

## CITY COUNCIL MEETING MINUTES FROM JUNE 14, 2011

The Regular Meeting was called to order by Mayor Strazdas at 7:35 p.m.

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

Mayor Strazdas asked Mr. Kyle Douglas of the Life Point Church of Portage to give the invocation and the 100<sup>th</sup> Eagle Scout from Troop 244, Nolan Stoffer, led the City Council and the audience in the recitation of the Pledge of Allegiance.

**APPROVAL OF MINUTES:** Motion by Sackley, seconded by Urban, to approve the May 24, 2011 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 5 to 0 with Councilmembers Campbell and Reid abstaining.

\* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Randall to read the Consent Agenda. Mayor Pro Tem Sackley asked that Item F.7, Eliason Corporation Land Donation, 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 7 to 0.

\* **APPROVAL OF CHECK REGISTER OF JUNE 14, 2011:** Motion by Urban, seconded by Reid, to approve the Check Register of June 14, 2011. Upon a roll call vote, motion carried 7 to 0.

### **PUBLIC HEARING:**

**REZONING APPLICATION #10-01, PORTAGE ROAD AND FAIRLANE AVENUE:** Councilmember Campbell recused herself as her employer owns the subject property, and then left the City Council Chambers for the duration of the discussion on this item. Mayor Strazdas opened the public hearing and introduced Community Development Director Jeffrey Erickson, who reviewed the rezoning application from Residential Opportunities, Inc., (ROI) requesting that 9616 and 9602 Portage Road, 1704 South Shore Drive, 1712, 1720, 1726 and 1806 Fairlane Avenue be rezoned from I-1, light industry and R-1C, one family residential to OS-1, office service. Mr. Erickson indicated that the purpose of the rezoning is to facilitate reuse of the former Moose Lodge building/site for The Great Lakes Center for Autism Treatment and Research, a residential treatment center for up to 12 children combined with an outpatient clinic for children with autism and is a joint venture between ROI and the Western Michigan University Psychology Department.

Mr. Erickson referred to a report dated April 15, 2011, from the Department of Community Development that recommended the seven properties be rezoned to OS-1 and pointed out that the Comprehensive Plan recognizes that the OS-1 district can provide an effective transition between higher intensity uses and major streets and interior residential neighborhoods; moreover, since reuse of the former Moose Lodge building by a traditional light industrial user is limited given the nature of the building design, i.e. configuration, one-story, low ceilings, etc., redevelopment under the existing I-1 zoning designation would more likely necessitate demolition of the existing building and construction of a new industrial facility, and the environmental impact on adjacent residential land uses to the north and west would likely be much greater under the existing I-1 zone, depending upon the type of industrial use. He reviewed the Planning Commission activity in April on the matter and indicated that the Commission considered this letter, along with an April 21, 2011 response from the Department of Community Development, and voted unanimously to recommend to City Council that Rezoning Application #10-01 be approved and the seven parcels/lots be rezoned to OS-1, office service. Discussion followed.

Residential Opportunities Inc. Chief Executive Officer Scott Schrum, 5752 Castleton Lane, Oshtemo, introduced Residential Opportunities Inc. Director of Properties Tom Ihling, and spoke in favor of the rezoning. In response to Councilmember Reid, Mr. Schrum indicated that besides accommodating up to 12 residents, there would be an estimated 100 children annually, 35 full time employees, including a speech therapist and an occupational therapist and internship opportunities for Western Michigan University students with ten on the residential side and ten on the outpatient side. In answer to her question about traffic generated by the facility, he said there would be eight staff members with three trips per day, two or three cars for the interns and pointed out that there would be limited visitation, so extra traffic beyond that mentioned would be 15-18 per day.

Motion by Sackley, seconded by Reid, to close the public hearing. Upon a voice vote, motion carried 6 to 0.

Motion by Sackley, seconded by Bailes, to approve an Ordinance to amend the City of Portage Code of Ordinances by amending Article 4 of Chapter 42, Official Zoning Map, changing the zoning of 9616 Portage Road, Parcel ID Number 00026-070-A; 9602 Portage Road, Parcel ID Number 05100-024-O; 1704 South Shore Drive, Parcel ID Number 05100-001-B; 1712 Fairlane Avenue, Parcel ID Number 05100-017-O; 1720 Fairlane Avenue, Parcel ID Number 05100-018-O; 1726 Fairlane Avenue, Parcel ID Number 05100-019-O; and 1806 Fairlane Avenue, Parcel ID Number 05100-020-O; from R-1C, one family residential and I-1, light industry, to OS-1, office service. Discussion followed. Upon a roll call vote, motion carried 6 to 0. Councilmember Campbell returned. Ordinance recorded on page 169 of City of Portage Ordinance Book No. 12.

#### **REPORTS FROM THE ADMINISTRATION:**

\* **RESOLUTION AWARDING BID:** Motion by Urban, seconded by Reid, to adopt the Resolution awarding the bid for the City of Portage Capital Improvement Bonds, Series 2011, in the amount of \$1,700,000, to Fifth Third Securities, Inc., at 3.752893%. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 241 of City of Portage Resolution Book No. 44.

\* **COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM RECOMMENDATION:** Motion by Urban, seconded by Reid, to approve the revised Community Development Block Grant (CDBG) Program FY 2011-15 Consolidated Plan and FY 2011-12 Annual Action Plan in the approved FY 2011-12 budget; and authorize the City Manager to execute and submit the revised documents to the Department of Housing and Urban Development. Upon a roll call vote, motion carried 7 to 0.

\* **ORDINANCE AMENDMENT 10-C, MEDICAL MARIHUANA HOME OCCUPATION:** Motion by Urban, seconded by Reid, to accept Ordinance Amendment 10-C, Medical Marihuana Home Occupation, for first reading and set a public hearing for July 12, 2011, at 7:30 p.m. or as soon thereafter as may be heard; and subsequent to the public hearing, consider approval of Ordinance Amendment 10-C, Medical Marihuana Home Occupation. Upon a roll call vote, motion carried 7 to 0.

\* **TRADE CENTRE WAY RELOCATION PROJECT #997-R:** Motion by Urban, seconded by Reid, to adopt Resolution No. 4 for the Trade Centre Way Relocation Project #997-R, setting a public hearing on the Assessment Roll for June 28, 2011, 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 245 of City of Portage Resolution Book No. 44.

\* **DELINQUENT WATER AND SEWER BILLS:** Motion by Urban, seconded by Reid, to order notice to applicable property owners that all water and/or sewer charges remaining unpaid as of June 30, 2011 will be transferred to the 2011 city tax roll and assessed against property for which the services were furnished. Upon a roll call vote, motion carried 7 to 0.

\* **RENEWAL OF CONTRACT FOR POLICE UNIFORM CLEANING:** Motion by Urban, seconded by Reid, to approve a one-year extension of the contract with Kal Clean, Inc., dba Paris Cleaners, for police uniform cleaning services in the amount up to \$30,000.00, through June 10, 2012, and authorize the City Manager to execute all documents related to this matter on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

**ELIASON CORPORATION LAND DONATION:** Mayor Pro Tem Sackley indicated that he wanted the Eliason family recognized, especially Linda Eliason, for the donation of the property adjacent to Bishop's Bog in the City of Portage Park System. He commented that there was an area off of Shaver Road that could be used for parking in the future and offered the idea that this could be an area where a disc golf course could be set up. Discussion followed. Motion by Sackley, seconded by Reid, to accept the donation of 123 acres of land as a preservation area from Mrs. Linda Eliason, in memoriam, subject to finalization of the donation, memorial, land appraisal, title documentation and a Phase I Environmental Assessment. Upon a roll call vote, motion carried 7 to 0.

\* **LOCAL OFFICERS COMPENSATION COMMISSION REPORT:** Motion by Urban, seconded by Reid, to receive the communication from the Local Officers Compensation Commission. Upon a roll call vote, motion carried 7 to 0.

\* **CLOSED SESSION:** Motion by Urban, seconded by Reid, to hold a closed session immediately following the Regular City Council Meeting of June 14, 2011, to discuss a personnel matter. Upon a roll call vote, motion carried 7 to 0.

**PARK BOARD CHAIR MIKE ZAJAC, GET ACTIVE PORTAGE!:** City Council received the communication from Park Board Chair Mike Zajac concerning *Get Active Portage!*

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

Portage Public Schools Board of Education Special of April 14 and Special and Regular of April 18, 2011.

Portage Youth Advisory Committee of April 11 and May 16, 2011.

Portage Park Board of May 4, 2011.

Portage Historic District Commission of May 4 and May 11, 2011.

Portage Planning Commission of May 5 and May 19, 2011.

Portage Environmental Board of May 10, 2011.

Portage Local Officers Compensation Commission Draft of June 7, 2011.

#### **BID TABULATIONS:**

\* **BID RECOMMENDATION – PARK FACILITY CLEANING MAINTENANCE:** Motion by Urban, seconded by Reid, to approve the low bid from Too Clean, Incorporated, for cleaning maintenance of park facilities for the period July 1, 2011 through June 30, 2012 in the amount of \$21,630, with an option for a contract renewal up to three years 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.

**RECESS:** 7:58 p.m.

**RECONVENE:** 9:04 p.m.

**NEW BUSINESS:**

**CONTRACT RENEWAL OF CITY MANAGER MAURICE EVANS:** Upon return from closed session where City Council performed an employment evaluation of City Manager Maurice Evans, Mayor Strazdas explained that there were three members of the City Council on the City Manager Evaluation Committee: Mayor Pro Tem Sackley, Councilmember Urban and Councilmember Reid. He explained that each Councilmember evaluated Mr. Evans, found that he exceeds expectations and provided feedback regarding his work performance. He called on each City Manager Evaluation Committee Member for discussion and for each Councilmember to comment on Mr. Evans. Discussion followed regarding the decrease in revenues from all sources; no increase in pay for Mr. Evans and city employees for the last three years, and the ability of staff to still do a fine job with good customer service and professionalism; City Manager's public recognition of staff; City of Portage use of best practices; and the leadership qualities exhibited by Mr. Evans every day.

Mr. Evans responded that he enjoys working with all of you (City Council, City Attorney and City Staff). He commented on their great leadership during the Council retreat process that results in the City Goals and Objectives each year and, even though these are challenging times, the City of Portage is "ahead of the curve." Discussion followed.

Motion by Sackley, seconded by Reid, that City Council accept the recommendation of the City Council City Manager Evaluation Committee to approve the contract for the City Manager as circulated and to authorize signature in accordance with the Portage City Charter. Upon a roll call vote, motion carried 7 to 0.

**OTHER CITY MATTERS:**

**STATEMENTS OF CITY COUNCIL AND CITY MANAGER:** Councilmember Bailes expressed his appreciation to the VFW of the Memorial Day Parade and found it very enjoyable.

Councilmember Reid recognized city staff for their efforts at her wedding reception at the Hayloft Theater. She also commented on the budget proceedings of the last meeting and recognized Councilmember Randall's concern for Portage citizens who have income loss; however, she concurred with the rest of City Council on the importance of maintaining a 13% Fund Balance for emergencies. She then announced that citizens who have difficulty meeting financial obligations may go to the Salvation Army for help with financial literacy and because the Salvation Army can point those citizens to the best agency to assist them such as the Michigan Department of Human Services or the Community Action Agency.

City Manager Maurice Evans thanked City Council for approving his employment contract.

Mayor Pro Tem Sackley thanked the Eliason family for the land donation under Item F.7, again, described the property in detail and said Portage is fortunate to have Bishop's Bog as a jewel in the City Parks System.

Mayor Strazdas said he had just returned from a volunteer effort in Washington, D.C., and indicated that Washington, D.C. had nothing on Portage, Michigan, and that it was great to be back. He noted some recent examples of local improvements: the Air Zoo expansion, Trade Center Way road improvements, the beam installation for the bridge over South Westnedge Avenue, the 123 acres donated to the Parks System by Eliason Corporation, the recently announced countywide learning network for youth, and the 4<sup>th</sup> of July fireworks in Portage paid for by local businesses and donations.

**ADJOURNMENT:** Mayor Strazdas adjourned the meeting at 9:43 p.m.

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James R. Hudson, City Clerk

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