

October 18, 2021

A regular meeting of the City Council was held on Monday, October 18, 2021, 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, Diane Brown Wilhelm, Maureen Donker, Pamela Hall, Marty Wazbinski
Councilmen absent: None

MINUTES

Approval of the minutes of the October 11, 2021 regular meeting was offered by Councilman Arnosky and seconded by Councilman Wazbinski. (Motion ADOPTED.)

ZONING PETITION NO. 634

Director of Planning and Community Development Grant Murschel presented information on Zoning Petition No. 634. A public hearing opened at 7:15 p.m. Matthew Schauman spoke on behalf of the applicant regarding the petitioned rezoning. The hearing was closed at 7:20 p.m. The following ordinance amendment was then offered by Councilman Brown Wilhelm and seconded by Councilman Hall:

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NO. 1585, BEING AN ORDINANCE TO REGULATE AND RESTRICT THE LOCATION OF TRADES AND INDUSTRIES AND THE LOCATION OF BUILDINGS DESIGNED FOR SPECIFIC USES, TO REGULATE AND LIMIT THE HEIGHT AND BULK OF BUILDINGS HEREAFTER ERECTED OR ALTERED, TO REGULATE AND DETERMINE THE AREA OF YARDS, COURTS, AND OTHER OPEN SPACES SURROUNDING BUILDINGS, TO REGULATE AND LIMIT THE DENSITY OF POPULATION, AND FOR SAID PURPOSES, TO DIVIDE THE CITY INTO DISTRICTS AND PRESCRIBE PENALTIES FOR THE VIOLATION OF ITS PROVISIONS BY AMENDING THE ZONING MAP TO PROVIDE A CC COMMUNITY COMMERCIAL ZONING DISTRICT WHERE SPLIT ZONING OF OS OFFICE SERVICE AND CC COMMUNITY COMMERCIAL ZONING DISTRICTS PRESENTLY EXIST.

The City of Midland Ordains:

Section 1. That the Zoning Map of Ordinance No. 1585, being the Zoning Ordinance of the City of Midland, is hereby amended as follows:

LOT 300 STERLING PARK SUBDIVISION NO. 10 and LOT 301 STERLING PARK SUBDIVISION NO. 10

Be, and the same is hereby changed to CC Community Commercial zoning.

Section 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. This Ordinance shall take effect upon publication. (Motion ADOPTED.)

PUBLIC COMMENT

John Elsen, 6106 Sturgeon Creek Pkwy commented on his concerns regarding climate change, urbanization, development, and flooding. Bob Budinsky, 2506 commented regarding the Footing Drain Disconnect Program, and John McGown, 2502 Jamestown Dr. commented regarding the Footing Drain Disconnect Program.

PROFESSIONAL SERVICES FOR PHASE 2: FOOTING DRAIN DISCONNECT PROGRAM

Director of Wastewater Services Jared Driscoll presented regarding the proposed program and the purchase of Professional Services. John McGown, 2502 Jamestown Dr., John Elsen, 6106 Sturgeon Creek Pkwy and Donald Medema, 4621 Forestview Dr. commented regarding the

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

WHEREAS, City Council approved Concept 5 at the regular council meeting held on March 8, 2021 and directed staff to return with a proposal for a Footing Drain Disconnect Program (FDDP); and

WHEREAS, Phase 1 of the FDDP design was previously authorized by City Council on April 12, 2021 and is now at or nearing completion; and

WHEREAS, Phase 2 will consist of survey services for the major Concept 5 elements, the continuation and finalization of the FDDP, and outlining the next steps that will need to be authorized once the FDDP is finalized; and

WHEREAS, finalizing Phase 2 FDDP elements will set the firm scope for future phases in the Priority One Areas; and

WHEREAS, funding is available for this purpose in the Fiscal 2021/22 Wastewater Enterprise Fund capital budget; now therefore

RESOLVED, that a purchase order is hereby authorized to Moore + Bruggink for professional services in the amount of \$154,500.00 for Phase 2 of the FDDP. (Motion ADOPTED.)

SET PUBLIC HEARING TO AMEND THE INFORMATION SERVICES 2021-22 BUDGET

The following resolution was 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, November 8, 2021, in the Council Chambers of City Hall, on the proposal to amend the 2021-22 Information Services Fund budget by increasing revenues and expenditures by \$60,000 to recognize additional system improvements for data encryption and federal funding that will assist in paying for the investment. (Motion ADOPTED.)

SET PUBLIC HEARING TO AMEND THE EQUIPMENT REVOLVING FUND 2021-22 BUDGET

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

WHEREAS, it is necessary to replace Unit 309, a tandem dump truck for Water Distribution, ahead of the originally scheduled replacement date; and

WHEREAS, funds in the amount of \$160,500 have been collected for the replacement of the truck and are available in the Equipment Revolving Fund's (ERF) fund balance; and

WHEREAS, it is necessary to amend the current fiscal year's budget to move the funds from the ERF's fund balance into the FY 2021-22 ERF Capital Outlay expenditure budget in order to move forward with the purchase of the truck; now therefore

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., November 8, 2021 in the Council Chambers of City Hall on the proposal to amend the FY 2021-22 Equipment Revolving Fund budget to increase expenditures by \$160,500 for the purchase of a tandem dump truck; and

RESOLVED FURTHER, that the City Clerk is hereby directed to give notice as provided in Section 5.11 of the Charter of the City of Midland. (Motion ADOPTED.)

SET PUBLIC HEARING TO CONSIDER ZONING PETITION NO. 635

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

WHEREAS, a public hearing was held by the Planning Commission on Tuesday, October 12, 2021 for property located at 411 W. Indian Street for the purpose of considering the advisability of amending the Zoning Map of Ordinance No. 1585, the Zoning Ordinance of the City of Midland, from OS Office Service zoning to D Downtown zoning; now therefore RESOLVED, that notice is hereby given that a public hearing will be held by the City Council on Monday, November 8, 2021, at 7:00 p.m. in the Council Chambers, City Hall for the purpose of considering the advisability of amending the Zoning Map of Ordinance No. 1585, the Zoning Ordinance of the City of Midland, as set forth in the following proposed Ordinance, which is hereby introduced and given first reading; and RESOLVED FURTHER, that the City Clerk is hereby directed to notify property owners within three hundred (300) feet of the area proposed to be rezoned by transmitting notice on or before October 22, 2021, and to publish said notice on October 23, 2021.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NO. 1585, BEING AN ORDINANCE TO REGULATE AND RESTRICT THE LOCATION OF TRADES AND INDUSTRIES AND THE LOCATION OF BUILDINGS DESIGNED FOR SPECIFIC USES, TO REGULATE AND LIMIT THE HEIGHT AND BULK OF BUILDINGS HEREAFTER ERECTED OR ALTERED, TO REGULATE AND DETERMINE THE AREA OF YARDS, COURTS, AND OTHER OPEN SPACES SURROUNDING BUILDINGS, TO REGULATE AND LIMIT THE DENSITY OF POPULATION, AND FOR SAID PURPOSES, TO DIVIDE THE CITY INTO DISTRICTS AND PRESCRIBE PENALTIES FOR THE VIOLATION OF ITS PROVISIONS BY AMENDING THE ZONING MAP TO PROVIDE A D DOWNTOWN ZONING DISTRICT WHERE AN OS OFFICE SERVICE ZONING DISTRICTS PRESENTLY EXIST.

The City of Midland Ordains:

Section 1. That the Zoning Map of Ordinance No. 1585, being the Zoning Ordinance of the City of Midland, is hereby amended as follows:

LOTS 4, 5, & 6 BLK 4 RICHARDSON & MUSTARDS ADD LYING SWLY OF HWY BUS US-10 & BEG AT SW COR OF LOT 6 BLK 4 RICHARDSON & MUSTARDS ADD TH N 162.49 FT, TO S ROW LN OF US-10 BR TH NWLY 20.86 FT ALG S ROW LN TH SWLY 121.58 FT TO NW COR LOT 16 BLK 35 1/2 CARPENTER & HINES ADD TH SELY 112.5 FT ALG NELY LN OF LOTS 16 & 17 BLK 35 1/2 CARPENTER & HINES ADD TH SE 22.20 FT TO POB, and the same is hereby changed to D Downtown zoning.

Section 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. This Ordinance shall take effect upon publication. (Motion ADOPTED.)

MICHIGAN INDEPENDENT CITIZENS REDISTRICTING COMMISSION PROPOSED MAPS

City Manager Brad Kaye presented regarding the redistricting process and the proposed maps in relation to the City of Midland. Jennifer Austin, 5603 Pine Meadow Dr., Allison McFarland, 5202 Sturgeon Creek Pkwy, and Sarah Schultz, 5611 Seibert St. commented regarding the redistricting process and the proposed draft maps. City Council reviewed and discussed the Michigan Independent Citizens Redistricting Commission Proposed Draft Maps.

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

Erica Armstrong, City Clerk