

June 28, 2021

A regular electronic meeting of the City Council was held on Monday, June 28, 2021, at 7:00 p.m. online via <https://zoom.us/join>, with Webinar ID: 861 1499 2438 ~ Password: 377856. Mayor Pro Tem Wazbinski 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), Pamela Hall (remote – Midland, MI), Marty Wazbinski (remote – Midland, MI)

Councilmen absent: Maureen Donker

### **MINUTES**

Approval of the minutes of the June 14, 2021 regular meeting was offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky. (Motion ADOPTED by a Roll Call Voice Vote.)

Approval of the minutes of the June 21 special meeting was offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky. (Motion ADOPTED by a Roll Call Voice Vote.)

Approval of the minutes of the June 21 special meeting was offered by Councilman Brown Wilhelm and seconded by Councilman Arnosky. (Motion ADOPTED by a Roll Call Voice Vote.)

### **PUBLIC COMMENT**

No public comments were made.

### **WATER AND SEWER RATES ORDINANCE AMENDMENTS**

Director of Water Services Peter Schwarz presented information on ordinances amending Section 28-52 of Division 3 of Article II of Chapter 28 – Water Rates and Section 28-163 of Division 3 of Article III of Chapter 28 – Sewer Rates.

### **WATER RATES ORDINANCE**

The following ordinance amendment was then offered by Councilman Brown Wilhelm and seconded by Councilman Hall:

#### ORDINANCE NO. 1844

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF MIDLAND, MICHIGAN, BY AMENDING SECTION 28-52 OF DIVISION 3 OF ARTICLE II OF CHAPTER 28 THEREOF.

The City of Midland Ordains:

Section 1. Section 28-52 of Division 3 of Article II of Chapter 28 of the Code of Ordinances is hereby amended to read as follows:

#### **Sec. 28-52. Filtered water rate generally.**

The city's methodology of adjusting water rates shall be in accordance with the cost of service water and sewer rate study prepared by the city's consultant, presented to and approved by the council in 1993 and shall be in conformity with the findings set forth in section 28-2 of this chapter.

All filtered water bills shall be calculated according to the following:

- (1) For each one thousand (1,000) gallons used per quarter: \$1.88
- (2) In addition to the rate set forth in this section for the use of water, there shall be a readiness-to-serve charge per quarter on each metered service as follows:

<u>Metered Service</u>	<u>Amount</u>
5/8" – 3/4"	\$39.45
1"	\$51.29

1- 1/2"	\$63.12
2"	\$102.57
3"	\$394.50
4"	\$512.85
6"	\$749.55
8"	\$1,065.15

(3) Gross rates shall be ten (10) percent greater than the above schedule of rates and shall be charged for water service paid for after the date shown on the bills.

Section 2. This ordinance shall take effect July 1, 2021. (Ordinance ADOPTED by a Roll Call Voice Vote.)

### **SEWER RATES ORDINANCE**

The following ordinance amendment was then offered by Councilman Arnosky and seconded by Councilman Hall:

#### ORDINANCE NO. 1845

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF MIDLAND, MICHIGAN, BY AMENDING SECTION 28-163 OF DIVISION 3 OF ARTICLE III OF CHAPTER 28 THEREOF.

The City of Midland Ordains:

Section 1. Section 28-163 of Division 3 of Article III of Chapter 28 of the Code of Ordinances is hereby amended to read as follows:

#### **Sec. 28-163. Amount of sewer charge.**

The city's methodology of adjusting sewer rates shall be in accordance with the cost of service water and sewer rate study prepared by the city's consultant, presented to and approved by the council in 1993 and shall be in conformity with the findings set forth in Section 28-4 of this chapter.

The charges for sewer service shall be calculated according to the following schedule:

(1) There shall be a readiness-to-serve charge per quarter on each metered water service as follows:

<u>Metered Service</u>	<u>Amount</u>
5/8" – 3/4"	\$52.29
1"	\$67.98
1 – 1/2"	\$83.66
2"	\$135.95
3"	\$522.90
4"	\$679.77
6"	\$993.51
8"	\$1,411.83

(2) In addition to the readiness-to-serve charge set forth in subsection (1) of this section, there will be an additional charge for sewer service, which will be calculated as follows:

For each 1,000 gallons of water used per quarter: \$2.68

However, bills for sewer services for two (2) summer quarters for domestic customers, schools and churches shall be based on the average consumption during two (2) winter quarters. In cases where there is no previous consumption upon which to base bills for sewer services in the summer quarters, twenty-five

thousand (25,000) gallons or actual consumption, whichever is the least, shall be used.

Section 2. This ordinance shall take effect July 1, 2021. (Ordinance ADOPTED by a Roll Call Voice Vote.)

#### **CODE OF CONDUCT AMENDMENT**

Councilman Hall motioned, seconded by Councilman Brown Wilhelm to table the Code of Conduct proposed amendment until a full Council would be in attendance at the July 26, 2021 regular City Council meeting.

#### **PUBLIC PARTICIPATION PLAN FOR CITY MODERN**

Director of Planning & Community Development, Grant Murschel presented regarding the proposed Public Participation Plan for City Modern as part of the master planning process. The following resolution was then offered by Councilman Hall and seconded by Councilman Brown Wilhelm:

WHEREAS, the City of Midland has begun a comprehensive master planning process, as initiated by the City Planning Commission in January 2021; and  
WHEREAS, the comprehensive master planning process is to be known as City Modern and will progress through five (5) phases of a work plan; and  
WHEREAS, public participation in all five (5) phases of the City Modern process is vital to creating a shared vision/future direction for the city and is key to building and strengthening relationships between the public and the local government; and  
WHEREAS, the goals and guiding principles, key stakeholders, and tools and strategies to gain meaningful public participation during this process are contained within the City Modern Public Participation Plan; and  
WHEREAS, methods to communicate outcomes and evaluate/improve upon the participation processes are also contained within the City Modern Public Participation Plan; now therefore  
RESOLVED, that the City Council receives and files the City Modern Public Participation Plan. (Motion ADOPTED by a Roll Call Voice Vote.)

#### **2020 PLANNING COMMISSION ANNUAL REPORT**

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

WHEREAS, the City Planning Commission has documented the activity the body handled during the 2020 calendar year in an annual report; and  
WHEREAS, the Planning Commission has submitted its approval of 2020 Annual Report to City Council; now therefore  
RESOLVED, that the City Council receives and files the 2020 Planning Commission Annual Report. (Motion ADOPTED by a Roll Call Voice Vote.)

#### **PARKS AND RECREATION COMMISSION RESIGNATION**

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

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

#### **PARKS AND RECREATION COMMISSION APPOINTMENT**

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

RESOLVED, that Holly Montalbano is hereby appointed to the Parks and Recreation Commission for the remainder of an unexpired term ending June 30, 2023. (Motion ADOPTED by a Roll Call Voice Vote.)

**LOCAL OFFICERS COMPENSATION COMMISSION APPOINTMENT**

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

RESOLVED, that David Kell is hereby appointed to the Local Officers Compensation Commission for the remainder of an unexpired term ending June 30, 2027. (Motion ADOPTED by a Roll Call Voice Vote.)

**2021 DARTMOUTH COURT & SALEM STREET RECONSTRUCTION; CONTRACT NO. 11**

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 the reconstruction of Dartmouth Court and Salem Street; and

WHEREAS, funding for this project is provided by the Local Street Fund; now therefore RESOLVED, that the low sealed proposal submitted by Crawford Contracting, Inc. of Mt. Pleasant, Michigan for the "2021 Dartmouth Court & Salem Street Reconstruction; Contract No. 11" project, in the amount of \$245,695.32, 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 \$25,000.00. (Motion ADOPTED by a Roll Call Voice Vote.)

**WASTEWATER – OXIDATION DITCH IMPROVEMENT BID 4170**

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

WHEREAS, the Oxidation Ditch treatment process was put into service at the Wastewater Treatment Plant (WWTP) in 1990 and as part of ongoing replacement schedules and improvements in the existing project WW2103 Oxidation Ditch Upgrade, the aeration rotors are being updated to newer technology; and

WHEREAS, Phase I of this improvement requires modifications to be made to the existing concrete structure to accommodate the new larger aeration disc technology that are replacing the current less efficient brush design; and

WHEREAS, sealed bids for Bid 4170 – WWTP Oxidation Ditch Improvement, have been advertised and received in accord with Section 2-18 of the Midland Code of Ordinances; and WHEREAS, funding has been budgeted in the 2020/21 Wastewater Fund Capital Budget; now therefore

RESOLVED, that the Mayor and City Clerk, subject to document approval by the City Attorney, are authorized to execute the contract between the City of Midland and RCL Construction, Inc. of Sanford for Phase I of the Oxidation Ditch Upgrade and authorizes a purchase order to be issued in the amount of \$72,800.00 bid submitted by RCL Construction, Inc. of Sanford, MI, for Phase I of the Oxidation Ditch Improvements in the amount of \$72,800.00, is hereby accepted and a purchase order is authorized; and

RESOLVED FURTHER, that the City Manager is authorized to approve changes to the purchase order in an aggregate amount not to exceed \$5,000.00. (Motion ADOPTED by a Roll Call Voice Vote.)

**WATER & WASTEWATER – COST OF SERVICE STUDY**

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

WHEREAS, a review of the service costs for the water and wastewater departments is needed; and

WHEREAS, sealed bids for Bid 4172 – Cost of Service Study, have been advertised and received in accord with Section 2-18 of the Midland Code of Ordinances; and

WHEREAS, funding has been made available in the Water Fund and Wastewater Fund Operating Budgets; now therefore

RESOLVED, that the proposal submitted by Stantec Consulting Michigan, Inc. of Ann Arbor, MI, to conduct a cost of service study for the Water and Wastewater departments, is hereby

accepted and a purchase order, in an amount not to exceed \$68,975.00, is authorized; and

RESOLVED FURTHER, that the City Manager is authorized to approve changes in an amount not to exceed \$10,000.00. (Motion ADOPTED by a Roll Call Voice Vote.)

Being no further business the meeting adjourned at 7:55 p.m.

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Erica Armstrong, City Clerk