

CITY COUNCIL MEETING MINUTES FROM DECEMBER 15, 2015

The Regular Meeting was called to order by Mayor Strazdas at 7:30 p.m.

At the request of Mayor Strazdas, Pastor Ron Hansen of the Pathfinder United Methodist Church gave an invocation, and City Council and the audience recited the Pledge of Allegiance.

At the request of Mayor Strazdas, the City Clerk called the roll with the following members present: Councilmembers Richard Ford, Jim Pearson, Patricia M. Randall, Claudette Reid and Terry Urban, Mayor Pro Tem Nasim Ansari and Mayor Peter Strazdas. Also in attendance were City Manager Laurence Shaffer, City Attorney Randy Brown and City Clerk James R. Hudson.

LETTER OF RESPECT: Mayor Strazdas issued a Letter of Respect for Karen Smoots, 9920 Arabian Drive, and her company, Dry My Gloves, Inc., for being selected as a Best of MichBusiness 2015 winner.

APPROVAL OF MINUTES: Motion by Ansari, seconded by Randall, to approve the Regular Meeting Minutes of December 1, 2015, as presented. Upon a roll call vote, motion carried 6 to 0 with Mayor Strazdas abstaining.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Urban to read the Consent Agenda. Councilmember Reid asked that Items F.2, Martin Luther King Jr. Construction Project, F.3, Final Plan for Greenspire Apartments (Phase V), 8615 Toser Court, F.4, Health Insurance Contract Renewals, and Item F.5, Public/Private Wi-Fi Construction at Celery Flats, be removed from the Consent Agenda. Mayor Pro Tem Ansari asked that Item H.1, 2016 Fee Schedules, be removed from the Consent Agenda.

Motion by Urban, seconded by Ansari, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 7 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF DECEMBER 15, 2015:** Motion by Urban, seconded by Ansari, to approve the Accounts Payable Register of December 15, 2015. Upon a roll call vote, motion carried 7 to 0.

REPORTS FROM THE ADMINISTRATION:

* **TRAFFIC SIGNAL IMPROVEMENTS - LOVERS LANE AND EAST KILGORE ROAD:** Motion by Urban, seconded by Ansari, to approve Contract 15-5486 between the Michigan Department of Transportation and the City of Portage for traffic signal improvements along Lovers Lane and East Kilgore Road; adopt a Resolution authorizing the City Manager to sign Contract 15-5486; approve a contract amendment with Abonmarche Consultants for construction administration services at a cost not to exceed \$42,758; and authorize the City Manager to sign all other documents related to the project on behalf of the city. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 81 of City of Portage Resolution Book No. 46.

MARTIN LUTHER KING JR. DRIVE RECONSTRUCTION PROJECT:

Councilmember Reid reviewed the item and expressed a concern that approving the land division of the private road known as Martin Luther King Jr. Drive with public improvements for 6601 Constitution Boulevard could set a precedent for other commercially related roads like this and cited Ring Drive around the Crossroads Mall as an example. In recognizing the condition of Martin Luther King Jr. Drive and its importance to the commercial district, City Manager Shaffer pointed out it is one of the entryways into some very significant commercial property in the City. He noted that he is unaware of any other similarly situated properties in the City which therefore makes this situation unique. He explained that this is totally new construction of the road, will cost the citizens nothing, and the City will

only be responsible for snow plowing and future maintenance. He viewed it positively as an opportunity for a partnership to manage a long-standing challenge to the City, an opportunity for the Administration to develop relationships with the property owners in the area, and the future opportunity to do other creative things that might have benefit to Portage citizens. Discussion followed.

Mr. Shaffer deferred to T&U Director Chris Barnes, who concurred that Martin Luther King Jr. Drive is unique, that there are no other situations like this, but he did cite Merchant Place off of East Centre Avenue where a similar attempt was made, but the owners could not agree owing to the cost and explained. He added that if this request is approved, it would become a public street and the City of Portage would receive Act 51 Funds for long term maintenance. Discussion followed. Councilmembers Randall, Ford, Mayor Pro Tem Ansari and Councilmember Pearson spoke in favor of granting the request. City Manager Shaffer interjected that Constitution Blvd is scheduled for re-paving which makes this a perfect time to work on Martin Luther King Jr. Drive and explained.

Motion by Randall, seconded by Reid, to approve the Development Agreement concerning the reconstruction and dedication of Martin Luther King Jr. Drive, Portage, Michigan; approve the Martin Luther King Jr., Drive land division with public improvements for 6601 Constitution Boulevard; and adopt Resolution No. 1, approving the special assessment for properties contained within the preliminary special assessment roll, accepting the City Manager Report and requesting preparation of Resolution No. 2 for the Martin Luther King Jr. Drive Project #998-R. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 83 of City of Portage Resolution Book No. 46.

FINAL PLAN FOR GREENSPIRE APARTMENTS (PHASE V), 8615 TOZER COURT: Councilmember Reid outlined the information on this item and asked for more information regarding the request to discharge storm water into the wetland area; the design relation; and, is there really a question of whether it will be approved by the Michigan Department of Environmental Quality and what is the process related to that.

Community Development Director Vicki Georgeau indicated that when the Final Site Plan was submitted to the Planning Commission for review, the full utility plans had not been submitted and the MDEQ may require permits; and, prior to pulling permits for construction, should the MDEQ require a permit to discharge into the wetlands, the applicant would need to provide that permit to the City, or provide documentation that permits were not required. She commented that this is pretty standard and it can sometimes take a long time to get MDEQ approval for these types of project requests. In answer to Councilmember Reid, Ms. Georgeau indicated that the City would require permits before issuing approval. She introduced Greg Dobson from American Village Builders and Rich MacDonald from the Hinman Company, who were present to answer any questions Council might have regarding the Project. Discussion followed.

Motion by Reid, seconded by Urban, to approve the Final Plan for Greenspire Apartments (Phase V), 8615 Tozer Court, subject to finalization of the storm water design and approval by the MDEQ to discharge into the wetland area. Discussion followed. Upon a roll call vote, motion carried 7 to 0. Discussion followed.

HEALTH INSURANCE CONTRACT RENEWALS: Councilmember Reid described the item and indicated that “to maintain current employer/employee cost sharing practices” is part of the request “by taking action to exempt the city from requirements of P.A. 152” and asked for an idea of the numbers involved for the taxes and fees since the proposal waives them. City Manager Shaffer explained, then deferred to Deputy City Manager Rob Boulis for the actual numbers she wanted.

Deputy City Manager Boulis provided background information on the progression of the taxes and fees and associated State cap since 2011. He broke down the non-union group taxes and fees at \$26.65 per month for Single Coverage, \$63.00 per month for Two Person Coverage and \$79.00 per month for Family Coverage, and indicated that the union group coverage amounts are similar, explained it is a fairly significant amount and that the request includes these amounts.

In answer to Councilmember Reid, Mr. Boulis conjectured that all of the additional insurance carriers, who were solicited for bids as a result of the increased premiums during the renewal process, refused to quote for the 2016 renewal because they may have either questioned the seriousness of the City to move from Blue Cross/Blue Shield, or they may have thought that they could not beat the quote from Blue Cross/Blue Shield. He explained that having only one company that provided the quote does meet the State requirement that the municipality obtain a quote every three years, but this does not mean that the City will not go for another quote before then.

Motion by Randall, seconded by Reid, to approve one-year contract renewals with Blue Cross Blue Shield of Michigan and Blue Care Network for employee health insurance; maintain current employer/employee cost sharing practices by taking action to exempt the city from requirements of P.A. 152 for the 2016 medical benefits plan year; and authorize the City Manager to execute all documents related to the contract renewals on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

PUBLIC/PRIVATE WI-FI CONSTRUCTION AT THE CELERY FLATS:

Councilmember Reid asked about the private aspect of WiFi at Celery Flats beyond the public purpose and what is the ongoing cost of the measure. City Manager Shaffer highlighted WiFi as an amenity for those who utilize wireless services and to accommodate some of the perceived future uses for the Interpretive Center. IT Director Devin Mackinder concurred and explained that the proposed software would allow the IT Department to maintain the antennas, other proposed hardware and security needs for the site. He explained that the private WiFi partition would not add significantly to the overall cost.

He explained that there are no ongoing costs unless something breaks and has to be fixed, that the life expectancy of the equipment is 7-8 years under normal usage and explained. Discussion followed regarding the appropriateness of Celery Flats as a location for WiFi as parks are places to get away from technology, and Mr. Mackinder and Mr. Shaffer spoke in support. Mayor Strazdas expressed his reservations, but indicated he was in favor of the security aspect of WiFi at Celery Flats.

Councilmember Randall concurred with Mayor Strazdas, spoke in favor of this request, and cited many of the positive possibilities that could result with the advent of WiFi at Celery Flats. Councilmember Pearson thanked Mr. Mackinder and also spoke in favor of the proposal.

In answer to Councilmember Ford, Mr. Mackinder explained that the Fiber would last 20-25 years and, when thinking about running fiber out to Celery Flats, the security cameras were one of the main security components being considered, plus some kind of emergency buttons or phones that could be used for security purposes. He indicated that once the Fiber was at the Hayloft Theatre, it would become less expensive to cross the street with fiber to the Interpretive Center, the Water Reclamation Center and the other buildings as needed and explained. Mr. Mackinder confirmed for Councilmember Ford that there is WiFi within City Hall. Discussion followed.

Councilmember Reid expressed her appreciation to Mr. Mackinder and asked for a plan to be in place in order to be able to evaluate how well this is working, both from the public side and the private side, and to look at this project as a pilot and opportunity for “good data gathering.”

Motion by Randall, seconded by Reid, to the purchase of Wi-Fi hardware from Secant Technologies through the Regional Educational Media Center cooperative purchasing program in the amount of \$13,512.13; professional installation services from Secant Technologies in the amount of \$10,862; extension of the city-owned fiber infrastructure installed by the city fiber maintenance provider, Midwest Communications Services, in the amount of \$20,802, and installation of electrical equipment through Mejeur Electric LLC in the amount of \$500; for a total project cost of \$45,676.13 for the provision of public/private Wi-Fi at the Celery Flats Historical Area and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **ANNUAL BS&A INTEGRATED MUNICIPAL SOFTWARE LICENSING AND MAINTENANCE FEES:** Motion by Urban, seconded by Ansari, to approve the annual licensing and software maintenance services agreement with BS&A, Incorporated, at a total cost of \$42,745 and authorize the City Manager to execute all related documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **SOUTH SHORE DRIVE SANITARY SEWER PROJECT #416-S:** Motion by Urban, seconded by Ansari, to adopt Resolution No. 2 for the South Shore Drive Sanitary Sewer Project #416-S, setting a public hearing of necessity on January 12, 2016, at 7:30 p.m. or as soon thereafter as may be heard. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 85 of City of Portage Resolution Book No. 46.

* **NOVEMBER 2015 SUMMARY ENVIRONMENTAL ACTIVITY REPORT:** Motion by Urban, seconded by Ansari, to receive the November 2015 Summary Environmental Activity Report as information only. Upon a roll call vote, motion carried 7 to 0.

* **DEPARTMENTAL MONTHLY REPORTS:** Motion by Urban, seconded by Ansari, to receive the Departmental Monthly Reports from the various departments. Upon a roll call vote, motion carried 7 to 0.

UNFINISHED BUSINESS:

2016 FEE SCHEDULES: Mayor Pro Tem Ansari objected to the proposed increases based on the timing since it was only a couple or three months ago that Council had a surplus of about \$3.2 million and now Council is being asked to increase the fees. City Manager Shaffer referred to the proposed changes outlined in Item H.1, Communication regarding 2016 Fee Schedules, of the December 15, 2015 City Council Agenda, and indicated that he would be happy to answer any questions Council may have. Mayor Strazdas expressed his appreciation to City Manager Shaffer for keeping all increases below 10% while keeping in mind cost of living increases and wage increases. Mayor Strazdas spoke in favor of small incremental costs and discussion followed. Except for Councilmember Urban and the objections of Mayor Pro Tem Ansari, Council voiced concurrence.

Councilmember Reid asked why there was an increase of 18% in sidewalk fees and no increase in driveway approaches since they are both concrete. Mr. Barnes indicated that cost is based on projects from prior years and is an average cost of each bid item.

Motion by Randall, seconded by Ford, to adopt the 2016 Proposed Changes to Fee Schedules; proposed 2016 Charges for Documents (FOIA Fees); recommended 2016 Recreation Program Fee Revisions; Resolutions for Community Development Fees, Electrical Permits, Building Permits, Plumbing Permits and Mechanical Permits; and 2016 Special Assessment Rate Resolution. Discussion followed. Upon a roll call vote, motion carried 6 to 1. Yeas: Councilmembers Ford, Pearson, Randall, Reid and Urban and Mayor Strazdas. No: Mayor Pro Tem Ansari. Resolutions recorded on pages 91 and 97 of City of Portage Resolution Book No. 46.

* **MINUTES OF BOARDS AND COMMISSIONS MEETINGS:** City Council received the minutes of the following Boards and Commissions:

Portage Public Schools Regular Business Meeting of October 26 and November 23 and Committee of the Whole Work Session of November 9, 2015.

Portage Human Services Board of November 5, 2015.

Portage Planning Commission of November 19, 2015.

COUNCIL COMMITTEE REPORTS:

COUNTYWIDE CONSOLIDATED DISPATCH AUTHORITY: Councilmember Pearson recognized Councilmember Reid as Chair of the Finance Committee and, as Chair of the Search Committee, he reported that Jeff Troyer from Calhoun County was chosen as the Executive Director of the Countywide Consolidated Dispatch Authority. He commended City Manager Larry Shaffer for his hard work developing very good relations with leaders all over the County and his yeoman effort with him as Co-Chair of the Contract Negotiations Committee. Councilmember Reid mentioned that Mr. Troyer will begin his duties in February 2106, and that the Authority is in the process of hiring Attorneys and getting some of the other structure in place to begin developing a plan.

DISCOVER KALAMAZOO BOARD: Councilmember Randall reported on the Discover Kalamazoo Board where she and Mr. Shaffer learned a lot about the Pure Michigan Campaign, viewed new commercials for 2016 with voiceovers by Actor Tim Allen originally from Kalamazoo and a Western Michigan University Graduate.

PUBLIC MEDIA NETWORK (PMN) BOARD: Councilmember Reid reported on the Public Media Network (PMN) Board and cited the new cameras in Council Chambers mentioned by IT Director Devin Mackinder earlier as the result of the work of the Futures Committee which has purchased the existing equipment at each of the municipality members and purchased all of the new equipment at each location and will also be maintained and replaced as necessary by PMN for consistency, ease of use and increased quality.

BID TABULATIONS:

* **2016 LOCAL STREETS RECONSTRUCTION PROGRAM – TABULATION OF PROPOSALS:** Motion by Urban, seconded by Ansari, to award a contract to perform design and construction engineering services for the 2016 Local Streets Reconstruction Project to Abonmarche Consultants, Incorporated, in the amount not to exceed \$197,140 and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **NATURAL GAS – ALTERNATIVE GAS SUPPLIER:** Motion by Urban, seconded by Ansari, to approve a contract with Volunteer Energy Services, Inc., for the procurement of natural gas, with the option for five annual renewals, and authorize the City Manager to execute all documents on behalf of the City of Portage. Upon a roll call vote, motion carried 7 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITIZEN: Josh Weiner, Meyer C. Weiner Company, representing ownership of Village Green Properties, Crossroads Centre, Portage Centre-the stakeholders along Martin Luther King Jr. Drive, thanked all of City Council and commended Council for a well-run meeting, and commended all of Council for the mutual respect shown to one another and the succinct manner with which Council presented their thoughts. He explained that relationships do matter and agreed whole-heartedly that City Manager Larry Shaffer reached out his hand (to him), and he thanked Councilmember Randall for the introduction (to Mr. Shaffer). He noted that his Father always said reasonable people can reason together, and that is what has happened here. He thanked Chris Barnes, Chris Forth, Vicki Georgeau, Rob and City Attorney Randy Brown for working together in a short time period to produce an agreement satisfactory to all parties and explained.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Urban expressed good wishes to all during the holidays and safe shopping, travels and celebrations.

Councilmember Reid touted the Portage Central High School Christmas Concert currently taking place this evening. She also mentioned a recent meeting with Dave Maturen and Brandt Iden where Al Pschola, Chair of the Committee on Appropriations, discussed the state budget process and how that impacts local government, the rural issue of adopting Generally Accepted Agricultural and Management Practices (GAAMPs) for farms and farm operations in Michigan (Note: These farm management practices are scientifically based and updated annually to utilize current technology promoting sound environmental stewardship on Michigan farms). She also quipped that they discussed “chicken” issues and found that they are not unlike those in Portage. Lastly, she expressed her support for the Michigan State University Football Team in hopes that they make it to the championship game.

Councilmember Randall wished everyone a Merry Christmas as this is a very special time for families, and wished everyone a healthy and safe New Year.

Councilmember Ford thanked Councilmember Urban for his fine effort with a very long Consent Agenda even though Council removed many of the items for a detailed consideration. He also mentioned the advent of the paperless electronic agenda that will replace the paper version soon and touted the resultant efficiencies that should be realized. He wished everyone Happy Holidays, a Happy New Year, and he concurred with Councilmember Reid saying, “Go Green!” Mayor Strazdas concurred with Councilmember Ford regarding the electronic agenda.

Councilmember Pearson thanked City Council for their teamwork and cited how productive the many Committee of the Whole Meetings were in 2015, then he wished everyone Happy Holidays and safe travels.

City Manager Shaffer acknowledged Josh Weiner and his team for the tremendous job they did putting together the agreement for Martin Luther King Jr. Drive, and indicated that he was looking forward to working on more opportunities with Mr. Weiner. He wished Mayor Strazdas and City Council all the best during the Holiday Season and thanked each of them for his or her support over the past year. He publicly acknowledged the great staff, Department Heads and team of the City of Portage, and wished all Portage citizens the very best over the holiday season.

Mayor Pro Tem Ansari announced that the City Council Goal Setting Retreat is set for Friday, January 22, 2016, from 9 a.m. until 5:00 p.m. on the campus of Western Michigan University on Oakland Drive with Jill Edelen as the facilitator – same as last year. He said the focus of the Retreat this year is reviewing the strategic priorities established in the last Council Retreat, measure progress against these priorities and make adjustments as necessary. He also mentioned the excellent job by the Parks Department on the Tree Lighting Ceremony, the large attendance at the event and expressed how proud he was for the winners of the essay contest of “Why I Love Portage,” who turned on the light switches. Finally, he wished everyone Happy Holidays and Merry Christmas.

Mayor Strazdas reflected on his recent trip to Washington, D.C., and his opportunity to advocate with our Congressman regarding some major votes, the Federal Highway Bill and more financial resources for I-94, and the embargo news relevant to Fort Custer. He reflected on the thousand people who showed up for the Tree Lighting Ceremony and thanked all who were involved. He reflected also on the collegiality of City Council and the lack of collegiality in Washington, D.C. He cited the plan for the Council Retreat and his assurances that the City Council will come together to make positive change for Portage and for Portage citizens.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 9:17 p.m.

James R. Hudson, City Clerk

***Indicates items included on the Consent Agenda.**