

CITY COUNCIL MEETING MINUTES FROM AUGUST 28, 2012

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

At the request of Mayor Strazdas, Reverend Patricia Catellier of Chapel Hill United Methodist Church 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, Edward J. Sackley and Terry R. Urban, Mayor Pro Tem Claudette S. Reid and Mayor Peter J. Strazdas. Also in attendance were City Manager Maurice S. Evans, City Attorney Randy Brown and City Clerk James R. Hudson.

APPROVAL OF MINUTES: Motion by Sackley, seconded by Reid, to approve the August 14, 2012 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 7 to 0.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Randall 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 7 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF AUGUST 28, 2012:** Motion by Urban, seconded by Reid, to approve the Accounts Payable Register of August 28, 2012. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARING:

FEMA CORPORATION – PA 198 TAX ABATEMENT: Mayor Strazdas introduced Community Development Director Vicki Georgeau, who explained the tax abatement process and provided an explanation and overview of the request for a three-year tax abatement on personal property and a six-year tax abatement on real property. Ms. Georgeau indicated that this was within Industrial Development District No. 55, and reviewed the Preliminary Environmental Analysis, the Project Impact Analysis and the Property Tax Analysis for City Council and the audience. Discussion followed.

Jeff Hoffman, President of FEMA Corporation, provided a history of FEMA since coming from California in 1972, and indicated that 30% of the employees are engineers or have a technical background. He indicated that the 180 employees are owners, expressed his appreciation for City Council granting tax abatements in the past and humbly asked that Portage partner with FEMA as it has in the past 40 years. Discussion followed.

Mayor Strazdas opened the public hearing for public comment. There being no comment, motion by Sackley, seconded by Reid, to close the public hearing. Upon a voice vote, motion carried 7 to 0.

Motion by Sackley, seconded by Campbell, to adopt Resolution No. 2-12 expanding Industrial Development District No. 55 and Resolution No. 3-12 setting a public hearing on the issuance of the Industrial Facilities Exemption Certificate for FEMA Corporation for real and personal property in the estimated amount of \$3.65 million on September 11, 2012, at 7:30 p.m. or as soon thereafter as may be heard. Upon a roll call vote, motion carried 7 to 0. Resolutions recorded on pages 431 and 433 of City of Portage Resolution Book No. 44.

PETITIONS AND STATEMENTS OF CITIZENS:

* **PETITION - WATER MAIN ON METSA COURT FROM PORTAGE ROAD TO THE WEST END:** Motion by Urban, seconded by Reid, to refer the Water Main Petition for Metsa Court

from Portage Road to West End to City Administration for review and report. Upon a roll call vote, motion carried 7 to 0.

FORMER MAYOR BETTY LEE ONGLEY, 8620 TOZIER LANE: Former Mayor Betty Lee Ongley thanked Technology Services and Community Marketing Director Devin Mackinder for his work on the “We Get It” Joint Portage Marketing Effort, a collaborative initiative with the Portage Public Library and the Portage Public Schools and commented that it was the 92nd Anniversary for the Right to Vote for Women in the country.

REPORTS FROM THE ADMINISTRATION:

* **APPLICATION FOR SPECIAL LICENSE FOR SALE OF BEER, WINE AND SPIRITS:** Motion by Urban, seconded by Reid, to resolve to submit an application to the Michigan Liquor Control Commission for a Special License for the sale of beer and wine for consumption on the premises at Celery Flats Historical Area – Hayloft Theatre, 7335 Garden Lane, for *Shindig at the Hayloft* on October 13, 2012, and authorize the City Manager to execute all documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **MICROBREW AND SMALL WINE MAKER LICENSE FROM PORTAGE BREWING COMPANY:** Motion by Urban, seconded by Reid, to adopt the resolution of approval for a Microbrew and Small Wine Maker license request from Ruth Stoddard of Portage Brewing Company, planned for 7842 Portage Road. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 435 of City of Portage Resolution Book No. 44.

* **SPECIAL MEETING TO INTERVIEW PLANNING COMMISSION APPLICANTS:** Motion by Urban, seconded by Reid, to set a Special Meeting on Tuesday, September 11, 2012, beginning at 6:30 p.m. to interview Planning Commission applicants. Upon a roll call vote, motion carried 7 to 0.

* **CLOSED SESSION:** Motion by Urban, seconded by Reid, to hold a closed session immediately following the regularly scheduled City Council Meeting of August 28, 2012, to discuss a personnel matter. Upon a roll call vote, motion carried 7 to 0.

* **JULY 2012 SUMMARY ENVIRONMENTAL ACTIVITY REPORT – INFORMATION ONLY:** Motion by Urban, seconded by Reid, to receive the communication from the City Manager regarding the July 2012 Summary Environmental Activity Report as information only. Upon a roll call vote, motion carried 7 to 0.

* **DEPARTMENT MONTHLY REPORTS:** Motion by Urban, seconded by Reid, to receive the Department Monthly Reports from the various city departments. Upon a roll call vote, motion carried 7 to 0.

COMMUNICATIONS:

* **MICHIGAN MUNICIPAL LEAGUE ANNUAL MEETING NOTICE:** Motion by Urban, seconded by Reid, to receive the communication from the Michigan Municipal League regarding the Annual Meeting Notice. Upon a roll call vote, motion carried 7 to 0.

KALAMAZOO COUNTY COUNCIL OF GOVERNMENTS (COG) VICE PRESIDENT MAYOR PRO TEM CLAUDETTE REID: Mayor Pro Tem explained the original purpose of COG, how it evolved and the reason for considering new by-laws at this time. Discussion followed. Motion by Strazdas, seconded by Reid, to receive the communication from Mayor Pro Tem Claudette Reid as

Kalamazoo County Council of Governments (COG) Vice President. Upon a voice vote, motion carried 7 to 0.

UNFINISHED BUSINESS:

TAX EXEMPTION FOR CENTRE STREET VILLAGE APARTMENTS: After an explanation from Community Development Director Vicki Georgeau, motion by Reid, seconded by Urban, to receive the withdrawal communication from The Lockwood Companies Direct Asset Management Representative Robert J. Salomon dated August 27, 2012, to Community Development Director Vicki Georgeau. Upon a roll call vote, motion carried 7 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 Committee of the Whole Work Session of June 4, Special and Regular of June 11, and regular of July 9, 2012.

Portage Zoning Board of Appeals of July 9, 2012.

Portage Youth Advisory Committee of July 30, 2012.

Portage Planning Commission of August 2, 2012.

AD HOC COMMITTEE REPORT:

“WE GET IT” JOINT PORTAGE MARKETING EFFORT: Mayor Strazdas provided a report regarding the “We Get It” Joint Portage Marketing Effort, a collaborative initiative with the Portage Public Library and the Portage Public Schools. Motion by Urban, seconded by Campbell, to receive the report from Mayor Strazdas regarding the “We Get It” Joint Portage Marketing Effort. Upon a voice vote, motion carried 7 to 0.

NEW BUSINESS:

SIGN ORDINANCE COMMITTEE: At the request of Mayor Strazdas, motion by Reid, seconded by Pearson, to accept the resignation of Councilmember Campbell and appoint Mayor Strazdas to the City Council Sign Ordinance Committee. Upon a voice vote, motion carried 7 to 0.

NOTIFICATION OF TREE REMOVAL BY UTILITIES: After some discussion, motion by Pearson, seconded by Urban, to direct the Administration and the City Attorney to investigate and report back on the best practice policy for notification of tree removal by utilities. Upon a voice vote, motion carried 7 to 0.

RECESS: 8:24 p.m.

RECONVENE: 10:29 p.m.

CITY MANAGER EVALUATION COMMITTEE: Mayor Strazdas reconvened the meeting and deferred to City Manager Evaluation Committee Chair Urban, who read from a performance review report, and listed some of City Manager Evans’ activities, attributes and contributions to the community. He cited some of his many accomplishments, his willingness to collaborate, his encouragement and communication with employees and the resultant increase in customer service in the city. He indicated that Mr. Evans has not asked for a salary increase in three years and the Committee recommended a change in his compensation but could not reach a consensus on the amount. Mayor Strazdas asked for comment. There being none, he asked for a motion for the purposes of discussion.

Motion by Pearson, seconded by Reid, to give City Manager Maurice Evans a pay raise of 1.5% effective July 1, 2012, and to give him a one-time bonus of \$5,000. The members of the City Manager Evaluation Committee, Councilmembers Urban, Pearson and Sackley agreed Mr. Evans has exceeded expectations and is doing a fine job. The rest of City Council concurred. Mayor Strazdas pointed out that the challenge is how much to pay in the slow economy when people in this community are seeing little to no pay increase. However, he felt that an executive falls into a different category and that Mr. Evans is deserving of the increase. Discussion followed. Upon a roll call vote, motion failed 4 to 3. No: Councilmembers Sackley, Urban, Randall and Campbell. Yeas: Mayor Pro Tem Reid, Mayor Strazdas and Councilmember Pearson.

Motion by Urban, seconded by Reid, to give City Manager Maurice Evans a pay raise of 2.5% effective July 1, 2012, and to give him a one-time bonus of \$5,000. Discussion followed. Upon a roll call vote, motion carried 4 to 3. Yeas: Mayor Pro Tem Reid, Mayor Strazdas and Councilmembers Sackley and Urban. No: Councilmembers Campbell, Pearson and Randall.

BID TABULATIONS:

* **ICE CONTROL SALT PURCHASE:** Motion by Urban, seconded by Reid, to approve the purchase of ice control salt from Detroit Salt Company in the low bid amount of \$45.21 per ton for 1,500 tons at a total cost not to exceed \$67,815 for early delivery; Detroit Salt Company in the low bid amount of \$54.91 per ton for 1,100 tons at a total cost not to exceed \$60,401 for seasonal back up on an as-needed basis; and authorize the City Manager to execute all documents related to these purchases on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **ANGLING ROAD BUFFER TREE PLANTING PROJECT:** Motion by Urban, seconded by Reid, to award a contract for the planting and maintenance of 141 evergreen trees on Michigan Department of Transportation property to Spruce Trees Direct, LLC, of Byron Center, Michigan, in the amount of \$65,320 and authorize the City Manager to execute all documents related to this agreement on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL: Councilmember Pearson announced that the West Lake Drive-In was open for business and wished them well.

Councilmember Urban thanked City Manager Evans for his fine service to the city this past year and the many years before. He recounted that City Council “hit a homerun” by selecting Maurice Evans to lead Portage as the City Manager then expressed his appreciation to Mr. Evans for all he has done for Portage. Mr. Urban reported that the Long Lake Governmental Board approved an Invasive Aquatic Species Management Program with a first year budget of \$40,000 and \$37,000 for years two through four. He indicated that the assessment will be assessed per parcel among 319 parcels and was championed by the Lake Association, taken to Pavillion Township to be delegated to the Governmental Lake Board as the appropriate taxing body that can effect these lake improvements, and had near unanimous agreement. He also indicated that at the same meeting, the Board reconfirmed the assessment of \$37,000 per year to operate the pump and, in both instances, Pavilion Township and the City of Portage contribute 8.33 %, and that the Board set a hearing on the Special Assessment Roll, 7:00 p.m., September 12, 2012, in City Council Chambers, City Hall.

City Manager Evans thanked City Council for their kind comments and for the work of the City Manager Evaluation Committee. He thanked them for the wage adjustment and the bonus, expressed his appreciation for the debate on the funding issue, said he enjoyed working for the city and City Council and vowed to continue to do his best.

Mayor Pro Tem Reid announced that the Transportation for Michigan Community Forums: Helping Decide How Michigan Rolls will take place Tuesday, September 11, 2012, at the Kalamazoo Regional Chamber of Commerce, 346 West Michigan Ave., Ste. 100, Kalamazoo, from 6:00 p.m. to 8:00 p.m. She made a plea for applicants who wish to serve on the Planning Commission to submit an

application to the City Clerk and plan to attend the Special Meeting on Tuesday, September 11, 2012, beginning at 6:30 p.m. Finally, she announced that the 2012 Kalamazoo Area Foot Chase will be held at Celery Flats, Portage, Saturday, September 9, 2011, at approximately 9:00 a.m. with registration from 7:00 a.m. until 8:30 a.m. She indicated that this is a 3.5-mile fun run patterned after a police foot chase in pursuit of a fleeing suspect and proceeds go to assist families of fallen police officers. She also mentioned that there is the option to walk and have the same experience.

Mayor Strazdas attempted to put the City Manager Review Process in perspective by indicating that there are cities in Michigan trying to figure out how to get rid of the City Manager and/or dealing with a plethora of negative issues. He commented that City Council all agreed to reward Mr. Evans, but could not come to a consensus on how much to award a very good employee of the city.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 10:54 p.m.

James R. Hudson, City Clerk

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