

A regular electronic meeting of the City Council was held on Monday, April 12, 2021, at 7:00 p.m. online via <https://zoom.us/join>, with Webinar ID: 834 2662 2878 ~ Password: 591091. 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 March 22, 2021 regular meeting was offered by Councilman Wazbinski and seconded by Councilman Brown Wilhelm. (Motion ADOPTED by a Roll Call Voice Vote.)

Approval of the minutes of the March 23, 2021 special meeting was offered by Councilman Wazbinski and seconded by Councilman Brown Wilhelm. (Motion ADOPTED by a Roll Call Voice Vote.)

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) BUDGET AMENDMENT

Director of Planning and Community Development, Grant Murschel presented to City Council regarding the FY 2020-21 CDBG proposed budget amendment needed to meet environmental and program timeliness requirements. The public hearing of necessity opened at 7:13 p.m., recognizing no public comments, the hearing closed at 7:14 p.m. The following resolution was then offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky:

WHEREAS, Community Development Block Grant (CDBG) revenues totaling \$677,048 must be programmed to activities that meet federal statutory goals and the City's objectives for the CDBG program, as outlined in the FY 2020-2025 Consolidated Plan; and

WHEREAS, the CDBG budget required an amendment to meet environmental and program timeliness requirements; and

WHEREAS, on March 8, 2021, the Housing Commission unanimously recommended approval of the proposed amendments to the FY 2020-21 CDBG budget, to reallocate the current fiscal year's funds, which meets said goals, objectives, and requirements of the CDBG program; and

WHEREAS, a 7-day public comment period was advertised in the Midland Daily News and began on March 26, 2021; and

WHEREAS, a public hearing was held virtually by the Midland City Council on March 22, 2021 at 7:00 p.m. for the purpose of receiving public comment on the proposed 2020-21 CDBG budget amendments; now therefore

RESOLVED, that the City Council hereby adopts the proposed 2020-21 Community Development Block Grant budget amendments, as set forth in the attached table (Attachment A), for the proposed use of funds for the Community Development Block Grant program; and

RESOLVED FURTHER, that the Mayor and City Clerk are authorized to execute the subrecipient agreements, as approved by the City Attorney, on behalf of the City.

2020-21 CDBG Proposed Amendments

Revenue	Approved Budget	Proposed Budget
HUD 2020-21 Entitlement	\$224,774	\$224,774
CDBG-CV Allocation	\$132,247	\$132,247
Program Income	\$20,000	\$52,000
Prior Year Carry-Over	\$303,391	\$268,027
TOTAL	\$680,412	\$677,048
Expenditures	Approved Budget	Proposed Budget
Planning and Administration		
	\$49,500	\$49,500
Affordable Housing		
Huntley Site Clearance	\$0.00	\$23,500
Housing Rehabilitation		
Home To Stay - Health & Safety Home Repairs	\$29,300	\$29,300
HTS/HFH Collaborative Roofing Initiative	\$99,000	\$75,500
TOTAL	\$128,300	\$104,800
Public Facility Improvements		
Grove Park Improvements	\$30,000	\$30,000
Cleveland Manor - Kitchen & Bath Renovation	\$100,000	\$100,000
Washington Woods - Energy Efficiency	\$225,646	\$225,646
TOTAL	\$355,646	\$355,646
Public Services		
MidMichigan Health - Drive-thru Testing	\$6,000	\$6,000
MidMichigan Health - Covid Telehub	\$13,837	\$13,837
Legal Services of E. MI - Fair Housing Testing	\$4,500	\$4,500
TOTAL	\$24,337	\$24,337
Contingency	\$9,965	\$9,965
Expenditures Sub-Total	\$567,748	\$567,748

(Motion ADOPTED by a Roll Call Voice Vote.)

PUBLIC COMMENT

John Elsen, 6106 Sturgeon Creek Pkwy commented regarding infrastructure and the flood plain.

PROPOSED 2021-22 CITY OF MIDLAND BUDGET

Assistant City Manager David Keenan presented information on the City Manager's proposed 2021-22 City of Midland Budget. The following resolution was then offered by Councilman Hall and seconded by Councilman Arnosky:

WHEREAS, City Council has previously approved, at its regular Council meeting on November 23, 2020, that a preliminary public hearing shall be conducted at 7:00 p.m., Monday, April 26, 2021, in the Council Chambers of City Hall, on the proposed 2021-22 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 10, 2021, in the Council Chambers of City Hall on the proposed 2021-22 budget; now therefore

RESOLVED, that the City Manager's proposed budgets and financial working plans for the 2021-22 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 2021-22 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 posted to the City's website; and

RESOLVED FURTHER, that the City Clerk is hereby directed to publish once in the Midland Daily News a comparative summary of the 2020-21 adopted budget and the 2021-22 proposed budget. (Motion ADOPTED by a Roll Call Voice Vote.)

MURAL BLAST 2021 EVENT

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

RESOLVED, that the request from Eric Larsen, Sparked Arts, seeking permission to conduct Mural Blast 2021, a live painting of murals during the Summer Art Fair, on Saturday, June 5 and Sunday, June 6, 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 Eric Larsen, 989-239-8521.
- Provide a certificate of insurance for general liability coverage in the amount of \$1,000,000 per occurrence, \$2,000,000 aggregate, with the City of Midland named as certificate holder and additional insured with the event specified on the certificate. If this event is covered by the insurance provided by the MCFTA for the Summer Art Fair, then that will be sufficient.
- Event setup shall not impede access to any fire hydrants in the area.
- The emergency access lane shall be 20'.
- Closure of Main from McDonald Street to Townsend Street is approved, with the exception of Rodd Street, which shall remain open to traffic. One combined Traffic Control Order will be issued for the Summer Art Fair and the Mural Blast, since the events take place concurrently and both involve Main Street closures.
- Organizer will need to contact the Engineering Department at 989-837-3348 if a closure of Main Street, from Townsend to the Overpass, is required.

- The Department of Public Services will provide barricades for road closures per Engineering's Traffic Control Order.
- Organizer will need to provide a plan to the Engineering Department indicating how the street will be protected from paint.
- City will review need for cost recovery for City expense if event requires unique or non-standard efforts on City's part or for any necessary clean-up of the area by the City.
- 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 FUTURE, 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 a Roll Call Voice Vote.)

REAPPOINTMENTS OF INCUMBENTS TO BOARDS AND COMMISSIONS

Community Affairs Director Selina Tisdale presented information on boards and commissions reappointments. Councilman Arnosky moved, seconded by Councilman Wazbinski to offer the original resolution as presented. Following discussion, Councilman Brown Wilhelm moved, seconded by Councilman Wazbinski, to amend the resolution to remove the Planning Commission incumbents from the list of reappointments. (Motion ADOPTED by a Roll Call Voice Vote. YEAS: Wazbinski, Donker, Brown Wilhelm, Hall NAYS: Arnosky.) The following amended resolution was then voted on:

WHEREAS, City staff has contacted all boards and commissions members whose terms expire June 30, 2021, 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, 2021 for three (3) year terms ending June 30, 2024:

Richard Siemer, Aviation Advisory Commission, Citizen at Large

Dustin Jermalowicz, Aviation Advisory Commission, Citizen at Large

Matt Janson, Aviation Advisory Commission, Pilot Rep

Cheryl Wizda, Cable Access Advisory Commission, MCTV Access User

Mary Laforet, Dial-A-Ride Advisory Commission, Rep with disability

Sandra Bacon, Dial-A-Ride Advisory Commission, Citizen at Large

Kristin Riddle, International Fire Code Board of Appeals, Code Professional

Gail Hoffman, Library Board, Citizen at Large

Sarah Galt, Library Board, Citizen at Large

Neil Rankin, Parks and Recreation Commission, Citizen at Large

Marcia Steidemann, Parks and Recreation Commission, Citizen at Large

Gary Billotti, Parks and Recreation Commission, Citizen at Large

Edward Saunders, West Main Street Historic District Commission, Citizen at Large

Erica Piña, West Main Street Historic District Commission, Citizen at Large

Roy Green, Zoning Board of Appeals, Full Member; and

RESOLVED FURTHER, that City Council hereby reappoints Carl Coons to the Board of Review for a three (3) year term effective May 1, 2021 and ending April 30, 2024; and

RESOLVED FURTHER, that City Council hereby reappoints Roy Green to the Local Officers Compensation Commission for a seven (7) year term effective July 1, 2021 and ending June 30, 2028; and

RESOLVED FURTHER, that City Council confirms the City Manager's reappointment of Jennifer Chappel and David Ginis to the Center City Authority for a four (4) year term effective July 1, 2021 and ending June 30, 2025; and
RESOLVED FURTHER, that City Council confirms the City Manager's reappointment of Paul Barbeau, David Kell, and Bryan Jao to the Downtown Development Authority for a four (4) year term effective May 2, 2021 and ending May 1, 2025; and
RESOLVED FURTHER, that City Council hereby appoints Julie Keil as a regular member of the Zoning Board of Appeals for a three (3) year term effective July 1, 2021 and ending June 30, 2024; and
RESOLVED FURTHER, that City staff is directed to begin disseminating information regarding the remaining boards and commissions vacancies. (Motion ADOPTED by a Roll Call Voice Vote.)

CONSTRUCTION OF CELL 17 SOUTH AT THE LANDFILL

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

WHEREAS, sealed proposals were advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for Bid No. 4142 – Cell 17 South Construction; and
WHEREAS, there are adequate funds committed to the project in the FY2020/21 Landfill budget; now therefore
RESOLVED, that City Council authorizes the Mayor and City Clerk to sign and execute a contract, upon review and approval of the City Attorney, with the low bidder, Catskill Remedial Contracting Services, Inc. of Brighton, Michigan for the project; and
RESOLVED FURTHER, that City Council authorizes the Accounting Manager to issue a purchase order to Catskill Remedial Contracting Services, Inc. of Brighton, Michigan in the amount of \$3,208,417.81 for construction of Cell 17 South at the Landfill, all in accordance with the proposal and City specifications; and
RESOLVED FURTHER, that the City Manager is authorized to approve changes to the purchase order in an amount not to exceed \$300,000.00. (Motion ADOPTED by a Roll Call Voice Vote.)

FOOTING DRAIN DISCONNECT PROGRAM PHASE I

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

WHEREAS, on March 8, 2020 City Council approved Concept 5 Sanitary Sewer System Improvements and directed staff to return with a proposal for a Footing Drain Disconnect Program (FDDP); and
WHEREAS, Staff has worked with Moore + Bruggink on a scope for an FDDP and broke it into two Phases; and
WHEREAS, Phase I will consist of the program design and review alternatives with staff and City Council, tailoring a plan for Midland using elements that have been successful in other municipalities in the state, developing a framework to be adopted at a later date and move to Phase II: Public Outreach and Implementation; and
WHEREAS, Funding is available for this purpose in the Fiscal 2020/21 Wastewater Enterprise Fund budget; now therefore
RESOLVED, that a purchase order is hereby authorized to Moore + Bruggink for professional services in the amount of \$64,000.00 for Phase I of the FDDP. (Motion ADOPTED by a Roll Call Voice Vote.)

WATER SERVICE FITTINGS; BID NO.4156

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

WHEREAS, the City's Water Distribution Department repairs water mains, installs new services, and replaces corroded bolts and fittings throughout the distribution system; and WHEREAS, many of these items require immediate attention when discovered, so it is necessary to have an inventory of fittings and parts available; and WHEREAS, this bid includes all the necessary fittings for this construction season's water projects; and WHEREAS, sealed bids for Bid No. 4156 Water Service Fittings, have been advertised and received in accord with Section 2-18 of the Midland Code of Ordinances; and WHEREAS, staff considers the bid received from Ferguson Waterworks of Flushing to be acceptable, and recommends award for inventory purchases of water service fittings; and WHEREAS, the purchases will be made from Water Enterprise Fund Inventory Account; now therefore RESOLVED, that a purchase order is hereby authorized to Ferguson Waterworks in the amount of \$83,782.10 for inventory purchases of water service fittings; and RESOLVED FURTHER, that the City Manager is hereby authorized to approve changes modifying the purchase order in an aggregate amount not to exceed \$5,000.00. (Motion ADOPTED by a Roll Call Voice Vote.)

WATER TREATMENT PLANT JANITORIAL SERVICES 2021-22

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

WHEREAS, the Water Treatment Plant (WTP) has over 100,000 square feet of floor space that is cleaned and maintained, including open and treatment areas of the plant, office spaces, the laboratory, shop area, locker rooms, and restrooms; and WHEREAS, for the past 27 years WTP staff has been pleased with the reliability, commitment, and cost-effective service that the Arnold Center of Midland special needs employees have provided, and would like to continue that business relationship; and WHEREAS, the rate requested is \$3,000.00 per month, for a total annual cost of \$36,000.00; and WHEREAS, the service contract between the City and the Arnold Center has been approved by the City Attorney as to form; and WHEREAS, funds are available for that purpose in the 2021/22 Water Enterprise Fund Operating Budget; now therefore RESOLVED, that the City Council hereby determines that sealed bids are impractical, and in accordance with Section 2-17 of the Code of Ordinances, the requirement for sealed proposals is hereby waived and the Mayor and City Clerk are hereby authorized to execute the service agreement with the Arnold Center of Midland for janitorial services at the City of Midland Water Treatment Plant, with a total annual amount not to exceed \$36,000.00. (Motion ADOPTED by a Roll Call Voice Vote.)

SET A PUBLIC HEARING TO AMEND THE CITY BUDGETS AND FINANCIAL WORKING PLANS

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 on the proposal to amend 2020-21 budgets and financial working plans as outlined below, shall be conducted at 7:00 p.m., April 26, 2021, in the Council Chambers of City Hall, or virtually due to social distancing guidelines as a result of the coronavirus pandemic.

	<u>Current</u>	<u>Proposed</u>
GENERAL FUND		
Sources of revenue	\$ 45,220,598	\$ 46,349,304
Uses of revenue	53,754,003	50,928,796
<i>Change in fund balance</i>	<u>\$ (8,533,405)</u>	<u>\$ (4,579,492)</u>
MAJOR STREET FUND		
Sources of revenue	\$ 9,511,737	\$ 9,474,650
Uses of revenue	14,099,043	14,064,874
<i>Change in fund balance</i>	<u>\$ (4,587,306)</u>	<u>\$ (4,590,224)</u>
LOCAL STREET FUND		
Sources of revenue	\$ 4,718,400	\$ 4,641,289
Uses of revenue	6,835,502	6,826,766
<i>Change in fund balance</i>	<u>\$ (2,117,102)</u>	<u>\$ (2,185,477)</u>
BROWNFIELD REDEVELOP AUTHORITY		
Sources of revenue	\$ -	\$ 406,300
Uses of revenue	-	406,200
<i>Change in fund balance</i>	<u>\$ -</u>	<u>\$ 100</u>
SMARTZONE		
Sources of revenue	\$ 153,215	\$ 143,000
Uses of revenue	85,000	35,000
<i>Change in fund balance</i>	<u>\$ 68,215</u>	<u>\$ 108,000</u>
CENTER CITY AUTHORITY FUND		
Sources of revenue	\$ 209,082	\$ 416,333
Uses of revenue	225,210	416,441
<i>Change in fund balance</i>	<u>\$ (16,128)</u>	<u>\$ (108)</u>
STORM WATER MANAGEMENT FUND		
Sources of revenue	\$ 1,354,173	\$ 1,367,068
Uses of revenue	1,850,915	1,731,189
<i>Change in fund balance</i>	<u>\$ (496,742)</u>	<u>\$ (364,121)</u>
GRACE A. DOW LIBRARY FUND		
Sources of revenue	\$ 4,542,544	\$ 5,228,999
Uses of revenue	5,357,309	5,950,148
<i>Change in fund balance</i>	<u>\$ (814,765)</u>	<u>\$ (721,149)</u>

	<u>Current</u>	<u>Proposed</u>
COMMUNITY DEVELOPMENT BLOCK GRANT FUND		
Sources of revenue	\$ 680,412	\$ 677,048
Uses of revenue	567,748	567,748
<i>Change in fund balance</i>	<u>\$ 112,664</u>	<u>\$ 109,300</u>
HOMELAND SECURITY GRANT PROGRAM		
Sources of revenue	\$ 1,584,549	\$ 1,176,924
Uses of revenue	1,577,416	1,169,791
<i>Change in fund balance</i>	<u>\$ 7,133</u>	<u>\$ 7,133</u>
SPECIAL ACTIVITIES FUND		
Sources of revenue	\$ 88,250	\$ 8,237
Uses of revenue	96,500	8,187
<i>Change in fund balance</i>	<u>\$ (8,250)</u>	<u>\$ 50</u>
MIDLAND HOUSING FUND		
Sources of revenue	\$ 5,200	\$ 17,760
Uses of revenue	6,000	6,000
<i>Change in fund balance</i>	<u>\$ (800)</u>	<u>\$ 11,760</u>
DIAL-A-RIDE FUND		
Sources of revenue	\$ 2,594,122	\$ 2,727,731
Uses of revenue	2,597,122	2,212,802
<i>Change in fund balance</i>	<u>\$ (3,000)</u>	<u>\$ 514,929</u>
MIDLAND COMMUNITY TELEVISION FUND		
Sources of revenue	\$ 704,416	\$ 654,300
Uses of revenue	780,807	641,645
<i>Change in fund balance</i>	<u>\$ (76,391)</u>	<u>\$ 12,655</u>
DOWNTOWN DEVELOPMENT AUTHORITY FUND		
Sources of revenue	\$ 1,246,087	\$ 1,312,819
Uses of revenue	937,723	898,038
<i>Change in fund balance</i>	<u>\$ 308,364</u>	<u>\$ 414,781</u>
DEBT SERVICE FUND		
Sources of revenue	\$ 2,138,886	\$ 2,142,203
Uses of revenue	2,382,357	2,382,357
<i>Change in fund balance</i>	<u>\$ (243,471)</u>	<u>\$ (240,154)</u>
CIVIC ARENA FUND		
Sources of revenue	\$ 1,479,000	\$ 1,085,415
Uses of revenue	1,713,819	1,498,853
<i>Change in working capital</i>	<u>\$ (234,819)</u>	<u>\$ (413,438)</u>
LANDFILL FUND		
Sources of revenue	\$ 4,108,620	\$ 4,640,424
Uses of revenue	9,515,243	9,768,761
<i>Change in working capital</i>	<u>\$ (5,406,623)</u>	<u>\$ (5,128,337)</u>
WASHINGTON WOODS FUND		
Sources of revenue	\$ 2,042,916	\$ 2,087,376
Uses of revenue	2,556,437	2,478,482
<i>Change in working capital</i>	<u>\$ (513,521)</u>	<u>\$ (391,106)</u>

Current

Proposed

	<u>Current</u>	<u>Proposed</u>
PROPERTY AND LIABILITY INSURANCE FUND		
Sources of revenue	\$ 2,215,000	\$ 1,958,944
Uses of revenue	<u>2,806,000</u>	<u>2,748,820</u>
<i>Change in working capital</i>	<u>\$ (591,000)</u>	<u>\$ (789,876)</u>
HEALTH INSURANCE FUND		
Sources of revenue	\$ 11,144,500	\$ 11,114,752
Uses of revenue	<u>11,662,231</u>	<u>11,506,530</u>
<i>Change in working capital</i>	<u>\$ (517,731)</u>	<u>\$ (391,778)</u>
SPECIAL ASSESSMENT REVOLVING FUND		
Sources of revenue	\$ 66,903	\$ 47,086
Uses of revenue	<u>66,903</u>	<u>47,086</u>
<i>Change in working capital</i>	<u>\$ -</u>	<u>\$ -</u>

(Motion ADOPTED by a Roll Call Voice Vote.)

[SET A PUBLIC HEARING TO REVIEW AND APPROVE THE CONCEPT 5 DRAFT PROJECT PLAN](#)

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

WHEREAS, on March 8, 2020 City Council approved Concept 5 Sanitary Sewer System Improvements and directed staff to review funding options; and
WHEREAS, staff recommends submitting draft project plans to the Michigan Department of Environment, Great Lakes, and Energy (EGLE) to seek project plan approval and procure the opportunity for low-interest loans to fund the improvements through the Clean Water State Revolving Fund and the Strategic Water Quality Initiatives Fund; and
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. on Monday, May 24, 2021 to review and approve the proposed project plan being submitted to EGLE to procure the opportunity for low-interest loans to fund the improvements in Concept 5. (Motion ADOPTED by a Roll Call Voice Vote.)

Being no further business the meeting adjourned at 8:03 p.m.

Erica Armstrong, City Clerk