

## CITY COUNCIL MEETING MINUTES FROM NOVEMBER 15, 2011

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

Mayor Strazdas introduced Pastor Paul Naumann of St. Michael Lutheran Church of Portage, who gave the invocation, and the City Council and the audience recited the Pledge of Allegiance.

### **CURRENT COUNCIL:**

**ROLL CALL:** 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.

**APPROVAL OF MINUTES:** Motion by Urban, seconded by Reid, to approve the November 1, 2011 Regular Meeting Minutes as presented. Councilmember Randall respectfully requested that the minutes be corrected to properly reflect that each of her absences was excused. Furthermore, that this correction be connected to the minutes of the prior meeting held on November 1, 2011. There was a consensus of City Council to do this, and City Clerk James Hudson agreed. Upon a voice vote, motion carried 6 to 0 with Councilmember Randall abstaining.

**BOARD OF CANVASSERS REPORT:** City Clerk James Hudson explained the Board of Canvassers Report for the November 8, 2011 General City Election. Motion by Sackley, seconded by Urban, to accept the Board of Canvassers Report of the final results of the November 8, 2011 General City Election as approved by the Kalamazoo County Board of Canvassers. Upon a voice vote, motion carried 7 to 0.

**COMMENTS FROM COUNCIL:** Councilmember Reid thanked Councilmember Cory Bailes for all of the work he has done for the City of Portage, for Portage City Council and the whole region. He cited his leadership during Portage 2025 Visioning Project, the methodology he developed as Chair of the Human Services Board to objectively evaluate requests from non-profit organizations for Community Development Block Grant funds and Portage General Fund money, and all of the other insights he has provided from his experiences on the Human Services Board and the Planning Commission.

Councilmember Urban thanked Councilmember Bailes for stepping up and helping out when asked, for being a valuable member of the City Council team and for all of his services to the City of Portage in the past. He then invited Councilmember Bailes back in service in the future by thanking him ahead of time.

Mayor Strazdas praised Councilmember Bailes as a great advocate for Portage citizens and his skills as a great listener. He noted that Portage citizens and the Portage business community appreciate his listening to them, working hard for them and acting on their behalf.

Mayor Pro Tem Sackley pointed out that the seat itself holds a lot of prestige with it having been occupied by former Mayor Pro Tem Vliek, State Representative Margaret O'Brien and now, Councilmember Bailes. He also noted that when he was Chair of the Human Service Board, there was a disconnect between the Board and the Department of Community Development, so he spearheaded an evaluation process to provide a mechanism to place them in perfect sync through his analytical approach to non-profit funding to benefit all of the citizens.

Councilmember Randall said she enjoyed working with Councilmember Bailes and appreciated his service to the community.

Councilmember Campbell recognized the good work of Councilmember Bailes on the Planning Commission, acknowledged that he knows that there is still work to be done and offered that she looks forward to working with him in his next endeavor for the city.

Councilmember Bailes said he was unaccustomed to all of the attention currently being bestowed upon him; thanked City Council for allowing him to be a part of their team; and expressed his appreciation for appointing him to serve on the Human Services Board and the Planning Commission. He cited his experiences as enlightening and positive, and he indicated that it was an honor and a privilege to have worked with everyone of the City Councilmembers.

**ADJOURNMENT SINE DIE OF RETIRING CITY COUNCIL:** Mayor Strazdas adjourned the meeting sine die at 7:44 p.m.

**NEW COUNCIL:**

**OATH OF OFFICE AND SEATING OF MAYOR AND COUNCILMEMBERS:** The City Clerk administered the Oath of Office to Elizabeth A. Campbell, Patricia M. Randall and James D. Pearson as Councilmembers and to Peter J. Strazdas as Mayor.

**SIGNING OF THE CITY COUNCIL CODE OF ETHICS AND VALUES POLICY:** Mayor Strazdas directed the City Clerk to contact each of the new Councilmembers by e-mail and request that they come into the City Clerk Office to sign the City Council Code of Ethics and Values Policy: Councilmembers Elizabeth A. Campbell, Patricia M. Randall and James A. Pearson. He indicated that he would also come into the City Clerk Office to sign the Policy.

**SEATING OF MAYOR AND COUNCILMEMBERS:** At the invitation of Mayor Strazdas, City Councilmembers took their respective seats at the dais.

The Regular Meeting of the New Portage City Council was called to order by Mayor Strazdas at 7:47 p.m.

**ROLL CALL OF NEW COUNCIL:** The City Clerk called the roll with the following members present: Councilmembers Elizabeth A. Campbell, James D. Pearson, Patricia M. Randall, Claudette S. Reid, Edward J. Sackley, Terry R. Urban and Mayor Peter J. Strazdas. Also in attendance were City Manager Maurice S. Evans, City Attorney Randall Brown and City Clerk James R. Hudson.

**ELECTION OF MAYOR PRO-TEMPORE:** Mayor Strazdas indicated that three Councilmembers were interested in the position of Mayor Pro Tempore: Councilmember Campbell, Councilmember Reid and Councilmember Urban. He asked each of them to share any comments about their credentials and their reasons for seeking the office. Mayor Strazdas praised each of them for their service and entertained a motion for the nomination of the Mayor Pro Tempore. Discussion followed. Councilmember Sackley nominated Claudette S. Reid as Mayor Pro Tempore. Councilmember Randall seconded the nomination. Upon a roll call vote, Claudette S. Reid was elected Mayor Pro Tempore by a roll call vote of 7 to 0.

**ADOPTION OF RULES OF ORDER AND PROCEDURE:** Mayor Strazdas explained the purpose of the Rules of Order and Procedure and that the proposed Rules of Order and Procedure are the same as in the past. Motion by Urban, seconded by Campbell, to adopt the Rules of Order and Procedure as presented. Upon a voice vote, motion carried 7 to 0.

## **PROCLAMATIONS:**

**2011 RED KETTLE CAMPAIGN KICK-OFF:** Mayor Strazdas issued a 2011 Red Kettle Campaign Kick-Off Resolution. Discussion followed.

**FAMILY CAREGIVERS MONTH, 2011:** Mayor Strazdas issued a Family Caregivers Month, 2011 Proclamation. Discussion followed.

**RESOLUTION OF RESPECT FOR COUNCILMEMBER CORY A. BAILES:** Mayor Strazdas issued a Resolution of Respect for Councilmember Cory A. Bailes on behalf of City Council, the City Manager and himself. Motion by Urban, supported by Sackley, to approve the Resolution of Respect for Councilmember Cory A. Bailes. Upon a voice vote, motion carried 7 to 0.

**INTRODUCTION OF GUESTS:** Mayor Strazdas recognized various elected officials in the audience, including former Mayor Betty Lee Ongley, former Mayor James Graham, former Councilman and former State Representative Larry DeShazor, Kalamazoo City Mayor Bobby Hopewell, Kalamazoo County Undersheriff Paul Matyas, Kalamazoo County Treasurer Mary Balkema, former Councilperson and current State Representative Margaret O'Brien, former State Representative Chuck Perricone, former Kalamazoo County Representatives Mike Quinn and Larry Provancher.

**STATEMENTS OF CITIZENS AND GUESTS:** State Representative Margaret O'Brien addressed City Council, former Councilmember Cory Bailes and presented a Tribute from the State of Michigan to Councilmember Cory A. Bailes on behalf of Governor Rick Snyder, State Representative Tonya Schuitmaker and herself.

Bobby Hopewell extended congratulations to Mayor Strazdas, Councilmember Pearson, Councilmember Campbell and Councilmember Randall for their successful campaigns for office and provided special words of encouragement to Councilmember Randall in her current health struggle and special recognition to newly elected Mayor Pro Temp Reid. He offered encouragement to City Council as a collaborative gesture for both cities working together to maintain strength in the region.

Kalamazoo County Treasurer Mary Balkema, representing Kalamazoo County Administrator/Controller Peter Battani and the entire Kalamazoo Board of Commissioners extended sincere congratulations to the newly elected City Councilmembers and Mayor Strazdas. She also thanked and praised former Councilmember Cory Bailes for his service and hard work for the community and made a special mention of support for Councilmember Randall with her current health issue.

Kalamazoo County Undersheriff Paul Matyas indicated that Sheriff Richard Fuller was on his way here, but he got called away and will not be able to make it to the meeting. He extended a special thanks to Jim Pearson, who serves on the Kalamazoo Dive Team and Water Rescue Team. He acknowledged Mr. Pearson may have been called out too many times this year and took the opportunity to offer his assistance as a past employee of Portage and the assistance of the Sheriff's Department, as he and his colleagues are a phone call away.

Mayor Strazdas read from a communication from County Administrator/Controller Peter Battani, who apologized for not being at the meeting as he is attending his own Kalamazoo County Commission Meeting. Discussion followed. Mayor Strazdas recognized his wife, Sharon Strazdas, and Mayor Pro Tem Sackley introduced his wife, Jan. Discussion followed.

**ADJOURN FOR A RECEPTION OF NEW COUNCIL:** 8:20 p.m.

**RECONVENE OF NEW COUNCIL:** 8:37 p.m.

**COMMENTS FROM NEW COUNCIL:** Mayor Strazdas stressed this is a very challenging time in history and City Council needs to work together, and for this new City Council to think new and work to meet these challenges to bring solutions to the urban core and to the region.

Mayor Pro Tem Reid welcomed Councilmember Pearson as the newest member on City Council, indicated that she is looking forward to his perspective as she recognized that, as a scientist, he approaches matters in a very analytical way. She also congratulated Councilmembers Randall and Campbell and recognized them as very hard workers in a variety of areas and encouraged each of them to continue together with the tasks facing this City Council.

Councilmember Randall thanked the citizens who voted for her and expressed her appreciation for their support. She indicated that, as a matter of personal privacy, it was difficult sharing the fact that she had breast cancer and acknowledged that no one would want to be in her situation and discussed her plans to get through the process and become a breast cancer advocate. She pledged her support for the City of Portage and the citizens who elected her. She characterized herself as a team player and expressed her willingness to go forward and let the past fall back. She expressed her excitement for newly elected Councilmember Pearson, and her appreciation for the support and leadership Mayor Pro Tem Reid will provide. She thanked Councilmember Sackley for his past service as Mayor Pro Tem and said, "That's it. Let's get back to business."

Councilmember Campbell also welcomed Councilmember Pearson, whom she has known for a couple of years working with him on Rotary and the Austin Governmental Lake Board. She indicated she knows he brings insight and a new perspective and is looking forward to working with him. She also thanked everyone who helped her with her campaign even though it did not go as she would have preferred since she had taken a new position and had been spending time out of town, in training and acclimating to a new work environment that would have otherwise been spent on the campaign. Further, she specifically thanked her husband, her children and three former Councilmembers for their valued assistance. She indicated that she is honored to be re-elected and congratulated Councilmember Randall and, like her, recognized there is a lot of hard work ahead and said, "Let's get going."

Councilmember Pearson reviewed some of his past Board and Commission volunteer experiences, thanked the voters for electing him to City Council, promised to work hard, thanked the community leaders for endorsing him for the position, especially former Mayor Betty Ongley, who was one of the first to endorse him. He said he will dedicate himself to service. He thanked his wife, Connie, his family, friends and supporters. He also thanked those who encouraged him to run for office, as this is different than being a volunteer, which he has done for a long time, and he encouraged others to run for office and he indicated that he looks forward to serving on Portage City Council.

Councilmember Urban congratulated Councilmembers Campbell, Randall and Pearson, and Mayor Strazdas. Discussion followed.

**STATEMENTS OF CITIZENS AND GUESTS:** Former Mayor Betty Ongley, 8620 Tozer Court, congratulated Mayor Strazdas for being elected to his fourth term as Mayor. She praised the Family Caregivers Month, 2011 Proclamation and the City of Portage for making Celery Flats available for fundraisers over the years. She specifically mentioned the Walk for Alzheimer's on October 2, 2011, and gave City Council a special "thank you" for making it possible for all of the non-profit organizations to host events for their respective causes. Discussion followed.

\* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Campbell to read the Consent Agenda. Mayor Strazdas removed Item M.2, Height Modification for Celebration! Cinema (IMAX Expansion), 6600 Ring Road, from the Consent Agenda. Bill Hessler, 1112 Woodview Drive, asked that item M.4, Emergency Response Service Agreements, be removed from the Consent Agenda. Motion by Urban, seconded by Campbell, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 7 to 0.

\* **APPROVAL OF CHECK REGISTER OF NOVEMBER 15, 2011:** Motion by Urban, seconded by Campbell, to approve the Check Register of November 15, 2011. Upon a roll call vote, motion carried 7 to 0.

**REPORTS FROM THE ADMINISTRATION:**

\* **REZONING APPLICATION #11-01, 1901 ROMENCE ROAD PARKWAY (PORTION THEREOF):** Motion by Urban, seconded by Campbell, to accept Rezoning Application #11-01 for first reading and set a public hearing for December 20, 2011, at 7:30 p.m. or as soon thereafter as may be heard; and, subsequent to the public hearing, consider approving Rezoning Application #11-01 and rezone the 1.3 acre portion of 1901 Romence Road Parkway from R-1B, one family residential to I-2, heavy industry. Upon a roll call vote, motion carried 7 to 0.

**HEIGHT MODIFICATION FOR CELEBRATION! CINEMA (IMAX EXPANSION), 6600 RING ROAD:** At the request of Mayor Strazdas, Roger Lubs, Vice President of Facilities Construction for Loeks Theatres, Inc., 2121 Celebration! Drive, Grand Rapids, Michigan, expressed his excitement and pride to be bringing an IMAX theater to Portage. He indicated that there are 560 IMAX screens in the world and the IMAX Theater at Crossroads will be the tenth in Michigan. He pointed out that the screen accommodates Hollywood films, educational films and commercial films, so management will be working with local teachers to provide a venue for viewing educational films. Discussion followed.

Motion by Sackley, seconded by Urban, to approve the height modification for Celebration! Cinema, 6600 Ring Road, to expand and increase the height of the northeast portion of the building from 30-feet up to a height of 43-feet to accommodate an IMAX theater. Discussion followed. Upon a roll call vote, motion carried 7 to 0.

\* **PRELIMINARY PLAT OF OAKLAND FARMS NORTH, 9810 OAKLAND DRIVE:** Motion by Urban, seconded by Campbell, to consider approval of the Hyland Associates, LLC, request to waive the 90-day time period Council has to act on a preliminary plat of Oakland Farms North and approve an additional 90-day time period. Upon a roll call vote, motion carried 7 to 0.

**EMERGENCY RESPONSE SERVICE AGREEMENTS:** At the request of Mayor Strazdas, City Manager Maurice Evans explained the nature and purpose of the Emergency Response Service Agreements which the City of Portage has had since September 2006 that come in unit prices. He deferred to Deputy Director of Streets Ray Wario, who said the unit prices range from \$90 for large trucks to \$110 for large loaders, but the list is so long for a variety of equipment, such as sweepers, loaders and trucks to excavators that it would be hard to put it into the report. He pointed out that the agreement was used twice this year, once for the ice storm in February and once for the windstorm in July, and to put a dollar figure on a future disaster would be impossible, so the budgeted amount is basically a scientific guess. Discussion followed.

Motion by Pearson, seconded by Reid, to authorize emergency response service agreements to provide specialized equipment and operators for disaster recovery and cleanups with James E. Fulton & Sons, Incorporated, of Kalamazoo, Michigan; Balkema Excavation, Incorporated, of Kalamazoo, Michigan; Byholt, Incorporated, of Vicksburg, Michigan; Rathco Safety Supply, Incorporated, of Portage, Michigan; and authorize the City Manager to execute emergency purchase orders related to these service agreements in cases of disaster recovery and cleanup, should the need arise. Upon a roll call vote, motion carried 7 to 0. Discussion followed.

\* **HOUSEHOLD HAZARDOUS WASTE PROGRAM – INTERGOVERNMENTAL COOPERATION:** Motion by Urban, seconded by Campbell, to approve the contract with Kalamazoo County for Household Hazardous Waste collection during the 2012 calendar year in the not to exceed amount of \$32,000 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.

\* **CURBSIDE RECYCLING CONTRACT:** Motion by Urban, seconded by Campbell, to direct the City Administration to proceed with solicitation of proposals for the provision of curbside recycling service. Upon a roll call vote, motion carried 7 to 0.

\* **2011 TAX RATE SURVEY - INFORMATION ONLY:** Motion by Urban, seconded by Campbell, to receive the communication from the City Manager regarding the 2011 Tax Rate Survey as information only. Upon a roll call vote, motion carried 7 to 0.

\* **HOLIDAY TREE LIGHTING/TRADITIONAL HOLIDAY CELEBRATION – INFORMATION ONLY:** Motion by Urban, seconded by Campbell, to receive the communication from the City Manager regarding the Holiday Tree Lighting/Traditional Holiday Celebration as information only. Upon a roll call vote, motion carried 7 to 0.

\* **OCTOBER 2011 SUMMARY ENVIRONMENTAL ACTIVITY REPORT – INFORMATION ONLY:** Motion by Urban, seconded by Campbell, to receive the communication from the City Manager regarding the October 2011 Summary Environmental Activity Report as information only. Upon a roll call vote, motion carried 7 to 0.

\* **DEPARTMENT MONTHLY OPERATIONAL REPORTS:** Motion by Urban, seconded by Campbell, to receive the Department Monthly Operational Reports from the various departments for October 2011. Upon a roll call vote, motion carried 7 to 0.

\* **MINUTES OF BOARDS AND COMMISSIONS:** Council received the minutes of the:

Portage Historic District Commission of September 7, 2011.

Portage Park Board of October 5, 2011.

Portage Human Services Board of October 6, 2011.

Kalamazoo County Board of Commissioners Committee of the Whole and Continuation of Annual Meeting of October 18, 2011.

#### **OTHER CITY MATTERS:**

**STATEMENTS OF CITY COUNCIL:** Councilmember Campbell thanked Boy Scout Troop 244 for visiting City Hall and taking the tour, as her own son is a member of Cub Scout Troop 255 and will be spending the night on the Silversides Submarine, Muskegon Lake Channel, Muskegon, this weekend with the Troop.

Councilmember Sackley expressed his appreciation for the leaf pick-up program and reminded everyone that the City of Portage has a voter approved millage for leaf pick-up, branch pick-up and recycling, and praised the success of the program. Discussion followed.

Councilmember Urban indicated that the millage was tied to a leaf burning ban ordinance which was the impetus for the millage, as the City needed to provide an alternative if leaf burning was going to be banned.

Councilmember Randall wished everyone a blessed and happy Thanksgiving, and wished safe travel during the holidays.

Councilmember Pearson thanked everyone for attending the meeting.

City Manager Evans took the opportunity to publically congratulate the new City Council on their election. He also announced that the three-year I-94 interchange project would be completed by Friday of this week with the traffic lights working and reminded citizens that some motorists are not accustomed to stopping on Westnedge Avenue at the bridge, and he asked everyone to be careful as there is no training available regarding this matter, just a video provided by the Michigan Department of Transportation (MDOT).

Mayor Pro Tem Reid thanked her colleagues on City Council for their vote of confidence and said she was looking forward to serving them and the citizens.

Mayor Strazdas re-emphasized that he is very serious about bringing City Council together to do the business of the City of Portage, and stressed the importance of having the I-94 Interchange completed before the shopping holidays on South Westnedge and congratulated and thanked Southwest Region Engineer Roberta Welke and her staff for their fine effort.

**ADJOURNMENT:** Mayor Strazdas adjourned the meeting at 9:13 p.m.

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James R. Hudson, City Clerk

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