

# CITY COUNCIL MEETING SUMMARY

September 21, 2010

## CHECK REGISTER

- ◆ Approved the Check Register of September 21, 2010, as presented.

## REPORTS FROM THE ADMINISTRATION

- ◆ Accepted for first reading 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, establish a payment in lieu of taxes for the Hearthside Apartments I & II and take final action on October 5, 2010.
- ◆ Approved the revised Bolingbrook Drive Island Agreement to permit the installation of a sign in the public right-of-way that identifies the Romence Ridge single-family residential plat and authorized the City Manager to execute the Agreement.
- ◆ Held a closed session immediately following the regularly scheduled City Council meeting of September 21, 2010, to discuss an attorney/client communication.
- ◆ Received the communication from the City Manager regarding the Analysis of Zoning Consistency (FY 2009-2010 Update) as information only.
- ◆ Received the communication from the City Manager regarding the August 2010 Summary Environmental Activity Report as information only.
- ◆ Received the Department Monthly Reports from the various departments.

## COMMUNICATION

- ◆ Received a Presentation by Senior Citizens Advisory Board Chair James Hoppe.

## UNFINISHED BUSINESS

- ◆ Approved the proposed amendment to the City of Portage Code of Ordinances, Chapter 50, Section 50-116 – Disturbing the Peace.

## NEW BUSINESS

- ◆ Affirmed the denial of a Freedom of Information Act request and appeal filed by Mr. Casimer Kopec, 4867 Foxfire Trail, for reason that no separation of exempt and non-exempt information could be made, and no portion of the reports could be released without revealing exempt information.

## BID TABULATIONS

- ◆ Approved an annual licensing and software maintenance services agreement with SunGard, Incorporated, at a total cost of \$65,526 and authorized the City Manager to execute all related documents.
- ◆ Accepted the low bid submitted by A-1 Asphalt, Incorporated, in an amount of \$43,756.31 for Lovers Lane, Romence Road Parkway and Shaver Road Bikeway trail asphalt improvements and authorized the City Manager to execute all documents related to this action on behalf of the city.

## STATEMENTS OF CITY COUNCIL AND CITY MANAGER

- ◆ Councilmember Reid thanked all who helped make the Kalamazoo Area Footchase a success. She mentioned that as a part of the national take-back initiative, over the counter solid prescription medication can be dropped off Saturday, from 10 a.m. to 2 p.m. at the Kalamazoo Public Safety Building, 150 Crosstown Parkway, Kalamazoo. She said she mentioned this as an opportunity to get rid of substances without polluting the environment and to keep them out of the hands of youth. She also indicated that needles, injected products, marijuana and methamphetamine will not be accepted. Finally, she announced that October is a brush collection month.
- ◆ Councilmember Randall indicated that she learned from the Bishop that today is International Peace Day, not absence of war, but peace. She mentioned the three projects of The Ark on Pleasant Drive where three shelters are being built for nine young people from ages 18 to 24. Also, she disclosed that she was charged \$407.30 for public information pertaining to her ongoing concerns regarding questionable assessing practices in Portage. She indicated that she was never given a cost estimate for these charges. She said that from the professionals assisting her, she was told that this was an outrageous fee. She expressed her concern that the public obtain accurate cost estimates for information. She also indicated that she was not aware of any Councilmember who was ever charged for information and that a preliminary analysis of the information that she has received has raised more questions than answers and that she is therefore requesting the same information for the years 2000 through 2004.
- ◆ Councilmember O'Brien thanked Councilmember Reid and her sister and brother-in-law for allowing her to participate in the Kalamazoo Area Footchase were she was wanted "as a person impersonating a politician." She indicated that she was a crisis worker 15 years ago at the Ark and echoed Councilmember Randall and her appreciation for the efforts to help young people and families at The Ark. She also mentioned the new Lake Center Elementary School and the refurbishing of Portage Northern High School as welcomed additions to the community as state-of-the-art facilities. As an attendee of the Kingdom Entrepreneurial Summit in Portage, she said it was nice to see an organization trying to help people start businesses in a time of economic crisis. Finally, she announced that the Senior Center Pig Roast fundraiser is from 2 p.m. to 6 p.m., Saturday, September 25, 2010, in conjunction with AppleFest in Shrier Park.
- ◆ City Manager Evans asked for City Council to think about and give direction to the Administration regarding the comments from Councilmember Randall about questionable assessing practices since, as far as he can tell, the Assessor's Office has been exonerated with regard to questionable assessing practices. Mr. Evans advised that this matter should be brought to

City Council as a whole since City Council voted unanimously to end its investigation of assessment practices in April 2010. With regard to the Freedom of Information Act (FOIA) request and being charged as a Councilmember for a FOIA request, he indicated that Councilmember Randall was charged as a citizen not as a Councilmember and reiterated that she did not take his encouragement to bring the matter to City Council as a whole. Next, in light of the recent Ponzi scheme that befell Comstock Township, Mr. Evans reviewed the Portage Investment Policy and provided assurances that care and caution within the investment practices of the City of Portage has protected Portage from being subjected to schemes of this nature. He defined and explained what constitutes a Ponzi Scheme and indicated that it is a promise of high returns with little or no risk which puts up a red flag. He discussed the Investment Committee and the General Investment Guidelines, including: the city will utilize a pooling approach to cash balances, which maximizes investment yields and reduces banking fees; all cash balances, accounted for in the various funds of the city, are subject to this investment policy, unless specifically excluded by other restrictions such as bond covenants or contractual agreements; and the Finance Director prepares a monthly investment report which is submitted to the City Manager. He also discussed the Financial Institution Guidelines, including: the city may not invest more than 40% of its surplus funds in or through any one bank, savings and loan, or broker-dealer; the total city investment in any one bank or savings and loan must represent less than 1% of the institution's Tier 1 capita; and the fact that the city will not do business with any bank, savings and loan, or broker-dealer who does not maintain either FDIC or SIPC insurance. Lastly, he listed some of the Investment Options/Limitations, including: Certificates of Deposit; U.S. Treasury and Agency obligations; Commercial Paper; Banker's Acceptances issued by domestic banks only; and Repurchase Agreements that are backed by any U.S. Treasury or Agency obligation which the city is allowed to purchase directly. He emphasized that the city has a very good policy, reviews the reports on a daily basis and takes investments very seriously and that checks and balances exist with the Mayor, the Finance Director, two outside private individuals who are in the investment business and himself as members of the Investment Committee. Plus, any decisions by the Investment Committee are also presented to City Council for review and approval which was last done on April 29, 2008. He referred the public to the detailed notes on pages 43 to 46 in the Comprehensive Annual Financial Report (CAFR) as another check and balance on how the city is doing financially. Mayor Strazdas expressed his appreciation for the comments from Mr. Evans and the report and expressed his confidence in the investment practices of the City of Portage.

- ◆ Mayor Pro Tem Sackley echoed Councilmembers Randall and O'Brien and expressed his appreciation for the efforts of The Ark and indicated he missed the groundbreaking because he appeared before the Kalamazoo County Board of Commissioners Committee of the Whole requesting a revolving fund for the Austin Lake Governmental Lake Board for continuing the work of aeration there. Mayor Strazdas welcomed him back.
- ◆ Mayor Strazdas thanked City Council for their engagement in the community at the many positive community events and celebrations.

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