

April 24, 2023

A regular meeting of the City Council was held on Monday, April 24, 2023, 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: Steve Arnosky, Maureen Donker, Tim Soler, Marty Wazbinski  
Councilmen absent: Diane Brown Wilhelm

### **MINUTES**

Approval of the minutes of the April 10, 2023 regular meeting and the April 17, 2023 special meeting were offered by Councilman Arnosky and seconded by Councilman Wazbinski. (Motion ADOPTED)

### **WORKER'S MEMORIAL DAY 2023**

Director of Community Affairs Selina Harris presented information on a proclamation designating Friday, April 28, 2023 as Worker's Memorial Day. The following resolution was then offered by Councilman Wazbinski and seconded by Councilman Arnosky:

RESOLVED, that the Mayor is authorized to issue the attached proclamation designating April 28, 2023 as Workers Memorial Day in the City of Midland and urges all citizens to recognize and honor the contributions of Michigan's workforce and call for increased workplace safety standards. (Motion ADOPTED)

### **CITY MODERN UPDATE**

Director of Planning & Community Development Jacob Kain presented information on the City Modern Master Plan process.

### **2023-24 CITY OF MIDLAND BUDGET**

Assistant City Manager David Keenan presented information on the proposed 2023-24 City of Midland budget. A public hearing opened at 7:59 p.m. receiving no public comment, public hearing closed at 8:00 p.m.

### **2022/23 CITY OF MIDLAND BUDGETS AND FINANCIAL WORKING PLANS**

Assistant City Manager David Keenan presented information on the proposed amendment to the 2022/23 City of Midland budgets and financial working plans. A public hearing opened at 8:35 p.m. receiving no public comment, public hearing closed at 8:36 p.m. The following resolution was then offered by Councilman Wazbinski and seconded by Councilman Soler:

WHEREAS, in accord with Sections 5.11 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, April 24, 2023 on the proposal to amend the 2022-23 budgets and financial working plans to reflect the estimates submitted during the 2023-24 budget process; now therefore  
RESOLVED, the budgets and working plans of the City of Midland be amended as follows:

	<b>FY2023 Current</b>	<b>FY2023 Proposed</b>
<b>GENERAL FUND</b>		
Property Taxes	\$ 30,990,596	\$ 31,055,277
Intergovernmental	15,464,052	16,428,833
Other revenues	6,345,175	8,076,265
Transfers from other funds	196,700	246,864
Sources of funds	<u>\$ 52,996,523</u>	<u>\$ 55,807,239</u>
General government	\$ 7,897,878	\$ 8,892,518
Public safety	25,911,679	25,834,581
Public works	3,361,220	3,316,835
Sanitation	4,701,781	4,660,423
Parks and recreation	8,028,724	8,182,484
Other functions	2,862,764	2,822,497
Capital projects	1,629,724	1,712,387
Contingency	302,597	250,000
Transfers to other funds	6,457,171	6,285,161
Total appropriations	<u>61,153,538</u>	<u>61,956,886</u>
<i>Change in fund balance</i>	<u>\$ (8,157,015)</u>	<u>\$ (6,149,647)</u>
<b>MAJOR STREET FUND</b>		
Sources of funds	\$ 9,987,334	\$ 10,531,399
Total appropriations	16,262,077	16,064,025
<i>Change in fund balance</i>	<u>\$ (6,274,743)</u>	<u>\$ (5,532,626)</u>
<b>LOCAL STREET FUND</b>		
Sources of funds	\$ 4,607,420	\$ 4,739,390
Total appropriations	7,305,268	7,176,274
<i>Change in fund balance</i>	<u>\$ (2,697,848)</u>	<u>\$ (2,436,884)</u>
<b>BROWNFIELD REDEVELOP AUTHORITY</b>		
Sources of funds	\$ 410,100	\$ 400,000
Total appropriations	410,000	400,000
<i>Change in fund balance</i>	<u>\$ 100</u>	<u>\$ -</u>
<b>SMARTZONE</b>		
Sources of funds	\$ 123,000	\$ 114,136
Total appropriations	100,500	100,500
<i>Change in fund balance</i>	<u>\$ 22,500</u>	<u>\$ 13,636</u>
<b>CENTER CITY AUTHORITY FUND</b>		
Sources of funds	\$ 3,495,583	\$ 1,590,125
Total appropriations	4,885,612	4,786,899
<i>Change in fund balance</i>	<u>\$ (1,390,029)</u>	<u>\$ (3,196,774)</u>

	<u>Current</u>	<u>Proposed</u>
<b>STORM WATER MANAGEMENT FUND</b>		
Sources of funds	\$ 3,074,524	\$ 2,280,779
Total appropriations	<u>4,715,414</u>	<u>4,621,805</u>
<i>Change in fund balance</i>	<u>\$ (1,640,890)</u>	<u>\$ (2,341,026)</u>
<b>GRACE A. DOW LIBRARY FUND</b>		
Sources of funds	\$ 5,370,755	\$ 4,946,941
Total appropriations	<u>5,915,075</u>	<u>5,166,658</u>
<i>Change in fund balance</i>	<u>\$ (544,320)</u>	<u>\$ (219,717)</u>
<b>COMMUNITY DEVELOPMENT BLOCK GRANT FUND</b>		
Sources of funds	\$ 6,443,242	\$ 6,297,038
Total appropriations	<u>6,443,830</u>	<u>6,297,038</u>
<i>Change in fund balance</i>	<u>\$ (588)</u>	<u>\$ -</u>
<b>HOMELAND SECURITY GRANT PROGRAM</b>		
Sources of funds	\$ 1,142,694	\$ 1,230,759
Total appropriations	<u>1,221,161</u>	<u>1,142,694</u>
<i>Change in fund balance</i>	<u>\$ (78,467)</u>	<u>\$ 88,065</u>
<b>SPECIAL ACTIVITIES FUND</b>		
Sources of funds	\$ 141,050	\$ 11,204
Total appropriations	<u>141,000</u>	<u>9,929</u>
<i>Change in fund balance</i>	<u>\$ 50</u>	<u>\$ 1,275</u>
<b>MIDLAND HOUSING FUND</b>		
Sources of funds	\$ 377,660	\$ 328,400
Total appropriations	<u>386,299</u>	<u>328,000</u>
<i>Change in fund balance</i>	<u>\$ (8,639)</u>	<u>\$ 400</u>
<b>DIAL-A-RIDE FUND</b>		
Sources of funds	\$ 3,818,836	\$ 3,821,574
Total appropriations	<u>3,818,836</u>	<u>3,727,791</u>
<i>Change in fund balance</i>	<u>\$ -</u>	<u>\$ 93,783</u>
<b>MIDLAND COMMUNITY TELEVISION FUND</b>		
Sources of funds	\$ 632,380	\$ 611,000
Total appropriations	<u>847,499</u>	<u>706,156</u>
<i>Change in fund balance</i>	<u>\$ (215,119)</u>	<u>\$ (95,156)</u>
<b>DOWNTOWN DEVELOPMENT AUTHORITY FUND</b>		
Sources of funds	\$ 1,295,979	\$ 1,340,540
Total appropriations	<u>1,372,912</u>	<u>1,005,680</u>
<i>Change in fund balance</i>	<u>\$ (76,933)</u>	<u>\$ 334,860</u>

	<u>Current</u>	<u>Proposed</u>
<b>DEBT SERVICE FUND</b>		
Sources of funds	\$ 1,553,450	\$ 1,552,926
Total appropriations	<u>1,553,450</u>	<u>1,553,450</u>
<i>Change in fund balance</i>	<u>\$ -</u>	<u>\$ (524)</u>
<b>CIVIC ARENA FUND</b>		
Sources of funds	\$ 1,817,000	\$ 1,860,180
Total appropriations	<u>2,134,705</u>	<u>2,076,836</u>
<i>Change in working capital</i>	<u>\$ (317,705)</u>	<u>\$ (216,656)</u>
<b>LANDFILL FUND</b>		
Sources of funds	\$ 5,294,256	\$ 6,058,081
Total appropriations	<u>5,561,621</u>	<u>6,071,953</u>
<i>Change in working capital</i>	<u>\$ (267,365)</u>	<u>\$ (13,872)</u>
<b>WASHINGTON WOODS FUND</b>		
Sources of funds	\$ 2,367,620	\$ 2,327,191
Total appropriations	<u>2,825,324</u>	<u>2,869,927</u>
<i>Change in working capital</i>	<u>\$ (457,704)</u>	<u>\$ (542,736)</u>
<b>RIVERSIDE PLACE FUND</b>		
Sources of funds	\$ 3,509,569	\$ 3,038,322
Total appropriations	<u>4,773,180</u>	<u>4,277,889</u>
<i>Change in working capital</i>	<u>\$ (1,263,611)</u>	<u>\$ (1,239,567)</u>
<b>CURRIE MUNICIPAL GOLF COURSE FUND</b>		
Sources of funds	\$ 2,208,253	\$ 2,283,400
Total appropriations	<u>2,029,672</u>	<u>2,007,670</u>
<i>Change in working capital</i>	<u>\$ 178,581</u>	<u>\$ 275,730</u>
<b>PARKING FUND</b>		
Sources of funds	\$ 197,120	\$ 172,967
Total appropriations	<u>204,679</u>	<u>171,900</u>
<i>Change in working capital</i>	<u>\$ (7,559)</u>	<u>\$ 1,067</u>
<b>WATER RECLAMATION FUND</b>		
Sources of funds	\$ 23,684,208	\$ 21,193,656
Total appropriations	<u>24,359,589</u>	<u>23,101,745</u>
<i>Change in working capital</i>	<u>\$ (675,381)</u>	<u>\$ (1,908,089)</u>
<b>WATER FUND</b>		
Sources of funds	\$ 15,223,938	\$ 14,584,755
Total appropriations	<u>20,267,069</u>	<u>20,129,271</u>
<i>Change in working capital</i>	<u>\$ (5,043,131)</u>	<u>\$ (5,544,516)</u>

	<u>Current</u>	<u>Proposed</u>
<b>STORES REVOLVING FUND</b>		
Sources of funds	\$ 814,195	\$ 1,261,378
Total appropriations	<u>821,206</u>	<u>1,258,308</u>
<i>Change in working capital</i>	<u>\$ (7,011)</u>	<u>\$ 3,070</u>
<b>INFORMATION SERVICES FUND</b>		
Sources of funds	\$ 1,068,960	\$ 1,073,500
Total appropriations	<u>1,437,305</u>	<u>1,402,261</u>
<i>Change in working capital</i>	<u>\$ (368,345)</u>	<u>\$ (328,761)</u>
<b>FACILITIES MAINTENANCE</b>		
Sources of funds	\$ 200,000	\$ 210,750
Total appropriations	<u>197,130</u>	<u>181,694</u>
<i>Change in working capital</i>	<u>\$ 2,870</u>	<u>\$ 29,056</u>
<b>EQUIPMENT REVOLVING FUND</b>		
Sources of funds	\$ 6,295,694	\$ 6,324,434
Total appropriations	<u>7,303,962</u>	<u>7,404,100</u>
<i>Change in working capital</i>	<u>\$ (1,008,268)</u>	<u>\$ (1,079,666)</u>
<b>MUNICIPAL SERVICE CENTER FUND</b>		
Sources of funds	\$ 460,388	\$ 466,138
Total appropriations	<u>405,118</u>	<u>412,866</u>
<i>Change in working capital</i>	<u>\$ 55,270</u>	<u>\$ 53,272</u>
<b>MUNICIPAL SERVICE ANNEX FUND</b>		
Sources of funds	\$ 32,976	\$ 33,666
Total appropriations	<u>54,553</u>	<u>55,400</u>
<i>Change in working capital</i>	<u>\$ (21,577)</u>	<u>\$ (21,734)</u>
<b>PROPERTY AND LIABILITY INSURANCE FUND</b>		
Sources of funds	\$ 835,670	\$ 947,796
Total appropriations	<u>952,255</u>	<u>968,410</u>
<i>Change in working capital</i>	<u>\$ (116,585)</u>	<u>\$ (20,614)</u>
<b>HEALTH INSURANCE FUND</b>		
Sources of funds	\$ 11,205,000	\$ 11,115,000
Total appropriations	<u>11,500,980</u>	<u>11,469,107</u>
<i>Change in working capital</i>	<u>\$ (295,980)</u>	<u>\$ (354,107)</u>
<b>SPECIAL ASSESSMENT REVOLVING FUND</b>		
Sources of funds	\$ 45,700	\$ 14,200
Total appropriations	<u>45,700</u>	<u>98,864</u>
<i>Change in working capital</i>	<u>\$ -</u>	<u>\$ (84,664)</u>

(Motion ADOPTED)

## **PUBLIC COMMENT**

No public comment was received.

## **GARBAGE, REFUSE, AND LITTER ORDINANCE**

Director of Public Services Karen Murphy presented information on the Garbage, Refuse, and Litter Ordinance Amendment. Introduction and first reading of the following ordinance amendment was then offered by Councilman Wazbinski and seconded by Councilman Soler:

RESOLVED, that in accordance with Section 6.2 of the Charter of the City of Midland, the attached ordinance amending Sections 10-2 of Article I, Sections 10-42, 10-43, 10-44 and 10-45 of Article III, and adding Section 10-46 to Article III of Chapter 10 "Garbage, Refuse and Litter" of the Midland Code of Ordinances is given introduction and first reading; and RESOLVED FURTHER, that the ordinance shall be placed on the agenda for second reading and proposed adoption at the regular City Council meeting scheduled for Monday, May 8, 2023 at 7:00 p.m., in the Council Chambers of City Hall. (Motion ADOPTED. Considered first reading)

## **PARKING LOT & RAIL TRAIL CRACK FILL & SEAL COATING**

The following resolution was then offered by Councilman Arnosky 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 City parking lot & rail trail crack sealing & seal coating at the Civic Arena, the Municipal Service Center and the rail trail system; and WHEREAS, funding for this project is provided by the Civic Arena Fund, the Municipal Service Center Fund and the Parks and Recreation Fund; now therefore RESOLVED, that the low sealed proposal submitted by Wolverine Sealcoating LLC of Jackson, Michigan for the "City Parking Lot & Rail Trail Crack Sealing & Seal Coating" project, in the amount not to exceed \$122,240.00, 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 (Motion ADOPTED)

## **FY23 ANNUAL SIDEWALK IMPROVEMENT PROGRAM CONTRACT**

The following resolution was then offered by Councilman Arnosky 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 Council-approved improvements contained within the FY 2023 Annual Sidewalk Improvement Program; and WHEREAS, the majority of funding for this project is provided by the General Fund, as well as special assessments on the fronting properties of each sidewalk segment within the project, with a shortfall of \$13,330.00; and WHEREAS, the shortfall has been accounted for with a transfer from the City Manager's Contingency Reserve Fund; now therefore RESOLVED, that the low qualifying sealed proposal submitted by J&N Concrete, Inc. of Mt. Pleasant, Michigan for the "FY 2023 Annual Sidewalk Improvement Program" project, in the amount of \$160,944.00, 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, subject to the approval of the FY22/23 amended budget; 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 \$15,000.00. (Motion ADOPTED)

### **BUDGET TRANSFER FOR FIRE ENGINE EQUIPMENT**

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

WHEREAS, the City of Midland agreed to purchase three new fire engines in March 2022; and  
WHEREAS, The Midland Fire Department apparatus committee set forth a plan to replace equipment that was near or at its end of life; and

WHEREAS, the apparatus committee also designed the new fire engines with the plan to remove as much gas and corded equipment as possible and replace them with battery operated equipment; and

WHEREAS, there are adequate funds available in the 2022-23 General Fund Reserve for Contingencies expenditure account to fully fund purchasing the required equipment; now therefore

RESOLVED, that the City Controller is authorized to complete a budget transfer to the 2022-23 General Fund budget to transfer \$69,000 from the General Fund Reserve for Contingencies expenditure account to the Fire Department budget for the purchase of equipment to be placed on the new fire engines. (Motion ADOPTED)

### **PURCHASE ORDER FOR ROAD SALT**

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

WHEREAS, bids for road salt are solicited by the State of Michigan's MiDeal Extended Purchasing Program and the City of Midland is authorized to make purchases from this program; and

WHEREAS, funding is provided in the FY2022-23 Stores Revolving Fund budget for the purchase of road salt as an inventory item that gets charged out upon use to the Major and Local Street budgets for snow and ice control; and

WHEREAS, City Council approved two purchase orders at the August 22, 2022 meeting with the Detroit Salt Company of Detroit, Michigan for 2,500 tons of early salt delivery and 2,000 tons of backup salt delivery; and

WHEREAS, the DPW Supervisors desire to purchase 2,600 tons of backup salt delivery to replenish the salt inventory on hand for next winter, requiring an increase to the existing purchase order for the additional 600 tons of backup salt; now therefore

RESOLVED, that the Accounting Manager is authorized to increase Purchase Order #2023-00001499 to the Detroit Salt Company of Detroit, Michigan, by \$37,794 for a total not to exceed \$163,774 to allow for the purchase of an additional 600 tons of backup salt based on the State of Michigan's MiDeal Extended Purchasing Program unit prices. (Motion ADOPTED)

### **BID 4337, WATER SERVICE FITTINGS**

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

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 an estimated needed quantity of fittings for the 2023 construction season's water projects; and

WHEREAS, sealed bids for Bid No. 4337 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 low bid received from ETNA Supply Co. to be acceptable, and recommends award for inventory purchases of water service fittings; and  
WHEREAS, the purchases will be made from the Water Enterprise Fund Inventory Account; now therefore  
RESOLVED, that a purchase order is hereby authorized to ETNA Supply Co. in the amount of \$120,614.35 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)

### **SET A PUBLIC HEARING TO AMEND THE FY 2022/23 MIDLAND POLICE DEPT GENERAL FUND BUDGET**

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

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., Monday, May 8, 2023, in the Council Chambers of City Hall on the proposal to amend the Midland Police Department General Fund FY 2022/23 Budget to recognize additional revenue of \$41,925.21 received from the 2019 Homeland Security Grants Program, with a corresponding additional expenditure of \$41,925.21 to provide for the purchase of new in-car computer systems.  
RESOLVED FURTHER, direct the City Clerk to give notice as provided in Section 5.11 of the Charter of the City of Midland. (Motion ADOPTED)

### **SET A PUBLIC HEARING TO APPROVE CONDITIONAL USE PERMIT NO. 83**

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

WHEREAS, Wackerly Development, LLC submitted a request for a conditional land use to permit a single family dwelling located at 7101 W. Wackerly Street; and  
WHEREAS, City Planning Department staff notified property owners and occupants within three hundred (300) feet of the subject property by transmitting notice on March 25, 2023 and publishing said notice on March 25, 2023 of the public hearing on April 11, 2023; and  
WHEREAS, the City Planning Commission has conducted a public hearing in accord with Section 28.02(A) of the Zoning Ordinance of the City of Midland on said conditional use; and  
WHEREAS, the Planning Commission has submitted its recommendation to approve the permit, in accord with Section 28.02(B) of the Zoning Ordinance of the City of Midland; now therefore  
RESOLVED, that a public hearing will be held by the City Council on May 22, 2023, at 7:00 p.m. in the Council Chambers, City Hall, for the purpose of considering the request for a Conditional Use Permit; and  
RESOLVED FURTHER, that the City Clerk is hereby directed to notify property owners and occupants within three hundred (300) feet of the proposed area by transmitting notice on or before April 28, 2023 and to publish said notice by April 28, 2023. (Motion ADOPTED)

### **SET A PUBLIC HEARING TO CONSIDER THE 2023-24 COMMUNITY DEVELOPMENT BLOCK GRANT BUDGET**

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



WHEREAS, the City of Midland has received an annual entitlement award of \$204,928 in Community Development Block Grant (CDBG) funds for fiscal year 2023-24 from the U.S. Department of Housing & Urban Development; and

WHEREAS, additional special revenues of \$5,476,035 in CDBG Declared Disaster Recovery (CDBG-DDR) funds have been received; and

WHEREAS, the City will have a carry-over balance of \$156,399 and it is expected that the City will receive a total of \$15,000 in program income during the 2023-24 fiscal year; and

WHEREAS, CDBG revenues totaling \$5,852,362 must be programmed to activities that meet the federal statutory goals and the City's objectives of the CDBG program, as outlined in the 2020-25 Consolidated Plan as amended; and

WHEREAS, on April 5, 2023, the Housing Commission unanimously recommended approval of the proposed 2023-24 CDBG budget, which meets said goals and objectives of the CDBG program; and

WHEREAS, the required 30 day public comment period will begin on April 28, 2023; and

WHEREAS, it is necessary to provide an opportunity for public input on the proposed expenditure of said funds following the required 30 day public comment period which will conclude on May 28, 2023; now therefore

RESOLVED, a public hearing will be held by the Midland City Council on June 12, 2023 at 7:00 p.m. in the City Council Chambers, City Hall, 333 West Ellsworth Street, Midland, Michigan, for the purpose of considering the proposed 2023-24 CDBG budget. (Motion ADOPTED)

#### **SET A PUBLIC HEARING TO AMEND THE 2022-23 GENERAL FUND FORESTRY BUDGET**

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

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., Monday, May 8, 2023, in the Council Chambers of City Hall, on the proposal to amend the 2022-23 General Fund Forestry Department budget by increasing expenditures by \$20,000 to restore spending authorization for the Michigan Department of Natural Resources Grant that was received in February of 2023, but inadvertently removed from the budget during the 2023-24 budget process. (Motion ADOPTED)

Being no further business the meeting adjourned at 9:01 p.m.

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Lacey Todd, City Clerk