

CITY COUNCIL MEETING MINUTES FROM MARCH 10, 2009

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

The City Clerk called the roll with the following members present: Councilmembers Elizabeth A. Campbell, Margaret E. O'Brien, Claudette S. Reid, Terry R. Urban and Ted W. Vlieg, Mayor Pro Tem Edward J. Sackley and Mayor Peter J. Strazdas. Also in attendance were City Manager Maurice S. Evans, Assistant City Attorney Charlie Bear and City Clerk James R. Hudson.

APPROVAL OF MINUTES: Motion by O'Brien, seconded by Sackley, to approve the February 24, 2009 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 6 to 0 with Mayor Strazdas abstaining.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Campbell to read the Consent Agenda. Mayor Strazdas removed Item F.4, Sustainability Covenant, from the Consent Agenda. Mayor Strazdas granted the request from James Chamness, Terry's Road Service, 5701 East Cork Street, to remove Item G.1, Communication (Number 1) from James Chamness of Terry's Road Service dated March 3, 2009, and Item G.2, Communication (Number 2) 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 MARCH 10, 2009:** Motion by Urban, seconded by Reid, to approve the Check Register of March 10, 2009. Upon a roll call vote, motion carried 7 to 0.

REPORTS FROM THE ADMINISTRATION:

* **ORDINANCE AMENDMENT #08-B, LAND DEVELOPMENT REGULATIONS:** Motion by Urban, seconded by Reid, to accept Ordinance Amendment #08-B, Land Development Regulations, for first reading and set a public hearing on April 14, 2009, at 7:30 p.m. or as soon thereafter as may be heard. Upon a roll call vote, motion carried 7 to 0.

* **COMPREHENSIVE LIABILITY, PROPERTY AND AUTO FLEET INSURANCE COVERAGE:** Motion by Urban, seconded by Reid, to approve a one-year agreement for comprehensive liability, property and auto fleet insurance through the Michigan Municipal Risk Management Authority at a total not-to-exceed cost of \$547,063 for the period of March 1, 2009, to February 28, 2010, and authorize the City Manager to execute all documents related to the action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **2009 UTILITY RATE COMMITTEE:** Motion by Urban, seconded by Reid, to appoint Councilmembers Campbell and O'Brien, Mayor Pro Tem Sackley, Mr. Richard Anderson and Mr. Jeff Breneman to the 2009 Utility Rate Committee and reactivate the Utility Rate Committee. Upon a roll call vote, motion carried 7 to 0.

SUSTAINABILITY COVENANT: Mayor Strazdas noted that he and City Manager Maurice Evans attended a luncheon with Dr. John Dunn, President of Western Michigan University, at which they shared some sustainability best practices. He highlighted some of the topics of discussion and noted that the Mayor of Grand Rapids and representatives from the City of Battle Creek, the Michigan Department of Environmental Quality, Southwest Michigan Sustainable Business Forum and some of

the representatives from around Kalamazoo County were in attendance. He stressed the importance of sustainability and asked that Council refer any comments or thoughts to the City Manager. Discussion followed. Motion by Vlieg, seconded by Reid, to receive the communication from the City Manager and accept the draft Sustainability Covenant for review and comment. Upon a roll call vote, motion carried 7 to 0.

* **AMBERLY ELEMENTARY SCHOOL NEIGHBORHOOD - INFORMATION ONLY:** Motion by Urban, seconded by Reid, to receive the communication from the City Manager regarding the Amberly Elementary School neighborhood as information only. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATIONS:

COMMUNICATION FROM JAMES CHAMNESS OF TERRY'S ROAD SERVICE: City Council heard from James Chamness of Terry's Road Service and James Graham of Graham's Towing and discussion followed. Motion by Urban, seconded by O'Brien, to refer the communication from James Chamness of Terry's Road Service dated March 3, 2009, to the City Administration for review and report. Upon a roll call vote, motion carried 7 to 0. Discussion followed.

COMMUNICATION FROM JAMES CHAMNESS OF TERRY'S ROAD SERVICE: City Council heard from James Chamness of Terry's Road Service and James Graham of Graham's Towing and discussion followed. Motion by O'Brien, seconded by Reid, to refer the communication from James Chamness of Terry's Road Service dated March 3, 2009, to the City Administration for review and report and, at the request of Councilmember Vlieg, to provide the report on March 24, 2009. Upon a roll call vote, motion carried 7 to 0. Discussion followed.

UNFINISHED BUSINESS:

* **2006 INTERNATIONAL FIRE CODE AND AMENDMENTS TO THE CODE OF ORDINANCES:** Motion by Urban, seconded by Reid, to amend the Code of Ordinances of the City of Portage by amending Section 1-7 of Chapter 1, General Provisions, Section 2-111, Article 4 of Chapter 2, Administration, Articles 3, 4 and 6 of Chapter 34, Fire Prevention and Protection, to reflect the changes in the 2006 edition of the International Fire Code and to address the regulation of outdoor solid fuel-fired furnaces. Upon a roll call vote, motion carried 7 to 0.

* **MINUTES OF BOARDS AND COMMISSIONS:** City Council received the minutes of the:
Portage Park Board of January 7, 2009.
Portage Human Services Board of January 8, January 29 and February 5, 2009.
Portage Zoning Board of Appeals of January 12, 2009.
Portage Environmental Board of January 14, 2009.
Portage Board of Education Regular of January 26, Committee of the Whole Work Session of February 9 and Policy Development of February 9, 2009.
Portage Planning Commission of January 22, February 5 and February 19, 2009.
Portage Historic District Commission of February 4, 2009.
Kalamazoo County Board of Commissioners Committee of the Whole and Regular of February 17, 2009.

BID TABULATION:

* **VANDERBILT AVENUE CULVERT REPLACEMENT:** Motion by Urban, seconded by Reid, to award a contract for the Vanderbilt Avenue Culvert Replacement to Robert Bailey Contractors, Incorporated, in the not-to-exceed amount of \$90,013 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.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmembers O'Brien and Campbell and Mayor Pro Tem Sackley shared some of their recent Junior Achievement experiences. Councilmember Campbell stressed the importance of being open-minded with regards to the McDonald's Towing Contract audit.

Councilmember Reid thanked those citizens who participated in the 2009 Walk for Warmth and indicated that over \$5,000 was donated. She also pointed out that three of the five Kalamazoo Area Transportation Study Plans discussed at their recent meeting were for Portage.

Councilmember Urban and Mayor Pro Tem Sackley asked that the streetlighting portion of the Amberly Elementary School Neighborhood Report be reviewed with consideration given to other similar areas around the city and be submitted by the Administration for action.

Mayor Pro Tem Sackley announced that former Mayor Betty Ongley is to receive the Athena Award, 6 p.m. at the Kalamazoo Art Institute on Wednesday.

City Manager Maurice Evans indicated that the Capital Improvement Program (CIP) was distributed to City Council and reminded City Council that staff is addressing the Amberly sidewalk effort through the SR2S Program. Mr. Evans commended Transportation & Utilities Director Dallas Williams and City Engineer Chris Barnes for their work with the Michigan Department of Transportation and the Kalamazoo Area Transportation Study Program to help with good working relations to provide the valuable assistance necessary to have transportation projects go forward.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 9:12 p.m.

James R. Hudson, City Clerk

*Indicates items included on the Consent Agenda.