

CITY COUNCIL MEETING MINUTES FROM AUGUST 9, 2011

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

At the request of Mayor Strazdas, Deacon Francis Marotti of St. Catherine of Siena Church in Portage provided 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, Claudette S. Reid, Terry R. Urban and Mayor Pro Tem Edward J. Sackley and Mayor Peter J. Strazdas. Councilmember Patricia M. Randall was absent with excuse. Also in attendance were City Manager Maurice S. Evans, City Attorney Randall Brown and City Clerk James R. Hudson.

PROCLAMATION: Mayor Strazdas issued a Portage Northern and Portage Central – Top High Schools in the Nation Proclamation. Discussion followed.

APPROVAL OF MINUTES: City Clerk Hudson asked that the announcements by Jim Pearson and Councilmember Cory Bailes as candidates for City Council for the November 8, 2011 General City Election be added to the Minutes for the meeting that ended at 9:40 p.m. Motion by Sackley, seconded by Bailes, to approve the July 26, 2011 Regular Meeting Minutes as amended. Upon a voice vote, motion carried 6 to 0.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Bailes to read the Consent Agenda. Motion by Reid, seconded by Campbell, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 6 to 0.

* **APPROVAL OF CHECK REGISTER OF AUGUST 9, 2011:** Motion by Reid, seconded by Campbell, to approve the Check Register of August 9, 2011. Upon a roll call vote, motion carried 6 to 0.

PUBLIC HEARING:

ORDINANCE AMENDMENT 10-D, BUSINESS BANNER REGULATIONS: Mayor Strazdas opened the Public Hearing and introduced Community Development Director Vickie Georgeau, who reviewed the Planning Commission actions and discussion of May 5, May 19, June 2 and June 16, 2011, regarding this ordinance. She inferred that the proposed ordinance amendment would expand banner use opportunities and provide additional options and flexibility for businesses interested in using banner signs since it would eliminate the phrase, “to identify only the name of the business,” increase the area of the banner devoted to sign copy, including the name of the business and related message from four square feet to up to 50% of the banner area, and add the business banner ordinance language to the B-1, local business, and PD, planned development districts. Discussion followed.

In response to Mayor Pro Tem Sackley, Ms. Georgeau indicated that the sign can not contain the name of another business, as this would be an off-premise sign, but food, beverages and general products can be represented. Discussion followed. Mayor Strazdas opened discussion to the public.

There being no further discussion, motion by Sackley, seconded by Bailes, to close the public hearing. Upon a voice vote, motion carried 6 to 0.

Motion by Urban, seconded by Campbell, to approve an Ordinance to amend the City of Portage Code of Ordinances, Ordinance Amendment 10-D, Business Banner Regulations, by amending section 42-548, PD, planned development district; section 42-551, B-1, local business district; and Section 42-552, B-2, community business; B-3, general business; and CPD, commercial planned development districts, of Chapter 42, Land Development Regulations. Upon a roll call vote, motion carried 6 to 0. Ordinance recorded on page 181 of City of Portage Ordinance Book No. 12.

REPORTS FROM THE ADMINISTRATION:

* **TRADE CENTRE WAY RELOCATION PROJECT:** Motion by Reid, seconded by Campbell, to approve the agreement with Consumers Energy for undergrounding of overhead utility lines and installation of new streetlights on Trade Centre Way from West Fork Crossing to South Westnedge Avenue and authorize the City Manager to execute all documents related to the agreement on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

* **LEXINGTON GREEN DRAINAGE DITCH:** Motion by Reid, seconded by Campbell, to endorse an application to the Kalamazoo County Drain Commissioner to designate the Lexington Green ditch as a County Drainage District and authorize the City Manager to execute the document on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

* **FINAL PLAT APPROVAL FOR THE HOMESTEAD OF PORTAGE NO. 3:** Motion by Reid, seconded by Campbell, to grant final approval of the plat of The Homestead of Portage No. 3 with completion of final grading by November 2011 and sidewalks and street trees by July 2013 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 6 to 0.

* **WEST LAKE MANAGEMENT – 2011 APPLICATION PROGRAM:** Motion by Reid, seconded by Campbell, to approve a purchase order amendment for the 2011 West Lake Management Program to Aquatic Services, Incorporated, for lake weed treatment measures at a cost not to exceed \$27,840 and authorize the City Manager to execute all documents related to the amendment on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

* **TRANSFER LOCATION OF 2011 CLASS C LICENSED BUSINESS FROM 633 ROMENCE ROAD TO 7375 SOUTH WESTNEDGE AVENUE (I.E. LOS AMIGO'S):** Motion by Reid, seconded by Campbell, to grant the request to transfer location of 2011 Class C Licensed Business from 633 Romence Road to 7375 South Westnedge Avenue, Portage, MI 49002, Kalamazoo County (i.e. Los Amigo's Grill, Inc.). Upon a roll call vote, motion carried 6 to 0.

* **NEW SMALL WINE MAKER LICENSE (THE SANGRIA SHOP, L.L.C.):** Motion by Reid, seconded by Campbell, to grant the request for a new Small Wine Maker License by The Sangria Shop, L.L.C. to be located at 5919 South Sprinkle Road, Portage. Upon a roll call vote, motion carried 6 to 0.

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

Portage Historic District Commission of June 1, 2011.

Kalamazoo County Board of Commissioners Regular and Committee of the Whole of July 19, 2011.

AD HOC COMMITTEE REPORT:

CITY COUNCIL AD-HOC ADVISORY BOARD REVIEW COMMITTEE: At the request of Mayor Strazdas, Councilmember Campbell indicated that the City Council Advisory Boards and Commissions are asked each year to provide goals and objectives which are reviewed by the City Council Ad-Hoc Advisory Board Review Committee. She indicated that the Committee may provide input or suggestions or modifications and present them to City Council for final review and adoption. Discussion followed.

Councilmember Reid noticed that some of the Boards did not have the goal of advising City Council on matters being addressed on issues or projects pertaining to those specific areas.

Motion by Reid, seconded by Bailes, to receive the communication from the City Council Ad-Hoc Advisory Board Review Committee, adopt the 2011-2012 Advisory Boards and Commissions Goals and Objectives and amend the Advisory Board Goals and Objectives of the Environmental Board, Historic District Commission, Park Board and Youth Advisory Committee to add a goal to advise City Council on issues or projects pertaining to those specific areas. Upon a roll call vote, motion carried 6 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITIZENS: Michigan State Representative Margaret O'Brien stated that the Legislature has provided protections within the Urban Cooperation Legislation and PA 312 to prevent forcing a municipality to share services if it necessitates an increase in funding and explained; she indicated the 80-20 hard cap law on health benefits for all government employees passed the House, but not the Senate and emphasized compensation is a local issue; she commented that the City of Portage remained in the 61st Congressional District which lost the City of Parchment, Alamo Township and Kalamazoo Township, but gained Schoolcraft Township; she hypothesized that the Legislature will have to make a decision this Fall regarding the Presidential Primary and the date of the election in February 2012; when she asked for the amount of Portage personal property taxes collected and the per cent of the budget, City Manager Evans responded 18%; she went on record in a work session that she concurred with Mayor Strazdas and Mayor Pro Tem Sackley that it is fair to eliminate P.A. 198 if personal property taxes are eliminated and she asked City Council to weigh in on the issue when it arises; she indicated that the House voted to eliminate healthcare benefits for retiring Legislators, that the House will experience a 13% Office Budget reduction in addition to the 5% reduction imposed earlier this year with a 10% cut in salaries, plus a 20% cut in the Speaker of the House Budget; and, she indicated that there is an attempt to move House employees to a healthcare plan where the employee will pay up to 20% of their healthcare depending upon which plan the employee chooses. Discussion followed.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: City Manager Evans pointed out that the contracted crews have been out since August 1, 2011, to pick up tree branches left behind by the July storm, but because of the larger than expected volume of branches, the pick-up would take longer, so he asked for patience from citizens.

Mayor Strazdas indicated that, despite the national financial crisis and the uneasiness in the stock market, Portage has no financial crisis and expressed his appreciation for the efforts of past City Councils and past Administrations, who have provided financial stability.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 8:17 p.m.

James R. Hudson, City Clerk

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