

CITY COUNCIL MEETING MINUTES FROM FEBRUARY 8, 2011

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

At the request of Mayor Strazdas, Pastor Tim Hoult of the Kalamazoo Valley Family Church of Portage gave the invocation and the City Council and the audience recited the Pledge of Allegiance.

The City Clerk called the roll with the following members present: Councilmembers Cory A. Bailes, Elizabeth A. Campbell, Patricia M. Randall, Claudette S. Reid and Terry R. Urban, and Mayor Peter J. Strazdas. Mayor Pro Tem Edward J. Sackley was absent with excuse. Also in attendance were City Manager Maurice S. Evans, Assistant City Attorney Charlie Bear and City Clerk James R. Hudson.

APPROVAL OF MINUTES: Motion by Reid, seconded by Campbell, to approve the January 25, 2011 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 6 to 0.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Urban to read the Consent Agenda. Councilmember Reid asked that Item F.3, Sanitary Sewer Service Repair Call-In Contract, be removed from the Consent Agenda. Councilmember Urban asked that Item H.1, Ordinance Amendment 10-B, Home Occupation Ordinance, be removed from the Consent Agenda. Motion by Urban, seconded by Reid, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 6 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF FEBRUARY 8, 2011:** Motion by Urban, seconded by Reid, to approve the Accounts Payable Register of February 8, 2011. Upon a roll call vote, motion carried 6 to 0.

REPORTS FROM THE ADMINISTRATION:

* **AMENDMENT TO THE CODE OF ORDINANCES:** Motion by Urban, seconded by Reid, to accept for first reading the Amendment to Chapter 50, Section 222, Providing False Information to Public Officer. Upon a roll call vote, motion carried 6 to 0.

* **HEATING, VENTILATION, AIR CONDITIONING SERVICES CONTRACT EXTENSION:** Motion by Urban, seconded by Reid, to approve a two-year contract extension for city facility heating, ventilation, air conditioning and maintenance services to Pleune Service Company in the amount of \$78,616 and authorize the City Manager to execute all documents related to this action. Upon a roll call vote, motion carried 6 to 0.

SANITARY SEWER SERVICE REPAIR CALL-IN CONTRACT: Councilmember Reid indicated that this service was used three times over the last twenty-two months and asked how much was actually paid to them. Transportation & Utilities Director Chris Barnes indicated that he did not have the exact figure, but each incident cost roughly \$3,000 to \$4,000, or \$12,000 to \$13,000 in the last two years. Discussion followed. Motion by Reid, seconded by Campbell, to approve a one-year renewal with Peters Construction Company for the Sanitary Sewer Service Repair Call-in Contract at the original not-to-exceed amount of \$26,212.87 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 6 to 0.

COMMUNICATION:

COMMUNICATION FROM DALE HEIN OF THE KALAMAZOO COUNTY TRANSPORTATION AUTHORITY (KTA): City Council received the Kalamazoo County Transportation Authority 2010 Annual Report Presentation by Linda Teeter, Chairperson. She indicated that the operation is more efficient, affordable and ready for the future; 2010 Portage ridership was at 22,705; Care-a-Van and Metro Van merged to provide more vans, more access and more efficiency; and changes, new routes and new times can be found online at kmetro.com. She reviewed the history of the formation of KTA, growth in the City of Portage, search for an Executive Director and recent work with the legislature to change Public Act 196. She explained that the current millage expires in 2012 and/or 2013 and oversight for financial management is now in the hands of the City of Kalamazoo. She thanked Mayor Strazdas and City Council for their support. Mayor Strazdas expressed his appreciation to the Board for responding to the needs of the community. Discussion followed.

UNFINISHED BUSINESS:

ORDINANCE AMENDMENT 10-B, HOME OCCUPATION ORDINANCE:

Councilmember Urban explained that there was much discussion regarding Section B.1, wherein “No more than one person other than the full-time occupant(s) of the one-family dwelling unit shall be engaged in the conduct of the active home occupation on the zoning lot” as the original recommendation granted the Planning Commission power to allow two full-time non-occupant employees upon request. He also pointed out that the Committee discussed the reference to “tennis” in Section B.5. Note that Section B.5 also retained the original B.7 language, “This section shall not prohibit the growing of fruits, vegetables or flowers nor any other farm product protected by the Michigan Right to Farm Act, Act 93 of 1981, as amended, in any outside area, provided that the farm product is grown, raised or produced on the zoning lot occupied by the active home occupation.” Discussion followed.

Councilmember Reid asked for a breakdown from the Administration of anticipated staff time involved as it relates to the proposed \$150 application fee. Discussion followed.

Motion by Urban, seconded by Campbell, to accept Ordinance Amendment 10-B, Home Occupation Ordinance, for first reading and establish a public hearing on March 8, 2011, at 7:30 p.m. or as soon thereafter as may be heard; subsequent to the public hearing, consider approval of Ordinance Amendment 10-B, Home Occupation Ordinance; and consider adoption of the resolution establishing an application fee for home occupations. Upon a roll call vote, motion carried 6 to 0. Discussion followed.

* **MINUTES OF BOARDS AND COMMISSIONS:** City Council received the minutes for the following boards and commissions:

Portage Environmental Board of December 8, 2010.

Portage Board of Education Regular Business of December 13, 2010 and Special Meeting and Committee of the Whole Work Session of January 10, 2011.

Kalamazoo County Board of Commissioners Organizational of January 4, 2011.

Portage Human Services Board of January 20, 2011.

Portage Planning Commission of January 20, 2011.

BID TABULATION:

* **FIRE DEPARTMENT MOBILE COMPUTERS:** Motion by Urban, seconded by Reid, to accept the low bid submitted by Tiger Direct, Incorporated, in the amount of \$23,910 for six “ruggedized” mobile computers for installation in Portage Fire apparatus; accept the sole provider quotation submitted by New World Systems Corporation in the amount of \$11,100 for Aegis fire mobile unit software; and authorize the City Manager to execute all documents related to these actions on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITIZENS: Ralph Worick, 604 Mallard Circle, pointed out that the tax assessment notices are going out Friday (February 11, 2011) and urged citizens to look at the information and check the Portage website for Board of Review procedures.

County Commissioner Phil Stinchcomb, 1607 Bellaire Avenue, reported on Kalamazoo County activities, specifically, the progress of the Metro Center at the Kalamazoo County Fairgrounds, Phase II, and that the construction bid was awarded to Cornerstone Construction. He indicated that the Board discussed local preference and asked for input from the public on that subject.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Randall commended those involved in the First Annual Portage Snow Party, Oakland Drive Park, organized by Deputy City Clerk Adam Herringa, with 200 participants, 15 student organizers from the Youth Activities Committee and two Park Rangers. She also applauded the *Hairspray* Play Production by Portage Central High School Students performed at Portage Northern High School and reminded everyone of “Stepping Out” Fundraiser at the State Theater, Kalamazoo, Saturday, February 12, 2011, at 7:30 p.m., for the Portage Athletic Foundation. She expressed her appreciation for expediting the Tax Notices to property owners by an extra two weeks to allow them time to analyze their tax assessments and announced a Property Tax Symposium hosted by The Greater Kalamazoo Association of REALTORS® (GKAR) and the Home Builders Association of Greater Kalamazoo (HBAGK), Thursday, February 10, 2011, 6:00 p.m. to 7:30 p.m., 5830 Venture Park Drive, Kalamazoo.

City Manager Maurice Evans announced that the City of Portage would be hosting two information sessions by Joyce Foondle, Southwest Michigan Governmental Consultants, on the Assessment Process, Board of Review and Michigan Tax Tribunal Appeals process. Councilmember Bailes indicated that the Home Builders Association of Greater Kalamazoo announced the 2011 Home Expo will be held March 9 through 12, 2011, at 665 Mall Drive, in the former Sam’s Club building.

Councilmember Campbell thanked City Manager Evans for preparing his communication regarding training safely on Portage roads for the 2011 Kalamazoo Marathon, May 6 through May 8, 2011. She emphasized the need for patience on the part of Portage motorists and the runners from the runners training “camps” that require certain safety measures from their runners and stress this in writing via e-mail, organizational meetings, word of mouth and advertising. She asked residents and businesses to cooperate by keeping adjacent sidewalks clear of snow and ice and to share the road.

Councilmember Reid recognized the Streets Department for their snow removal efforts and the use of the website to provide information regarding which neighborhoods would receive snow removal and when. She also reminded everyone that Walk for Warmth is on February 26, 2011, to raise money for energy relief and help low income households and to raise awareness of the need.

City Manager Maurice Evans thanked Councilmember Reid for her comments on the snow removal and commended Parks Department and Streets Department personnel for a job well done. He also recounted the heroic efforts of Police Officer Eric Vesey, who saved the life of a victim of a fire on January 30, 2011, at Timberwood Crossing.

Mayor Strazdas thanked City Council for their comments as they covered each of the topics he had planned to mention and thanked them for their activity in the community and their passion for Portage. He also praised the heroic efforts of Police Officer Vesey and expressed sorrow for the individual in the fire who he could not save.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 8:28 p.m.

James R. Hudson, City Clerk

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