

CITY COUNCIL MEETING MINUTES FROM OCTOBER 5, 2010

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

At the request of Mayor Pro Tem Sackley, Pastor Joan Herbon of the Lord of Life Lutheran Church of Portage 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 Elizabeth A. Campbell, Patricia M. Randall, Claudette S. Reid and Terry R. Urban, and Mayor Pro Tem Edward J. Sackley. Councilmember Margaret E. O'Brien and Mayor Peter J. Strazdas were 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 Reid, seconded by Campbell, to approve the September 21, 2010 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 5 to 0.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Urban 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 5 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF OCTOBER 5, 2010:** Motion by Urban, seconded by Reid, to approve the Accounts Payable Register of October 5, 2010. Upon a roll call vote, motion carried 5 to 0.

REPORTS FROM THE ADMINISTRATION:

* **MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY GRANT APPLICATION:** Motion by Urban, seconded by Reid, to adopt the resolution to support the Michigan State Housing Development Authority Grant application in the amount of \$135,000 for the North Portage Home Buyer Purchase-Rehabilitation Program and authorize the Mayor and City Manager to execute all documents related to the application in the event the grant is awarded. Upon a roll call vote, motion carried 5 to 0. Resolution recorded on page 97 of City of Portage Resolution Book No. 44.

* **RECOMMENDED BUDGET AMENDMENTS – END OF FISCAL YEAR HOUSEKEEPING:** Motion by Urban, seconded by Reid, to amend the General Appropriations Act (budget) for the fiscal year ending June 30, 2011. Upon a roll call vote, motion carried 5 to 0.

* **2010 CITY COUNCIL GOAL SETTING SESSION:** Motion by Urban, seconded by Reid, to establish November 12 and 13 as the dates of the 2010 City Council Goal Setting Session. Upon a roll call vote, motion carried 5 to 0.

* **LOCAL DEVELOPMENT FINANCE AUTHORITY ANNUAL REPORT – INFORMATION ONLY:** Motion by Urban, seconded by Reid, to receive the communication from the City Manager regarding the Local Development Finance Authority Annual Report as information only. Upon a roll call vote, motion carried 5 to 0.

COMMUNICATION:

MARY ANN BORR, 7274 WHITE OAK CIRCLE: Mayor Pro Tem Sackley reviewed the contents of the letter regarding two sign ordinance violations regarding the use of a very large tea cup and a shamrock on the roof of a daycare center as promotional signs in violation of the Code of Ordinances of the City of Portage.

Councilmember Campbell indicated that she has asked that the Administration provide information regarding the current sign ordinance and how it is applied for the City Council Retreat November 12 and 13, 2010, at the Gilmore House on the campus of Western Michigan University.

Councilmember Reid asked for some background information on the tea cup matter and Mayor Pro Tem Sackley asked Community Development Director Jeffrey Erickson to explain. Mr. Erickson explained that the use of the tea cup constitutes a sign under the city sign ordinance; that the business owners and staff have been in contact with one another, but no action has been taken at this time. Discussion followed and Mr. Erickson indicated that if the tea cup were a licensed vehicle, it would not be regulated by city ordinance; however, because of the nature of the item, it has to be considered in the context of the sign ordinance in a multi-business parking lot with signs already in place. Mr. Erickson distinguished the tea cup from people holding signs or costumed people on the sidewalk, shooting streamer devices as they are not covered by the sign ordinance like a tea cup on a zoned lot would be. Discussion followed.

Councilmember Randall stressed the importance of being friendly to small businesses and asked for ideas or other ways to reach out to the small businesses in the community.

Motion by Urban, seconded by Reid, to received the communication from Mary Ann Borr, 7274 White Oak Circle, regarding two recent sign ordinance violations. Upon a roll call vote, motion carried 5 to 0.

UNFINISHED BUSINESS:

* **TAX EXEMPTION FOR HEARTHESIDE APARTMENTS I & II:** Motion by Urban, seconded by Reid, to approve an ordinance to amend the Codified Ordinances of the City of Portage to grant Portage Hearthside Limited Dividend Housing Association Limited Partnership a tax exemption and establish a payment in lieu of taxes for the Hearthside Apartments I & II. Upon a roll call vote, motion carried 5 to 0. Ordinance recorded on page 139 of City of Portage Ordinance Book No. 12.

* **MINUTES OF BOARDS AND COMMISSIONS:** City Council received the minutes for the following boards and commissions:

Portage Zoning Board of Appeals of August 9, 2010.

Portage Board of Education Special and Regular Business Meeting of August 23, Special of September 2, and Special Meeting and Committee of the Whole Work Session of September 13, 2010.

Portage Planning Commission of September 2, 2010.

NEW BUSINESS:

* **APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS:** Motion by Urban, seconded by Reid, to reappoint Thomas King with term ending December 31, 2016, to the Economic Development Corporation/Tax Increment Finance Authority/Brownfield Redevelopment Authority; to reappoint Jason Koscinski and appoint Kathleen Hoyle and James Novario with terms ending October 1, 2013, to the Park Board; to reappoint Ruth Caputo and Martin Sepanik and appoint Amy Tanis with terms ending October 1, 2013, and Andrew Judge with an unfulfilled term ending October 1, 2011, to the Environmental Board; to reappoint Ruth Ann Meyer and Larry Smith and appoint Ruth Michelhaugh, current Alternate, with terms ending October 1, 2013, and reappoint Mary Lou Petrulio and appoint Gertrude Riker with alternate terms ending October 1, 2012, to the Senior Citizens Advisory Board; to reappoint Elma (Pat) Maye and appoint Pam Gilchrist and Genna Nichols with terms ending October 1, 2013, to the Human Services Board; and to appoint Philip Ellison with term ending December 31, 2013, to the Historic District Commission. Upon a roll call vote, motion carried 5 to 0.

BID TABULATIONS:

* **SOFTBALL FIELD FENCING IMPROVEMENTS – BID RECOMMENDATION:**

Motion by Urban, seconded by Reid, to accept the low bid submitted by The Postman, Incorporated, in the amount of \$23,730 for Ramona Park and South Westnedge Park softball diamond fencing improvements and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 5 to 0.

* **CITY HALL BREAKROOM ROOF AND LOWER LEVEL WINDOW**

IMPROVEMENTS – BID RECOMMENDATION: Motion by Urban, seconded by Reid, to accept the low bid submitted by Kuiper Building Services, LLC, in the amount of \$12,200 for City Hall breakroom roof and lower level window improvements and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 5 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Reid referred to Item F.1, Michigan State Housing Development Authority Grant Application, as one of the many ways the City of Portage and its citizens address homelessness.

Councilmember Urban commented on the wealth of applicants for City Council Boards and Commissions, asked that those who were not appointed maintain their interest, and indicated that there are still two vacancies on the Historical District Commission and one on the Human Services Board.

City Manager Evans commended Deputy Parks Director Barry Bacon for his efforts with the 22nd Annual Apple Festival at Schrier Park and his efforts throughout the year with all of the Parks Department events and activities.

Mayor Pro Tem Sackley concurred and pointed out that Mr. Bacon will soon be busy with the 23rd Annual Haunted Forest at Schrier Park, October 22, 23, 28, 29 and 30, from 7:30 p.m. to 9:30 p.m., and asked that Portage citizens welcome the thousands of visitors who will be attending the Invitational Cross Country Meet at West Middle School, Saturday, October 9, 2010.

ADJOURNMENT: Mayor Pro Tem Sackley adjourned the meeting at 7:54 p.m.

James R. Hudson, City Clerk

*Indicates items included on the Consent Agenda.