

## CITY COUNCIL MEETING MINUTES FROM MAY 26, 2015

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

At the request of Mayor Strazdas, Rabbi Harvey Spivak of the Congregation of Moses gave the 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 Nasim Ansari, Richard Ford, Patricia M. Randall, Claudette Reid and Terry Urban, Mayor Pro Tem Jim Pearson and Mayor Peter Strazdas. Also in attendance were Deputy City Manager Rob Boulis, City Attorney Randy Brown and City Clerk James R. Hudson.

**APPROVAL OF MINUTES:** Motion by Ansari, seconded by Reid, to approve the May 12, 2015 Special Meeting Minutes and the Regular Meeting Minutes of May 12, 2015, as presented. Upon a voice vote, motion carried 7 to 0.

\* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Randall to read the Consent Agenda. Councilmember Ford asked that Item L.1, Single Stream Recycling Contract, be removed from the Consent Agenda. Councilmember Reid asked that the word “accept” be changed to “receive” as the first word of Item F.2.a, Tentative Plan Amendment for The Homestead Planned Development, Story Point Senior Living Facility, 3821 West Milham Avenue, and to retain the item on the Consent Agenda. Councilmember Ansari, Mayor Pro Tem Pearson and Mayor Strazdas indicated that as members of the Portage Rotary Club, they would be abstaining from Item F.5, Permit to Conduct Fireworks Display, owing to a perceived conflict of interest. Motion by Urban, seconded by Reid, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 7 to 0, with Councilmember Ansari, Mayor Pro Tem Pearson and Mayor Strazdas abstaining from Item F.5, Permit to Conduct Fireworks Display, owing to a perceived conflict of interest as members of the Portage Rotary Club.

\* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF MAY 26, 2015:** Motion by Urban, seconded by Reid, to approve the Accounts Payable Register of May 26, 2015. Upon a roll call vote, motion carried 7 to 0.

### REPORTS FROM THE ADMINISTRATION:

**FISCAL YEAR 2015-2016 BUDGET:** Deputy City Manager Rob Boulis indicated that after two budget sessions and a public hearing, this is a conservative budget that presents a strong financial plan for the upcoming fiscal year that will serve the citizens of Portage very well. He also expressed his appreciation for all of the staff time and the work of City Council during the budget process as well.

Mayor Strazdas expressed his appreciation for the City Administration, City Departments, the open discussions, ideas, and the willingness of City Council to make decisions and alterations. He thanked City Council for their consensus and noted that some jobs came back and some programs, too. He highlighted some Public Safety items and mentioned that there are no millage increases, but reminded everyone that as the property values go up, so will the tax amounts to be paid by the property owners.

Councilmember Ansari applauded the Administration and City Council saying that the beautiful City of Portage is being taken to the next higher level. He highlighted the combination of two departments that will save over \$300,000 for the first year, expeditious debt reduction, and funding for infrastructure and Public Safety.

Councilmember Ford concurred and indicated that this budget provides City employees a raise this year. He expressed his appreciation for the City’s technology efforts, especially social media, time

and attendance software and the electronic agenda. He said that the budget stabilization is a good idea and would like the Administration to continue to pursue it, albeit at a lower amount perhaps. He reflected on Councilmember Ansari's reference to the combination of two departments and that led to his recognition of the split that occurred with the Parks and the Streets & Equipment Departments as a good idea in order to pursue quality service and programs for the community. He also recognized Rod Russell and later recognized all of the Directors who were present for the meeting.

Councilmember Randall indicated that the budget reflects a new level of energy and creativity brought by City Manager Larry Shaffer. She contrasted the process in the past of scheduling two four-hour meetings where no significant changes took place and where there was no openness with employees, staff or City Council. She expressed her appreciation of the receptiveness of the new Administration to make changes, incorporate the beliefs, feelings and direction of all of Council, then to bring them for consideration at the next budget session two weeks later. Her highlights of the budget include: after seventeen years, private streets will now be getting leaf and brush pick up without an increase in the millage; the technology improvements and the work of IT Director Devin Mackinder, citing replacement of old systems from the 1980's, Portage Alert and the award winning website; the creation of the Human Resources Department which she had requested for six years as a \$300,000 savings each and every year - not just the first year; single stream recycling; and, the change in leadership and open communication among the departments, staff and City Council in City Hall and explained.

Mayor Pro Tem Pearson concurred with much that was already mentioned and praised the new Administration with a fresh approach who also asked the questions, "Why are there two Human Resources Departments? Why are we not engaged in single stream recycling? Why are we not using electronic agendas?" He gave credit to City Manager Larry Shaffer for his work with Council and the budget process and explained. He expressed his appreciation that the Administration took the feedback from Council, thought about it and came back with a compromise. He gave the example of the proposed tax increase for the leaf and brush pick up service that proved unnecessary.

Councilmember Reid expressed her satisfaction with the budget, but pointed out that staff reached out to condominiums to provide leaf and brush pick up service, but not to the over 90 residential homes on private streets, and asked that staff reach out to them as well. She indicated that the consolidation of the two Human Resources Departments has resulted in a loss of 3.5 full time employees and has made it difficult for the employees in those departments, plus there is no guarantee that there will be positions for those people. She pointed out that it is a tight budget, but not without some fall out in it.

Mayor Strazdas asked the Administration to reach out to the residents in homes on private streets. Discussion followed.

Motion by Ford, seconded by Randall, to approve the Fiscal Year 2015-2016 Budget, and to adopt the Resolution to adopt the Salary and Wage Schedules for the Fiscal Year July 1, 2015, to June 30, 2016. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on pages 491 and 493 of City of Portage Resolution Book No. 45.

**\* TENTATIVE PLAN AMENDMENT FOR THE HOMESTEAD PLANNED DEVELOPMENT, STORY POINT SENIOR LIVING FACILITY, 3821 WEST MILHAM AVENUE:** Motion by Urban, seconded by Reid, to receive the Tentative Plan Amendment for The Homestead Planned Development, Story Point Senior Living Facility, 3821 West Milham Avenue, and set a public hearing for June 23, 2015, at 7:30 p.m. or as soon thereafter as may be heard; and subsequent to the public hearing, consider approving the tentative plan subject to: the four conditions listed in the May 1, 2015 Community Development staff report, inclusion of the written narrative and tentative plan dated April 8, 2015, the addendum letter dated April 30, 2015, and the conceptual landscape plan dated April 29, 2015; and construction of berms ranging in height from three to six feet tall along the east and south sides of the site. Upon a roll call vote, motion carried 7 to 0.

\* **ORDINANCE AMENDMENT #14/15-B, SITE PLAN REVIEW:** Motion by Urban, seconded by Reid, to accept Ordinance Amendment #14/15-B for first reading and set a public hearing for June 23, 2015, at 7:30 p.m. or as soon thereafter as may be heard and, subsequent to the public hearing, approve Ordinance Amendment #14/15-B, Site Plan Review. Upon a roll call vote, motion carried 7 to 0.

\* **PROPOSED FIVE-YEAR LABOR AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS:** Motion by Urban, seconded by Reid, to authorize the Mayor and City Clerk to execute the five-year labor agreement between the City of Portage and the International Association of Firefighters. Upon a roll call vote, motion carried 7 to 0.

\* **PERMIT TO CONDUCT FIREWORKS DISPLAY:** Motion by Urban, seconded by Reid, to approve a permit for a fireworks display on July 4, 2015, sponsored by the Portage Rotary Club. Upon a roll call vote, motion carried 4 to 3. Yeas: Councilmembers Ford, Randall, Reid and Urban. Abstaining: Councilmember Ansari, Mayor Pro Tem Pearson and Mayor Strazdas.

\* **APRIL 2015 SUMMARY ENVIRONMENTAL ACTIVITY REPORT:** Motion by Urban, seconded by Reid, to receive the April 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 Reid, to receive the Departmental Monthly Reports from the various departments. Upon a roll call vote, motion carried 7 to 0.

#### **COMMUNICATION:**

**DAVID RICE, 8729 PINE ISLAND COURT SOUTH, TEXAS TOWNSHIP:** Motion by Randall, seconded by Ansari, to receive the communication from David Rice, 8729 Pine Island Court South, Texas Township, of Edward Rose & Sons, in support of the Assessor Office. Upon a voice vote, motion carried 7 to 0.

#### **UNFINISHED BUSINESS:**

\* **AMENDMENT TO THE CODE OF ORDINANCES – HISTORIC DISTRICT MODIFICATION: 3821 MILHAM AVENUE:** Motion by Urban, seconded by Reid, to approve the Ordinance to amend the Code of Ordinances of the City of Portage, Michigan, by amending Section 38-35 of Chapter 38, Historical Preservation. Upon a roll call vote, motion carried 7 to 0.

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

Portage Senior Citizens Advisory Board of March 18, 2015.

Portage Youth Advisory Committee of April 13, 2015.

Portage Zoning Board of Appeals of April 13, 2015.

Portage Planning Commission of April 16, 2015.

Portage Public Schools Board of Education Regular Business of April 20 and Committee of the Whole Work Session of May 4, 2015.

## **BID TABULATIONS:**

**SINGLE STREAM RECYCLING CONTRACT:** Councilmember Ford cited the communication from City Manager Laurence Shaffer dated May 6, 2015, and a Resolution in Support of Single-Stream Recycling from Environmental Board Chair Ruth Caputo. Mayor Strazdas questioned the nine year duration of the contract, the cost to the enterprise fund and the potential for an increase in the millage in the future.

Deputy City Manager Boulis asked that Finance Director Bill Furry come forward to assist and indicated that the cost for the first year is essentially what the City of Portage is paying now for the service, and the increase happens after the 21 month period during the expansion of the service and explained. In answer to Mayor Strazdas, he indicated that he was not aware of an “out” clause.

Mr. Furry agreed and stated that three months of the old contract and nine months of the new contract will bring a savings since the first twelve months of the proposed contract with Best Way Disposal includes a cost of \$529,008, which compares to the current FT 2014-2015 contract amount of \$539,077. Discussion followed. In answer to Mayor Strazdas, Mr. Furry indicated that the contract increases 4% per year in the later years, and Public Facilities Director Rod Russell confirmed that the gas price increase is the one line item that remains a variable in the contract. Mr. Furry indicated that after three years, there may be a need for a slight millage increase for recycling with the highest increase projected at 0.35 mills with the highest possible levy being 0.5 mills.

Discussion followed regarding the perceptibly long duration of the contract at nine years, gas charge as a variable, performance criteria requirements, concerns about customer service from the contractor, bin replacement, complaints regarding recycling, savings with a contract of longer duration, reference checks, vetting, the education plan, recourse or penalties for lack of performance or breach of the contract, increase in recycling with single stream, positioning of the bins on the property for aesthetics, single stream recycling communities in the area, respectful and polite interaction with citizens, advantages of the “herbie curbie” over an open bin, the size of the single stream recycling communities in the area versus the City of Portage as much larger, and the map by day for waste hauler service.

Mayor Strazdas spoke in favor of the contract because of the savings, the recourse option and the single variable increase possibility of gas prices. Discussion followed regarding the overall increase of 3.2% in the contract each year for the first four years and the 4% overall increase in the contract each year thereafter. Discussion followed.

Motion by Pearson, seconded by Randall, to receive the communication from Environmental Board Chair Ruth Caputo, award a nine-year contract to the low bidder, Best Way Disposal, for the provision of single stream recycling services once every two weeks, in the total contract amount of \$5,897,388, and authorize the City Manager to execute all documents related to the agreement on behalf of the city. Discussion followed. Upon a roll call vote, motion carried 7 to 0.

\* **2015 LOCAL STREET RECONSTRUCTION PROGRAM:** Motion by Urban, seconded by Reid, to award an engineering contract for the 2015 Local Street Reconstruction Program to Jones & Henry Engineers, Ltd., for design, construction administration and material testing in an amount not to exceed \$50,900 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.

## **COUNCIL COMMITTEE REPORTS:**

**CENTRAL COUNTY TRANSIT AUTHORITY (CCTA):** Mayor Pro Tem Pearson provided a brief update of a meeting of the CCTA on May 18, 2015, the election activities surrounding the millage request in the amount of 0.75 mills for five years beginning in 2016 from CCTA for the ballot on August 4, 2015 Special Election. He indicated that the CCTA passed an information postcard

that will contain factual information on the millage request for 0.75 mills, such as how the community will benefit, how it is funded, reasons why asking for a millage is desirable and what the cost will be to the residents. He pointed out that even though the CCTA cannot advocate for their millage request, they can educate and explain. Discussion followed and he responded to Mayor Strazdas that the millage cost will be \$37.50 per year for a home value of \$100,000 with a taxable value of \$50,000.

In answer to Councilmember Randall, City Clerk Jim Hudson responded that this is the only thing on the ballot for August 4, 2015. In answer to Councilmember Reid, Mr. Hudson provided the Absentee Ballot request process, including the mailing of applications at least six weeks ahead of the election, and the option to ask for an absentee ballot the Saturday before the election and the ability to still obtain an absentee ballot and vote it on the Monday before the election in City Hall. He also mentioned that the only way to receive an absentee ballot on Election Day is if someone has an emergency. Discussion followed.

Motion by Ford, seconded by Reid, to receive the Central County Transit Authority Report from Councilmember Urban. Upon a voice vote, motion carried 7 to 0.

**KALAMAZOO COUNTY CONSOLIDATED DISPATCH AUTHORITY:** Mayor Pro Tem Pearson indicated that he and Councilmember Reid attended a meeting on May 14, 2015, on the Kalamazoo County Dispatch Authority. He complimented the great cooperation and support of the various jurisdictions. He indicated that a contract was signed with Strategic Resources, Inc., to perform the search for an Executive Director. He indicated that this firm was unanimously approved because they had recently performed a search and had already screened dozens of qualified candidates which should expedite the selection process. He said that October 1, 2015, is the target date to hire an Executive Director.

For financial information purposes, he deferred to Councilmember Reid, who indicated that the Authority will levy 42 cents per phone in the County beginning in July, but the funds will not be received by the Authority until late November 2015; however, expenses will accrue in the meantime, so the Finance Committee was asked to develop an anticipated budget. She said one of the items considered by the Committee was a location for the Executive Director, who should not be co-located with one of the Public Safety Answering Points (PCAP'S) in order to avoid the perception that there is more cooperation with one PCAP over another, so Kalamazoo County offered free office space in the County Building. She said the Committee also anticipated the need for an Administrative Assistant, legal costs and accounting costs, so the Finance Committee put together a general budget through December 2016 which is a longer time than required because the funds will begin to come in in late November and explained. She indicated that the Kalamazoo County Commission has agreed to provide an advance of approximately \$170,000 to allow the Authority to get started on the hiring of the search firm and the other items and explained. In answer to Mayor Strazdas, she indicated that any phone with 911 service capability will have an extra 42 cents charge per month as voted by the Kalamazoo County Commission. She also indicated that the Kalamazoo County Commissioners are the representatives who should be contacted with any questions or concerns. Discussion followed.

Motion by Ford, seconded by Ansari, to receive the Kalamazoo County Consolidated Dispatch Authority Report from Mayor Pro Tem Pearson and Councilmember Reid. Upon a voice vote, motion carried 7 to 0.

## **OTHER CITY MATTERS:**

**STATEMENTS OF CITY COUNCIL:** Councilmember Ford shared his experience with *Listening Post* with Councilmember Reid last Friday and said he attended the Memorial Day Service yesterday.

Councilmember Randall reminded everyone that children are getting out of school for the summer and will be walking and riding their bicycles and will require special attention.

Councilmember Urban expressed his pleasure to be in the Memorial Day Parade yesterday and his appreciation for those citizens who came to commemorate Memorial Day, those who protected our way of life and the sacrifices of their families.

Councilmember Ansari apologized for not being at the Memorial Day Parade, but there were problems with his flight from Texas and explained.

Councilmember Reid reviewed the discussion with Representatives Brandt Iden and David Maturen at the *Listening Post* on Friday regarding the need to create a plan to address the state of the roads in Michigan and explained. She also highlighted the Memorial Day Parade event and the subsequent Veterans Celebration at Memorial Park. Discussion followed.

Mayor Pro Tem Pearson indicated that the Portage Rotary placed American Flags provided by the City of Portage on all of the Veteran graves in the Portage Cemeteries in commemoration of their service to our country that will remain there until the Fourth of July. He highlighted the July 4<sup>th</sup> fireworks sponsored by the Rotary and mentioned that the city is providing police, fire and insurance support for the event and Portage Public Schools provides the venue on school property.

Mayor Strazdas thanked Mayor Pro Tem Pearson for his leadership with the fireworks event. He also highlighted the Memorial Day Parade and the subsequent Veterans Celebration at Memorial Park. Lastly, he mentioned his attendance at a unique Boy Scout Court of Honor where seven boys received Eagle Scout status through Troop 244, and a special tribute to Hank Poppen, who since 1995, has guided and lead 105 young men to Eagle Scout status.

**ADJOURNMENT:** Mayor Strazdas adjourned the meeting at 9:11 p.m.

James R. Hudson, City Clerk

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