

CITY COUNCIL MEETING MINUTES FROM JANUARY 10, 2012

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

At the request of Mayor Strazdas, Pastor Bill Abernathy of the Berean Baptist 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, Jim Pearson, Patricia M. Randall, Terry R. Urban and Mayor Pro Tem Claudette S. Reid and Mayor Peter J. Strazdas. Councilmember Edward J. Sackley was absent with excuse. Also in attendance were City Manager Maurice S. Evans, City Attorney Randy Brown and City Clerk James R. Hudson.

APPROVAL OF MINUTES: Motion by Reid, seconded by Randall, to approve the December 20, 2011 Regular Meeting Minutes as revised. Upon a voice vote, motion carried 6 to 0.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Urban to read the Consent Agenda with the addition of Item K.1, Appointments to Various Boards and Commissions, to the Consent Agenda. Mayor Pro Tem Reid asked that Item H.1, Secondhand Dealer/Pawnbroker Ordinance be removed. Motion by Urban, seconded by Campbell, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 6 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JANUARY 10, 2012:** Motion by Urban, seconded by Campbell, to approve the Accounts Payable Register of January 10, 2012. Upon a roll call vote, motion carried 6 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: Tim Higley, 8104 Newells Lane, issued a complaint about the neighbor's new wood burning stove. Paul White, 8116 Newells Lane, corroborated Mr. Higley's concerns and both emphasized the nuisance factor created by billowing smoke in and around neighboring homes. Discussion followed. Mr. Higley asked for a change in the city ordinance to address this type of situation. Discussion followed. Mayor Strazdas asked the City Administration to reconfirm that the specifications on the wood burning stove(s) at 8046 Newells Lane are appropriate and that all City codes are met. Discussion followed. Councilmember Randall indicated that she would present this issue to the Wednesday session of the Kalamazoo County Environmental Board and would report back. Discussion followed.

REPORTS FROM THE ADMINISTRATION:

* **MICHIGAN MUNICIPAL LEAGUE DUES:** Motion by Urban, seconded by Campbell, to authorize payment to the Michigan Municipal League in the amount of \$8,329 for year 2012 membership dues. Upon a roll call vote, motion carried 6 to 0.

UNFINISHED BUSINESS:

SECONDHAND DEALER/PAWNBROKER ORDINANCE: Mayor Pro Tem Reid asked an equity question concerning the proposed \$50 application fee and the subsequent \$50 fee for renewals each year as she presumed a renewal is simpler than an original application. Discussion followed.

At the request of Mayor Strazdas, Director of Public Safety Richard White explained that the ordinance mirrors the state statute. He also pointed out that the City of Portage used drug seizure funds to write the software to catalogue all stolen articles after it was discovered that businesses across the state must report these items using the software of a sole vendor. He stressed that the intent of the ordinance is not to burden legitimate businesses and that the ordinance did not apply to non-profit organizations such as the Salvation Army or Goodwill Industries. Discussion followed. Mayor Strazdas encouraged each Councilmember to approach the City Manager with any ideas or thoughts on the fee requirements.

Motion by Reid, seconded by Urban, to amend the Code of Ordinances of the City of Portage, Michigan, Chapter 14, Businesses, by adding Article 8, Secondhand Dealers, Section 14-202 through Section 14-213. Upon a roll call vote, motion carried 6 to 0. Ordinance recorded on page 217 of City of Portage Ordinance Book No. 217.

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

Portage Planning Commission of November 22 and December 1, 2011.

Portage Human Services Board of December 1, 2011.

Portage Park Board of December 7, 2011.

NEW BUSINESS:

* **APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS:** Motion by Urban, seconded by Campbell, to reappoint Wes Mazurek and Bill Fries and appoint Michael Quinn with terms ending January 31, 2013 to Board of Review #1; reappoint Michael Simon and William Stannard to serve with Jay Olweean with terms ending January 31, 2013, to Board of Review #2; appoint Dave Felicijan with unfulfilled term ending May 31, 2012, to the Planning Commission; reappoint Lowell Seyburn and appoint Daniel Rhodus with terms ending February 28, 2015, and appoint D. Glen Smith as Alternate with term ending February 28, 2015, to the Zoning Board of Appeals; appoint Cody Dekker with unfulfilled term ending October 1, 2013, to the Human Services Board; and appoint William Beck with unfulfilled term ending October 1, 2012, and Samuel Garceau with unfulfilled term ending October 1, 2013, to the Environmental Board. Upon a roll call vote, motion carried 6 to 0.

BID TABULATION:

* **REPLACEMENT PURCHASE OF 2011 FORD CROWN VICTORIA POLICE VEHICLE:** Motion by Urban, seconded by Campbell, to approve the replacement purchase of one 2011 Ford Crown Victoria Police Vehicle from Gorno Ford in Woodhaven, Michigan, in the amount of \$22,720.20 and authorize the City Manager to execute all documents related to this matter on behalf of the city. Upon a roll call vote, motion carried 6 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Pearson noted that nine applicants attended the Board and Commission interviews and all were appointed.

City Manager Evans commended Finance Director Daniel Foecking, especially Accounting/Budget Deputy Director Pat Fitnitch along with the assistance of the Accounting Department, for being granted the Distinguished Budget Presentation Award by the Government Finance Officers Association for the twenty-fourth year in a row.

Mayor Strazdas complimented Mr. Evans for regularly recognizing City employees and their accomplishments. He also asked all of the newly formed City Council Committee Chairpersons to work with the City Manager's Office to set meeting times to work on goals and objectives.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 8:12 p.m.

James R. Hudson, City Clerk

***Indicates items included on the Consent Agenda.**