

March 2, 2026

A regular meeting of the City Council was held on Monday, March 2, 2026, at 7:00 p.m. Mayor Donker presided with all councilmen present. The Pledge of Allegiance to the Flag was recited in unison.

MINUTES

Approval of the minutes of the February 23, 2026, regular meeting was offered by Councilman Wazbinski and seconded by Councilman Pasek. (Motion ADOPTED)

PROCLAMATION – MS AWARENESS WEEK, MARCH 8-14

Director of Community Affairs, Selina Harris, introduced Helen Myers and members of the MS Society who presented information on MS Awareness Week. The following resolution was then offered by Councilman Brown Wilhelm and seconded by Councilman Soler:

RESOLVED, that the Mayor is authorized to issue a proclamation designating the week of March 8-14, 2026, as MS Awareness Week in the City of Midland.(Motion ADOPTED)

ZONING PETITION NO. 669

Assistant City Manager for Development Services, Jacob Kain, presented information on Zoning Petition No. 669. The public hearing opened at 7:18 p.m. Jay Brown, 3702 N. Saginaw Road, Council for the applicant spoke in support, and the hearing closed at 7:19 p.m. The following resolution was then offered by Councilman Soler and seconded by Councilman Wazbinski:

ORDINANCE NO. 1927

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 NC NEIGHBORHOOD CENTER ZONING WHERE RA-4 SINGLE AND TWO-FAMILY ZONING PRESENTLY EXISTS.

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 33 & 34 BOOKNESS ADD

Be, and the same is hereby changed to NC Neighborhood Center 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 All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.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 7 days after publication.

Introduced and given first reading 2/9/2026

Given Second reading and adopted on 3/2/2026 (Ordinance ADOPTED)

PUBLIC COMMENT

No public comment was received.

2026 SIDEWALK IMPROVEMENT PROGRAM

Assistant City Manager for Development Services, Jacob Kain, presented information on the 2026 Sidewalk Improvement Program. Councilman Wazbinski and seconded by Councilman Pasek to offer the original resolution as presented. Following discussion, Councilman Wazbinski moved, seconded by Councilman Soler, to amend the resolution to remove Christie Court and Countryside Drive from the program. (Motion ADOPTED) The following amended resolution was then voted on:

WHEREAS, the City Council has under consideration the construction of concrete sidewalks, to be financed in part by special assessment, located in certain streets in the City of Midland, said streets being:

- a) South side of Bay City Road from Fast Ice Drive to N. Market Street
- b) West side of Dublin Avenue at 6003 Dublin Avenue (residence)
- c) East side of Foster Road from Deerwood Circle to Brookfield Drive
- d) East side of Gardenbrook Drive from 90 feet north of Cranbrook Drive to Brookfield Drive
- e) Both sides of Sam Street from Bay City Road to end
- f) East side of Swede Avenue from Eastlawn Drive to Patrick Road

; now, therefore

RESOLVED, that the City Manager is directed to prepare a report which shall include estimates of the expense thereof, an estimate of the life of the improvement, and a description of the district benefited to enable the Council to decide the cost, extent and necessity of the improvement proposed and what part or portion thereof should be paid by special assessments upon property especially benefited, and what part, if any, should be paid by the City at large, of items a) through h) above, in conformance with the provisions of Chapter 20 of the Code of Ordinances of the City of Midland, Michigan. (Motion ADOPTED)

SPECIAL EVENT REQUEST - 2026 OAKLAND ORTHOPEDIC'S COLOR RUN/WALK/ROLL

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

RESOLVED, Courtney Wilkin, on behalf of Oakland Orthopedic Appliances, Inc, to conduct the Oakland Orthopedic's Color Run/Walk/Roll on Saturday, September 19, 2026, from 10:00 a.m. to 2:00 p.m. utilizing amplified sound, the old Farmer's Market area and paved trails through Chippewassee Park, is hereby approved following administrative staff review and subject to the following conditions:

- The party responsible for the event is Courtney Wilkin;
- Amplified sound is approved as part of this event request;
- 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. The certificate must be submitted to Kristina Loeffler, Downtown Event Coordinator, by August 21, 2026, at kloeffler@midland-mi.org;
- Use of the Tridge and trails are non-exclusive, and participants must obey all traffic laws, traffic control devices, and park rules;
- No markings of any type (i.e., paint, spray paint, spray chalk, chalk, etc.) are permitted on the trail route surfaces;
- Removable directional signs are not permitted;
- Tables are not available for this type of event. Please contact the Parks Department for trash can rentals at recreation@midland-mi.org or by phone at 989-837-6930; and

- The Midland Police Department will not have personnel on scene. In the event of an emergency, event staff should call 911.

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

MLCC RECOMMENDATION – SOCIAL DISTRICT PERMIT, RIMAMO, LLC

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

WHEREAS, under Public Act 124 of 2020, the Midland City Council designated the boundaries of Downtown Midland as a Social District with an identified Commons Area; and

WHEREAS, eight businesses have been approved by the Michigan Liquor Control Commission (MLCC) for Downtown Midland Social District Permit approval; and

WHEREAS, Rimamo, LLC, to be located at 101 E. Main Street, has applied as a business to be recommended for approval of a Social District Permit application by the Michigan Liquor Control Commission; and

WHEREAS, the licensed premises of Rimamo, LLC, will be located within the designated Downtown Midland Social District; now, therefore

RESOLVED that the Social District Permit application from Rimamo, LLC, is recommended by the Midland City Council for consideration and approval by the Michigan Liquor Control Commission; and

RESOLVED FURTHER, that the City Clerk is authorized and directed to provide Rimamo, LLC, with a certification of this action in the form specified by the Michigan Liquor Control Commission. (Motion ADOPTED)

SPECIAL EVENT REQUEST – 5K MEMORIAL WALK OF REMEMBRANCE

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

RESOLVED, Stacey Peak, on behalf of The Care Team Hospice, to conduct the 5K Memorial Walk of Remembrance on Saturday, April 18, 2026, from 11:00 a.m. to 4:00 p.m., utilizing amplified sound and the Pere Marquette Rail Trail, is hereby approved following administrative staff review and subject to the following conditions:

- The party responsible for the event is Stacey Peak;
- Amplified sound is approved as part of this event request;
- 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. The certificate must be submitted to Kristina Loeffler, Downtown Event Coordinator, by April 3, 2026, at kloeffler@midland-mi.org;
- Use of the Rail Trail and Tridge is non-exclusive, and participants must obey all traffic laws and traffic control devices as well as the Rail Trail Etiquette/Rules;
- No markings of any type (i.e., paint, spray paint, spray chalk, chalk, etc.) are permitted on the trail route surfaces;
- Removable directional signs are not permitted within the public right of way;
- The Rail Trail must be cleaned of debris and signage at the end of the event;
- The Midland Police Department will not have personnel on scene. In the event of an emergency, event staff should call 911;

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

BARSTOW JET-A FUEL TANK PROCUREMENT

City Manager, Brad Kaye, presented information on the revised resolution for the Barstow JET-A Fuel Tank Procurement. The following resolution was then offered by Councilman Pasek and seconded by Councilman Wazbinski:

WHEREAS, sealed proposals have been advertised and received in accord with Section 2-18 of the Midland code of Ordinances; and

WHEREAS, funding for this project is available through ARPA funds allocated to Jack Barstow Airport by City Council at its December 9, 2024 meeting; now, therefore

RESOLVED, that the proposal submitted by K&W Equipment Co., LLC., of Beech Grove, Indiana, for the "ITB 4631 - Barstow Airport Fuel Tank Replacement" project, in the amount of \$76,950.00 is hereby accepted, and the Mayor and the City Clerk are authorized to execute a contract, subject to review by the City Attorney, and authorizes the Accounting Manager to issue a purchase order; and

RESOLVED FURTHER, the City Manager is authorized to approve any change orders modifying or altering this contract in an aggregate amount not to exceed \$10,000.00. (Motion ADOPTED)

CONTRACT AWARDS FOR EGLE FUNDED STORM SEWER IMPROVEMENT PROJECTS

Director of Water Reclamation, Jared Driscoll, presented information on the construction contract awards for the Department of Environment, Great Lakes and Energy (EGLE) funded Storm Sewer Improvement Projects.

BID 4600 – AVON STREET STORM IMPROVEMENTS

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

WHEREAS, sealed bids for Bid 4600 - Avon Street Storm Improvements were advertised and received on Tuesday, February 10, 2026, in accord with Section 2-18 of the Midland Code of Ordinances; now, therefore

RESOLVED, that the low sealed bid submitted by Superior Contracting Group, LLC of Almont, Michigan, for Bid 4600 – Avon Street Storm Improvements project, in the amount of \$2,629,116.40, is hereby accepted and the Mayor and the City Clerk are authorized, subject to review by the City Attorney, to execute a contract therefore in accord with the proposal and the City's specifications; and issue a purchase order in the amount of \$2,629,116.40 to Superior Contracting Group, LLC of Almont, Michigan; and

RESOLVED FURTHER, the City Manager is authorized to approve change orders in an aggregate amount not to exceed \$130,000.00. (Motion ADOPTED)

BID 4601 – DARTMOUTH STORMWATER IMPROVEMENT PROJECT

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

WHEREAS, sealed bids for Bid 4601 – Dartmouth Stormwater Improvements were advertised and received on Tuesday, February 10, 2026, in accord with Section 2-18 of the Midland Code of Ordinances; now, therefore

RESOLVED, that the low sealed bid submitted by Champagne & Marx Excavating, Inc. of Saginaw, Michigan, for Bid 4601 – Dartmouth Stormwater Improvements, in the amount of \$2,115,430.76, is hereby accepted and the Mayor and the City Clerk are authorized, subject to review by the City Attorney, to execute a contract therefore in accord with the proposal and the

City's specifications; and issue a purchase order in the amount of \$2,115,430.76 to Champagne & Marx Excavating, Inc. of Saginaw, Michigan; and
RESOLVED FURTHER, the City Manager is authorized to approve change orders in an aggregate amount not to exceed \$105,000.00. (Motion ADOPTED)

BID 4602 – EASTLAWN AVENUE STORMWATER IMPROVEMENT

The following resolution was then offered by Councilman Pasek and seconded by Councilman Soler:

WHEREAS, sealed bids for Bid 4602 – Eastlawn Avenue Storm Improvements were advertised and received on Tuesday, February 10, 2026, in accord with Section 2-18 of the Midland Code of Ordinances; now, therefore

RESOLVED, that the low sealed bid submitted by Fisher Contracting Company of Midland, Michigan, for Bid 4602 – Eastlawn Avenue Storm Improvements in the amount of \$5,278,912.29, is hereby accepted and the Mayor and the City Clerk are authorized, subject to review by the City Attorney, to execute a contract therefore in accord with the proposal and the City's specifications; and issue a purchase order in the amount of \$5,278,912.29 to Fisher Contracting Company of Midland, Michigan; and

RESOLVED FURTHER, the City Manager is authorized to approve change orders in an aggregate amount not to exceed \$260,000.00. (Motion ADOPTED)

BID 4603 – JAY STREET STORM IMPROVEMENTS

The following resolution was then offered by Councilman Pasek and seconded by Councilman Soler:

WHEREAS, sealed bids for Bid 4603 – Jay Street Storm Improvements were advertised and received on Tuesday, February 10, 2026, in accord with Section 2-18 of the Midland Code of Ordinances; now, therefore

RESOLVED, that the low sealed bid submitted by Johnston Contracting, Inc of Midland, Michigan, for Bid 4603 – Jay Street Storm Improvements in the amount of \$4,741,319.00, is hereby accepted and the Mayor and the City Clerk are authorized, subject to review by the City Attorney, to execute a contract therefore in accord with the proposal and the City's specifications; and issue a purchase order in the amount of \$4,741,319.00 to Johnston Contracting, Inc of Midland, Michigan; and

RESOLVED FURTHER, the City Manager is authorized to approve change orders in an aggregate amount not to exceed \$237,000.00. (Motion ADOPTED)

BID 4604 – LAWNSDALE, SWEETBRIER, WALDO STORMWATER IMPROVEMENTS

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

WHEREAS, sealed bids for stormwater improvement Bid 4604 – Lawndale, Sweetbrier, Waldo Stormwater Improvements were advertised and received on Tuesday, February 10, 2026, in accord with Section 2-18 of the Midland Code of Ordinances; now, therefore

RESOLVED, that the low sealed bid submitted by Champagne & Marx Excavating, Inc. of Saginaw, Michigan, Bid 4604 – Lawndale, Sweetbrier, Waldo Stormwater Improvements in the amount of \$2,194,271.30, is hereby accepted and the Mayor and the City Clerk are authorized, subject to review by the City Attorney, to execute a contract therefore in accord with the proposal and the City's specifications; and issue a purchase order in the amount of \$2,194,271.30 to Champagne & Marx Excavating, Inc. of Saginaw, Michigan; and

RESOLVED FURTHER, the City Manager is authorized to approve change orders in an aggregate amount not to exceed \$110,000.00. (Motion ADOPTED)

BID 4605 – PLUMTREE STORM IMPROVEMENTS

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

WHEREAS, sealed bids for Bid 4605 – Plumtree Storm Improvements were advertised and received on Tuesday, February 10, 2026, in accord with Section 2-18 of the Midland Code of Ordinances; now, therefore

RESOLVED, that the low sealed bid submitted by Johnston Contracting, Inc of Midland, Michigan, for Bid 4605 – Plumtree Storm Improvements in the amount of \$2,582,101.10 is hereby accepted and the Mayor and the City Clerk are authorized, subject to review by the City Attorney, to execute a contract therefore in accord with the proposal and the City’s specifications; and issue a purchase order in the amount of \$2,582,101.10 to Johnston Contracting, Inc of Midland, Michigan; and

RESOLVED FURTHER, the City Manager is authorized to approve change orders in an aggregate amount not to exceed \$129,000.00. (Motion ADOPTED)

BID 4606 – SCOTT STREET STORM IMPROVEMENTS

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

WHEREAS, sealed bids for Bid 4606 – Scott Street Storm Improvements were advertised and received on Tuesday, February 10, 2026, in accord with Section 2-18 of the Midland Code of Ordinances; now, therefore

RESOLVED, that the low sealed bid submitted by Johnston Contracting, Inc of Midland, Michigan, for Bid 4606 – Scott Street Storm Improvements in the amount of \$2,281,504.20, is hereby accepted and the Mayor and the City Clerk are authorized, subject to review by the City Attorney, to execute a contract therefore in accord with the proposal and the City’s specifications; and issue a purchase order in the amount of \$2,281,504.20 to Johnston Contracting, Inc of Midland, Michigan; and

RESOLVED FURTHER, the City Manager is authorized to approve change orders in an aggregate amount not to exceed \$114,000.00. (Motion ADOPTED)

CONTRACT AWARD - LIFT STATION FLOOD MITIGATION ENGINEERING SERVICES

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

WHEREAS, the City of Midland received an allocation of \$5,476,035.00 in Community Development Block Grant – Declared Disaster Recovery (CDBG-DDR) funds from the U.S. Department of Housing and Urban Development (HUD) in 2021; and

WHEREAS, the funds are intended to support the City’s recovery from the 2020 flood and dam failure, and improvements to several lift stations totaling \$1,000,000.00 were among the funded activities included in the CDBG-DDR budget approved by the City Council on June 12, 2023; and

WHEREAS, on September 4, 2025, the City of Midland entered into two professional engineering services agreements with William A. Kibbe & Associates, Inc. (WAK) for the Emerson and Wyman Pump Station Flood Mitigation Projects; and

WHEREAS, the original contract scope focused on documenting existing topography and building areas to prepare design and bid documents, survey, permitting, cost estimates and bid assistance for this project; and

WHEREAS, additional scope is required to include raising equipment above the 500-year floodplain, significant electrical upgrades, and updating structural, civil and mechanical plan details to deliver a constructible, code-compliant, and flood-resilient project; now, therefore RESOLVED, that the proposals be accepted and authorize the Mayor and City Clerk, subject to document approval by the City Attorney, to execute a contract amendment and authorize an increase to purchase orders in the amount of \$38,191.00 for Wyman Pump Station Flood Engineering Services project, and \$31,827.00 for Emerson Flood Mitigation Services project to William A. Kibbe & Associates, Inc. of Saginaw, Michigan. (Motion ADOPTED)

SET PUBLIC HEARING – BUDGET AMENDMENT FY 2026 STORMWATER MANAGEMENT FUND BUDGET

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

WHEREAS, the Barstow Woods Stormwater project was identified as a priority in the 2025 Capital Improvement Plan due to failing infrastructure; and

WHEREAS, the funds designated for this project were removed from the Stormwater Management Capital Fund during a 2025 budget amendment; and

WHEREAS, the Barstow Woods Stormwater project still needs to be completed, with the funds still being available; and

WHEREAS, the estimated cost of this project is \$1,000,000.00; now, therefore RESOLVED, that in accord with Section 11.6 of the Charter of the City of Midland, a public hearing shall be conducted on Monday, March 23, 2026 at 7:00 p.m. in the City Council Chambers, City Hall, 333 West Ellsworth Street, Midland, Michigan, for the purpose of considering an amendment of \$1,000,000.00 to the FY 2026 Stormwater Management Capital Fund budget for the Barstow Woods Stormwater project. (Motion ADOPTED)

Being no further business, the meeting adjourned at 8:29 p.m.

Lacey Todd, City Clerk