

CITY COUNCIL MEETING MINUTES FROM JULY 24, 2012

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

At the request of Mayor Strazdas, Atheist Tim Earl gave an 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, Jim Pearson and Patricia M. Randall, Mayor Pro Tem Claudette S. Reid and Mayor Peter J. Strazdas. Councilmembers Edward J. Sackley and Terry R. Urban were absent with notice. Also in attendance were Deputy City Manager Brian J. Bowling, City Attorney Randy Brown and City Clerk James R. Hudson.

APPROVAL OF MINUTES: Motion by Campbell, seconded by Reid, to approve the July 10, 2012 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 4 to 0 with Mayor Strazdas abstaining.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Campbell to read the Consent Agenda. Mayor Pro Tem Reid asked that Item F.6, Consolidated Dispatch Business Plan Development Agreement, be removed from the Consent Agenda. Motion by Pearson, seconded by Reid, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 5 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JULY 24, 2012:** Motion by Pearson, seconded by Reid, to approve the Accounts Payable Register of July 24, 2012. Upon a roll call vote, motion carried 5 to 0.

REPORTS FROM THE ADMINISTRATION:

* **CONCEPTUAL PLAN AMENDMENT FOR TRADE CENTRE HOLDINGS, LLC, 420 AND 750 TRADE CENTRE WAY:** Motion by Pearson, seconded by Reid, to accept the Conceptual Plan Amendment for Trade Centre Holdings, LLC, and set a public hearing for August 14, 2012, at 7:30 p.m. or as soon thereafter as may be heard; and, following the public hearing, approve the Trade Centre Holdings, LLC, Conceptual Plan Amendment, 420 and 750 Trade Centre Way. Upon a roll call vote, motion carried 5 to 0.

* **RESOLUTION AWARDING BID:** Motion by Pearson, seconded by Reid, to adopt the Resolution awarding the bid for the City of Portage Capital Improvement Bonds, Series 2012, in the amount of \$2,135,000 to Stifel, Nicolaus & Co., Inc., at 2.541330%. Upon a roll call vote, motion carried 5 to 0.

* **ELECTION POLLING PLACES AND RATE OF COMPENSATION RESOLUTION:** Motion by Pearson, seconded by Reid, to adopt the Resolution Designating Polling Places and Rate of Compensation for the August 7, 2012 Primary Election. Upon a roll call vote, motion carried 5 to 0. Resolution recorded on page 423 of City of Portage Resolution Book No. 44.

* **JUNE 2012 SUMMARY ENVIRONMENTAL ACTIVITY REPORT – INFORMATION ONLY:** Motion by Pearson, seconded by Reid, to receive the communication from the City Manager regarding the June 2012 Summary Environmental Activity Report as information only. Upon a roll call vote, motion carried 5 to 0.

* **DEPARTMENT MONTHLY REPORTS:** Motion by Pearson, seconded by Reid, to receive the Department Monthly Reports from the various city departments. Upon a roll call vote, motion carried 5 to 0.

CONSOLIDATED DISPATCH BUSINESS PLAN DEVELOPMENT AGREEMENT:

At the request of Mayor Pro Tem Reid, Deputy City Manager Brian Bowling provided a brief history and an overview of the process involved thus far for Portage participation in the intergovernmental effort to establish a consolidation of 9-1-1 Emergency Dispatch services in Kalamazoo County. He began with the support by City Council for the issuance of a Request for Proposal in December 2011 for the development of a business plan for a dispatch authority. The RFP has been developed, proposals have been received and evaluated and a recommendation from the evaluation committee that L.R. Kimball of State College, Pennsylvania, be awarded a professional services contract for the development of the business plan and was approved by the Kalamazoo County Board of Commissioners in the amount of \$150,000 on July 17, 2012. He mentioned that as part of the proposal and contract agreement, each of the potential five Public Safety Answering Points (PSAPs) agreed to a cost-sharing agreement among the prospective authority participants that distributes the costs based upon the 2010 Census population figures with the City of Portage share at 18.49 %, or \$27,735. He indicated that through the development of the Business Plan, the consultant will be analyzing current operations of all of the 9-1-1 Emergency Dispatch Centers and developing a technology and a staffing plan for a consolidated dispatch operation; and, will be doing this through two fiscal scenarios: a \$0.42 charge on phones in the county and an allocation of \$3.00 per phone in the county. He also indicated that the consultants will be developing the plan under four different consolidation alternatives which will involve combinations of the various agencies, and presenting a potential 9-1-1 consolidated dispatch operation which means City Council is being asked to approve the development of the business plan and the cost-sharing element of the plan in the amount of \$27,735. Discussion followed.

Motion by Reid, seconded by Campbell, to approve the intergovernmental *Agreement for the Development of a Comprehensive Business Plan for the Consolidation of 9-1-1 Emergency Dispatch Centers* and authorize the City Manager to execute all documents related to this agreement on behalf of the city. Discussion followed. Upon a roll call vote, motion carried 5 to 0.

COMMUNICATION:

CITY 50TH ANNIVERSARY: At the request of Mayor Strazdas, motion by Campbell, seconded by Reid, to direct the City Manager to solicit ideas from Advisory Boards and Commissions and Portage residents for the celebration of the City of Portage 50th Anniversary. Upon a voice vote, motion carried 5 to 0.

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

Portage Public Schools Board of Education Special and Regular of June 4 and 11, 2012.

Portage Park Board of June 6, 2012.

Portage Zoning Board of Appeals of June 11, 2012.

AD HOC COMMITTEE REPORT:

FREEDOM OF INFORMATION ACT (FOIA) REQUEST COMMITTEE:

Councilmember Campbell indicated that the FOIA Request Committee met for an information gathering session and deferred to Councilmember Pearson, who summarized the discussion at the July 18, 2012 FOIA Request Committee Meeting. He said that at the City Council Retreat concern was expressed that the City of Portage asks for too many FOIA's; that City Clerk Jim Hudson provided the FOIA Fee

Structure, the FOIA Policy and a quantitative report of FOIA's processed by the Public Safety Department with which the Committee had no problems. After a general discussion of FOIA's, the

Committee discussed the possibility of relaxing FOIA requirements for business development because some businesses have the opinion that the City of Portage requires too many and that some are unnecessary, so staff will compare current Portage policy with that of other jurisdictions and report back to the Committee if there needs to be any change recommendations.

With regard to the task of reviewing City Council requests for information, Mr. Pearson indicated there is general agreement on the Committee that if there is a reasonable request from any individual Councilmember on a subject that is outside a Committee, the request would be granted and staff would devote some time to studying that issue with the reason being that sometimes City Councilmembers want to do a pre-study of a topic he or she may want to bring up at the City Council Retreat so that a Committee can be established and have some information for a basis; also, any requests of the City Council as a whole would, of course, always be granted. He also mentioned that there were a couple of individual FOIA requests that City Council wanted investigated further, so staff will review and report back to the Committee with an analysis of whether to require a FOIA for these type events in the future or not.

Finally, he indicated that these action items and the FOIA Policy will be reviewed at the next meeting.

City Attorney Brown indicated that this report is an interim report and should be received by City Council. Discussion followed. Motion by Reid, seconded by Pearson, to receive the verbal report of the Freedom of Information Act Request Committee. Upon a voice vote, motion carried 5 to 0.

* **FALL LEAF PICKUP PROGRAM – RENTAL EQUIPMENT:** Motion by Pearson, seconded by Reid, to approve a three-year contract with Premier Truck Sales and Rental, Incorporated, to provide eight compactor trucks to be utilized for the Fall Leaf Pickup Program in the amount not to exceed \$66,000 per year for Fiscal Years 2012-2013, 2013-2014 and 2014-2015 with an option for three, one-year renewals; approve a three-year contract to Carleton Equipment Company, Incorporated, to provide four specially equipped front-end loaders to be utilized in the Fall Leaf Pickup Program in the amount of \$20,000 per year for Fiscal Years 2012-2013, 2013-2014 and 2014-2015 with an option for three, one-year renewals; and authorize the City Manager to execute all documents related to these contracts and subsequent renewals on behalf of the city. Upon a roll call vote, motion carried 5 to 0.

* **2012 STORM WATER BASIN REHABILITATION PROGRAM:** Motion by Pearson, seconded by Reid, to award a contract to the low bidder, Quantum Construction, for the 2012 Storm Water Basin Rehabilitation Program in the not to exceed amount of \$51,517.90 and authorize the City Manager to execute all documents related to this contract on behalf of the city. Upon a roll call vote, motion carried 5 to 0.

* **DOCUMENT MICROFILMING, IMAGING AND DESTRUCTION:** Motion by Pearson, seconded by Reid, to approve a contract with Automatic Microfilm Company, of Michigan Center, Michigan, for document microfilming, imaging and destruction in the amount of \$19,950 for a one-year period with the option of two annual extensions 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: Councilmember Randall reminded viewers that the United States Tennis Association Boys 18 and 16 National Championships will take place from Friday, August 3 through Sunday, August 12, 2012, hosted at Western Michigan University and Kalamazoo College, and is the 70th year of doing this in the community.

Mayor Pro Tem Reid announced that, as part of her role as Vice Chairman of the Public Media Network (PMN) Board, she would be attending the National American Cable Manufactures Conference

on July 31, August 1 and August 2, 2012, where she will be able to review a large section devoted to government applications and get ideas of how other cities and states address using Cable Access as a tool to get information out to the public.

Mayor Strazdas mentioned that he had been out of town and expressed his appreciation for Portage upon his return and contrasted the condition of Portage with the fires in Colorado, the bankrupted cities in California and the Federal Government take-over of the New Orleans Police Department. He praised the good work and diligence of the Administration and the City Council.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 8:00 p.m.

James R. Hudson, City Clerk

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