

## CITY COUNCIL MEETING MINUTES FROM JANUARY 22, 2013

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

At the request of Mayor Strazdas, Pastor Richard Hertsel of the Centre Avenue Community Church of God 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, Patricia M. Randall, Edward J. Sackley and Terry R. Urban, Mayor Pro Tem Claudette S. Reid and Mayor Peter J. Strazdas. Councilmember Jim Pearson was absent with notice. Also in attendance were City Manager Maurice S. Evans, City Attorney Randy Brown and City Clerk James R. Hudson.

**PROCLAMATION:** After Mayor Pro Tem Reid and Mayor Strazdas shared the reading of a Resolution honoring Christine Berro, motion by Urban, seconded by Randall to issue a Resolution honoring Christine Berro, Director of the Portage District Library. Upon a voice vote, motion carried 6 to 0.

**APPROVAL OF MINUTES:** Motion by Campbell, seconded by Sackley, to approve the January 8, 2013 Special and Regular Meeting Minutes as presented. Upon a voice vote, motion carried 6 to 0.

\* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Sackley to read the Consent Agenda. Motion by Sackley, seconded by Urban, to approve the Consent Agenda motions as read. Upon a roll call vote, motion carried 6 to 0.

\* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF JANUARY 22, 2013:** Motion by Sackley, seconded by Urban, to approve the Accounts Payable Register of January 22, 2013. Upon a roll call vote, motion carried 6 to 0.

**STATEMENTS OF CITIZENS:** State Representative Margaret O'Brien provided a review of the State of the State Address given by Governor Snyder where he said he expressed a concern that there are policies that create unfunded mandates and a concern with house foreclosures when owners are able to have their house go into foreclosure, then buy back the house at a lower cost. He revealed a general transportation plan with a focus on investing in roads and bridges and pointed out that unemployment is down and housing prices are up, but pointed out that government lags behind the private sector and warned that recovery is not necessarily the case. She indicated that the state budget was flat and that budgets would remain flat for the next couple of years; so, when the Governor introduces the budget in February, it should reflect transparency, making sure of efficiency, but she pointed out that Portage already leads the way in these areas.

She indicated that she was working on updating the methodology of assessing, the use of outdated data and the streamlining of the property assessment process in Michigan in order to make it easier and more understandable for the property owner, the municipality and the assessor.

She indicated that she and State Senator Tanya Schuitmaker and Representative Nesbitt are sponsoring a personal property tax forum for local elected officials later in the year with Lieutenant Governor Brian Calley to answer any questions regarding personal property relief. Discussion followed.

In response to City Manager Evans, she indicated the State is expecting a surplus at the end of the year, and that the Rainy Day Fund is not being spent, but is being “built up” and has gone from \$5 million to \$500 million; and, regarding the outstanding Legacy Costs, she indicated that the State is not just making interest payments, but is paying more than the minimum payments with current savings already of millions of dollars.

With regard to Mr. Evans’ question regarding the Michigan Department of Treasury Personal Property Tax Guidelines, she indicated that “immediate effect” at the State level means 90 days from the passage of the legislation; or, if it does not have “immediate effect,” it goes into effect 90 days after the end of the legislature. She then indicated that Personal Property Tax changes are scheduled to go into effect April 1, 2013, and the Department of Treasury has been working on the rules and this is a fair question to ask Lieutenant Governor Calley at the personal property tax forum. Discussion followed.

#### **REPORTS FROM THE ADMINISTRATION:**

\* **STRYKER CORPORATION, PA 198 TAX ABATEMENT:** Motion by Sackley, seconded by Urban, to adopt Resolution No. 3-13 setting a public hearing on the issuance of the Industrial Facilities Exemption Certificate for the Stryker Corporation for real and personal property in the estimated amount of \$5.64 million at 4100 East Milham Avenue, Industrial District No. 63, for February 12, 2013. Upon a roll call vote, motion carried 6 to 0. Resolution recorded on page 489 of City of Portage Resolution Book No. 44.

\* **2013 RECREATION AND OPEN SPACE PLAN UPDATE:** Motion by Sackley, seconded by Urban, to resolve to adopt the 2013 Recreation and Open Space Plan Update and authorize the City Manager to submit the approved plan to the Michigan Department of Natural Resources to comply with applicable grant requirement guidelines. Upon a roll call vote, motion carried 6 to 0. Resolution recorded on page 491 of City of Portage Resolution Book No. 44.

\* **DECEMBER 2012 ENVIRONMENTAL ACTIVITY REPORT:** Motion by Sackley, seconded by Urban, to receive the communication from the City Manager regarding the December 2012 Summary Environmental Activity Report - Information Only. Upon a roll call vote, motion carried 6 to 0.

\* **CLOSED SESSION:** Motion by Sackley, seconded by Urban, to hold a closed session immediately following the regularly scheduled City Council Meeting of January 22, 2013, to discuss a City Attorney communication. Upon a roll call vote, motion carried 6 to 0.

\* **DEPARTMENT MONTHLY REPORTS:** Motion by Sackley, seconded by Urban, to receive the Department Monthly Reports. Upon a roll call vote, motion carried 6 to 0.

#### **COMMUNICATIONS:**

**COMMUNICATION FROM PORTAGE YOUTH ADVISORY COMMITTEE:** Youth Advisory Committee Chair Sujay Dewan introduced Secretary Catherine Cartier, Matthew Cartier and Audrey Searing and proceeded to provide the Annual presentation by the Portage Youth Advisory Committee. He reflected on the growth of the Committee from 13 members to a 30 member set of volunteers and a “think tank” for the City of Portage. He reviewed the activities of the past year of the Committee and gave special recognition to Deputy City Clerk Adam Herringa for his excellent guidance and support for the Committee and the special work of the Youth Advisory Committee members. Secretary Catherine Cartier, Mr. Dewan and Matthew Cartier reviewed the future calendar of events as planned by the Youth Advisory Committee, shared some pictures of relevant past activities and provided

details of the events planned for the celebration of the 50<sup>th</sup> Anniversary of the City of Portage. Discussion followed.

**COMMUNICATION FROM THE ENVIRONMENTAL BOARD:** Environmental Board Member Martin Sepanik provided an annual summary of the activities of the Environmental Board, stressing the progress and the successes of the 2012 Purple Loosestrife Program. He emphasized that the Board has the diversity needed to advise on a wide range of scientific and practical environmental concerns with the scientists, a master gardener and a lawyer as members, for example, which makes for a lot of exchange of ideas. Discussion followed.

**COMMUNICATION FROM HUMAN SERVICES BOARD CHAIR SANDRA SHEPPARD:** Mayor Strazdas asked Community Development Director Vicki Georgeau, who explained the need to appoint a Human Services Board representative to the Kalamazoo Transit Authority Local Advisory Committee since the former representative on the Committee, Marc Meulman, has moved out of the City of Portage and resigned from the Board. Discussion followed. Motion by Reid, seconded by Randall to appoint Pat Maye as the City of Portage Human Services Board representative to the Kalamazoo Transit Authority Local Advisory Committee. Upon a roll call vote, motion carried 6 to 0.

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

Portage Historic District Commission of December 5, 2012.  
Portage Park Board of December 5, 2012.  
Portage Human Services Board of December 6, 2012.  
Portage Youth Advisory Committee of December 10, 2012.  
Portage Environmental Board of December 12, 2012.  
Portage Human Services Board of January 3, 2013.  
Portage Planning Commission of January 3, 2013.

**BID TABULATIONS:**

\* **BID RECOMMENDATION – MOWING AND TRIMMING:** Motion by Sackley, seconded by Urban, to approve a three-year contract with the low bidders: Irish Ayres Enterprises, LLC, in the annual amount of \$116,026 for mowing, trimming and landscape maintenance of city roadsides/ boulevards, City Centre and outlots; and J&J Lawn Service, Incorporated, in the annual amount of \$12,445 for mowing, trimming and landscape maintenance of Michigan Department of Transportation (MDOT) properties within the city, both with an option for three, one-year renewals, 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 6 to 0.

\* **BID RECOMMENDATION – LANDSCAPE BED MAINTENANCE:** Motion by Sackley, seconded by Urban, to approve the low bid for a three-year contract with Stap Brothers in the yearly amount of \$32,054 for landscape bed maintenance, with an option for three annual contract 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 6 to 0.

RECESS: City Council adjourned to go into a closed session at 8:10 p.m.

RECONVENE: City Council returned from closed session at 9:07 p.m.

Mayor Strazdas thanked City Attorney Randy Brown for his legal opinion as discussed in closed session, and he introduced Item M, Other City Matters.

**OTHER CITY MATTERS:**

**STATEMENTS OF CITY COUNCIL AND CITY MANAGER:** Councilmember Urban urged citizens to cease the use of the cell phone while driving during the bad weather as “cell phones and ice do not mix.”

Mayor Strazdas reflected on the January 21, 2013 Portage Public School Board Meeting in City Council Chambers wherein citizens came to discuss the erection of electronic billboards on Portage Public School property and indicated that he, City Council and the Administration have also received communications from citizens regarding this proposal. So, in light of the public discussion of the Portage Public School proposal to contract with private business to erect and lease electronic billboards on school properties, Mayor Strazdas asked for a consensus of City Council to have the Administration and the City Attorney present information regarding billboards as an educational effort for Council. He also encouraged each Councilmember to provide anything he or she might want targeted to the City Manager for inclusion in the report. When he asked for City Council input, Mayor Pro Tem Reid concurred with the approach and encouraged the Administration to reach out to the Michigan Department of Transportation (MDOT) to discuss the MDOT approval process. There was a consensus of City Council to have the Administration and the City Attorney present information regarding billboards as an educational effort for Council.

Mayor Strazdas reflected upon his recent experience in Washington, D.C., with the inauguration and expressed his appreciation for the smooth transition of power in the United States after a Presidential Election.

**ADJOURNMENT:** Mayor Strazdas adjourned the meeting at 9:10 p.m.

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James R. Hudson, City Clerk

\*Indicates items included on the Consent Agenda.