in favor of the request were

Deborah Cain, realtor; Krisa Gross, Manager at Bracken Woods; Joanne Shannon, Bracken Woods resident; Marilyn Major, Bracken Woods resident; Samantha Straub, Assistant Manager at Bracken Woods; Pat Pashak, caregiver representing a Bracken Woods resident; Ron Parmele, Wallbridge Lane; Kristy Carlson, Affordable Housing Alliance; Amanda Johnson, Chair of Midland County Continuum of Care, Robin Griner, Shelterhouse and Midland County Continuum of Care.

Council recessed from 9:10 to 9:15 p.m.

Speaking in opposition of the request were Tom McCann, Midland rental property owner; Sid Hanson, Beaverton resident and Midland rental property owner; Ken Hitch, Episcopal Church; AnnaMaria Morgan, President of Midland Area Real Estate Investors Association; Oswald Anders, Midland rental property owner; Joe Rokosz, Midland rental property owner. Introduction and first reading of the following ordinance amendment was then offered by Councilman Wazbinski and seconded by Councilman Arnosky:

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF MIDLAND, MICHIGAN, BY REPEALING SECTIONS 2-260.30 AND 2-264.1 AND BY ADDING SECTIONS 2-260.20 AND 2-264.18 AND BY AMENDING SECTION 2-262, ARTICLE XIII OF CHAPTER 2 THEREOF.

The City of Midland Ordains:

Section 1. Sections 2-260.3, 2-260.20, 2-262, 2-264.1 and 2-264.18 of Article XIII of Chapter 2 are hereby amended to read as follows:

Sec. 2-260.3. Bracken Woods Apartments.

The city acknowledges that Bracken Woods Limited Dividend Housing Association Limited Partnership (a sponsor, as defined herein) has offered, subject to receipt of a mortgage loan from the authority, to erect, own, operate and maintain a housing development identified as Bracken Woods Apartments on certain property located at:

5301 Dublin Street, Midland, Michigan 48640;

and further described as:

The south 660 feet of the northeast 1/4 of the southeast 1/4 of Section 1, T14N, R1E, City of Midland, Midland County, Michigan. And also described as: Beginning at a point of the east line of Section 1, T14N, R1E, City of Midland, that is south 0 degrees 13 minutes 39 seconds west, 671.46 feet from the east 1/4 corner of Section 1; thence continuing south 0 degrees 13 minutes 39 seconds west, 660.00 feet; thence north 89 degrees 43 minutes 49 seconds west, 1324.37 feet; thence north 0 degrees 17 minutes 24 seconds east, 660.00 feet; thence south 89 degrees 43 minutes 49 seconds east, 1323.65 feet to the point of beginning. Reserving therefrom that part used, taken or deeded for Dublin Road, so-called. Containing 20.06 acres or 873,847 feet more or less.

in the city to serve low income persons, and that Bracken Woods Limited Dividend Housing Association Limited Partnership has offered to pay the city on account of said housing development an annual service charge for public services in lieu of all taxes.

Sec. 2-260.20. BRACKEN WOODS II APARTMENTS.

THE CITY ACKNOWLEDGES THAT BRACKEN WOODS II, LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP HAS OFFERED, SUBJECT TO RECEIPT OF FINANCING FROM THE AUTHORITY, TO PURCHASE, REHABILITATE, OPERATE, AND MAINTAIN A HOUSING DEVELOPMENT IDENTIFIED AS BRACKEN WOODS II APARTMENTS LOCATED AT:

5301 DUBLIN STREET, MIDLAND, MICHIGAN 48640;

AND FURTHER DESCRIBED AS:

THE SOUTH 660 FEET OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 1, T14N, R1E, CITY OF MIDLAND, MIDLAND COUNTY, MICHIGAN. AND ALSO DESCRIBED AS: BEGINNING AT A POINT OF THE EAST LINE OF SECTION 1, T14N, R1E, CITY OF MIDLAND, THAT IS SOUTH 0 DEGREES 13 MINUTES 39

SECONDS WEST, 671.46 FEET FROM THE EAST 1/4 CORNER OF SECTION 1; THENCE CONTINUING SOUTH 0 DEGREES 13 MINUTES 39 SECONDS WEST, 660.00 FEET; THENCE NORTH 89 DEGREES 43 MINUTES 49 SECONDS WEST, 1324.37 FEET; THENCE NORTH 0 DEGREES 17 MINUTES 24 SECONDS EAST, 660.00 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 49 SECONDS EAST, 1323.65 FEET TO THE POINT OF BEGINNING. RESERVING THEREFROM THAT PART USED, TAKEN OR DEEDED FOR DUBLIN ROAD, SO-CALLED. CONTAINING 20.06 ACRES OR 873,847 FEET MORE OR LESS.

IN THE CITY TO SERVE LOW INCOME PERSONS, AND THAT BRACKEN WOODS II LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP HAS OFFERED TO PAY THE CITY ON ACCOUNT OF SAID HOUSING DEVELOPMENT AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES IN LIEU OF ALL TAXES.

Sec. 2-262. Class of housing developments.

It is hereby determined that the class of housing developments to which the tax exemption shall apply, and for which a service charge shall be paid in lieu of such taxes, shall be that portion of a development which is for elderly persons or low-income persons and which is financed or assisted pursuant to the act. It is further determined that Grove Street Commons I, Grove Street Commons II, The Village At Joseph's Run, Granite Club Acres #1, Chippewassee Court Phase I, Chippewassee Court Phase II, Adams Acres Phase I, 606/608 Hemlock Street, 5004 Tucker Street, 1111 Franklin Street, 4301 Hancock Drive, 310 E. Pine Street, 1414 Lincoln Street, 1417 Mill Street, 2520 Charles Street and 528 Cottonwood Street, BRACKEN WOODS II APARTMENTS, and the elderly portions of Charter Square and Green Hill are of this class.

Sec. 2-264.1. Establishment of annual service charge for Bracken Woods Apartments.

The housing development identified as the Bracken Woods Apartments and the property on which it is constructed shall be exempt from all ad valorem property taxes. The exemption shall begin in the first tax year after which an affidavit has been submitted by the sponsor to the city assessor. The affidavit shall be in the form as provided by the authority and shall be certified by the authority and filed before November 1 of the year preceding the year in which the exemption is to begin. The exemption shall remain in effect until the mortgage loan is repaid or for thirty-five (35) years, whichever occurs first; provided however, that the sponsor has met with all qualifications of the act concerning the obtaining of an exemption. The city acknowledges that Bracken Woods Apartments and the authority have established the economic feasibility of the housing development in reliance upon the enactment and continuing effect of this article and the qualification of the housing development for exemption from all ad valorem property taxes and a payment in lieu of taxes as established herein; and in consideration of the sponsor's offer, subject to receipt of a permanent mortgage loan from the authority, to construct, own, operate and maintain said housing development, hereby agrees to accept payment of an annual service charge for public services in lieu of all ad valorem property taxes. The annual service charge shall be equal to four (4) per cent of all rental income less owner-paid utilities and vacancy losses.

Annual benefit of any tax exemption granted to the Bracken Woods Apartment housing development under this section shall be defined as the amount by which seventy-eight thousand dollars (\$78,000.00) (indexed annually for the change in the U.S. Consumer Price Index and adjusted annually for additions and losses as defined in MCL 211.34d) exceeds the amount of the annual service charge for public services, and shall be allocated as follows:

1. The first twenty-one thousand one hundred fifty dollars (\$21,150.00) of annual benefit shall be allocated to the sponsor for principal and interest payments on the mortgage.
2. All benefits in excess of twenty-one thousand one hundred fifty dollars (\$21,150.00) shall be allocated by the sponsor exclusively to low income persons in the form of reduced housing charges, which shall be implemented beginning with the housing charge due for the month of January, 1996. For calendar year 1996, a total benefit of thirty-five thousand seven hundred twelve dollars (\$35,712.00) shall be allocated among the various classes of apartments in the following manner:

- ~~a. Housing charges for one-bedroom apartments shall be reduced by twenty-three dollars (\$23.00) per month.~~
 - ~~b. Housing charges for two-bedroom apartments shall be reduced by twenty-seven dollars (\$27.00) per month.~~
 - ~~c. Housing charges for three-bedroom apartments shall be reduced by thirty-two dollars (\$32.00) per month.~~
 - ~~Housing charges shall continue to be reduced by said amounts for a consecutive seventeen-month period, until June 1997.~~
 - ~~For calendar years after 1996, the annual reduction in housing charges shall be calculated by the sponsor and approved by the City of Midland finance department, and shall be allocated among the various classes of apartments (one-, two- and three-bedroom apartments) based on the relative percentage of total rental income generated by each individual class at full occupancy. Reduced housing charges shall be implemented annually beginning with the housing charge due for the month of June in the calendar year following the calendar year for which the service charge in lieu of taxes is determined and shall continue for a consecutive twelve-month period.~~
3. ~~None of the annual benefit shall be retained or distributed to the sponsor in the form of limited dividend payments.~~

The sponsor shall make available to the City of Midland Finance Department all accounting records necessary to conduct an annual verification of compliance with the distribution of the annual benefit, including but not limited to any audits performed by the authority.

SEC. 2-264.18. ESTABLISHMENT OF ANNUAL SERVICE CHARGE FOR BRACKEN WOODS II APARTMENTS.

(A) *ANNUAL SERVICE CHARGE.* THE HOUSING DEVELOPMENT IDENTIFIED AS BRACKEN WOODS II APARTMENTS AND THE PROPERTY ON WHICH IT IS CONSTRUCTED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FROM AND AFTER THE ENACTMENT OF THE ORDINANCE FOR WHICH THIS SECTION DERIVES AND FOR THE YEAR SUBSEQUENT TO TIMELY NOTIFICATION OF EXEMPTION BY THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY. THE CITY, ACKNOWLEDGING THAT THE SPONSOR AND THE AUTHORITY HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THE ORDINANCE FROM WHICH THIS SECTION DERIVES AND THE QUALIFICATION OF THE HOUSING DEVELOPMENT FOR EXEMPTION FROM ALL PROPERTY TAXES AND A PAYMENT IN LIEU OF TAXES AS ESTABLISHED IN THE ORDINANCE FROM WHICH THIS SECTION DERIVES, AND IN CONSIDERATION OF THE SPONSOR'S OFFER, SUBJECT TO RECEIPT OF AN ALLOCATION OF LOW-INCOME HOUSING TAX CREDITS UNDER SECTION 42 OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, TO OWN, REHABILITATE, OPERATE, AND MAINTAIN THE HOUSING DEVELOPMENT, AGREES TO ACCEPT PAYMENT OF AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES IN LIEU OF ALL PROPERTY TAXES. THE ANNUAL SERVICE CHARGE SHALL BE EQUAL TO FOUR PERCENT (4%) OF THE ANNUAL SHELTER RENTS LESS UTILITIES. THIS PILOT EXEMPTION SHALL LAST FOR 25 YEARS OR UNTIL THE ASSOCIATED MORTGAGE IS PAID OFF, WHICH EVER OCCURS SOONER.

(B) *LIMITATION ON THE PAYMENT OF ANNUAL SERVICE CHARGE.* NOTWITHSTANDING SUBSECTION (A), THE SERVICE CHARGE TO BE PAID EACH YEAR IN LIEU OF TAXES FOR THE PART OF THE HOUSING DEVELOPMENT WHICH IS TAX EXEMPT AND WHICH IS OCCUPIED BY OTHER THAN LOW-INCOME PERSONS SHALL BE EQUAL TO THE FULL AMOUNT OF TAXES WHICH WOULD BE PAID ON THAT PORTION OF THE HOUSING DEVELOPMENT IF THE HOUSING DEVELOPMENT WERE NOT EXEMPT. HOWEVER, IT IS AGREED THAT ALL 104 UNITS OF THE EXISTING FACILITY WILL SERVE LOW-INCOME PERSONS.

Section 2. This Ordinance shall take effect upon publication. (Motion ADOPTED. Considered first reading.)

2016 SIDEWALK IMPROVEMENT PROGRAM

City Engineer Brian McManus presented the 2016 Sidewalk Improvement Program Report. The following resolution was then offered by Councilman Wazbinski and seconded by Councilman Adams:

WHEREAS, the City Manager has submitted his report to the City Council presenting certain information regarding the installation of sidewalks on certain streets in the City of Midland in conformance with the Code of Ordinances of the City of Midland, said streets being listed as:

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

; and

WHEREAS, the City Council has reviewed and studied said report; now therefore RESOLVED, that the Council finds and determines that the construction of said sidewalks, as before listed, appears to be necessary public improvements conducive to the general health, convenience and welfare of the people of the City of Midland and that the estimated period of usefulness of said improvements is twenty-five (25) years; and

RESOLVED FURTHER, that for the purpose of effecting a savings in cost, the several proposed improvements are combined into one project and that one special assessment district for the purpose of said combined improvements, be and is hereby established to be known as the "2016 SIDEWALK IMPROVEMENT SPECIAL ASSESSMENT DISTRICT" and that said district comprises and includes the following described lands and premises, to wit:

Jefferson Avenue (east side) from Broadhead Drive to Joseph Drive

Beginning at the West ¼ Corner of Section 34, T. 15 N., R. 02 E., City of Midland, Midland County, Michigan; thence South 658.3 feet, along the West Section Line; thence East 200 feet; thence North 658.3 feet; thence West 200 feet, to the Point of Beginning.

Wheeler Street (south side) from Trotters Pointe Circle to Congress Drive

Commencing N89°38'15"E 1,101.65 feet from the North ¼ corner of Section 11, T. 14 N., R. 02 E., City of Midland, Midland County, Michigan, being the Point of Beginning; thence 476.4 feet West; thence 100 feet South; thence 476.4 feet East; thence 100 feet North, to the Point of Beginning.

; and

RESOLVED FURTHER, that the proposed improvement and work to be done thereunder shall consist of constructing sidewalks, in said streets as before listed, and the total estimated cost and expense thereof is fifty-four thousand seven hundred dollars (\$54,700.00); and

RESOLVED FURTHER, that the proportion of the cost and expense of said improvement to be borne and paid for by the City at large shall be forty thousand seventeen dollars and forty-seven cents (\$40,017.47) and that all other costs and expenses of said improvement amounting to fourteen thousand six hundred eighty-two dollars and fifty-three cents (\$14,682.53) shall be borne and paid by special assessments on all lands and premises in said Special Assessment District as established above, in proportion to the estimated benefits resulting thereto from the improvement, determined as near as practicable on a front foot basis; and

RESOLVED FURTHER, that the report concerning said improvement 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

RESOLVED FURTHER, that the City Council will meet in the City Hall in said City on Monday, May 9, 2016 at 7:00 p.m., then and there to hear any objections or suggestions on the proposed improvements; and

RESOLVED FURTHER, that the City Clerk shall give notice of said hearing on necessity by causing a notice of this resolution to be published once in the Midland Daily News at least one week prior to said hearing date, and that the City Clerk shall also give notice of said hearing date to each property owner subject to special assessment by reason of said improvement, at the address 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 Public Acts of Michigan, 1962. (Motion ADOPTED.)

PROPOSED 2016-17 CITY OF MIDLAND BUDGET

Assistant City Manager David Keenan presented for receipt and filing the City Manager’s Proposed 2016-17 Budget. The following resolution was offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky:

WHEREAS, City Council has previously approved, at its regular Council meeting on November 23, 2015, that a preliminary public hearing shall be conducted at 7:00 p.m., Monday, April 25, 2016, in the Council Chambers of City Hall, on the proposed 2016-17 budget; and

WHEREAS, City Council has previously approved at the same meeting 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., Monday, May 9, 2016, in the Council Chambers of City Hall on the proposed 2016-17 budget; now therefore

RESOLVED, that the City Manager’s proposed budgets and financial working plans for the 2016-17 fiscal year, prepared in accord with Section 11.3 of the City Charter, are hereby acknowledged as being received by the Midland City Council on this date, as required by Section 11.2 of the Charter, and are ordered placed on file for public examination; and

RESOLVED FURTHER, that the City Clerk shall cause notice of said public hearings to be published in the Midland Daily News not less than seven days prior to the appointed date of each; and

RESOLVED FURTHER, that copies of the proposed 2016-17 budget of the City of Midland shall be placed on file for public examination during normal business hours at the City Clerk’s office in City Hall, 333 W. Ellsworth Street, and at the Grace A. Dow Memorial Library, 1710 W. St. Andrews Road, in the City of Midland; and

RESOLVED FURTHER, that the City Clerk is hereby directed to publish once in the Midland Daily News a comparative summary of the 2015-16 adopted budget and the 2016-17 proposed budget. (Motion ADOPTED.)

2014 COMMERCE DRIVE SPECIAL ASSESSMENT DISTRICT REFUNDS

City Assessor Reid Duford presented information on refunds relating to the 2014 Commerce Drive Water Main and Sanitary Sewer special assessment districts. The following resolution was then offered by Councilman Arnosky and seconded by Councilman Brown Wilhelm:

WHEREAS, the final costs for the various special assessment districts as listed below, have been determined; and

<u>Project Number</u>	<u>Description</u>	<u>Refund Roll</u>
WD1503	2014 Commerce Drive Water Main Improvement	\$ 6,019.42
SW1503	2014 Commerce Drive Sanitary Sewer Improvement	<u>9,475.20</u>
	TOTAL DUE PROPERTY OWNERS	<u>\$ 15,494.62</u>

WHEREAS, the actual improvement costs left unexpended balances for these districts in amounts that exceeded five percent of the expenditures for each district; and

WHEREAS, Section 20-38 of the Code of Ordinances provides for situations where unexpended balances are greater than five percent of the funds expended, that a refunding program is required on a pro-rata basis in accordance with assessments levied on the Assessment Roll; now therefore

RESOLVED, that the refund due property owners amounting to \$15,494.62, relating to the special assessment districts as reported above, be accomplished by crediting unpaid assessment balances or in cases where assessments have been paid in full, by refund check made payable to the current property owner unless there is a contractual agreement otherwise. (Motion ADOPTED.)

CENTER CITY AUTHORITY APPOINTMENT CONFIRMATIONS

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

RESOLVED, that in accord with the Corridor Improvement Authority Act, Act 280 of PA 2005, the City Council confirms the appointment of Sharon Mortensen and Alex Rapanos to the Center City Authority to fill terms to expire June 30, 2020. (Motion ADOPTED.)

CENTER CITY AUTHORITY REAPPOINTMENT CONFIRMATION

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

RESOLVED, that in accord with Sect. 30-16(a) of the Code of Ordinances, the City Council confirms the City Manager's reappointment of Joe Kozuch to the Center City Authority board for a four-year term to expire June 30, 2020. (Motion ADOPTED.)

DOWNTOWN DEVELOPMENT AUTHORITY REAPPOINTMENT CONFIRMATIONS

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

RESOLVED, that in accord with Section 4 of Act 197 of 1975, the Downtown Development Authority Act, the City Council confirms the City Manager's reappointment of Bobbie Arnold, Marty McGuire and Robert Rathbun to the Downtown Development Authority with terms expiring May 1, 2020. (Motion ADOPTED.)

2016 MAIN STREET RECONSTRUCTION & WATER MAIN

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

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 Main Street from Jerome Street to Post Street; and

WHEREAS, funding for this project is provided by the Major 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 Main Street Reconstruction & Water Main; Contract No. 01", in the indicated amount of \$812,160.50, 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 CONSTRUCTION INSPECTION SERVICES

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

WHEREAS, the Engineering Department has determined a need for outside construction inspection services on projects planned for the 2016 construction season; and

WHEREAS, proposals were received from interested engineering firms in accordance with the City's purchasing policy; and

WHEREAS, funding for said projects are provided by the Major Street, Local Street and Water Funds; now therefore

RESOLVED, that the proposal received from OHM Advisors of Midland, Michigan is hereby accepted; and

RESOLVED FURTHER, that the City Council authorizes a purchase order in the amount of \$46,200.00 for construction inspection services on the “2016 Main Street Reconstruction and Water Main” project based on rates provided and estimated hours; and
 RESOLVED FURTHER, that the City Manager has the authority to approve any change orders modifying or altering this contract in an aggregate amount up to \$10,000. (Motion ADOPTED.)

PROPOSED 2015-16 BUDGETS & WORKING PLANS AMENDMENT

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

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 25, 2016, in the Council Chambers of City Hall on the proposal to amend the 2015-16 budgets and financial working plans as follows:

	<u>Current</u>	<u>Proposed</u>
GENERAL FUND		
Sources of revenue	\$ 40,121,803	\$ 40,905,920
Uses of revenue	45,858,962	44,638,834
Change in fund balance	<u>\$ (5,737,159)</u>	<u>\$ (3,732,914)</u>
MAJOR STREET FUND		
Sources of revenue	\$ 7,519,589	\$ 7,761,361
Uses of revenue	9,400,998	9,628,307
Change in fund balance	<u>\$ (1,881,409)</u>	<u>\$ (1,866,946)</u>
LOCAL STREET FUND		
Sources of revenue	\$ 3,672,500	\$ 4,323,400
Uses of revenue	5,367,176	5,633,364
Change in fund balance	<u>\$ (1,694,676)</u>	<u>\$ (1,309,964)</u>
SMARTZONE FUND		
Sources of revenue	\$ -	\$ 17,344
Uses of revenue	-	86,741
Change in fund balance	<u>\$ -</u>	<u>\$ (69,397)</u>
CENTER CITY AUTHORITY FUND		
Sources of revenue	\$ 147,229	\$ 144,308
Uses of revenue	147,229	147,310
Change in fund balance	<u>\$ -</u>	<u>\$ (3,002)</u>
STORM WATER MANAGEMENT FUND		
Sources of revenue	\$ 1,011,089	\$ 1,003,825
Uses of revenue	1,336,804	1,288,241
Change in fund balance	<u>\$ (325,715)</u>	<u>\$ (284,416)</u>
GRACE A. DOW LIBRARY FUND		
Sources of revenue	\$ 4,094,771	\$ 4,113,793
Uses of revenue	4,131,239	4,150,261
Change in fund balance	<u>\$ (36,468)</u>	<u>\$ (36,468)</u>

	<u>Current</u>	<u>Proposed</u>
COMMUNITY DEVELOPMENT BLOCK GRANT FUND		
Sources of revenue	\$ 421,708	\$ 501,811
Uses of revenue	421,708	421,708
Change in fund balance	\$ -	\$ 80,103
SPECIAL ACTIVITIES FUND		
Sources of revenue	\$ 109,900	\$ 83,825
Uses of revenue	96,000	82,448
Change in fund balance	\$ 13,900	\$ 1,377
MIDLAND HOUSING FUND		
Sources of revenue	\$ 160,200	\$ 319,215
Uses of revenue	171,800	153,912
Change in fund balance	\$ (11,600)	\$ 165,303
DIAL-A-RIDE FUND		
Sources of revenue	\$ 2,732,028	\$ 2,596,274
Uses of revenue	2,736,328	2,600,574
Change in fund balance	\$ (4,300)	\$ (4,300)
MIDLAND COMMUNITY TELEVISION FUND		
Sources of revenue	\$ 758,400	\$ 783,500
Uses of revenue	1,256,818	1,238,349
Change in fund balance	\$ (498,418)	\$ (454,849)
DOWNTOWN DEVELOPMENT AUTHORITY FUND		
Sources of revenue	\$ 542,511	\$ 593,885
Uses of revenue	573,894	575,534
Change in fund balance	\$ (31,383)	\$ 18,351
DEBT SERVICE FUND		
Sources of revenue	\$ 2,453,325	\$ 2,450,065
Uses of revenue	2,453,325	2,453,325
Change in fund balance	\$ -	\$ (3,260)
CIVIC ARENA FUND		
Sources of revenue	\$ 1,535,190	\$ 1,573,783
Uses of revenue	1,474,946	1,451,840
Change in working capital	\$ 60,244	\$ 121,943
LANDFILL FUND		
Sources of revenue	\$ 3,389,761	\$ 3,552,056
Uses of revenue	4,679,201	4,585,625
Change in working capital	\$ (1,289,440)	\$ (1,033,569)

	<u>Current</u>	<u>Proposed</u>
WASHINGTON WOODS FUND		
Sources of revenue	\$ 2,767,763	\$ 3,646,519
Uses of revenue	3,434,035	4,108,122
Change in working capital	<u>\$ (666,272)</u>	<u>\$ (461,603)</u>
RIVERSIDE PLACE FUND		
Sources of revenue	\$ 1,933,300	\$ 2,002,042
Uses of revenue	2,064,679	2,040,568
Change in working capital	<u>\$ (131,379)</u>	<u>\$ (38,526)</u>
CURRIE MUNICIPAL GOLF COURSE FUND		
Sources of revenue	\$ 1,583,698	\$ 1,490,823
Uses of revenue	1,167,753	1,149,405
Change in working capital	<u>\$ 415,945</u>	<u>\$ 341,418</u>
PARKING FUND		
Sources of revenue	\$ 176,454	\$ 178,827
Uses of revenue	193,847	174,454
Change in working capital	<u>\$ (17,393)</u>	<u>\$ 4,373</u>
WASTEWATER FUND		
Sources of revenue	\$ 7,643,026	\$ 7,741,977
Uses of revenue	9,303,274	9,413,887
Change in working capital	<u>\$ (1,660,248)</u>	<u>\$ (1,671,910)</u>
WATER FUND		
Sources of revenue	\$ 11,574,044	\$ 11,688,042
Uses of revenue	14,957,008	14,858,513
Change in working capital	<u>\$ (3,382,964)</u>	<u>\$ (3,170,471)</u>
STORES REVOLVING FUND		
Sources of revenue	\$ 1,342,090	\$ 672,175
Uses of revenue	1,283,640	671,672
Change in working capital	<u>\$ 58,450</u>	<u>\$ 503</u>
INFORMATION SERVICES FUND		
Sources of revenue	\$ 1,212,508	\$ 1,212,508
Uses of revenue	1,270,118	1,269,650
Change in working capital	<u>\$ (57,610)</u>	<u>\$ (57,142)</u>
EQUIPMENT REVOLVING FUND		
Sources of revenue	\$ 4,408,265	\$ 4,508,586
Uses of revenue	5,193,710	5,064,825
Change in working capital	<u>\$ (785,445)</u>	<u>\$ (556,239)</u>

	<u>Current</u>	<u>Proposed</u>
MUNICIPAL SERVICE CENTER FUND		
Sources of revenue	\$ 375,155	\$ 374,553
Uses of revenue	398,785	371,604
Change in working capital	\$ (23,630)	\$ 2,949
MUNICIPAL SERVICE ANNEX FUND		
Sources of revenue	\$ 34,794	\$ 34,769
Uses of revenue	66,875	66,606
Change in working capital	\$ (32,081)	\$ (31,837)
RENEWABLE ENERGY SERVICES FUND		
Sources of revenue	\$ 1,224,721	\$ 1,130,660
Uses of revenue	1,258,193	1,227,894
Change in working capital	\$ (33,472)	\$ (97,234)
PROPERTY AND LIABILITY INSURANCE FUND		
Sources of revenue	\$ 1,166,758	\$ 1,195,634
Uses of revenue	1,864,072	1,856,053
Change in working capital	\$ (697,314)	\$ (660,419)
HEALTH INSURANCE FUND		
Sources of revenue	\$ 9,474,470	\$ 9,611,172
Uses of revenue	9,793,451	10,456,433
Change in working capital	\$ (318,981)	\$ (845,261)
SPECIAL ASSESSMENT REVOLVING FUND		
Sources of revenue	\$ 41,000	\$ 415,601
Uses of revenue	41,000	56,496
Change in working capital	\$ -	\$ 359,105
(Motion ADOPTED.)		

2016 DOWNTOWN ECONOMIC REVITALIZATION PUBLIC IMPROVEMENT SPECIAL ASSESSMENT DISTRICT – SPECIAL ASSESSMENT ROLL

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

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 "2016 DOWNTOWN ECONOMIC REVITALIZATION PUBLIC IMPROVEMENT SPECIAL ASSESSMENT DISTRICT" as heretofore established for the proposed revitalization program in said district, as designated in Resolutions heretofore adopted by the City Council; now therefore RESOLVED, that the said Roll be accepted by the City Council and that it be filed in the office of the City Clerk for public examination, and that the City Clerk be and is hereby directed to give notice pursuant to the Ordinance that the Assessment Roll has been made and filed in the office of the City Clerk for public examination and that the City Council of the City of Midland will meet at the Council Chambers in the City Hall in said City at 7:00 p.m., on April 25, 2016, to review said Special Assessment Roll at which time and place, opportunity will be given to all persons interested to be heard; 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 April 25, 2016, 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.)

Being no further business the meeting adjourned at 10:55 p.m.

Selina Tisdale, City Clerk