

CITY COUNCIL MEETING MINUTES FROM JANUARY 8, 2013

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, 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 Reid, seconded by Campbell, to approve the December 18, 2012 Regular Meeting Minutes as presented. Upon a voice vote, motion carried 5 to 0 with Councilmember Sackley and Mayor Strazdas abstaining.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Campbell to read the Consent Agenda, and added Item K.1, Appointments to Various Boards and Commissions. Motion by Campbell, seconded by Urban, to approve the Consent Agenda motions as read. Upon a roll call vote, motion carried 7 to 0.

* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JANUARY 8, 2013:** Motion by Campbell, seconded by Urban, to approve the Accounts Payable Register of January 8, 2013. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARING:

REZONING APPLICATION #12-01 (9136 SHAVER ROAD): Mayor Strazdas opened the public hearing and, at his request, City Manager Maurice Evans explained that this is a rezoning request from I-1, light industrial, to B-3, general business, to help facilitate the redevelopment of the site for a new Mulligans Grill and Sports Bar. He indicated that there has been recent development along the Shaver Road corridor and deferred to Community Development Director Vicki Georgeau, who presented various maps of the area and explained that the rezoning request is consistent with surrounding land uses and zoning patterns, the Comprehensive Plan and the Future Land Use Map. Discussion followed.

Mayor Strazdas opened the public hearing for comment from the public. There being no further comment or discussion, 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 Reid, to approve Rezoning Application #12-01 and rezone 9136 Shaver Road to B-3, general business. Discussion followed. Upon a roll call vote, motion carried 7 to 0. Ordinance recorded on page 241 of City of Portage Ordinance Book No. 12.

STATEMENTS OF CITIZENS: Phil Stinchcomb, 1607 Bellaire Avenue, objected to the state enabled tax administration fee of 1% of the property tax bill collected as reimbursement for tax administration in lieu of having the six other taxing jurisdictions invoice and collect their own taxes or reimburse the city for their respective pro rata share of the cost of tax administration. He also asked for this to be reevaluated.

REPORTS FROM THE ADMINISTRATION:

* **MICHIGAN DEPARTMENT OF TRANSPORTATION CONTRACT - MALL DRIVE PROJECT (CONSTITUTION BOULEVARD TO SOUTH WESTNEDGE AVENUE):** Motion by Campbell, seconded by Urban, to approve Contract 12-5589 between the Michigan Department of Transportation and the City of Portage concerning funding for street improvements on Mall Drive, from Constitution Boulevard to South Westnedge Avenue; approve an engineering services contract with Abonmarche Consultants, Incorporated, for construction inspection and administration for street improvements on Mall Drive, from Constitution Boulevard to South Westnedge Avenue, in the not to exceed amount of \$39,750; adopt a Resolution authorizing the City Manager to sign Contract 12-5589; and authorize the City Manager to sign all other documents related to the Michigan Department of Transportation and the consultant contracts for this project on behalf of the city. Upon a roll call vote, motion carried 7 to 0. Resolution recorded on page 487 of City of Portage Resolution Book No. 44.

* **2010 CENSUS LIQUOR LICENSE – CONSIDERATION OF CONDITIONAL APPROVAL FOR THE REPERTOIRE COFFEE HOUSE AND THEATER, INC.:** Motion by Campbell, seconded by Urban, to grant Conditional Approval of the 2010 Census Liquor License, above all others, to the Repertoire Coffee House and Theater, Inc., subject to obtaining necessary permits, approvals and commencement of construction within six months and completion of the restaurant not more than one year after issuance of applicable building permits. Upon a roll call vote, motion carried 7 to 0.

* **COMMEMORATIVE 50TH ANNIVERSARY COFFEE TABLE BOOK:** Motion by Campbell, seconded by Urban, to approve the production of an update to “This Place Called Portage: Its Past and Present” by Larry Massie and that donations from area businesses be requested to fund that update. Upon a roll call vote, motion carried 7 to 0.

* **OUTLOT A OF NORTON’S SUBDIVISION – 10244 PORTAGE ROAD:** Motion by Campbell, seconded by Urban, to refer the request from Walter Hansen, on behalf of Lakeview Animal Hospital, to purchase the city-owned Outlot A of Norton’s Subdivision – 10244 Portage Road to the City Council Ad Hoc Property Committee for review and recommendation. Upon a roll call vote, motion carried 7 to 0.

732 EAST CENTRE AVENUE (ELZINGA): Mayor Strazdas introduced the item and deferred to City Manager Evans, who explained the recommendation here is to refer the matter to the Administration for a report to be presented to the Property Committee for consideration of whether the City wants to be involved in this property or not as a question to be posed to City Council. Discussion followed.

Councilmember Campbell opposed presenting the matter to the Property Committee as prior submissions to the Committee had a clear public purpose. She pointed out that this matter closely represents “speculation” which is outside the purview of City Council. She restated that she is in favor of referring the matter to the Administration for a review, but emphasized it is not appropriate to present it to the Property Committee. Councilmember Sackley concurred.

Motion by Sackley, seconded by Campbell, to receive the communication from Jake and Dan Elzinga regarding the property at 732 East Centre Avenue and referred it to the City Administration for determination of city use of the property for any potential public purpose and report back to City Council. Discussion followed. 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 Environmental Board of November 14, 2012.

Portage Public Schools Board of Education Regular Business of November 19 and Special of November 27, 2012.

NEW BUSINESS:

* **APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS:** Motion by Campbell, seconded by Urban, to reappoint Wes Mazurek, Bill Fries, Michael Quinn and Michael Simon and appoint William Brandt and Richard Ford with terms ending January 31, 2014, to Board of Review with the breakout of the two Boards occurring at a later date; appoint Richard Kraas and Roger Stamper with terms ending October 31, 2015, to the Investment Committee; and appoint Effie Kokkinos with unfulfilled term ending October 1, 2013, to the Human Services Board. Upon a roll call vote, motion carried 7 to 0.

BID TABULATION:

* **ROMENCE ROAD PARKWAY/ANGLING ROAD ENGINEERING CONSULTANT PROPOSALS:** Motion by Campbell, seconded by Urban, to award an engineering services contract to Bergmann Associates of East Lansing, Michigan, for the Romence Road Parkway (Lovers Lane to Portage Road) and Angling Road (West Centre Avenue to Squire Heath Lane) major street reconstruction in the not to exceed amount of \$29,690 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 7 to 0.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Campbell, City Manager Evans and Mayor Strazdas highlighted the recent visit by the Harlem Globetrotters to the Millennium Ice Rink for “Basketball on Ice” as the opening event in celebration of the 50th Anniversary of Portage becoming a city.

Mayor Pro Tem Reid expressed her appreciation for the Portage City Flags displayed along South Westnedge Avenue and Mayor Strazdas concurred and commented on the history of Portage, the balance mix of residential, commercial and industrial uses and gave credit to the fine stewardship of former City Councils and Administration.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 7:59 p.m.

James R. Hudson, City Clerk

*Indicates items included on the Consent Agenda.