

CITY COUNCIL MEETING MINUTES FROM DECEMBER 7, 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, Reverend Scott Oberle of the Portage United Church of Christ 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, Margaret E. O'Brien, Patricia M. Randall, Claudette S. Reid and Terry R. Urban and Mayor Pro Tem Edward J. Sackley. Mayor Peter J. Strazdas was 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 November 16, 2010 Special Meeting Minutes, the November 16, 2010 Regular Meeting Minutes, the November 23, 2010 Special Meeting Minutes, and the November 30, 2010 Special Meeting Minutes as presented. Upon a voice vote, motion carried 6 to 0.

* **CONSENT AGENDA:** Mayor Pro Tem Sackley asked Councilmember Randall to read the Consent Agenda. Councilmember Urban asked that Item F.1, 2011 Board of Review, be removed from the Consent Agenda. Motion by Urban, seconded by O'Brien, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 6 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF DECEMBER 7, 2010:** Motion by Urban, seconded by O'Brien, to approve the Accounts Payable Register of December 7, 2010. Upon a roll call vote, motion carried 6 to 0.

REPORT FROM THE ADMINISTRATION:

2011 BOARD OF REVIEW: Mayor Pro Tem Sackley asked Councilmember Urban to comment as he requested that the item be removed from the Consent Agenda. Councilmember Urban indicated that it was necessary to remove the item from the Consent Agenda because City Council had not had an opportunity to discuss the number of Board of Review members needed to serve in 2011, and the Consent Agenda Motions reflected that "six" was the number of Board of Review Members recommended by the Administration. At the request of Mayor Pro Tem Sackley, City Manager Maurice Evans explained the rationale of choosing six and Mayor Pro Tem Sackley asked if it was necessary to make the determination at this time or could it wait until the December 21, 2010 City Council Meeting. At the request of Mr. Evans, City Attorney Randy Brown indicated that the deadline is January 2011, but that it would be good to know in advance how many were required. Mayor Pro Tem explained the ballot issue passed by voters at the November 2, 2010 General Election, expressed an interest in getting input from Mayor Strazdas, asked for recruitment efforts from the Administration and suggested that further discussion and determination take place at the December 21, 2010 City Council Meeting.

Councilmember Reid concurred with holding off until the December 21, 2010 City Council Meeting but, before deciding the number of members needed to serve on the 2011 Board of Review, she asked that the Administration provide the anticipated reimbursement and how it is going to be managed, given that a Board of Review Member may work a full day or a partial day, and when and where would training take place and what would the cost be, as it would make a difference if City Council sets the Board Member level at three members or nine members, including the two Alternates.

City Attorney Brown reminded City Council that if six or nine were chosen as the level of membership on the Board, the Charter requires that a six member Board would be two groups of three and a nine member Board would be three groups of three. Discussion followed.

Councilmember Randall expressed her understanding of the preference of the Assessing Issues Task Force to allow one-half day sessions because this would be more attractive to a candidate who may be willing or able to serve for one-half of a day instead of a full day. She also indicated that extending the service time for twelve days might be too much for someone who is trying to juggle a career with volunteer responsibilities and Councilmember O'Brien concurred. Finally, she thought that adding three more members was within the findings of the Task Force. Discussion followed.

In answer to Councilmember Reid, Mr. Brown counseled that a member from one three-member Board of Review may not serve on one of the other three-member Boards of Review if six or nine Board of Review members were chosen and two members present would create a quorum. Discussion followed.

Mayor Pro Tem Sackley pointed out that prior to the amendment to the City of Portage Charter, City Council could not impose training on a new member, but only review applicant qualifications. Discussion followed.

Motion by O'Brien, seconded by Campbell, to determine the membership size of the 2011 Board of Review to be six members. Mr. Brown offered that the motion should read "up to" six members as a result of an earlier discussion with a "very wise" member of the Administration to provide flexibility. Councilmember O'Brien agreed to add the amended language to the motion.

Councilmember Randall asked that the addition of "one Alternate" be considered and Councilmember O'Brien agreed to amend the motion to include, "one Alternate," and Mr. Brown assured City Council that the Alternate could serve on either of the three-member Boards of Review. Councilmember O'Brien restated the motion, to determine the membership size of the 2011 Board of Review to be up to six members and one Alternate, and asked that the compensation for the Board be revisited in order to handle a member serving a full day versus a member serving a partial day. Discussion followed and Councilmember Campbell seconded the motion.

Councilmember Urban asked whether the motion is even needed and Mr. Brown indicated that legally the motion is not required until January 2011, but it might be good for City Council to know the membership level of the Board of Review before then. Discussion followed and it was a consensus of City Council that they wanted as many qualified applicants as possible. Further discussion followed.

Upon a roll call vote, motion failed 4 to 2: Ayes: Campbell and O'Brien. No: Councilmembers Reid, Urban and Randall and Mayor Pro Tem Sackley. Discussion followed.

* **2011 MARCH BOARD OF REVIEW RESOLUTION:** Motion by Urban, seconded by O'Brien, to adopt the Resolution setting the dates and times for the 2011 March Board of Review sessions. Upon a roll call vote, motion carried 6 to 0. Resolution recorded on page 109 of City of Portage Resolution Book No. 44.

* **HEALTH INSURANCE CONTRACT RENEWALS:** Motion by Urban, seconded by O'Brien, to approve one-year contract renewals for employee health insurance with Blue Care Network (HMO), Priority Health (HMO) and Blue Cross Blue Shield of Michigan (PPO and Traditional), and authorize the City Manager to execute all documents on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

* **HOUSEHOLD HAZARDOUS WASTE PROGRAM – INTERGOVERNMENTAL COOPERATION:** Motion by Urban, seconded by O'Brien, to approve the contract with Kalamazoo County for Household Hazardous Waste collection during the 2011 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 6 to 0.

* **ONE-YEAR LEASE EXTENSION OF TWO IBM I5 MODEL 515 SERVERS:** Motion by Urban, seconded by O'Brien, to approve the one-year lease extension through Capital Advantage

Leasing for two IBM i5 Model 515 servers at a cost of \$16,932 with a \$1.00 end-of-lease buyout 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 6 to 0.

* **AT&T – POLICE POSITRON 9-1-1 CONTRACT:** Motion by Urban, seconded by O’Brien, to approve a one-year contract in the amount of \$11,250.01 for 9-1-1 maintenance, with the option to annually renew provided the terms, conditions and price do not change, 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 6 to 0.

* **NONPROFIT RECOGNITION:** Motion by Urban, seconded by O’Brien, to adopt the Resolution for Charitable Gaming License recognizing the Portage Northern Band and Orchestra Parents as a nonprofit organization in the City of Portage. Upon a roll call vote, motion carried 6 to 0. Resolution recorded on page 111 of City of Portage Resolution Book No. 44.

* **SPECIAL MEETING WITH BOARD AND COMMISSION APPLICANTS:** Motion by Urban, seconded by O’Brien, to set a Special Meeting on Tuesday, January 11, 2011, beginning at 5:30 p.m. to interview board and commission applicants. Upon a roll call vote, motion carried 6 to 0.

* **2010 CITY COUNCIL GOAL SETTING SESSION - WORK ITEMS / PRIORITIES - INFORMATION ONLY:** Motion by Urban, seconded by O’Brien, to receive the communication from the City Manager regarding the 2010 Council Goal Session-Work Items / Priorities as information only. Upon a roll call vote, motion carried 6 to 0.

* **2010 TAX RATE SURVEY - INFORMATION ONLY:** Motion by Urban, seconded by O’Brien, to receive the communication from the City Manager regarding the 2010 Tax Rate Survey as information only. Upon a roll call vote, motion carried 6 to 0.

* **NOVEMBER 2, 2010 GENERAL ELECTION RESULTS - INFORMATION ONLY:** Motion by Urban, seconded by O’Brien, to receive the communication from the City Clerk regarding the November 2, 2010 General Election Results as information only. Upon a roll call vote, motion carried 6 to 0.

COMMUNICATIONS:

PRESENTATION BY ENVIRONMENTAL BOARD CHAIRPERSON JASON

HOWARD: City Council received the Presentation by Environmental Board Chairperson Jason Howard, who reviewed five initiatives of the Board: to continue the Purple Loosestrife Program, promote the general environmental awareness to the public through a separate list of initiatives: promote Earth Day activities, increase the use of the City of Portage website for environmental education, publish articles in the *Portager*, update the public sign at Lakeview Park, continue to develop the Rain Garden at the Water Treatment Plant, and work with the regional organizations to promote public environmental programming; to communicate with City Council on environmental issues and periodically discuss the Summary Environmental Activity Report with city staff; continue to expand the relationship with other environmental groups; and submit updates to the current goals and objectives and suggested goals and objectives for the future.

Discussion followed regarding the spread of the Purple Loosestrife and the use of the City of Portage production of beetles at Avalon Farms in Climax, Michigan, that eat Purple Loosestrife, the educational component of the rain garden by the Water Treatment Plant, requests for residential rain gardens, opportunities for volunteers with regard to environmental issues, Earth Day activities, the

Garlic Mustard Pull and the Greenathon and the incorporation and partnering of the Youth Advisory Committee with the Environmental Board. Discussion followed.

JASON HOWARD, CHAIRPERSON OF THE ENVIRONMENTAL BOARD: City Council received the communication from Jason Howard, Chairperson of the Environmental Board, submitting the 2010 Purple Loosestrife Program Report.

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

Portage Senior Citizen Advisory Board of October 20, 2010.

Portage Board of Education Special and Regular Business Meeting of October 25 and Special Meeting and Committee of the Whole Work Session of November 8, 2010.

Kalamazoo County Board of Commissioners Committee of the Whole and Regular of November 2, 2010.

Portage Park Board of November 3, 2010.

Portage Human Services Board of November 4, 2010.

Portage Planning Commission of November 18, 2010.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL: Councilmember O'Brien extended praise to Portage athletic teams, congratulated the Portage Northern High School Swimming Team that recently won the District Championship and noted that people from all over the state and country were present at the Portage Northern High School Library/Media Center Open House. She also recognized the tree-lighting ceremony as an efficient and fun event, the social services day at Kalamazoo Expo Center and the former State Senator Tom George and State Representative Larry DeShazor for their fine efforts.

Councilmember Reid expressed her appreciation that city employees are able to keep health costs down by participating in the Health Management Program and staying healthy. She also listed all of the Boards and Commissions in need of applicants to be interviewed January 11, 2011: Board of Review, Planning Commission, Zoning Board of Appeals, Historic District Commission and the Youth Advisory Committee.

Mayor Pro Tem Sackley echoed the need for applicants on the Boards and Commissions and emphasized the need to fill the Planning Commission vacancy owing to the election by City Council of Cory Bailes to fill the seat soon to be vacated by Councilmember O'Brien, who will serve as State Representative for the 61st District. He also recognized Deputy Parks Director Barry Bacon, Parks Director Bill Deming and the Park Board, the Portage Northern Songleaders Chorale and the efforts of local historian, Steve Rossio, for their work on the Tree Lighting Ceremony, December 4. Finally, he announced that Congressman Fred Upton was appointed to be the Chair of the Energy and Commerce Committee and explained how important that was for the State of Michigan and the country.

ADJOURNMENT: Mayor Pro Tem Sackley adjourned the meeting at 8:29 p.m.

James R. Hudson, City Clerk

*Indicates items included on the Consent Agenda.