

## CITY COUNCIL MEETING MINUTES FROM SEPTEMBER 22, 2009

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

Mayor Strazdas introduced Pastor John Moore of the Portage First United Methodist Church, who gave the invocation and City Council and the audience recited the Pledge of Allegiance.

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. Vliek, 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 Vliek, seconded by Reid, to approve the September 8, 2009 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 6 to 0 with Councilmember O'Brien abstaining.

\* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Reid to read the Consent Agenda. Motion by Reid, seconded by O'Brien, to approve the Consent Agenda Motions as presented. Upon a roll call vote, motion carried 7 to 0.

\* **APPROVAL OF CHECK REGISTER OF SEPTEMBER 22, 2009:** Motion by Reid, seconded by O'Brien, to approve the Check Register of September 22, 2009. Upon a roll call vote, motion carried 7 to 0.

### **PUBLIC HEARING:**

**WEST MILHAM AVENUE SANITARY SEWER PROJECT #413-S:** Mayor Strazdas opened the public hearing and introduced City Engineer Chris Barnes, who provided an overview and the extent of the project. He indicated that West Milham Avenue is the last of the collector streets without sanitary sewer. He reviewed the project costs as outlined in Resolution No. 3. Discussion followed regarding the placement of manhole covers, the lift station near US 131, the number of parcels involved in the special assessment, the date span of the project, mandatory hook-up requirements, payment options, reduced cost because of the voter approved millage for road replacement costs and McGraw-Hill as the source of determining construction costs.

At the request of Mayor Strazdas, City Attorney Randy Brown explained the special assessment process required for water and sewer installation within the City of Portage and commented that installation of sanitary sewers is considered in the best interest of the health, safety and welfare of the public in response to Councilmember Reid's concern for the environment, septic systems and ground water.

Councilmember O'Brien indicated that the installation of sanitary sewer is timely since the road is being totally reconstructed with a life of 30 plus years. Mr. Barnes agreed and indicated that the federal aid being used for the project may not be available later if the city chooses to forego this opportunity at this time. Discussion followed. Mayor Strazdas opened the public hearing to the public for comment.

Susan Salisbury, 3505 West Milham Avenue, spoke in opposition and explained she had a triple drain field on an acre lot with only two inhabitants.

Motion by Vliek, seconded by Reid, to close the public hearing. Upon a voice vote, motion carried 7 to 0. Motion by O'Brien, seconded by Campbell, to adopt Resolution No. 3 for the West Milham Avenue Sanitary Sewer Project #413-S, directing the preparation of the special assessment roll, and receive the letter in opposition from John and Angelina Burnett, 3549 West Milham Avenue, and the letter in opposition from Susan & Gregg Salisbury, 3505 West Milham Avenue.

Councilmember O'Brien indicated that the value of a home increases with the installation of sanitary sewer and it would be fiscally irresponsible not to do it, especially since the septic systems will probably have to be replaced.

Mayor Pro Tem Sackley asked whether objections can be registered once the assessment roll is set, and Mr. Brown answered in the affirmative. Councilmembers Vliek and Urban spoke in support of the necessity of the sanitary sewer project. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 359 of City of Portage Resolution Book No. 43.

## **REPORTS FROM THE ADMINISTRATION:**

**SOUTH COUNTY SEWER AND WATER - US 131 CORRIDOR WASTEWATER CONVEYANCE AGREEMENT:** Mayor Strazdas recognized the work of Don Ulsh, 12044 Oakland Drive, Schoolcraft, South County Sewer and Water Authority (SCS&WA) Director Richard Pierson and Assistant City Manager Sean McBride for an excellent agreement. Mr. McBride explained some of the steps taken in the process. Discussion followed.

Councilmember Urban asked whether the City of Kalamazoo had veto power at their level, and Mr. McBride indicated that the SCS&WA has a level of allocation that they will be accessing. City Attorney Brown indicated that the agreement contains language that if the City of Kalamazoo does not recognize the level of allocation, the Portage agreement has no effect.

Motion by O'Brien, seconded by Sackley, to approve the City of Portage – South County Sewer and Water Authority U.S. 131 Corridor Wastewater Conveyance Agreement. Upon a roll call vote, motion carried 7 to 0. Each City Councilmember recognized Sean McBride for his work as the City of Portage Assistant City Manager and wished him well in with his new assignment in Tucson, Arizona.

\* **VEHICLE / EQUIPMENT PURCHASES:** Motion by Reid, seconded by O'Brien, to authorize the purchase of two 4-wheel drive  $\frac{3}{4}$  ton pickup trucks, one compact utility tractor, four Police patrol vehicles and one unmarked detective sedan through the State of Michigan purchasing program (MiDEAL) at a total cost not to exceed \$206,409.08 and authorize the City Manager to execute all documents related to these purchases. Upon a roll call vote, motion carried 7 to 0.

\* **ANNUAL H.T.E. ENTERPRISE SOFTWARE LICENSING AND MAINTENANCE FEE:** Motion by Reid, seconded by O'Brien, to approve an annual licensing and software maintenance services agreement with SunGuard H.T.E., Incorporated, at a total cost of \$65,526 and authorize the City Manager to execute all related documents. Upon a roll call vote, motion carried 7 to 0.

\* **AUGUST 2009 SUMMARY ENVIRONMENTAL ACTIVITY REPORT:** Motion by Reid, seconded by O'Brien, to receive the communication from the City Manager regarding the August 2009 Summary Environmental Activity Report as information only. Upon a roll call vote, motion carried 7 to 0.

\* **DEPARTMENT MONTHLY REPORTS – INFORMATION ONLY:** Motion by Reid, seconded by O'Brien, to receive the Department Monthly Reports from the various city departments as information only. Upon a roll call vote, motion carried 7 to 0.

## **UNFINISHED BUSINESS:**

**AUSTIN LAKE IMPROVEMENT – SOUTH WEST BAY AERATION PROJECT:** City Manager Maurice Evans explained that the City Council received a communication at the September 8, 2009 Regular City Council Meeting from the Austin Lake Riparian Association and directed the City Administration to prepare a Resolution consistent with the Austin Lake Riparian Association Board of Directors request to refer the aeration concept request to the Austin Lake Governmental Lake Board for

consideration. He noted that the Resolution Regarding Austin Lake Improvement Pursuant to the Inland Lake Improvement Act reflects all of the elements from the attempted resolution by City Council at the September 8, 2009 Regular Meeting. Discussion followed.

At the request of Mayor Strazdas, James Pearson, 3004 East Shore Drive, spoke in favor of the resolution and expressed his appreciation for the efforts of the City Council.

Motion by Urban, seconded by Reid, to adopt the Resolution Regarding Austin Lake Improvement Pursuant to the Inland Lake Improvement Act and direct the Governmental Lake Board for Austin Lake to proceed with the necessary steps to improve the southwest bay of Austin Lake. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 363 of City of Portage Resolution Book No. 43.

- \* **MINUTES OF BOARDS AND COMMISSIONS:** City Council received the minutes of the:
  - Portage Zoning Board of Appeals of July 13 and August 26, 2009.
  - Portage Historic District Commission of August 5, 2009.
  - Portage Senior Citizens Advisory Board of August 19, 2009.
  - Portage Planning Commission of September 3, 2009.

#### **BID TABULATIONS:**

- \* **SECONDARY NETWORK SWITCHES PURCHASES:** Motion by Reid, seconded by O'Brien, to approve the purchase of 12 HP Procurve network switches and accessories at a cost of \$44,352.35 and authorize the City Manager to execute all documents related to this action. Upon a roll call vote, motion carried 7 to 0.

- \* **PORTABLE HOIST BID TABULATION:** Motion by Reid, seconded by O'Brien, to approve the purchase of a Rotary Lift, Model Mach 4 heavy-duty truck hoist from American Hoist Air & Lube, Incorporated, in the amount not to exceed \$28,000 and authorize the City Manager to execute all documents related to this purchase. Upon a roll call vote, motion carried 7 to 0.

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

**STATEMENTS OF CITY COUNCIL AND CITY MANAGER:** Councilmember Vlieg pointed out that Item F.2, Vehicle / Equipment Purchases, was for replacement only and included no additional new vehicles or equipment.

Councilmember O'Brien announced that the Portage Cross Country Invitational Meet will take place, Saturday, October 10, 2009, at 9:00 a.m. at West Middle School for all Portage Middle School 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> Grade Students.

Councilmember Reid provided a report on the Kazoo Area Foot Chase that was held at Celery Flats to benefit MI-COPS, a non-profit organization that aids the survivors of Michigan police officers who have lost their lives in the line of duty, and extended a special thank you to Mayor Strazdas, Mayor Pro Tem Sackley and Councilmember Urban for participating as "bad guys." Councilmember Urban reflected on this experience, especially with regard to the tazer training.

Mayor Pro Tem Sackley announced that "Buy Local Kalamazoo," an independent business alliance, will meet Thursday, September 24, 2009, at 5:50 p.m. at the Portage District Library.

Mayor Strazdas indicated that the annual Michigan Municipal League Conference is being held this week at the Radisson Hotel in Kalamazoo.

**ADJOURNMENT:** Mayor Strazdas adjourned the meeting at 8:42 p.m.

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James R. Hudson, City Clerk