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August 14, 2006

A regular meeting of the City Council was held on Monday, August 14, 2006, at 7:00 p.m. in the Council Chambers of City Hall. Mayor Johnson presided. The Pledge of Allegiance to the Flag was recited in unison.

Councilmen present: Thomas Adams, Bruce Johnson, Hollis McKeag, James Myers, Joseph Rokosz
Councilmen absent: None

MINUTES

Approval of the minutes of the July 24, 2006 regular and August 7, 2006 special meetings was offered by Councilman Myers and seconded by Councilman McKeag. (Motion ADOPTED.)

2006-07 LOCAL STREET MAINTENANCE FUND BUDGET AMENDMENT

Assistant City Manager Jon Lynch introduced an amendment to the 2006-07 Local Street Maintenance Fund to include the paving of Third Street between Indian and Pine Streets using Community Development Block Grant (CDBG) Funds. A public hearing opened at 7:06 p.m. Larry Pillepich, 3602 McKeith Street, inquired about the use of CDBG funds for this project. The hearing closed at 7:08 p.m. The following resolution was then offered by Councilman Adams and seconded by Councilman McKeag:

WHEREAS, the \$94,000 was included in the Community Development Block Grant budget for fiscal year 2006-2007 for the purpose of paving Third Street between Indian Street and Pine Street; and

WHEREAS, it is necessary to amend the 2006-2007 Local Street Maintenance Fund budget to recognize this additional revenue and to recognize the additional expenditures associated with this project; now therefore

RESOLVED, that in accord with Section 11.6 of the Charter of the City of Midland, the Local Street Maintenance Fund's 2006-07 budget shall be amended to recognize the \$94,000 appropriated from Community Development funds to transfer these additional funds to the Local Street Construction Fund. (Motion ADOPTED.)

2006-07 WASHINGTON WOODS FUND BUDGET AMENDMENT

Washington Woods Director Candy Stewart introduced an amendment to the 2006-07 Washington Woods budget to increase outside contributions revenue by \$10,000 and increase furniture expenditures by \$10,000. A public hearing opened at 7:13 p.m., recognizing no public comments, the hearing closed at 7:13 p.m. The following resolution was then offered by Councilman Myers and seconded by Councilman Rokosz:

WHEREAS, IN ACCORD WITH Section 5.11, 11.4, 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, August 14, 2006, on the proposal to amend the Washington Woods Fund's 2006-07 budget to increase outside contributions revenue by \$10,000 and to increase furniture expenditures by \$10,000; now therefore

RESOLVED, that the Washington Woods Fund's 2006-07 budget is amended by increasing outside contributions revenue by \$10,000 and increasing furniture expenditures by \$10,000. (Motion ADOPTED.)

PUBLIC COMMENTS

Oswald Anders, long-time resident of Midland, congratulated the Mayor and City Council for a very efficient selection process for hiring the new city manager. He also complimented the City

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of Midland for a final resolution of the jail issue and for the efficient work on repaving Eastman Avenue.

PLYMOUTH PARK PLAN

Director of Public Services Martin McGuire presented a design plan for Plymouth Park as recommended by the Parks and Recreation Commission. David Rapanos, speaking on behalf of Northeast Little League parents, players and those who signed a circulated petition, expressed a desire for all the ball fields to be located in the same general vicinity so families can go to one complex to attend the games of multiple family members and players can compete on fields that are similar in general condition. He stated he thought the Plymouth Park design was a great plan for Midland. Cheryl Collins, 4318 Andre Street, stated she supports the Little League program, however was concerned the plan pushes too much into Plymouth Park and will not provide for a quality complex. She expressed concerns there were no specific plan details and no cost estimates associated with the proposed plan. She encouraged Council to not give broad approval to the plan without first requiring further development of the plan and its associated costs and getting additional input from Plymouth Park neighbors and the wider community. Faye Ebach, 4610 Andre Street, stated while she supports Little League she does not support turning Plymouth Park into a Little League complex. Bob Fenton, 1220 E. Wheeler Street, encouraged City Council to delay its decision and look at alternatives that would benefit current Little League players as well as Plymouth Park users and neighbors to the park. Dave Gandy, 4616 Andre Street, inquired as to what agreements Northeast Little League has with the City of Midland and expressed concern there were not budget estimates included in the proposed Plymouth Park design. Peter Anders, 4416 Andre Street, presented a proposed plan for creating a Little League complex at the diamonds that currently exist on E. Ashman Street. Earl Ebach, 4610 Andre, stated he supports Little League but does not feel Plymouth Park is the best location for a Little League complex. David Rapanos spoke again to clarify points made by Plymouth Park neighbors. Linda Heinrich, 5303 Cortland Street, stated her family appreciates the concept of the Little League space in Plymouth Park and supports the plan. Max Griggs, 3559 Jane Drive, spoke in support of the Plymouth Park plan and encouraged Council support. Jan List, 4602 Andre Street, expressed concern there were many unanswered questions regarding the proposed plan and encouraged Council not to approve the plan until further study could be done. Mitchell Dominowski, 410 E. Chapel Lane, expressed his support for two more ball fields in Plymouth Park. Allison Dominowski, 410 E. Chapel Lane, stated she would have concerns with expanding the ball field structure at the E. Ashman Street site. She stated Northeast has invested money into the Plymouth Park ball fields and further development of this site would be most appreciated by the players and families. Troy Moulton, 1102 Willard Street, spoke in support of the Plymouth Park Plan. Mark Bloomer, 2003 Lambros Street, spoke in support of the Plymouth Park plan. Oswald Anders, stated with the new baseball stadium development there is an opportunity for Little League baseball in Midland to train young players to phase into more professional baseball, like a feeder program. The following resolution was then offered by Councilman Myers and seconded by Councilman McKeag:

WHEREAS, a plan for renovations to Plymouth Park has been drafted; and

WHEREAS, the Parks and Recreation Commission has held two public hearings on the plan; and

WHEREAS, the plan has been revised twice to account for public input; now therefore

RESOLVED, the City Council does hereby approve in concept the plan for Plymouth Park and authorizes staff to develop a plan for funding the improvements. (Motion ADOPTED.)

CIVIC ARENA BALLOT LANGUAGE

Assistant City Manager Jon Lynch presented a report on the Civic Arena ballot language for the November 7, 2006, General Election ballot. Nancy Rogers, 1528 Pheasant Ridge Drive, stated she used to live in the Central Park area and discouraged Council from selling park land for private use. She expressed a desire to keep the area as green space and a concern that

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Midland doesn't need another senior housing facility. Dan Veresh, 515 E. Nelson Street, asked Council to stop the process of putting the sale of a portion of Central Park on the November ballot. He expressed his preference the Civic Arena property be used as additional park area. He submitted petitions with an additional 150 signatures of persons who also oppose selling this portion of Central Park. Tom Boomgaard, 262 E. Bombay Road, asked Council not to proceed with putting the Civic Arena property on the November ballot, but if Council were to proceed, he shared some ballot language suggestions. Nancy Jana, 1806 Wyllys Street, encouraged Council to retain all of Central Park as park land and not send this issue to the November ballot. Amy Ware, 2020 Ashman Street, stated she does not support putting language on the ballot to sell a portion of Central Park. She stated she found it interesting that during the Plymouth Park discussion, City Council supported placing more recreation opportunities into that park and yet Council was trying to remove recreation opportunities from Central Park. She requested the Civic Arena space be made into green space. Oswald Anders, owner of rental properties on Jefferson Avenue, stated he feels Midland has a lot of senior housing developments already and another one is not needed. He expressed his desire for this portion of Central Park to be used as green space. The following resolution was then offered by Councilman McKeag and seconded by Councilman Myers:

WHEREAS, the City has determined it beneficial and appropriate to consider discontinuation of approximately 5.4 acres out of a total of 18 acres of Central Park currently occupied by the former Midland Civic Arena for the purpose of selling that acreage and facility to The Villas of Central Park, LLC for redevelopment into a senior citizen residential project; and
WHEREAS, provisions of Section 4.7 and Section 5.7 of the Midland City Charter require that the matter be presented to the electorate of the City during a general election; now therefore
RESOLVED, that the City Council hereby directs city administration to make preparations to place the following language on the ballot for the November 7, 2006 general election ballot.

Shall 5.4 acres out of a total of 18 acres of Central Park (as more particularly described below) be discontinued as park property and the City of Midland be granted authority to sell said proposed discontinued Central Park property to the Villas of Central Park, LLC pursuant to City Charter provision §4.7(c) for the purposes of redevelopment of the former Midland Civic Arena into a senior citizen residential project.

Legal Description

Commencing at the intersection of the South R.O.W. line of Rodd Street with the East R.O.W. line of Collins Street in section 16, T.14.N., R.2.E., City of Midland, Midland County, Michigan; thence South-East 532 feet, more or less, along the East R.O.W. line of Collins Street, to the point of beginning; thence South East along the East R.O.W. line of Collins Street, to the intersection of the East R.O.W. line of Collins Street with the South edge of the south extension of the Civic Arena Building; thence East along the South edge of the Civic Arena Building to the East Edge of the Civic Arena Building; thence North along the East edge of the Civic Arena Building and its Northerly extension 544 feet, more or less; thence West 273, more or less; thence South 147 feet, more or less; thence West 213 feet, more or less; thence South to the point of beginning.

(Motion ADOPTED. Yeas: Johnson, McKeag, Myers Nays: Adams, Rokosz)

2005/2006 LIBRARY BOARD ANNUAL REPORT

Grace A. Dow Memorial Library Director Melissa Barnard introduced Library Board Member Kathleen Kinnish who presented the 2005-2006 Library Board Annual Report. The following resolution was then offered by Councilman McKeag and seconded by Councilman Myers:

WHEREAS, the Grace A. Dow Memorial Library Board has submitted an annual report for fiscal year 2005/2006 in accord with Article I of Chapter 14 of the Midland Code of Ordinances; and

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WHEREAS, the Library Board has identified in the annual report activities that are in compliance with the duties defined in the ordinance; now therefore
RESOLVED, that the 2005/2006 Annual Report of the Grace A. Dow Memorial Library Board be received. (Motion ADOPTED.)

OPTICAL SCAN VOTING EQUIPMENT

The following resolution was offered by Councilman Myers and seconded by Councilman McKeag:

WHEREAS, the Secretary of State's office has provided the opportunity for the City of Midland to receive additional optical scan voting equipment and related Election Management System (EMS) software to comply with the Help America Vote Act (HAVA); and

WHEREAS, the Midland City Council has chosen to submit a grant application for a new optical scan voting system in 2005; and

WHEREAS, a second grant application must be submitted for the issuance of additional equipment; now therefore

RESOLVED, that the Midland City Clerk is authorized to submit said grant application on behalf of the City of Midland, Midland County. (Motion ADOPTED.)

HOUSING CONSTRUCTION AGREEMENT - MPS

The following resolution was offered by Councilman Myers and seconded by Councilman McKeag:

WHEREAS, the Midland Public Schools administration has requested another joint project with the City of Midland by having students in the Building Trades Class provide the labor for the construction of a single-family residential structure; and

WHEREAS, such participation will result in the training of students in skills beneficial to both the students and the community; and

WHEREAS, a project at 4410 Isabella Street has been selected and designed; and

WHEREAS, it has been determined that soliciting sealed bids is not an effective method of selling housing in the community; now therefore

RESOLVED, that the Midland City Council hereby endorses this student participation in the City's Housing Program, and directs the administration to develop the necessary procedures for carrying this program forward; and

RESOLVED FURTHER, that staff is authorized to utilize funds from the Housing Commission Revolving Fund; and

RESOLVED FURTHER, that the requirement of sealed proposals for sale of said property is hereby waived as being impractical, and staff is authorized to sell the house on the open real estate market, based on the appraised value, utilizing staff resources, or by listing it for sale with a local realtor; and

RESOLVED FURTHER, that the Mayor and City Clerk are authorized to execute a Housing Construction Agreement between the City of Midland and the Midland Public Schools for this purpose. (Motion ADOPTED.)

SUBRECIPIENT AGREEMENTS – CDBG FUNDS

The following resolution was offered by Councilman Myers and seconded by Councilman McKeag:

WHEREAS, the 2006-07 Community Development Block Grant budget provides funds to Midland Area Homes, the Council on Domestic Violence and Sexual Assault (Shelterhouse), The Reece Community Living Endeavor, Cleveland Manor, Midland City Police Department, West Midland Family Center, the Literacy Council of Midland County, and The ARC of Midland

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for the purposes of providing specific services to low- and moderate-income individuals and families; and

WHEREAS, the conditions for providing such funds require entering into a Subrecipient Agreement with these organizations to ensure the provision of these services to low- and moderate-income households; now therefore

RESOLVED, that the Mayor and City Clerk are authorized to execute said agreements on behalf of the City. (Motion ADOPTED.)

REDCOAT SOFTBALL COMPLEX

The following resolution was offered by Councilman Myers and seconded by Councilman McKeag:

WHEREAS, the City of Midland currently operates ten softball fields on an area known as the St. Charles Softball Complex; and

WHEREAS, the St. Charles Softball complex is named such only because of its proximity to St. Charles Street; and

WHEREAS, the Midland Redcoats is an organization which has had a significant impact on both the community and Midland softball through their organization of over twenty national and international softball events; and

WHEREAS, the Midland Softball Association and the Parks and Recreation Commission have unanimously supported a proposal to formally name the area currently known as the St. Charles Softball Complex, the Redcoat Softball complex; now therefore

RESOLVED, that the City Council does hereby formally name the area previously known as the St. Charles Softball Complex, the Redcoat Softball Complex. (Motion ADOPTED.)

ANNEXATION FROM HOMER TWP (DENNETT PROPERTY)

The following resolution was offered by Councilman Myers and seconded by Councilman McKeag:

RESOLVED, that the City Council of the City of Midland herewith approves the annexation of the following described property to the City of Midland:

COMMENCING 225 FEET EAST OF THE SOUTHWEST CORNER OF THE N ½ OF THE SW ¼ OF THE NW ¼ OF SECTION 1; THENCE NORTH 132 FEET; EAST 120 FEET; SOUTH 132 FEET; WEST 120 FEET TO THE PLACE OF BEGINNING, ALL PART OF SECTION 1, T14N R1E, TOWNSHIP HOMER, MIDLAND COUNTY, MICHIGAN.

COMMENCING 165 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTH ½ OF THE SW ¼ OF THE NW ¼ OF SECTION 1, T14N R1E; THENCE NORTH 132 FEET; THENCE EAST 60 FEET; THENCE SOUTH 132 FEET; THENCE WEST 60 FEET TO THE PLACE OF BEGINNING.

pursuant to Section 9(8) of Public Act 279 of the State of Michigan of 1909, as amended {MSA 5.2088; MCLA 117.9} as a result of a similar petition filed both with the City of Midland and the Township of Homer by the property owner which hold 100 percent of the record legal title to said property, and upon which no qualified electors, other than the petitioners, presently reside, with said annexation to the City of Midland to be accomplished upon the passage of a similar resolution by the Township Board of the Township of Homer; and

RESOLVED FURTHER, that the Planning Department shall forward a copy of this resolution to the Office of the Great Seal in the Secretary of State's Office, and the City Clerk shall forward a copy to the Midland County Clerk. (Motion ADOPTED.)

JULY 2006 ACCOUNTS RECEIVABLE ROLL AMENDMENT

The following resolution was offered by Councilman Myers and seconded by Councilman McKeag:

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WHEREAS, the City Council adopted a resolution at a regular meeting of the City Council held Monday, June 12, 2006 that the accounts receivable roll in the amount of \$44,638.49 be transferred to the 2006 General Fund Tax Roll; and
WHEREAS, the correct amount of the accounts receivable roll to be transferred to the 2006 General Fund Tax Roll is \$43,415.55; now therefore
RESOLVED, that the accounts receivable roll be amended by removing \$1,222.94 with the amended roll being \$43,415.55; and
RESOLVED FURTHER, that the current accounts receivable listed herein be transferred to the 2006 General Fund Tax Roll Accounts Receivable. (Motion ADOPTED.)

ACTING CITY ATTORNEY APPOINTMENT

The following resolution was offered by Councilman Myers and seconded by Councilman McKeag:

RESOLVED, that Francis J. Keating is hereby appointed as Acting City Attorney during the City Attorney's absence. (Motion ADOPTED.)

MUNICIPAL EMPLOYEE RETIREMENT SYSTEM ANNUAL MEETING

The following resolution was offered by Councilman Myers and seconded by Councilman McKeag:

RESOLVED, that Karen M. Cross be appointed officer delegate and Dennis D. Morgan be appointed alternate officer delegate to represent the City of Midland at the annual meeting of the Municipal Employees Retirement System to be held September 19 through 21, 2006, in Grand Rapids, Michigan. (Motion ADOPTED.)

JOINT BLDG AUTHORITY – ELECTING RIECKER

The following resolution was offered by Councilman Myers and seconded by Councilman McKeag:

WHEREAS, the articles of incorporation of the City and County of Midland Joint Building Authority provide that the Authority shall be directed and governed by a Commission of the Authority consisting of three members, one to be elected by the Midland City Council, one to be elected by the Midland County Board of Commissioners, and one to be elected by the joint action of the City Council and the County Board of Commissioners; and
WHEREAS, the death of Herbert D. Doan, the jointly elected member of said Commission, whose term was due to expire on February 7, 2009, has created a vacancy in the jointly elected position; and
WHEREAS, Ranny Riecker has agreed to serve on the Commission to fill the position vacated by the late Herbert D. Doan; now therefore
RESOLVED, that Ranny Riecker is elected to the office of Commissioner of the City and County of Midland Joint Building Authority for a term beginning August 14, 2006 and expiring on February 7, 2009. (Motion ADOPTED.)

VOTING BOOTH PURCHASE

The following resolution was offered by Councilman Myers and seconded by Councilman McKeag:

WHEREAS, the city manager has authorized the purchase of new voting booths in fiscal years 2005-06 and 2006-07; and

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WHEREAS, combined these purchases exceed the \$20,000.00 City Manager purchasing threshold and would require that sealed proposals be obtained and City Council authorization be granted; and

WHEREAS, election booths are specialized equipment provided by limited authorized representatives making the ability to obtain sealed proposals impractical; and

WHEREAS, Section 2-18 of the Code of Ordinances allows the City Council, by a four-fifths vote, to waive sealed proposals in cases where such proposals are impractical; now therefore

RESOLVED, that such competitive bids are waived in accord with Section 2-18 of the Code of Ordinances and the Purchasing Agent is authorized to issue a purchase order in the amount of \$8,778.00 to Miller Consultations & Elections, Inc. (Motion ADOPTED.)

LIQUID CALCIUM CHLORIDE PURCHASE

The following resolution was offered by Councilman Myers and seconded by Councilman McKeag:

WHEREAS, sealed proposals were advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for furnishing approximately 20,000 gallons of 32% liquid calcium chloride and approximately 65,000 gallons of 38% liquid calcium chloride for a one year period; and

WHEREAS, sufficient funding for the purchase of these materials, which are used for snow, ice and dust control, have been provided in various Local Street Fund and Major Street Fund budgets and the total amount of purchases will not exceed the funding available; now therefore

RESOLVED, that the low sealed proposal meeting City specifications submitted by Liquid Calcium Chloride Sales, Inc. of Kawkawlin, Michigan of \$0.276 per gallon for furnishing the 32% liquid calcium chloride and \$0.344 per gallon for furnishing the 38% liquid calcium chloride is hereby accepted; and the Purchasing Agent is authorized to issue a purchase order in accord with the proposal and City specifications. (Motion ADOPTED.)

MECHANICAL JOINT FITTINGS PURCHASE

The following resolution was offered by Councilman Myers and seconded by Councilman McKeag:

WHEREAS, sealed bids for Bid No. 2956, Mechanical Joint Fittings, have been advertised and received in accord with Section 2-18 of the Midland Code of Ordinances; and

WHEREAS, the bid received from East Jordan Iron Works is not being recommended because 13 of the 119 items indicated "no bid", and bids of only 14 items were lower than the only other bidder, Etna Supply Company of Wyoming, Michigan; and

WHEREAS, staff considers the Etna Supply Company bid to be acceptable, and recommends award for the 2006/07 fiscal year purchases of mechanical joint fittings; and

WHEREAS, funds are available in the Water Fund Inventory Account; now therefore

RESOLVED, that a purchase order is hereby authorized to Etna Supply Company an amount not to exceed \$90,570.50; and

RESOLVED FURTHER, that the City Manager is hereby authorized to approve change orders in an aggregate amount not to exceed \$10,000. (Motion ADOPTED.)

2006 STREET IMPROVEMENT PROGRAM

The following resolution was offered by Councilman Myers and seconded by Councilman McKeag:

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 Buttles Street from BR US-10 to vacated Lyon Road; narrowing of Haley and Mill Streets from Indian to Buttles Street;

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and the construction of a new Lyon Road from Buttles Street to BR US-10 and the removal of Indian Street from Third Street to BR US-10; and
WHEREAS, on June 26, 2006, City Council approved the improvement of these streets as requested by the Michigan Baseball Foundation; and
WHEREAS, funding for this project is provided by the Local and Major Street Funds; now therefore
RESOLVED, that the low sealed proposal submitted by Porath Contractors, Inc. of Houghton Lake, Michigan, for the "2006 Street Improvement Program; Contract No. 19", in the indicated amount of \$336,144.60, based upon City estimated quantities 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 \$20,000. (Motion ADOPTED.)

2006 CONCRETE CROSSWALK REPAIR PROJECT

The following resolution was offered by Councilman Myers and seconded by Councilman McKeag:

WHEREAS, sealed proposals have been advertised and received in accord with Article II of Chapter 2 of the Midland Code of Ordinances for the crosswalk repairs along Main Street in the Downtown Business District; and
WHEREAS, funding for this project is provided by the Downtown Development Authority; now therefore
RESOLVED, that the low sealed proposal submitted by Porath Contractors, Inc. of Houghton Lake, Michigan, for the "2006 Concrete Crosswalk Repair Project; Contract No. 21", in the indicated amount of \$77,569.40, based upon City estimated quantities 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 \$20,000. (Motion ADOPTED.)

2006 MAJOR STREET RECONSTRUCTION – CHANGE ORDER NO. 2

The following resolution was offered by Councilman Myers and seconded by Councilman McKeag:

WHEREAS, City Council awarded the construction contract for the "2006 Major Street Reconstruction; Contract No. 7", to Saginaw Asphalt Paving Company, Inc. on July 10, 2006, for the reconstruction of Eastlawn Drive from Abbott Road to Waldo Avenue; Sugnet Road from Saginaw Road to Jefferson Avenue and Washington Street from Sugnet Road to Wheeler Street; and
WHEREAS, inspection of curbs on the south side of Sugnet Road has found that the existing curbs are overlaid with bituminous pavement and should be replaced during the street reconstruction project and the cost for said curb removal and replacement is \$23,788.00; and
WHEREAS, the existing water main on Sugnet Road from Castle Drive to Jefferson Avenue is under the pavement and in poor condition and needs to be replaced prior to street reconstruction and the cost for this work is \$35,454.50; and
WHEREAS, Saginaw Asphalt Paving Company, Inc. has agreed to complete the curb and water main replacement as Change Order No. 2 to the "2006 Major Street Reconstruction; Contract No. 7", in the amount of \$59,242.50 and sufficient funding exists within the Major Street Fund for the curb replacement and in the Water Fund for the water main replacement, to fund this change order; now therefore

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RESOLVED, that the City Manager is authorized to execute Change Order No. 2 to the "2006 Major Street Reconstruction; Contract No. 7", in the amount of \$59,242.50. (Motion ADOPTED.)

PROPOSED 2006-07 EQUIPMENT REVOLVING FUND BUDGET AMENDMENT

The following resolution was offered by Councilman Myers and seconded by Councilman McKeag:

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., August 28, 2006 in the Council Chambers of City Hall on the proposal to amend the 2006-07 budget of the Equipment Revolving Fund to increase expenditures in the Capital Outlay, Vehicle account by \$37,000 toward the purchase of a sewer vacuum/jetter truck, and to increase the associated revenue in the Sales of Assets account by \$37,000 to reflect an increase in the anticipated trade-in value of the truck being replaced. (Motion ADOPTED.)

CITY MANAGER EMPLOYMENT AGREEMENT

Mayor Johnson introduced a resolution authorizing the Mayor and City Clerk to enter into an employment agreement with Jon Lynch as Midland City Manager. The following resolution was then offered by Councilman Myers and seconded by Councilman Adams:

WHEREAS, on August 7, 2006 the City Council offered the position of Midland City Manager to Jon Lynch; and

WHEREAS, the City Council directed Mayor Bruce Johnson, City Councilman James Myers and City Attorney James O. Branson III to enter into employment negotiations with Jon Lynch, and to prepare an employment agreement based upon those negotiations; now therefore

RESOLVED, that the City Council hereby authorizes the Mayor and City Clerk to enter into an employment agreement with Jon Lynch as City Manager; and

RESOLVED FURTHER, that Jon Lynch will replace the Interim City Manager as the duly appointed representative to the Saginaw Midland Municipal Water Supply Corporation, the MBS International Airport Commission, the Joint Building Authority and the Larkin Parking Authority; and

RESOLVED FURTHER, that the effective date of Jon Lynch's employment as Midland City Manager shall be Tuesday, August 15, 2006 at 8:00 a.m. (Motion ADOPTED.)

Being no further business the meeting adjourned at 10:35 p.m.

Selina Tisdale, City Clerk