

March 8, 2021

A regular electronic meeting of the City Council was held on Monday, March 8, 2021, at 7:00 p.m. online via <https://zoom.us/join>, with Webinar ID: 832 3504 4275 ~ Password: 102329. Mayor Donker presided. The Pledge of Allegiance to the Flag was recited in unison.

Councilmen present: Steve Arnosky (remote – Midland, MI), Diane Brown Wilhelm (remote – Midland, MI), Maureen Donker (remote – Midland, MI), Pamela Hall (remote – Midland, MI), Marty Wazbinski (remote – Midland, MI)

Councilmen absent: None

MINUTES

Approval of the minutes of the February 15, 2021 regular meeting were offered by Councilman Wazbinski and seconded by Councilman Brown Wilhelm. (Motion ADOPTED by a Roll Call Voice Vote.)

PUBLIC COMMENT

John Elsen, 6106 Sturgeon Creek Parkway commented regarding the value of risk assessments.

SANITARY SEWER IMPROVEMENTS CONCEPT 5

City Manager Brad Kaye provided a review of recent decisions and discussions related to the Sanitary Sewers in Midland. General Supervisor of the Wastewater Treatment Plant Bruce Royce presented information to City Council regarding sanitary sewer improvements and Concept 5. John Muste, 4900 Oakridge Dr., Al Pagel, 5411 Campau Dr., Dan Henton, 6014 Sturgeon Ave., and Linda Pagel 5411 Campau Dr. commented on the proposed resolution. Councilman Wazbinski moved, seconded by Councilman Brown Wilhelm, to offer the original resolution as presented. Following discussion, Councilman Arnosky moved, seconded by Councilman Wazbinski, to amend the resolution to include an increase in offline storage for Sylvan pump station from 150,000 gallons to 1,000,000 gallons. (Motion ADOPTED by a Roll Call Voice Vote.) The following amended resolution was then voted on:

WHEREAS, City Council direction provided to staff was to pursue the recommendations presented in the 2018 Storm and Sanitary Sewer Report, which were to consider the Lowest Cost Alternative (LCA) listed for each proposed improvement for targeted Priority 1 areas; and WHEREAS, further direction from Council indicated to pursue alternatives listed for the removal of I&I from the system; and

WHEREAS, the proposals for Concepts 0 and 1b were eliminated because they would exceed the capacity of therefore require capacity improvements at the WWTP; and

WHEREAS, Concept 5 achieves the goals set forth in the 2018 Storm and Sanitary Sewer report; and

WHEREAS, Concept 5 avoids capacity improvements at the WWTP, meets or exceeds the accepted LOS while maintaining a safety factor and allowance for future growth within the city; now therefore

RESOLVED, that City Council hereby approves the Concept 5 Sanitary Sewer Improvements for implementation by City Staff, including the increase in offline storage for Sylvan pump station from 150,000 gallons to 1,000,000 gallons. (Motion ADOPTED by Roll Call Voice Vote.)

TAVERN LIQUOR LICENSE PERMIT FOR ASTER, LLC

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

RESOLVED, that the application from Aster, LLC for the following license(s): Tavern Liquor License, Sunday AM Permit to be located at 134 Ashman Street, Midland, Michigan and the following permit, if applied for:

Banquet Facility Permit Address of Banquet Facility _____

It is the consensus of this body that it recommends this application be considered for approval by the Michigan Liquor Control Commission. (Motion ADOPTED by Roll Call Voice Vote.)

LAUGH FOR A CHANGE

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

RESOLVED, that the request from Sam Price, Ten16 Recovery Network, seeking permission to conduct Laugh for a Change, an evening of music and comedy, on Friday, June 4, 2021, utilizing the public right-of-way and amplified sound, is hereby approved subject to the following conditions:

- The responsible party and contact number for the event date is Sam Price, 989-492-7905.
- Provide special event liability insurance in the amount of \$1,000,000 per occurrence, \$2,000,000 aggregate, with the City of Midland named as Additional Insured and the event specified on the certificate. The certificate must be submitted to the City as soon as possible.
- The organizer should be aware of the location of the property line between City property (201 Wyman St.) and H Hotel property (101 Ashman St.). The organizer should make the H Hotel aware of the event details.
- The stage has tentatively been reserved. Event organizer will need to contact the Parks & Recreation Office at 989-837-6930 to finish the reservation process.
- Additional trash receptacles will be in place.
- Due to ongoing health and safety concerns related to Covid-19, the responsible party is to ensure compliance with federal, state and local guidelines and executive orders, including social distancing and group size.
- Be advised that should an executive order or other local, state or federal directive be issued that would necessitate a change or cancellation of this event, the event holder shall strictly comply with said order or directive or notice by the Assistant City Engineer or City Manager.

RESOLVED FURTHER, that the Administrative Staff is hereby authorized to approve future requests for the event provided if conducted in substantially the same manner. (Motion ADOPTED by Roll Call Voice Vote.)

LOCAL OFFICER'S COMPENSATION COMMISSION RESIGNATION

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

RESOLVED, that the resignation of Jason Miller as a member of the Local Officer's Compensation Commission is hereby accepted, effective immediately, and the Administration is directed to convey the Council's appreciation to Mr. Miller for his service on this important Board. (Motion ADOPTED by Roll Call Voice Vote.)

PLANNING COMMISSION APPOINTMENT

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

RESOLVED, that Aerial Fields is hereby appointed as a citizen-at-large member of the Planning Commission for an unexpired term ending June 30, 2023. (Motion ADOPTED by Roll Call Voice Vote.)

CENTER CITY AUTHORITY APPOINTMENT

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

RESOLVED, that in accord with the Corridor Improvement Authority Act, Act 280 of PA 2005, the City Council confirms the appointment of Jeff Gandy to the Center City Authority to fill an unexpired term that ends June 30, 2022. (Motion ADOPTED by Roll Call Voice Vote.)

2021 SAGINAW RD. MDOT LAP CONSTRUCTION ENGINEERING SERVICES/PROJECT MANAGEMENT

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

WHEREAS, sealed proposals have been advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for construction engineering and project management services for the 2021 Saginaw Rd. reconstruction project from Dartmouth Dr. to Patrick Rd.; and

WHEREAS, funding for this project is provided by the Major Street Fund; now therefore RESOLVED, that the sealed proposal submitted by Rowe Professional Services Co. of Flint, Michigan for the "2021 Saginaw Rd. MDOT LAP Construction Engineering Services/Project Management " project, in the amount of \$107,500.00, 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 by Roll Call Voice Vote.)

APPROVE PURCHASE ORDER INCREASE- PUBLIC WORKS PLOW BLADES

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

WHEREAS, City Council approved the purchase of four medium duty pickup trucks with associated front-mount snow plows and lift gates at their November 9, 2020 meeting; and WHEREAS, the Department of Public Works staff have requested to upgrade the front-mount plows on two of the trucks from the V-blade to a wide-out blade style that they have since found is more effective for their plowing operations; and

WHEREAS, the cost to upgrade from the V-blade to the wide-out blade style is \$1,101 per plow for a total increase of \$2,202 to the existing purchase order to the selected equipment vendor, Scientific Brake of Mt. Pleasant, Michigan; and

WHEREAS, adequate funds are available in the FY2020-21 Equipment Revolving Fund budget to cover the cost of the upgraded plows; now therefore RESOLVED, that City Council authorize an increase to purchase order # 2021-0565 to Scientific Brake of Mt. Pleasant, Michigan in the amount of \$2,202 to allow for the purchase of the upgraded wide-out blade snow plows, all in accordance with the associated cooperative purchasing programs' proposals and specifications. (Motion ADOPTED by Roll Call Voice Vote.)

APPROVE PURCHASE ORDER – LANDFILL DUMP TRUCK

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

WHEREAS, City Council authorized the purchase of a used articulated off-road dump truck not to exceed \$160,000 at the March 16, 2020 meeting with formal approval of the purchase order to occur once the vendor was identified; and

WHEREAS, the Landfill Superintendent did an on-site demonstration and evaluation of a truck that will meet the needs of the Landfill that has low hours of use and is in good condition; and

WHEREAS, the Landfill Superintendent arranged to purchase this unit offered by Southeastern Equipment, Inc. of Holt, Michigan that meets the City's needs for \$160,000; and

WHEREAS, there are adequate funds available in the FY2020-21 Landfill Capital budget to cover the cost of the used off-road truck; now therefore

RESOLVED, that City Council authorizes the purchase order issued for \$160,000 to Southeastern Equipment, Inc. of Holt, Michigan for the purchase of one used articulated off-road dump truck. (Motion ADOPTED by Roll Call Voice Vote.)

APPROVE PURCHASE ORDER – LANDFILL COMPOST SCREENER

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

WHEREAS, City Council authorized the purchase of a used compost screener not to exceed \$200,000 at the September 14, 2020 meeting with formal approval of the purchase order to occur once the vendor was identified; and

WHEREAS, the Landfill Superintendent did on site demonstrations of two used units to see how each unit would handle the type and volume of materials at the Landfill; and

WHEREAS, the Landfill Superintendent selected a unit offered by Bandit Industries, Inc. of Remus, Michigan that meets the City's needs for \$181,000; and

WHEREAS, there are adequate funds available in the FY2020-21 Landfill Capital budget to cover the cost of the used compost screener unit; now therefore

RESOLVED, that City Council authorizes the purchase order issued for \$181,000 to Bandit Industries, Inc. of Remus, Michigan for the purchase of one used compost screening unit. (Motion ADOPTED by Roll Call Voice Vote.)

SET PUBLIC HEARING FOR REVIEW OF UPPER EMERSON PARK RIVER RENOVATION PHASE II

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, the City Council hereby schedules a public hearing on a grant application to the Michigan Natural Resources Trust Fund for phase II of the upper Emerson Park riverfront renovation project for Monday, March 22, 2021 at 7:00 p.m. in the City Council Chambers, or virtually due to social distancing guidelines as a result of the coronavirus pandemic; and

RESOLVED FURTHER, in the event the meeting is held virtually, information on how to participate via phone or videoconference will be provided within the agenda posting for said meeting. (Motion ADOPTED by Roll Call Voice Vote.)

Being no further business the meeting adjourned at 9:11 p.m.

Erica Armstrong, City Clerk