

CITY COUNCIL MEETING MINUTES FROM NOVEMBER 1, 2011

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

At the request of Mayor Strazdas, Minister Michael O'Berski of the Oakland Drive Christian Church 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, 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.

APPROVAL OF MINUTES: Motion by Sackley, seconded by Campbell, to approve the October 18, 2011 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 6 to 0.

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

* **APPROVAL OF CHECK REGISTER OF NOVEMBER 1, 2011:** Motion by Urban, seconded by Reid, to approve the Check Register of November 1, 2011. Upon a roll call vote, motion carried 6 to 0.

REPORTS FROM THE ADMINISTRATION:

* **SALE OF PROPERTY, 7130 SOUTH WESTNEDGE AVENUE:** Motion by Urban, seconded by Reid, to consider adoption of the resolution to sell a 2.5-acre portion of excess city property at 7130 South Westnedge Avenue to Jason M. Klein & Associates at a purchase price of \$370,000, place the resolution on file with the Office of the City Clerk for 28 days and take final action on December 6, 2011. Resolution recorded on page 289 of City of Portage Resolution Book No. 44.

* **2012 CITY COUNCIL MEETING SCHEDULE:** Motion by Urban, seconded by Reid, to establish the 2012 Schedule of Regular City Council Meetings. Upon a roll call vote, motion carried 6 to 0.

I-94 CONSTRUCTION PROGRESS AND COMPLETION SCHEDULE – INFORMATION ONLY: At the request of Mayor Strazdas, City Manager Maurice Evans outlined the efforts to encourage Michigan Department of Transportation (MDOT) to proceed post haste with the I-94 Construction Project as delays have occurred resulting in postponement of the completion of the project. He outlined the schedule for the next two weeks that was obtained after a progress meeting with MDOT officials:

- 11/3/2011 - Curb median installation of South Westnedge Avenue.
- 11/4/2011 - Interchange traffic signal of South Westnedge Avenue.
- 11/7-15/2011 - Asphalt work, including leveling, milling and asphalt surface of South Westnedge.
- 11/15-11/17/2011 - Project clean –up.
- 11/18/2011 - Open the ramp for full traffic and signal activation.

In sum, Mr. Evans indicated that, weather permitting, South Westnedge Avenue would be open on the 18th of November 2011, and expressed concern for the safety of Portage citizens and out of town shoppers during the holiday shopping season. Mayor Strazdas thanked Mr. Evans and staff for their collaborative effort with MDOT, regarding what is arguably the largest public works project in the history of the City of Portage and has a significant impact on South Westnedge Avenue and is the reason he expressed his concern in the letter dated October 20, 2011, to Bobbi Welke, P.E., Southwest Region Engineer of MDOT found in the city Council Agenda Packet. He expressed his appreciation for their cooperation to get the project finished in time for “Black Friday” on South Westnedge Avenue. Discussion followed.

Mayor Pro Tem Sackley asked if the City Traffic Control Engineer will have control over the single point traffic signal at the interchange. Mr. Barnes responded the signal will be controlled by MDOT, that it is interconnected with the City of Portage system, so our engineer can view it and make modifications to the Portage system on South Westnedge Avenue from Kilgore Road to Shaver Road. Also, the City of Portage traffic plans for the holidays has been given to MDOT for consideration. Discussion followed.

Councilmember Urban asked if there are any plans to educate the public regarding how the interchange works and Mr. Barnes responded that there are single point interchanges across the state; that MDOT has a video available; that the signal will be in flash mode for two weeks; and, that the message boards will notify the motorist of when the signal will be activated.

Motion by Sackley, seconded by Reid, to receive the communication from the City Manager regarding the I-94 Construction Progress and Completion Schedule as information only. Upon a voice vote, motion carried 6 to 0.

* **2011 SUMMER PROPERTY TAX BILL FOR 9124 EAST SHORE (TURK) – INFORMATION ONLY:** Motion by Urban, seconded by Reid, to receive the communication from the City Manager regarding the request of Aisha Turk, 9124 East Shore Drive, to waive the late fee assessed to her 2011 Summer Property Taxes as information only. Upon a roll call vote, motion carried 6 to 0.

COMMUNICATIONS:

FOLLOW-UP ON INTERGOVERNMENTAL COLLABORATION/

CONSOLIDATION – PURCHASING: At the request of Mayor Strazdas, Mr. Evans distinguished some of the differences among the City of Portage, the City of Kalamazoo and the County of Kalamazoo and the challenges of coordinating the three Charters, ordinances and general practices and indicated that the three governmental bodies were looking for opportunities to improve service deliveries. He discussed the recommendation. Motion by Sackley, seconded by Bailes, to accept the communication from Kalamazoo City Manager Ken Collard, Portage City Manager Maurice Evans and Kalamazoo County Administrator Peter Battani regarding the follow-up on Intergovernmental Collaboration/ Consolidation – *Purchasing* as a foundation document. Discussion followed and there was an amended motion by Sackley, seconded by Bailes, to include the language “that will be used as a reference point with regard to collaborative purchasing efforts.” Upon a roll call vote, motion carried 6 to 0.

ANNUAL PRESENTATION BY SENIOR CITIZEN ADVISORY BOARD

CHAIRPERSON RUTH ANN MEYER – INFORMATION ONLY: Senior Citizen Advisory Board Chairperson Ruth Ann Meyer provided an update and a review of the activities of the Senior Center and the Senior Citizens Advisory Board, including recertification of the Senior Center, the July Celebration and Commemoration of over 30 years of service to the City of Portage and surrounding

communities and the Portage Senior Center becoming the only three-time nationally accredited senior center in Michigan. She indicated that the replacement of Jason Horan, who left to serve the United Way, is soon to be selected and she outlined some of the Senior Center Programs and thanked staff and the volunteers for all of their efforts, including the establishment of the Goals for the next fiscal year. Discussion followed. Parks Director Bill Deming announced that Jill Hess has been appointed to the position of Deputy Director of Parks beginning November 14, 2011, and will begin to assist the Senior Center in that capacity at that time. He expressed his appreciation for the efforts and hard work of the Senior Citizen Advisory Board. Discussion followed. Motion by Urban, seconded by Campbell, to receive the Annual Presentation by Senior Citizen Advisory Board Chairperson Ruth Ann Meyer. Upon a voice vote, motion carried 6 to 0.

COMMUNICATION FROM DAVID STEFFENS OF THE LONG LAKE ASSOCIATION REGARDING THE NEED FOR AN AQUATIC PLANT MANAGEMENT PROGRAM FOR LONG LAKE: At the request of Mayor Strazdas, Mr. David Steffens, President of the Long Lake Association, spoke in favor of the request to open a dialogue with the City of Portage and Pavilion Township regarding an Aquatic Plant Management Program for Long Lake as they have discovered four invasive species there. He reviewed a survey that had a positive response in favor of investigating the Program and mentioned that Councilmember Urban participated in the discussions and was very helpful. Discussion followed.

Mayor Pro Tem Sackley asked why the Governmental Lake Board was preferred over the Riparian Association and Mr. Steffens responded that the Governmental Lake Board was in existence since the 1990's, worked well as a means of obtaining the pump to stabilize water levels in Long Lake and appeared to be the most efficient method available to address the establishment of an Aquatic Plant Management Program. Councilmember Urban pointed out that the Governmental Lake Board still has to do its due diligence and the action by City Council tonight does not necessarily mean that a program will be established.

Motion by Urban, seconded by Reid, to receive the communication from David Steffens, President of the Long Lake Association, requesting that City Council refer a project for an aquatic plant management program to the Long Lake Governmental Lake Board, and adopt the Resolution Regarding Long Lake Improvement Pursuant to the Inland Lake Improvement Act and direct the Governmental Lake Board for Long Lake to proceed with the necessary steps to improve Long Lake. Upon a roll call vote, motion carried 6 to 0. Resolution recorded on page 293 of City of Portage Resolution Book No. 44.

UNFINISHED BUSINESS:

* **RESOLUTION TO CONVEY EASEMENT - CONSUMERS ENERGY:** Motion by Urban, seconded by Reid, to reconfirm the resolution to grant an easement to Consumers Energy. Upon a roll call vote, motion carried 6 to 0. Resolution recorded on page 295 of City of Portage Resolution Book No. 44.

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

Portage Board of Education Special Meeting and Committee of the Whole Work Session of September 12, Special and Regular Meeting of September 26 and Committee of the Whole Work Session of October 10, 2011.

Portage Youth Advisory Committee of September 19, 2011.

Portage Planning Commission of October 6, 2011.

NEW BUSINESS:

CITY COUNCIL POLICY FOR USE OF CITY HALL: At the request of Mayor Strazdas, Councilmember Campbell reviewed the City Hall Use Policy, the process used and the recommendation proposed by the City Council Customer Service Committee. Discussion followed. Motion by Campbell, seconded by Bailes, to adopt the City Council Policy for Use of City Hall dated November 1, 2011, and the City of Portage Application / Agreement for Use of City Hall. Upon a roll call vote, motion carried 6 to 0.

BID TABULATIONS:

* **AT&T – POLICE POSITRON 9-1-1 CONTRACT:** Motion by Urban, seconded by Reid, to approve a one-year contract with AT&T in the amount of \$11,600 for 9-1-1 maintenance, with the option to annually renew provided the terms, conditions and price do not change, 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.

OTHER CITY MATTERS:

STATEMENTS OF CITIZENS: James Pearson, 3004 East Shore Drive, referred to himself as the Vice Chairman of the Planning Commission and a candidate for City Council, and asked for an opinion from City Attorney Randy Brown if the newly adopted City Hall Policy would preclude future nonpartisan forums, and Mr. Brown referred him to C.1 in the Policy where it limits the use of City Hall by elected officials within 90 days of a primary or general election and that would include a forum type event. He spoke in favor of City of Portage candidates participating in a forum together and mentioned the alternative of viewing the virtual forums that are available on Public Media Network at *kzootv.com*. Discussion followed.

Tim Earl, 6862 Shallowford Way, apologized for not being present to participate in the discussion regarding secular invocations at the last meeting, but he was out of town. He indicated that he will work with the City Clerk to be a part of the invocation rotation for City Council Meetings in 2012. Discussion followed.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Reid reminded everyone that Tuesday, November 8, 2011, is the General City Election for Mayor and three City Council seats. She and Councilmember Urban exchanged Halloween stories.

City Manager Evans indicated that there is a brief article on the city website regarding the South Westnedge Avenue Project and briefed City Council and citizens about the eight inch water main break on South Westnedge Avenue that will have to be repaired under the railroad tracks and poses a challenge. Discussion followed.

Mayor Pro Tem Sackley indicated that the elephant in the room tonight and something that can not be viewed on *kazoo.com* is the absence of Councilmember Randall, who has missed four consecutive meetings and five of the past seven meetings. He indicated that as the election approaches, he reminded citizens that service does require that a person shows up and based upon knowledge from the City Clerk and others, each of the absences was a voluntary absence** and not for something like an illness, for example. He stressed that if a Councilmember is to serve the public, it is important to show up and not attending five of the last seven City Council Meetings before an election, including four in a row, is of a concern to him. He pointed out that he is not a candidate at this time, but felt that this should be an issue for the voters. When James Pearson indicated he wished to approach the podium, Mayor Strazdas informed him that he wished to finished up the meeting and would speak with him later.

Mayor Strazdas addressed some of the stress caused by world events that are impacting the country and even the City of Kalamazoo, locally, and assured citizens that the City of Portage has taken the steps necessary to minimize any negative impact on operations and the quality of life here.

Mr. Pearson approached the City Clerk and asked him to ask Mayor Strazdas to allow him to address the comments made by Mayor Pro Tem Sackley regarding all of the recent absences by Councilmember Randall. City Attorney Brown indicated that this is a question of the Mayor to decide if Mr. Pearson could speak out of order. Mr. Pearson indicated he had a communication from Councilmember Randall. Discussion followed. Mr. Pearson indicated that Ms. Randall “just sent a text message that she could not be here tonight because of health reasons; that she sent it to the City Clerk; it was bounced back; and she said to mention it after the meeting with comments by Mr. Sackley (sic); I’m just mentioning it now.”

Mayor Strazdas expressed his appreciation for Mr. Pearson’s comments and a preference that the comment could have been made before the meeting or during public comment time, but expressed his appreciation for her thoughtfulness. He wished Councilmember Randall well, expressed his hope that she gets through her frailness and thanked Mr. Pearson for sharing.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 8:38 p.m.

James R. Hudson, City Clerk

* Indicates items included on the Consent Agenda.

** SEE NOVEMBER 15, 2011 CITY COUNCIL REGULAR MEETING MINUTES (Page 1):
Comments on the minutes from Councilmember Randall and her objection to the wording used by Mayor Pro Tem Sackley regarding her excused absences.