

CITY COUNCIL MEETING SUMMARY

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February 10, 2009

PROCLAMATION

- ◆ Mayor Strazdas issued a National Heart Month Proclamation.

PETITIONS AND STATEMENTS OF CITIZENS

- ◆ Scott Larson, Chief Medical Officer, Bronson Hospital, Kalamazoo, commended City Council and City Manager Maurice Evans for the success of the city Health Management Program and challenged City Council to fight secondhand smoke and to encourage tobacco free venues in the City of Portage.
- ◆ Patricia Crowley, 9242 East CD Avenue, Richland, introduced herself as the new Kalamazoo County Drain Commissioner and expressed an interest in a positive working relationship with City Council.
- ◆ Scott Randolph, 2212 Ridgefield Road, thanked City Council for keeping taxes low and services high, for enhancing the bus system in Portage and for helping get transportation to the Veterans Administration and Battle Creek. He also expressed his gratitude for city employees who cleaned up driveways and/or tree branches for people in his neighborhood.
- ◆ The following residents spoke in favor of a sidewalk on Tattersall and roads near Amberly School and safety signs and lights around Amberly Elementary School: Michelle and Julia Serlin, 2830 Tattersall, Rachael Sykes, 2828 Tattersall, and Christine Copeland, 2906 Tattersall. Kristine Coopes, 2833 Tattersall, spoke in support and indicated a partial, temporary albeit immediate solution would be to provide stripes on the street like those of a bike path. Rachel Sykes read a letter sent by Linda and John Mason, 2823 Tattersall.
- ◆ Mark Pritchard, 8523 South Westnedge Avenue, announced that there would be a Parade/Special Event from Portage Veteran's Memorial Park to Portage Post Office.

REPORTS FROM THE ADMINISTRATION

- ◆ Authorized the City Clerk to sign the School Election Consolidation Agreements in accordance with state law.
- ◆ Accepted the City Manager's report and voted to proceed to establish the criteria of a compliance audit on the McDonald's Towing and Crossroads Expert Auto services contracts and directed the City Manager to proceed with the Request for Proposals and bring that information back to City Council for a decision at the earliest convenience.
- ◆ Set a special meeting with the County Commissioners who represent Portage on Tuesday, March 10, 2009, at 5:30 p.m. at Portage City Hall in Conference Room #1 for the purpose of discussing issues of mutual concern for Portage residents.
- ◆ Set a special meeting on Tuesday, March 24, 2009, at 6:00 p.m. at Portage City Hall in Conference Room #1 for the purpose of discussing issues related to e-mail protocol and retention policies.

COMMUNICATIONS

- ◆ Received the communication from James Chamness, President of Terry's Road Service, Inc., dated February 3, 2009, issuing an appeal to a Freedom of Information Act (FOIA) denial dated December 23, 2008.
- ◆ Held a closed session immediately following the regularly scheduled City Council Meeting of February 10, 2009, and discussed an attorney / client communication. With regards to the appeal from James Chamness, President of Terry's Road Service, dated February 3, 2009, denied the appeal and upheld the original decision to deny the request for the towing log for the month of November 2008 based on the fact that the towing log as it exists with the city was supplied; granted the appeal and reversed the denial of the information based on the fact that handwritten invoices no longer are available, but the information previously provided to the city that way is now provided electronically, and directed the city administration to provide the information from the electronic data base that is substantially the same as that available on the hand written invoices, appropriately redacted, if available for the months of June to November 2008; denied the appeal and upheld the original decision denying the police dispatch logs for all calls taken for the month of November, 2008, based on the fact that the document(s) were provided; denied the appeal and upheld the original decision to deny "any documents, e-mails, notes, for changes to the 2008-2009 towing contract including but not limited to statements of changes in the denial of FOIA request December 2, 2008 (sic);" as a revision has been made to the contract and at this time all such documents are exempt from disclosure as communications and notes of a public body as advisory nature and cover other than purely factual material and preliminary to a final agency determination of a policy or action or records subject to attorney client privilege; denied the appeal and upheld the original decision to deny any and all correspondences between City of Portage (all departments including legal department) and McDonald's Towing (including McDonald's attorneys) for the months of October and November 2008 (letters, e-mails, memos, meeting notes) based on the fact that the information was already provided; accepted the withdrawal of the request for all towing run sheets or statements for the month of November 2008; denied the appeal and upheld the original decision to deny all invoices for City of Portage vehicles using towing in October 2008 based on the fact that the document(s) were provided; denied the appeal and upheld the original decision to deny any and all correspondence between the City of Portage and any private investigating service looking into the towing contract or towing services or owners like Graham's Towing, Wedway, Inc., James Graham, Terry's Road Service, Inc., and/or James Chamness for the months of September to November 2008 based on the fact that the information was already provided; accepted the withdrawal of "any written policies about the City of Portage giving recommendation like the October 6, 2008 letter from McDonald's Towing and Rescue (sic)."
- ◆ Received the communication from James Chamness, President of Terry's Road Service, Inc., dated February 3, 2009, issuing a complaint regarding the towing contract between the City of Portage and McDonald's Towing.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER

- ◆ Councilmember Vlieg acknowledged receipt of a letter from retiring Zoning Board of Appeals Member Clyde Flora and thanked him for his ten years of service to the Board.
- ◆ Councilmember Reid extolled the efforts of the Portage Public Schools and City Council representatives working together on issues facing the community as a whole and attempts to discover common ground and define the roles of each of the public entities.
- ◆ Councilmember Urban asked the public to recognize that the City Council works very diligently to discuss issues, deliberate, and make decisions within City Council limitations under the Open Meeting Act. Mayor Strazdas concurred.
- ◆ City Manager Evans and Mayor Strazdas emphasized the need for citizen participation at the City Council Work Session, Saturday, February 14, 2009, at 9:00 a.m. in City Council Chambers and Mr. Evans recognized Benefits Services Director Patti Thompson and her staff for implementing the Health Management Program that was praised earlier by Scott Larson, Chief Medical Officer, Bronson Hospital.

COMPLETE MINUTES OF EACH CITY COUNCIL MEETING ARE AVAILABLE ON THE CITY WEBSITE AT PORTAGEMI.GOV, IN CITY HALL AND IN THE DISTRICT LIBRARY. MINUTES OF CITY BOARDS AND COMMISSIONS ARE AVAILABLE ON REQUEST FROM VARIOUS DEPARTMENTS.